

CHARTER REVIEW



C O M M I S S I O N

Members

Hyatt Brown
Chair

Glenn Ritchey Sr.
Vice Chair

Dr. T. Wayne Bailey

Frank Bruno Jr.

Frank Darden

Patricia Drago

Ambassador
Stanley Escudero

Dr. Philip Fleuchaus

David Haas

Peter Heebner

James Morris

Patricia Northey

Glenn Ritchey Sr.

Derek Triplett

Mark Watts

Lisa Ford Williams

CHARTER REVIEW COMMISSION DAYTONA BEACH INTERNATIONAL AIRPORT VOLUSIA ROOM

Monday, December 14, 2015
5:30 p.m.

A G E N D A

- I. Call to Order**
- II. Roll Call**
- III. Approval of minutes of November 9, 2015. [pages 3 – 9]**
- IV. Approval of meeting date change for February to February 1, 2016 at 5:30pm.**
- V. Correspondence Received**
 - A. Volusia Growth Management Commission [pages 10 - 67]**
 - B. General Correspondence [pages 68-81]**
 - C. Municipality/Agency VGMC Position Letters [pages 82 – 118]**
- VI. Public Participation (Limit 3 minutes)**
 - A. City of South Daytona – Joseph Yarbrough, City Manager**
 - B. Halifax River Audubon Society – Stephen Kintner, Conservation Chair**
 - C. Deanie Lowe**
- VII. Code of Ordinances Discussion [page 119]**
https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTIICO
OR
- VIII. Article II, Section 202.2 Security of Citizens Property Rights – further discussion. [page 120]**

CHARTER REVIEW



C O M M I S S I O N

Members

Hyatt Brown
Chair

Glenn Ritchey Sr.
Vice Chair

Dr. T. Wayne Bailey

Frank Bruno Jr.

Frank Darden

Patricia Drago

Ambassador
Stanley Escudero

Dr. Philip Fleuchaus

David Haas

Peter Heebner

James Morris

Patricia Northey

Glenn Ritchey Sr.

Derek Triplett

Mark Watts

Lisa Ford Williams

IX. Article II, Section 202.3 Volusia Growth Management Commission [page 121]

- A. Information Requested by VCRC Members [pages 122 – 130]**
- B. Guest Speaker – Volusia Growth Management Commission – Gerald Brandon, Vice-Chairman (15 minutes) [pages 131 – 142]**
- C. Guest Speaker – Team Volusia – Dwight Durant, Secretary (10 minutes) [pages 143 – 191]**
- D. Guest Speaker – CEO Business Alliance – Kent Sharples, President (10 minutes) [pages 192 – 219]**

X. Discussion by Commission of matters not on the agenda

XI. Adjourn – next meeting, January 11, 2016 at 5:30 in the DBIA – Dennis McGee Room (Volusia Room)

**CHARTER REVIEW COMMISSION
VOLUSIA COUNTY, FLORIDA**

**MINUTES OF THE MEETING OF
November 9, 2015**

CALL TO ORDER

Chair Brown called the meeting to order at 5:31 p.m. in the Volusia Room at the Daytona Beach International Airport, 700 Catalina Drive, Daytona Beach, Florida.

ROLL CALL

Chair Brown welcomed those present at the meeting. Members present included Frank Bruno Jr., Frank Darden, Patricia Drago, Ambassador Stanley Escudero, Dr. Phillip Fleuchaus, David Haas, Peter Heebner, James Morris, Derek Triplett, Mark Watts and Lisa Ford Williams. Chair Brown advised that Dr. Bailey and Glenn Ritchey were still recovering from illness and Patricia Northey was unable to attend. Also present were County Attorney Dan Eckert, County Manager Jim Dinneen, county support staff and members of the public.

APPROVAL OF MINUTES

Ambassador Escudero made a motion to approve the minutes of the October 12, 2015 meeting. The motion was seconded by Derek Triplett. The motion was approved unanimously.

PUBLIC PARTICIPATION

Chair Brown opened the floor to public participation and reminded the audience that there is a three minute time limit for individuals, a six to ten minute limit for groups who were invited to speak, and the commission would not consider issues currently in litigation. Each member of the public was asked to complete a public participation form which included their name, address, and brief description of the topic they wished to address and allotted three minutes.

Michael Denis, 625 Lenox Ave, Daytona Beach, spoke on Article II Sec. 205 Unified Beach Regulations. Since the shift of responsibilities to the County, he noted examples of three vacated approaches of which two remain undeveloped. He continued by saying there is nothing that stops a developer from obtaining property and sitting on it for years.

Ken Strickland, 1208 N Halifax Avenue, Daytona Beach, approached the commission with a request to put the Let Volusia Vote Amendment on the ballot.

Martin Bates, 500 Buckles Road, Pierson, spoke on Article III Sec. 303.5 term limits of the council. He suggested to reduce the district terms from four to two years as is done at the federal and state level. He also noted that although a member cannot run for three terms, they can run for Chair or At-Large positions. He felt that the process does not provide enough change. In regards to the beach, he suggested that all issues have a 2/3 vote of the County Council as opposed to a majority vote.

Dr. Phillip Fleuchaus stated the original charter had two year terms and asked when the terms changed from two to four. Dan Eckert advised the group that it became effective in 2002.

Greg Gimbert, 255 Euclid Avenue, Daytona Beach, approached the commission asking for clarity on instructions.

Chair Brown stated that there would be no discussion on beach driving, however items within Sec. 205 were open for discussion. Chair Brown also reminded Mr. Gimbert that the commission would not be hearing issues currently in litigation.

Greg Gimbert asked Dan Eckert if it was within the rights of the chair to determine the content of his input.

Mr. Eckert deferred to the Commission

Chair Brown clarified that the seriousness of the litigation is recognized by the members of the commission and as noted in the minutes, beach driving would not be discussed. However, there is not intent to preclude Mr. Gimbert's input and suggested that if he would like to speak on another issue, he is welcome to do so.

