

Item 22

Order of Business:

Open Public Hearing

Staff Report

Public Participation

Close Public Hearing

Council Discussion/Action

Ordinance Nos. 2009-10, 2009-11, 2009-12, 2009-13 Comprehensive Plan – Large Scale Amendment
Cycle 09-1 - Transmittal hearing

Staff Contact: Gregory Stubbs, 386-736-5959, ext. 2000
Kelli McGee, 386-736-5959, ext. 2845

VC-1236869406821

Planning and Development Services Director Kelli McGee explained about the courtesy sign-in sheet for the public and gave the staff report, along with an overhead PowerPoint slide presentation. Ms. McGee said Council was being asked to authorize staff to forward the Amendment Cycle to the State Department of Community Affairs (DCA) for review and to the Volusia Growth Management Commission (VGMC) for a finding of consistency as provided in the County's Charter. She then gave a breakdown of the amendments to be transmitted.

Council discussion followed. Concern was expressed about the notice requirements for large scale vs. small scale changes to the Comprehensive Plan and neighborhood commercial development allowed in rural areas. Deputy County Attorney Jamie Seaman and Ms. McGee explained the issues and staff's recommendations for them. Council Member Wagner suggested amending the language in the Cultural Affairs Element to state the County could annually appropriate "up to" \$1.50 per capita to assist in cultural endeavors. Several Council Members agreed with him.

Chair Bruno suggested a motion to adopt all ordinances as recommended, with the addition of Council Member Wagner's "up to" language for per capita funding for local cultural arts organizations. April 23, 2009 being the date for public hearing and there being no objection, Council Member Wagner moved to ADOPT Ordinance Nos. 2009-10, 2009-11, 2009-12 and 2009-13, as well as the language modification. Council Member Alexander seconded the motion.

Public participation followed. **Wendell Jarrard**, Vice Chair of the Cultural Council, distributed a letter from the Chair of the Cultural Council endorsing an annual per capita appropriation of \$1.50, but not less than \$1.25, for local cultural arts organizations. **Jim Ward**, another Cultural Council member, urged the Council to at least establish a baseline amount for per capita funding. **Jennifer Coolidge**, Volusia County Cultural Alliance, also supported per capita funding.

Council discussion ensued. County Manager Jim Dinneen explained how the proposed wording would give him some budgetary flexibility, yet not put him in the position of violating the Comprehensive Plan. Council Member Hayman said he had been having a hard time supporting the motion in view of the difficult economic times, but Mr. Dinneen's explanation had cleared up his questions. Ms. Seaman clarified the language that would be changed.

The motion CARRIED 6-0, with Council Member Northey out of the room. Chair Bruno stated for the record he would allow Council Member Northey to cast her vote on the issue when she returned, as the issue was a very important one and he felt sure she would be supportive of the motion. When she returned, she said she did indeed support the motion, which therefore carried UNANIMOUSLY. Ordinance Nos. 2009-10, 2009-11, 2009-12 and 2009-13, entitled as follows and on file in their entirety with the records of the County Council, were duly ADOPTED 7-0.

ORDINANCE NO. 2009-10

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-10 AS PREVIOUSLY AMENDED, BY AMENDING CHAPTER TWO, TRANSPORTATION ELEMENT, TO INCLUDE THE FLORIDA BLACK BEAR SCENIC BYWAY; BY AMENDING OBJECTIVE 18.1.5 OF CHAPTER 18, "CULTURAL FACILITIES ELEMENT" RELATING TO GRANTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2009-11

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-10 AS PREVIOUSLY AMENDED, BY AMENDING APPENDIX 1 MAPS AND FIGURES, "CHAPTER 3 OF THE PUBLIC SCHOOLS FACILITY ELEMENT" UPDATING THE SCHOOL CONCURRENCY SERVICE AREA MAPS FOR ELEMENTARY AND MIDDLE SCHOOLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2009-12

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-10 AS PREVIOUSLY AMENDED, BY AMENDING CHAPTER 21: "ADMINISTRATION AND INTERPRETATION," TO CLARIFY CERTAIN PROVISIONS OF SAID CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2009-13

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-10 AS PREVIOUSLY AMENDED, BY ESTABLISHING OVERLAY DISTRICTS FOR NATURAL RESOURCE MANAGEMENT AREA AND ENVIRONMENTAL CORE OVERLAY, BY CLARIFYING ALL FUTURE LAND USE DESIGNATIONS, BY AMENDING INTERPRETATION OF FUTURE LAND USE DESIGNATIONS, BY AMENDING THE MATRIX FOR CONSISTENT ZONING CLASSIFICATIONS WITH FUTURE LAND USE DESIGNATION, BY AMENDING GOALS, OBJECTIVES, AND POLICIES RELATED TO FUTURE LAND USE DESIGNATIONS, AMENDING LAND USE LOCATION CRITERIA, PROVIDING RENUMBERING AND GRAMMAR CORRECTIONS; BY AMENDING CHAPTER 1: "FUTURE LAND USE ELEMENT," TO CLARIFY CERTAIN PROVISIONS OF SAID CHAPTER; BY INCLUDING ADDITIONAL SMART GROWTH POLICIES PROMOTING SUSTAINABLE DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.