

**MINUTES
Planning and Land Development Regulation Commission
MARCH 10, 2009**

PUBLIC ITEMS

- 1. Comprehensive Plan Amendments Large Scale Cycle 09-1
 - a. CPA 09-1-1 Florida Black Bear Scenic Highway
 - b. CPA-09-1-2 School Concurrency Service Area Maps
 - c. CPA-09-1-3 Chapter 21, Administration and Interpretation Element
 - d. CPA-09-1-4 Chapter 1, Future Land Use Element
 - e. CPA 09-1-5 Osteen Local Plan

.....Becky Mendez, Senior Planning Manager

Becky Mendez, AICP, Senior Planning Manager, presented the staff report which consisted of 5 separate amendments. The first amendment is the Florida Black Bear Scenic Highway. The County Council had passed a resolution of support for the scenic highways and this is the third highway of that resolution to be added to the Comprehensive Plan and Transportation Map. There are two more that will hopefully be added in the 09-2 cycle. This amendment designates State Road 40 as a scenic highway.

Member Huttman asked if this interferes with the FDOT’s plans for the development of State road 40.

Ms. Mendez replied negatively and stated that the County was following the FDOT’s process for designation of the scenic highway. This is the final administrative step in the designation process.

Ms. Mendez continued with the second amendment, the school concurrency service area maps. The public school facilities element was adopted in 2007-2008 and Volusia County is the keeper of the concurrency service area maps. On the Elementary and Middle school level the concurrency service area is determined by the attendance boundary zones, so any time the attendance boundary zones change because of opening or closing of a school, the map will need to be changed. Horizon Elementary school is being advertised for attendance boundary changes and at adoption if the boundaries change you will see a revised map for transmittal.

Member Huttman asked if the school board and Volusia County work together on the attendance boundaries.

Ms. Mendez replied that the attendance boundaries go through the public hearing process and as an affected party; the County receives notices and sends representatives. The County is always a partner with the school board.

Member Young asked if the school board makes these changes or does the County.

Ms. Mendez replied that the school board facilitates the changes; the County just updates the maps as a result of the school board's actions.

Ms. Mendez moved along to the third amendment of this cycle regarding Chapter 21. This amendment is basically housekeeping and clarification to be consistent. The biggest change is on page seven regarding the due public notice requirements for a small scale amendments to the Comprehensive Plan. Instead of adding the due public notice requirements for all possible amendments to the Plan, staff removed the requirements and simply stated that all amendments must comply with state statute requirements for due public notice.

Member Russell asked if the possible name change of the PLDRC would have any impacts on this amendment.

Ms. Mendez replied that there was no status of the possible name change and it may be necessary to have a text amendment to change the name throughout the entire Comprehensive Plan.

Ms. Mendez went into the fourth amendment regarding the Future Land Use element; the intent was to provide consistency and clarification of this element. There has been a lot of discussion about Volusia County becoming a "Green" County.

Member Cornett asked if the County would be using LEEDs and if there is a time frame of creating standards.

Ms. Mendez replied affirmatively and that this year is the goal for the standards.

Ms. Mendez continued with the presentation on this amendment, highlighting the changes such as becoming consistent with the Future Land Use designations, clarifying and organizing the NRMA and ECO overlays. Reference to lot sizes was removed from the FLU designations which will help with clustering provisions. The zoning matrix was amended, Planned Unit Developments were added in some designations as compatible because a Planned Unit Development is negotiated and with negotiation most things can be made compatible. Staff removed most of the redundant policies. By law all elements must be consistent with all the other elements.

Member Huttmann asked if there was any issue with this amendment including language regarding something that has not been adopted or that is being challenged as part of the 08-2 cycle.

Ms. Mendez replied that it is not believed so but we will have to deal with any conflicts should any arise from the Department of Community Affairs.

Chairman Severino asked about the lot sizes and eliminating them from the land use designations effectiveness on the zoning requirements for clustering and would the zoning classification inhibit the clustering.

Ms. Mendez replied that it will be addressed in the changes to the Uniform Land Development Code; however the Comprehensive Plan has to be changed first. The FLU can conflict with the Zoning but the Zoning cannot conflict with the Comprehensive Plan.

Member Cornett asked if the County was going to work with the Cities to conform the zoning classification to be consistent whether the property is in the County or City.

Ms. Mendez stated that the County is always willing to collaborate but we would have to see when those changes are brought forward.

Ms. Mendez presented the fifth amendment of this cycle by stating the Osteen (JPA) Local Plan started in 2006, The City of Deltona and The County had joint meetings to negotiate common land uses in the 4,000 acre area and on December 5, 2008 agreed to the Local Plan language. There are seven new land use designations. She explained the map and where the new land use areas are located. In some of the residential land areas the density was frozen to current standards, clustering is required and more environmental standards are required. The development is being capped and this is truly a long range plan for the area.

Member Gove asked about the current Skip's property.

Ms. Mendez stated that if the Skip's property were to be abandoned or expanded they would have to comply with this element but it may continue to operate and appear as it does today.

Member Cornett asked about the Floor Area Ratio limits and whether impervious surfaces were included in those limits.

Ms. Mendez replied that it was to force the height; it counts the floor area of all stories not just the footprint and not impervious area.

Member Huttmann asked if the capping language was because there was not a Traffic Study performed.

Ms. Mendez stated it was to assist in the creating the Traffic Study.

Darryl Cunningham, GEB Planners, the reason for the capping of development was to show a reduction of net trips and financial responsibility in the CIE of the County and the City of Deltona.

Ms. Mendez presented the Development Tables within the staff report to assist explaining the capping of the development.

Member Severino asked how the Land Use designations will effect any special exceptions in the area.

Ms. Mendez replied that the zoning is still in effect. The special area rezoning has not been done yet. We will have to look at the request the same way as we would do right now. The Comprehensive Plan trumps the zoning and if the zoning allows it today and the new land use may conflict then a case by case basis will have to be done until the rezoning is effective.

Michael Dyer, Assistant County Attorney, stated that there is a state law that requires land development regulations be adopted within 12 months.

Betty Olaughlin, Volusia Flagler Sierra Ex Committee, 715 McKenzie Rd, Lake Helen, FL 32744, commented that it looks like a good plan but personally feel that Osteen will disappear into Deltona. The Sierra Club however opposes any of these changes to the area; we would like to see a historic district which is not in this plan. The intentions are good but lawyers and a lot of money can override the comprehensive plan.

Member **Cornett MOVED** to **FOWARD** the Comprehensive Plan Cycle 09-1-1 through 09-1-5 to County Council with a recommendation of **APPROVAL TO TRANSMIT** to the Department of Community Affairs with the Trip Tables to be included in the County Council presentation. Member **Sixma SECONDED** the motion. Motion **CARRIED** unanimously.