Greg Gimbert continued by saying that he did not believe that it is the Speaker's or appointed body's place to determine what can or cannot be said during public input.

Discussion ensued between Dr. Fleuchaus, James Morris, and Frank Darden to further clarify the commission's position that the input should be relevant to the proceeding. Due to the fact that the proposed topic is in the courts, the commission cannot take action.

Greg Gimbert acknowledged the clarification provided by the commission. He then discussed restriction of issues placed on the ballot and asked the commission to look at Florida Statute 163.3167.

Public participation ended.

CODE OF ORDINANCES

Chair Brown advised the commission members that the web address for the County ordinances has been provided. He asked that each member review the ordinances, identify those they wish to speak about, and bring them to the next meeting.

DRAFT CHARTER SCHEDULE

Chair Brown reviewed the draft charter schedule and Dr. Fleuchaus moved for the approval of the minutes. The motion was seconded by Derek Triplett. James Morris spoke to the motion by first acknowledging that he was aware of the invitation for some commission members to attend a Volusia Growth Management Commission (VGMC) meeting and asked if there was anything planned for the VGMC to present to the commission.

Tammy Bong replied by stating that the VGMC meeting had already occurred and that information packets had been emailed to commission members for review.

Chair Brown stated that the topic will be addressed at the December meeting and asked if there were any guest speakers Mr. Morris would like in attendance.

Mr. Morris stated he just wanted to ensure that the issue is represented from all sides, but did not have a specific group or guest request.

Derek Triplett informed the group that he and Pat Drago attended the VGMC meeting. He also explained that the content of the emailed material was the same that would be presented to the commission.

After discussion, Chair Brown acknowledged the motion and without objection, the schedule was approved.

ARTICLE I

Chair Brown asked for discussion regarding Article I Sec. 101, 102, 103 and Article II Sec. 201. Discussion ensued in regards to council pay rates at which time Dan Eckert clarified that topic would be addressed later in the meeting.

ARTICLE II

Chair Brown asked for discussion regarding Article II Sec. 202, 202.1 and 202.2.

Ambassador Escudero addressed Sec. 202.2(3)(a) for clarification of what constitutes pollution or the occurrence of pollution.

Dan Eckert indicated that Sec. 202.2 imposes a positive duty on the County to enforce public nuisance actions and standards are further defined in following sections. Further discussion ensued regarding the application of the provision in the past, whether it was mandated, and the benefit versus liability based on the broad language.

Chair Brown asked that Dan Eckert come back to the commission with a recommendation for Sec. 202.2 at the December meeting. Chair Brown then asked for conversation on Sec. 202.4.

Patricia Drago questioned the consistency of the administration and enforcement of the minimum standards within the unincorporated area of the county and municipalities.

Conversation ensued with agreement that municipalities are consistent with enforcement. Chair Brown indicated that a second invitation would be extended to the Audubon and Sierra Club for the December meeting to present to the commission.

Kelli McGee, Director of Growth and Resource Management spoke to the enforcement of standards, the cooperation between the County and municipalities and highlighted the successful partnership process through which standards are evaluated and updated due to Sec. 202.4.

Chair Brown asked for discussion on Sec. 203 or 204. There was none.

Ambassador Escudero asked if there were any lawsuits currently in litigation that would be affected by any change proposed by the commission for Sec. 205.

Dan Eckert advised that current litigation is a challenge to an ordinance as adopted by the council under state law and he did not recommend postponing any recommendations based on the current lawsuit.

Chair Brown asked for discussion on Sections 205.1, 205.2, 205.3, 205.4, 205.5.

Conversation ensued regarding the language of cities providing services on the beach and whether it should be removed. A recommendation was made to preserve the section. It was noted that all routine services are handled by the County and there is mutual aid.

Chair Brown asked for discussion on Sec. 205.6.

Dr. Phillip Fleuchaus questioned the concern highlighted during public participation. Further conversation ensued about the three examples provided by Mr. Michael Denis indicating that the standards had been met.

Chair Brown asked for discussion on Sec. 206. There was none.

REPEAL OF INEFFECTUAL CHARTER PROVISIONS

Dan Eckert spoke to Article III Sec. 308 and the voting requirements of elected officials. Conversation ensued on the definitions of conflict of interest and how it is currently

applied. Chair Brown asked that the commission members review the full content and come back with anything they would like to discuss.

Dan Eckert noted Article VI Sec. 604 Administrative Code is not needed because the county council already fulfills this duty. Mr. Eckert proposed a title change for Article VII Sec. 701 and removal of redundant content in Article IX Sec. 904. Discussion ensued in regards to nonpartisan elections.

Article X Sec. 1007 was recommended for deletion as it not used and was implemented prior to the constitution which provides employee rights.

Article X Secs. 1008, and 1009 were renumbered. Sec. 1010 refers to a retirement system that no longer exists and was recommended for deletion.

Article XI Sec. 1103.4 was recommended for deletion because the County Council is now the governing board of the special districts and the authority is no longer needed.

Article XI Sec. 1104.1 addresses bonds. Because there are no longer bonds outstanding, the recommendation was to delete this section.

Article XI Sec. 1104.2 and 1104.3 were renumbered.

Chair Brown requested an advisory vote to tentatively accept the changes recommended. Peter Heebner made the motion and the motion was seconded by Mr. Morris with unanimous favor.

REIMBURSE COUNTY COUNCIL MEMBERS DRAFT

Dan Eckert discussed changes to Article III Sections 304 and 307 in consideration of salary compensation and reimbursement of expenses incidental to performance of official business.

Ambassador Escudero made a motion to vote on the changes.

Chair Brown asked if County employees are reimbursed based on the IRS standard mileage and asked for clarification of a reference made to the mileage being taxable.

Dan Eckert confirmed the current rates are based on the IRS standard. He further explained the difference between that and mileage allowance which allows an employee to claim actual mileage against their mileage allowance with the balance being taxable.

