

AMENDMENT NO.

The title and ballot question shall be as follows:

COMPREHENSIVE PLANNING

Shall the Volusia County Home Rule Charter be amended to designate districts in which the county comprehensive plan prevails over a conflicting municipal plan for up to ten years after this amendment or an annexation becomes effective; and to reconstitute the name, membership and role of the Growth Management Commission, determining local comprehensive plan consistency, to the Growth Management Dispute Resolution Commission, providing non-binding recommendations for local comprehensive planning dispute resolution?

YES - FOR APPROVAL

NO - AGAINST APPROVAL

The proposed amendment, in full, shall read as follows:

The Volusia County Home Rule Charter, Chapter 70-966, Laws of Florida (Sp. Acts), as previously amended, shall be further amended in pertinent part as follows:

(Except as provided herein or as otherwise provided by separate amendment, provisions of the Charter not shown are not amended.)

(Words in ~~struckthrough~~ type are deletions; words in underscored type are additions.)

Section 202.3. Comprehensive planning.

There hereby are established comprehensive planning districts to protect natural resources of countywide significance and the character of certain communities. The planning districts consist of lands governed by the county comprehensive plan when this section becomes effective, regardless of previous or subsequent annexation, and classified natural resource management area, rural community or rural village or included geographically within

the Highridge neighborhood, Hontoon Island, Enterprise and Wilbur-by-the-Sea local plans. The planning districts also shall include Osteen which for the purpose of this section is described as follows: **(Legal description to be inserted)** The county council by ordinance may reduce the boundaries of these planning districts.

The county comprehensive plan shall prevail over conflicting municipal plan or ordinance provisions within the planning districts for lands included within respective annexations until: (1) the later of ten years from after this section or an annexation becomes effective; (2) an interlocal planning agreement after June 15, 2006 which includes the annexed area; (3) county council consent to a municipal plan amendment for the annexed area; or (4) the county council amends the future land use map for an annexed area. All municipal plan amendments within ten years following an annexation require county council consent unless such land is subject to an agreement satisfying this section.

~~Section 202.3. Volusia Growth Management Commission.~~

~~There is hereby created the Volusia Growth Management Commission (hereafter commission). The commission shall have the power and the duty to determine the consistency of the municipalities' and the county's comprehensive plans and any amendments thereto with each other. The commission may perform such other directly related duties as the commission from time to time deems necessary.~~

~~The determination by the commission shall be binding on the submitting government. No plan, element of a plan, or amendment of a plan adopted after the date this article becomes law shall be valid or effective unless and until such plan, element of a plan, or amendment has been reviewed by the commission and has been certified as consistent. The review of any such determination of the commission shall be by certiorari.~~

~~The commission shall be composed of voting and non-voting~~

~~members. There shall be one voting member from each municipality within the county and five voting members from the unincorporated area of the county. The appointment of each voting representative shall be made by the governing body of each respective jurisdiction. The Volusia County School Board, the St. Johns River Water Management District, and the Volusia County Business Development Corporation shall each designate one non-voting member to serve on the commission. The term of office of the commission members shall be fixed by the Rules of Procedures of the commission but shall not exceed four years.~~

~~Each voting member shall have a weighted vote. Each municipality represented shall have a vote equal to the percentage of its population with the overall county population. The unincorporated area representatives' combined vote shall not exceed the percentage of the unincorporated area's population with the overall county's population, and the individual vote of each unincorporated area representative shall be equal to the other. The determination of the weight of each vote shall be determined annually.~~

~~Rules of procedure for the commission's consistency review and for the manner in which this section is to be enforced and implemented, and amendments thereto, shall be proposed by the commission and shall not become effective until adopted by ordinance approved by a two-thirds vote of the entire membership of the council.~~

~~The commission, by a two-thirds vote, shall adopt an annual budget which may provide for independent staff and which shall be funded by the county. The budget may be amended upon two-thirds vote of the full council.~~

Sec. 13xx. Volusia Growth Management Dispute Resolution Commission.

There is hereby created the Volusia Growth Management Dispute Resolution Commission. The commission shall provide a voluntary non-binding dispute resolution process for local government planning conflicts, including existing or proposed

planning or service agreements. The commission may perform such other directly related duties as it deems necessary.

The commission shall consist of seven members appointed as follows: three by the Volusia Council of Governments municipal representatives; three by the county council; and one by the school board. Elected officials and public agency employees may not be members. Member terms shall be fixed by commission rules but shall not exceed four years.

The commission shall adopt rules of procedure which include the opportunity for public participation. The county, school board, or any municipality may request commission review by filing a petition setting forth the nature of a conflict. The commission may make recommendations to the respective units of government to resolve conflicts brought to it for review.

The county shall fund technical assistance for the commission.