Dr. Phillip Fleuchaus asked if management had a number on the estimated costs of Council expenses.

Mr. Bruno agreed with the reimbursement and indicated the costs vary by position and situation. He further stated that as Chairman of County Council, he incurred expenses totaling \$11,000 annually.

Mr. Dinneen indicated the importance of reimbursement for expenses versus providing an allowance. The amount of reimbursement should be relative to a council member's area of responsibility and the amount of interaction necessary to perform their duties. He stated that caps were not necessary and he was confident in the process of validating reimbursements; further noting that all expenses submitted would follow the same process and policies as County employees. He also stated that an exact number was not known but he did not anticipate the costs to reach excessive levels.

Discussion ensued on clarifying the difference between compensation, payment or reimbursement of expenses, and the amount of expenses that are currently incurred by council.

After clarification of the suggested wording changes to Dan Eckert, Chair Brown took an advisory vote. The motion was moved again by Ambassador Escudero, seconded by Mr. Morris and approved unanimously.

DISCUSSION

Chair Brown discussed the December meeting content and opportunity for discussions. He encouraged the commission to expand conversations beyond the special interests and take into consideration the largest employers in the County when handling this provision. He then asked for input from other commission members.

James Morris elaborated on his expectations in receiving input, noting that he agrees it should be a representation of all sides of the issue. He indicated that the Volusia Growth Management Commission (VGMC) should be allowed to discuss their position as well as provide a record of budgetary information and results analysis.

Peter Heebner agreed with Mr. Morris and included that we may not be seeing all the opportunities for the environmental and economic growth and further encouraged a look into alternatives.

Chair Brown asked Tammy Bong to have the VGMC to list in order by date, the number of conflicts in the last 10 years between a city and the County's comp plan only. He would like to have that information with time to disseminate and discuss prior to the December meeting. He advised the commission that each member should thoroughly prepare for the topic.

Conversation ensued on the frequency of hearings. Derek Triplett added that during VGMC the meeting he attended, it was noted that the effectiveness of the committee could not be determined by the number of hearings because their efforts go beyond the hearings.

Pat Drago followed up with a question about VGMC policies and procedures, the number of RFP for services, and the frequency of the meetings.

Chair Brown recommended that members review the information provided in the GRMC packet. There was additional conversation in regards to alternative solutions to the commission, budget and funding, and staffing components.

ADJOURNMENT

There being no further business for discussion, the meeting was adjourned at 7:36 p.m. The next meeting will take place on December 14, 2015 at 5:30 p.m. in the Volusia Room at the Daytona Beach International Airport, 700 Catalina Drive, Daytona Beach, Florida.

From: Tammy Bong
To: VCCharterReview
Date: 10/29/2015 10:25 AM
Subject: Fwd: VGMC Presentation
Attachments: 10-28-15 VGMC Staff Presentation.pdf

>>> VGMC 10/29/2015 9:25 AM >>>

Good morning Tammy, it was a pleasure speaking with you last night.

As requested, attached please find an electronic version of the presentation made by VGMC staff at the October 28, 2015 regular meeting of the VGMC. If you are interested in printed copies of the presentation, I have several available. Just let me know and I would be glad to forward to you.

As we discussed, the VGMC will be presenting at the December 14th meeting of the Charter Review Commission. I understand you will be meeting with Mr. Brown and Mr. Dinneen to discuss the structure of the meeting. Will you please let us know as early as possible what the parameters are with respect to speakers, presentations, time limitations, etc. so that we can move forward accordingly in preparing the VGMC presentation.

Thank you Tammy. We look forward to hearing from you.

Merry Chris

Merry C. Smith, Operations Manager
Volusia Growth Management Commission
140 S. Beach Street, #305
Daytona Beach, FL 32114
(386) 947-1875
vgmc@volusia.org

The Volusia Growth Management Commission is governed by the State of Florida public records law. This means that the information we receive online, including your e-mail address, is subject to being disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**VOLUSIA GROWTH
MANAGEMENT COMMISSION**

OVERVIEW OF VGMC

**PRESENTED BY
PAUL H. CHIPOK, ESQUIRE
GRAY ROBINSON, P.A.**

**October 28, 2015
7:00 P.M.**

OVERVIEW

- I. VGMC HISTORY**
- II. VOLUSIA COUNTY COMPREHENSIVE PLANNING AMENDMENT PROCESS**
- III. HEARING PROCESS**
 - A. STANDARD OF REVIEW**
 - B. QUASIJUDICIAL HEARING – WHAT PROCESS IS DUE**
 - C. MAKING A DECISION**
 - D. SUMMARY**
- IV. REVIEW OF SIGNIFICANT ADVERSE IMPACT**

V. APPLICATION AND BUDGET EXPENSE HISTORY

IV. QUESTIONS FROM VGMC

AGENDA ITEM V. - A.

I. HISTORY OF THE VOLUSIA GROWTH MANAGEMENT COMMISSION

VOLUSIA GROWTH MANAGEMENT COMMISSION

HISTORY

- **ADOPTION OF ELMS II IN 1985**
- **VOLUSIA COUNTY CHARTER REVIEW COMMISSION CONCERNED ABOUT AVOIDING COSTLY ANNEXATION LAWSUITS**
- **ON NOVEMBER 4, 1986, VOLUSIA COUNTY VOTERS OVERWHELMINGLY AMENDED THE COUNTY CHARTER TO CREATE THE COMMISSION**
- **ORIGINAL RULES DEVELOPED BY COMMITTEE WITH PARTICIPATION FROM ALL GOVERNMENTS AND THE COMMUNITY**
- **IN 2014 THE CERTIFICATION RULES (AS ADOPTED BY COUNTY ORDINANCE) AND IN 2012 RULES OF PROCEDURE (AS ADOPTED BY VGMC RESOLUTION) WERE REVISED AND UPDATED**

VOLUSIA GROWTH MANAGEMENT COMMISSION

GOVERNING LEGISLATION

- **VOLUSIA COUNTY CHARTER §202.3**
- **VOLUSIA COUNTY CODE CHAPTER 90, ARTICLE II, GROWTH MANAGEMENT COMMISSION CERTIFICATION RULES, UPDATED IN 2014**
- **VOLUSIA GROWTH MANAGEMENT COMMISSION RESOLUTION 1987-6, AS AMENDED, RULES OF PROCEDURE FOR MEETINGS, MEMBERSHIP AND OPERATIONS, UPDATED IN 2012**

VOLUSIA GROWTH MANAGEMENT COMMISSION

GOALS AND OBJECTIVES

GOALS:

TO PROVIDE AN EFFECTIVE MEANS FOR COORDINATING THE PLANS OF MUNICIPALITIES AND THE COUNTY, IN ORDER TO PROVIDE A FORUM FOR LOCAL GOVERNMENTS IN VOLUSIA COUNTY TO COORDINATE DECISION MAKING RELATED TO LAND USE, THE ENVIRONMENT AND PUBLIC SERVICES FOR THE CITIZENS OF VOLUSIA COUNTY.

OBJECTIVE:

REVIEW THE COMPREHENSIVE PLANS AND ANY PLAN AMENDMENTS THERETO FOR EACH GOVERNMENTAL ENTITY IN VOLUSIA COUNTY TO INSURE INTERGOVERNMENTAL COORDINATION AND COOPERATION

- **CREATES A LEVEL PLAYING FIELD**
- **NO ONE COMPREHENSIVE PLAN CONTROLS OVER OTHERS**
- **FORCES COOPERATION EARLY IN PROCESS**
- **COORDINATION BETWEEN JURISDICTIONS MUST BE ESTABLISHED BEFORE COMPREHENSIVE PLAN CAN BE AMENDED**

- **NO ONE JURISDICTION HAS CONTROL OF PROCESS**
- **21 VOTING MEMBERS: 16 MUNICIPALITIES AND 5 FROM COUNTY**
- **WEIGHTED VOTE BY POPULATION**
- **NEED MAJORITY INDIVIDUAL VOTES AND MAJORITY OF WEIGHTED VOTE**

VOLUSIA GROWTH MANAGEMENT COMMISSION

SCOPE OF AUTHORITY

- **VGMC SCOPE IS NARROW**
- **REVIEW OF COMPREHENSIVE PLAN AMENDMENT TO DETERMINE CONSISTENCY OF AMENDMENT WITH PLANS OF ADJACENT MUNICIPALITIES AND COUNTY**
- **IF FOUND NOT TO BE CONSISTENT, UNDER WHAT CONDITIONS COULD THE AMENDMENT BE MADE TO BE CONSISTENT**

II. VOLUSIA COUNTY COMPREHENSIVE PLANNING AMENDMENT PROCESS

AGENDA ITEM V. - A.

COMPREHENSIVE PLANNING

**ESTABLISHED BY F.S. CHAPTER 163 PART II
AND AMENDED IN 2011 BY HB 7207**

- **NOW REFERRED TO AS THE “COMMUNITY PLANNING ACT”**
FS SECTION 163.3161 (1)
- **REQUIRES A MUNICIPALITY TO ADOPT AND AMEND A
COMPREHENSIVE PLAN TO GUIDE THEIR FUTURE DEVELOPMENT
AND GROWTH**
FS SECTION 163.3167 (1)
- **LEGISLATURE RECOGNIZES NEED FOR INNOVATIVE PLANNING AND
DEVELOPMENT STRATEGIES TO PROMOTE A DIVERSE ECONOMY
AND VIBRANT RURAL, SUBURBAN AND URBAN COMMUNITIES,
WHILE PROTECTING ENVIRONMENTALLY SENSITIVE AREAS**
FS SECTION 163.3168 (1)

STATE COMPREHENSIVE PLANNING

AMENDMENT PROCESS

- **MUNICIPALITY MUST TRANSMIT PROPOSED COMPREHENSIVE PLAN AMENDMENT TO STATE LAND PLANNING AGENCY (SLPA) BASED ON TYPE OF AMENDMENT:**
 - **EXPEDITED STATE REVIEW PROCESS**
 - **TRANSMITTAL HEARING**
 - **REVIEWING AGENCIES HAVE 30 DAYS TO COMMENT**
 - **ADOPTION HEARING**
 - **STATE COORDINATED REVIEW PROCESS**
 - **APPLIES TO SECTOR PLANS, EAR BASED AMENDMENTS, OTHER SPECIAL PROGRAMS**
 - **TRANSMITTAL HEARING**
 - **60 DAYS FOR ORC REPORT**
 - **ADOPTION HEARING**

- **SMALL SCALE AMENDMENT PROCESS**
 - **UNDER 10 ACRES**
 - **ONLY REQUIRES ONE PUBLIC HEARING**

FS SECTION 163.3184(2)

**VOLUSIA COUNTY COMPREHENSIVE PLANNING
AMENDMENT PROCESS: VGMC**

- PER CHARTER SECTION 202.3 EXTRA STEP INCLUDED:
 - WHEN: PRIOR TO ADOPTION BY MUNICIPALITY, VGMC CONDUCTS REVIEW
 - WHAT: VGMC HAS THE POWER AND DUTY TO DETERMINE THE CONSISTENCY OF A MUNICIPALITY'S AND COUNTY'S COMPREHENSIVE PLANS AND ANY AMENDMENTS THERETO WITH EACH OTHER
 - HOW: VGMC TO ISSUE CERTIFICATE OF CONSISTENCY BEFORE ADOPTION HEARING

- **VGMC PROVIDES MEANS FOR COORDINATING:**
 - **PLANS BETWEEN MUNICIPALITIES AND COUNTY**
 - **PROVISION OF PUBLIC SERVICES**
 - **INTERGOVERNMENTAL COOPERATION
AND COORDINATION**
- VOLUSIA COUNTY CODE SECTION 90-33(5)

APPLICATION PROCESS

CONSISTENCY CERTIFICATION RULES

- **VGMC APPLICATION SUBMITTED SIMULTANEOUSLY WITH APPLICATION TO SLPA AND REVIEWING AGENCIES**
- **VGMC ADMINISTRATIVE STAFF NOTICE THE APPLICATION BY MAIL AND NEWSPAPER NOTICE**
- **THE VGMC STAFF HAS 30 DAYS TO REVIEW APPLICATION AND REQUEST ADDITIONAL INFORMATION**
- **IF A PUBLIC HEARING IS REQUESTED, THAT HEARING SHALL BE HELD WITHIN 60 DAYS AFTER THE REQUEST AND NOT LATER THAN 90 DAYS FROM THE COMPLETE APPLICATION**

APPLICATION PROCESS

CONSISTENCY CERTIFICATION RULES

- **IF NO ADDITIONAL INFORMATION IS NEEDED AND NOBODY REQUESTS A HEARING THE PLAN IS AUTOMATICALLY DEEMED CONSISTENT AND IS CERTIFIED BY LETTER EXECUTED BY THE CHAIRMAN**
- **A PUBLIC HEARING IS HELD IF:**
 - **AN ADJACENT JURISDICTION FILES A PETITION WITH VGMC WITHIN 28 DAYS; OR**
 - **PUBLIC FILES A PETITION WITH VGMC WITHIN 21 DAYS AFTER NOTICE IS PUBLISHED; OR**
 - **THE VGMC STAFF DETERMINES THAT AN APPLICATION DOES NOT MEET PRIOR VGMC CONDITIONS OF CERTIFICATION; OR**
 - **THE VGMC STAFF DETERMINES THAT AN APPLICATION IS INCONSISTENT.**
- **FAILURE TO FILE PETITION WAIVES RIGHT TO PUBLIC HEARING**
- **IF A PUBLIC HEARING IS HELD, THE SECTION 90-37(C) CRITERIA APPLY**

III. HEARING PROCESS

A. STANDARD OF REVIEW

- **QUASI JUDICIAL IN NATURE**
- **APPLICANTS PROVIDE REASONABLE ASSURANCE THAT PLAN AMENDMENT IS “CONSISTENT” WITH PLANS OF ADJACENT OR SUBSTANTIALLY AFFECTED AND AGGRIEVED LOCAL GOVERNMENTS**
- **APPLICANT JURISDICTION MUST ESTABLISH BY A “PREPONDERANCE OF EVIDENCE” ITS ENTITLEMENT TO THE CERTIFICATE**
 - **“PREPONDERANCE OF EVIDENCE” MEANS:
EVIDENCE WHICH IS OF GREATER WEIGHT OR MORE CONVINCING THAN EVIDENCE WHICH IS OFFERED IN OPPOSITION TO IT**
 - **IN OTHER WORDS, AS A WHOLE EVIDENCE SHOWS THE FACT SOUGHT TO BE PROVED IS MORE PROBABLE THAN NOT**



- **AMENDMENT SHALL BE “CONSISTENT” IF IT IS “COMPATIBLE WITH” AND “IN FURTHERANCE OF” SUCH ADJACENT AND SUBSTANTIALLY AFFECTED COMPREHENSIVE PLANS WHEN ALL SUCH PLANS ARE CONSTRUED AS A WHOLE.**
- **“COMPATIBLE WITH” MEANS THAT THE PLAN AMENDMENT IS NOT IN CONFLICT WITH ADJACENT PLANS**
- **“IN FURTHERANCE OF” MEANS TO TAKE ACTION IN THE DIRECTION OF REALIZING THE GOALS OR POLICIES OF SUCH ADJACENT AND SUBSTANTIALLY AFFECTED COMPREHENSIVE PLANS.**
- **DOES IT ADVERSELY AFFECT INTERGOVERNMENTAL COOPERATION AND COORDINATION?**
- **APPLICATION OF THE SIX FACTORS OF SECTION 90-37(C)**

B. QUASI JUDICIAL HEARING - WHAT PROCESS IS DUE?

- **QUASI JUDICIAL PROCEEDINGS ARE NOT CONTROLLED BY STRICT RULES OF EVIDENCE AND PROCEDURE**
- **MUST ADHERE TO CERTAIN STANDARDS OF BASIC FAIRNESS TO AFFORD DUE PROCESS**

MINIMUM DUE PROCESS REQUIREMENTS FOR A QUASI JUDICIAL HEARING:

- **PROVIDE NOTICE OF HEARING**
- **PROVIDE AN OPPORTUNITY TO BE HEARD**
- **PARTIES MUST BE ABLE TO:**
 - **PRESENT EVIDENCE**
 - **CROSS EXAMINE WITNESSES**
 - **BE INFORMED OF ALL FACTS UPON WHICH THE COMMISSION ACTS**

Jennings v. Dade County, 589 So.2d 1337, 1340 (Fla. 3rd DCA 1991),
rev. den. 589 So.2d 75 (Fla. 1992)

- **PROVIDE NOTICE OF HEARING**
- **VGMC PUBLISHES NOTICE OF PUBLIC HEARINGS**
- **PROVIDE OPPORTUNITY TO BE HEARD**
- **SINCE A QUASI JUDICIAL HEARING IS A PUBLIC HEARING, MEMBERS OF THE PUBLIC HAVE THE RIGHT TO ADDRESS THE COMMISSION**
- **THE TIME FOR PUBLIC COMMENT MAY BE LIMITED BY THE COMMISSION**
- **THE PRECISE LIMITS OF OPPORTUNITY TO BE HEARD ARE NOT DETERMINED BY FIXED RULES OF LAW, BUT RATHER NECESSITIES OF THE PARTICULAR PROCEEDING**

Keys Citizens for Responsible Gov't, Inc. v. Fla. Keys Aqueduct Auth.,
795 So.2d 940 (Fla. 2001)

**PROVIDE AN OPPORTUNITY TO BE HEARD
PARTY V. PUBLIC**

- **PUBLIC MAY ADDRESS THE COMMISSION**
- **PARTY IS ENTITLED TO PARTICIPATE IN THE PROCEEDING**
- **DETERMINATION OF A PARTY**
 - **APPLICANT JURISDICTION IS DEEMED A PARTY**
 - **PERSONS CLAIMING TO BE A SUBSTANTIALLY AFFECTED OR AGGRIEVED PARTY MUST FILE A PETITION FOR LEAVE TO INTERVENE**
- **STANDING STANDARD**
 - **ADVERSE IMPACT, SPECIFIC INJURY OR DAMAGE DIFFERENT IN KIND FROM IMPACT OR INJURY SUFFERED BY OTHER RESIDENTS IN AREA**

SECTION 90-38

Renard v. Dade County, 261 So.2d 832 (Fla. 1972)

WHY PARTY V. PUBLIC DETERMINATION IS IMPORTANT

PARTY UNDER DUE PROCESS MUST BE ABLE TO

- **PRESENT EVIDENCE**
- **CROSS EXAMINE WITNESSES**
- **BE INFORMED OF ALL FACTS UPON WHICH THE COMMISSION ACTS**

PUBLIC OR PARTICIPANTS

- **FLORIDA LAW DOES NOT REQUIRE ALL PARTICIPANTS TO CROSS EXAMINE WITNESSES**

Carillon Community Residential v. Seminole County, 45 So.3d 7
(Fla. 5th DCA 2010)

C. MAKING A DECISION

COMMISSION IS TRIER OF FACT AND TO WEIGH THE EVIDENCE

- **CIRCUIT COURT FUNCTIONS AS APPEAL COURT AND IT IS NOT ENTITLED TO REWEIGH THE EVIDENCE OR SUBSTITUTE ITS JUDGMENT FOR THAT OF THE COMMISSION**

Haines City Comty. Dev. v. Heggs, 658 So.2d 523 (Fla. 1995)

- **WHETHER THE RECORD CONTAINS COMPETENT SUBSTANTIAL EVIDENCE THAT WOULD SUPPORT SOME RESULT OTHER THAN THAT OF THE COMMISSION IS IRRELEVANT**

Dusseau v. Miami Dade Cty. Bd. Of County Comm'rs., 794 So.2d 1270, 1275 (Fla. 2001)

MUST BE BASED ON COMPETENT SUBSTANTIAL EVIDENCE IN THE RECORD

- **COMPETENT SUBSTANTIAL EVIDENCE IS DEEMED TANTAMOUNT TO LEGALLY SUFFICIENT EVIDENCE**

Florida Power & Light v. City of Dania, 761 So. 2d 1089 (Fla. 2000)

- **DEFINED AS “SUCH EVIDENCE AS WILL ESTABLISH A SUBSTANTIAL BASIS OF FACT FROM WHICH THE FACT ISSUE CAN BE REASONABLY INFERRED”**

DeGroot v. Sheffield, 95 So.2d 912 (Fla. 1957)

TYPES OF EVIDENCE DEEMED TO BE COMPETENT SUBSTANTIAL EVIDENCE

- **PROFESSIONAL STAFF REPORT**

Palm Beach County v. Allen Morris Co., 547 So.2d 690 (Fla. 4th DCA 1989)

- **TESTIMONY BY CITY PLANNING AND ZONING OFFICIALS**

Hillsborough County BOCC v. Longo, 505 So.2d 470 (Fla. 2d DCA 1987)

- **EXPERT WITNESSES: MUST BE QUALIFIED**

- **SPECIAL KNOWLEDGE OF SUBJECT MATTER BY STUDY OR EXPERIENCE**

Gianos v. Baum, 941 So.2d 581 (Fla. 2d DCA 2006)

- **NO EXACT REQUIREMENT AS TO MANNER IN WHICH SKILL OR EXPERIENCE IS ACQUIRED**

Jordon v. State, 694 So.2d 708 (Fla. 1997)

- **CITIZEN TESTIMONY**

- **FACT BASED TESTIMONY “IS PERFECTLY PERMISSIBLE AND CONSTITUTES SUBSTANTIAL COMPETENT EVIDENCE”**

Miami-Dade County v. Walberg, 739 So.2d 115, 117 (Fla. 3d DCA 1999), rev. dismissed, 736 So.2d 1046 (Fla. 2000)

- **MEER GENERALIZED STATEMENTS OF OPPOSITION ARE TO BE DISREGARDED**

City of Apopka v. Orange County, 299 So.2d 657 (Fla. 4th DCA 1974)

- **LEGAL ARGUMENT OF ATTORNEY IS NOT EVIDENCE OR TESTIMONY**

Hann v. Balogh, 920 So.2d 1250 (Fla. 2d DCA 2006)

D. SUMMARY

APPLICATION REVIEW PROCESS IS SIMILAR TO 120 LICENSING PROCEDURES

- **STAFF CAN REQUEST ADDITIONAL INFORMATION**
- **ALL LOCAL GOVERNMENTS IN VOLUSIA COUNTY MAY SUBMIT WRITTEN COMMENTS**
- **IF NO ONE OBJECTS AND THE STAFF DETERMINES THERE IS NO PROBLEMS, CERTIFICATION IS ISSUED WITHOUT A PUBLIC HEARING**
- **SMALL SCALE AMENDMENTS ARE FAST TRACKED**
- **IF ANYONE GRIPEs, A HEARING IS HELD**

VOLUSIA GROWTH MANAGEMENT COMMISSION

IV. REVIEW OF

SIGNIFICANT ADVERSE IMPACT ON INFRASTRUCTURE BEYOND THE BOUNDARIES OF ONE JURISDICTION

AGENDA ITEM V. - A.

**VOLUSIA COUNTY CODE
CHAPTER 90, ARTICLE II
VGMC CERTIFICATION RULES**

Section 90-37 Criteria for Issuance of Certificate

- (c) In determining whether a plan, element, or plan amendment adversely affects intergovernmental cooperation and coordination, the commission may, in its sole discretion, consider one or more of the following factors:**
 - (3) The extent to which the plan, element, or plan amendment causes or may reasonably be anticipated to cause significant adverse impacts on infrastructure beyond the boundaries of one jurisdiction.**

WHAT IS INFRASTRUCTURE

- **Sanitary sewage**
- **Solid waste**
- **Drainage**
- **Potable water**
- **Parks and recreation**
- **Schools**
- **Transportation facilities**

WHAT IS SIGNIFICANT ADVERSE IMPACT

- **Significant – not minor or incidental**
- **Adverse – detrimental, unfavorable, harmful**
- **Impact – effect upon**
- **Impact must be beyond the boundaries of the applicant jurisdiction**

METHOD OF MEASUREMENT OF IMPACTS

- **Look at net change**
 - **what new impacts are caused by proposed land use designation that are greater than existing land use designation**
 - **must look at maximum buildout potential of land use**

- **Impacts not otherwise mitigated**
- **Methods of mitigating impacts**
 - **Schools – Concurrency Letter**
 - **Capacity Enhancement Agreement**
 - **Traffic – Proportionate Share Agreement**
 - **Existence of an Interlocal Agreement Addressing Impact Mitigation Issues**

V. APPLICATION AND BUDGET HISTORY

AGENDA ITEM V. - A.

VGMC Application and Budget Expense History

Year	Apps Received	Public Hearings on Amendments	VGMC Expenses
2004	58	5	\$244,720
2003	54	5	\$179,622
2002	43	3	\$203,415
2001	46	10	\$177,306
2000	53	9	\$143,264
1999	36	8	\$212,194
1998	37	9	\$180,629
1997	54	11	\$158,545
1996	50	11	\$139,469
1995	34	7	\$151,036
1994	43	9	\$176,084
1993	38	10	\$157,251
1992	23	12	\$218,171
1991	17	11	\$216,257
1990	11	12	\$213,189
1989	31	12	\$103,579
1988	16	12	\$52,645
1987			\$21,570

VGMC Application and Budget Expense History

Year	Apps Received	Public Hearings on Amendments*	Average # days from Receipt to Determination	VGMC Expenses
2014	46	2	34	\$170,507
2013	97	1	30	\$113,266
2012	33	0	32	\$121,418
2011	59	5	35	\$256,838
2010	34	5	62	\$341,922
5-Year Average	54	3	39	\$200,790
2009	26	2	58	\$267,861
2008	81	2	50	\$328,456
2007	77	5	76	\$301,343
2006	83	5	88	\$268,835
2005	81	5	79	\$244,720
10-Year Average	62	3	54	\$241,517

5-year average = 54 applications/year; 39 day avg. turn around
10-year average = 62 applications/year; 54 day avg. turn around

***Does not include public hearings on 1) Requests for extension to comply with prior VGMC resolutions, or 2) Requests for waiver of the 90-day rule.**

VII. QUESTIONS?

AGENDA ITEM V. - A.

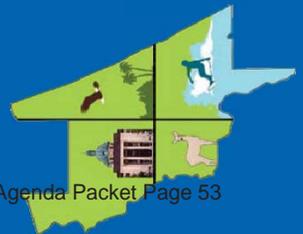


VGMC Planning Overview

Presented to

Volusia Growth Management Commission

Presented by





VGMC Overview

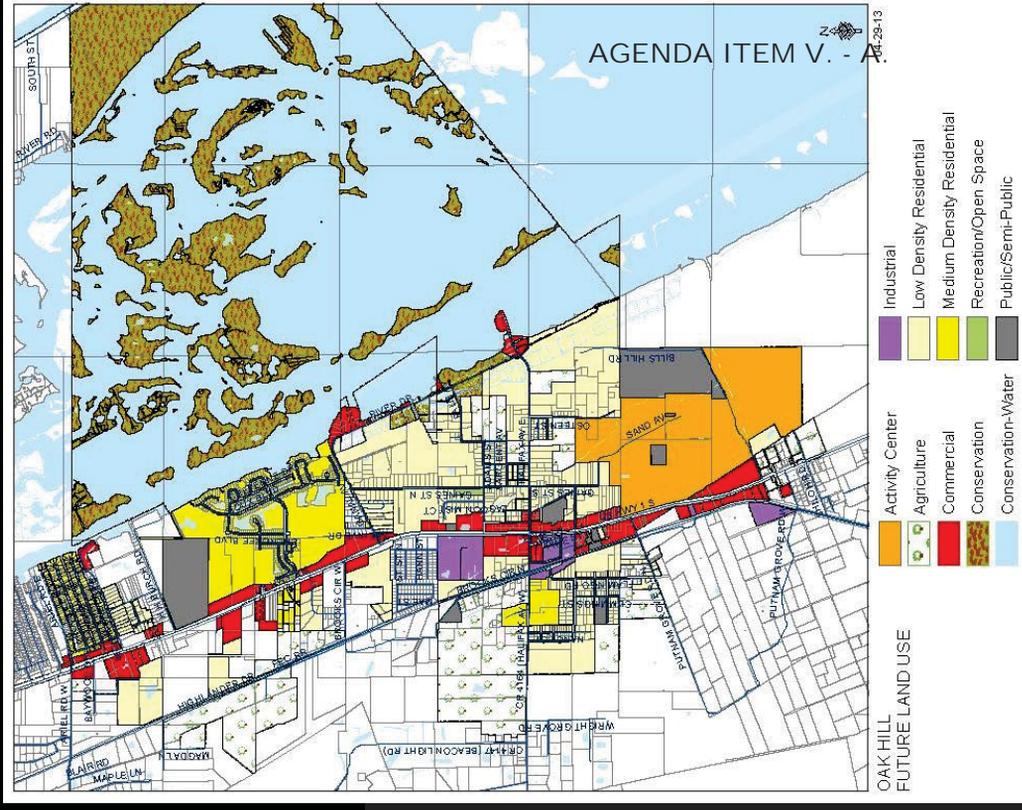
- VGMC has no Comprehensive Plan
- Focus on issues of adjacency
- Initial resolution of comprehensive plan compatibility
 - Levels of Service
 - Utility service areas
- Since adoption of plans, focus has been on conflict resolution

VGMC Review Criteria - Sec. 90-37(c)

- In determining whether a plan, element, or plan amendment adversely affects intergovernmental cooperation and coordination, the commission may, in its sole discretion, consider one or more of the following factors:
 - The extent to which the plan, element of plan amendment provides for areawide or **central utility service solutions**;
 - The extent to which the plan, element of plan amendment provides for areawide or **regional transportation solutions**;
 - The extent to which the plan, element of plan amendment causes or may reasonably be anticipated to cause **significant adverse impacts on infrastructure beyond the boundaries of one jurisdiction**;
 - The extent to which the plan, element of plan amendment causes or may reasonably be anticipated to cause **significant adverse impacts on natural resources which extend beyond the boundaries of one jurisdiction**;
 - The extent to which the plan, element, or plan amendment provides for the **coordination of the timing and location of capital improvements** in a manner to reduce duplication and competition; and,
 - The existence of an agreement among all substantially affected local government, substantially affect parties (if any) and the applicant local government which provides for all said governments' consent to the application. If the commission determines that such an agreement exists for any given application, then it shall be rebuttably presumed that said application does not adversely affect **intergovernmental cooperation and coordination**.

Analogue - Oak Hill

- **Overview**
 - Text amendment to FLU policies to allow industrial land uses at a 1.0 FAR;
 - Text amendment to FLU policies removing the 35 foot maximum building height;
 - Special District #1 is located adjacent to National Seashore
- **Issues**
 - Oak Hill has no central utility system
 - Infrastructure beyond one jurisdiction
 - Timing and location of capital improvement
 - Guarantee of service availability and capacity from adjacent jurisdictions in CIP
 - Potential adverse impacts on significant natural systems





Oak Hill

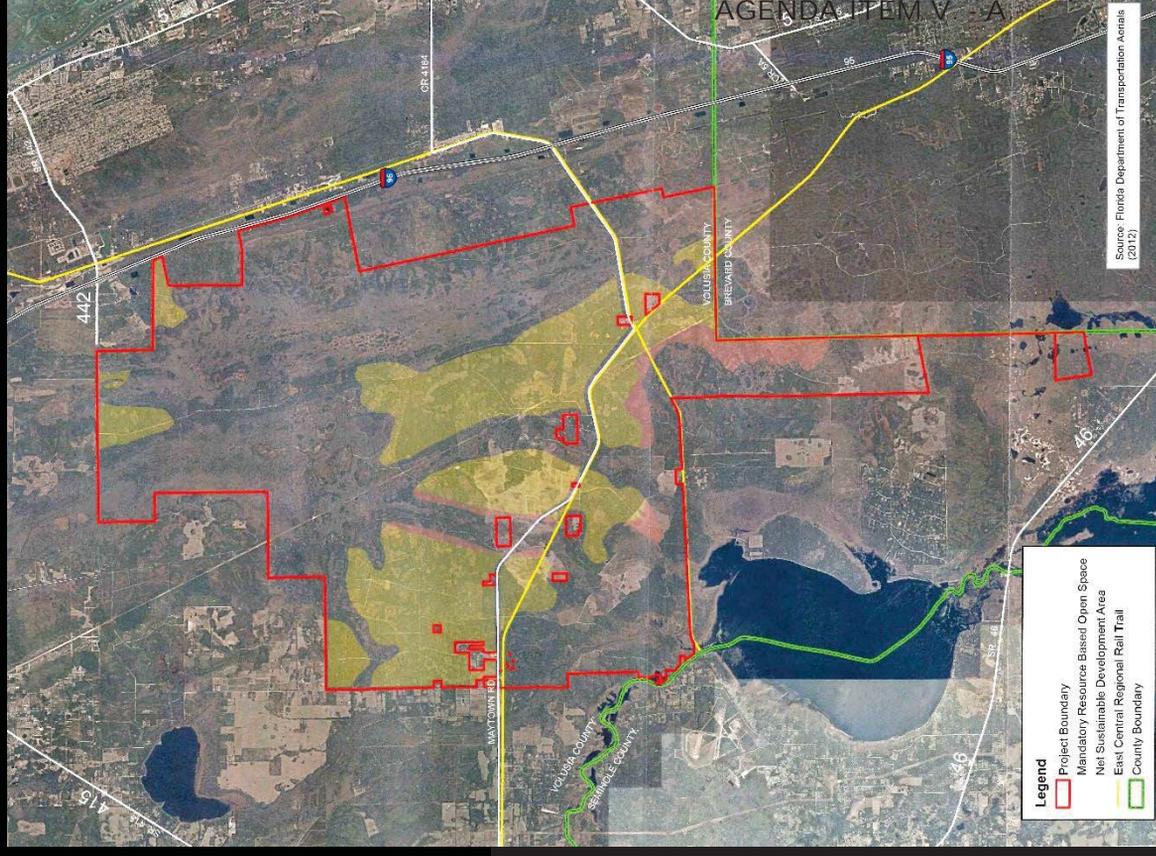
- Recommended that should the VGMC find merit for approving the application, to include conditions with the issuing a Resolution of Consistency
 - PD required for development
 - A Mitigation Plan must be submitted as part of the PD
 - Proposed development shall demonstrate how connection to the nearest central utility line locations will be accomplished.
 - Design standards – building locations, setbacks, conservation areas
 - Proposed changes require VGMC review



Analogue - Farmton

- Originally a Comprehensive Plan Amendment
 - + 46,957 acres
 - 23,100 dwelling units
 - 4.7 million sf of non-residential

- Issues
 - Potential impacts to sensitive environmental systems
 - Public Schools
 - Transportation
 - Utilities
 - Capital Improvements



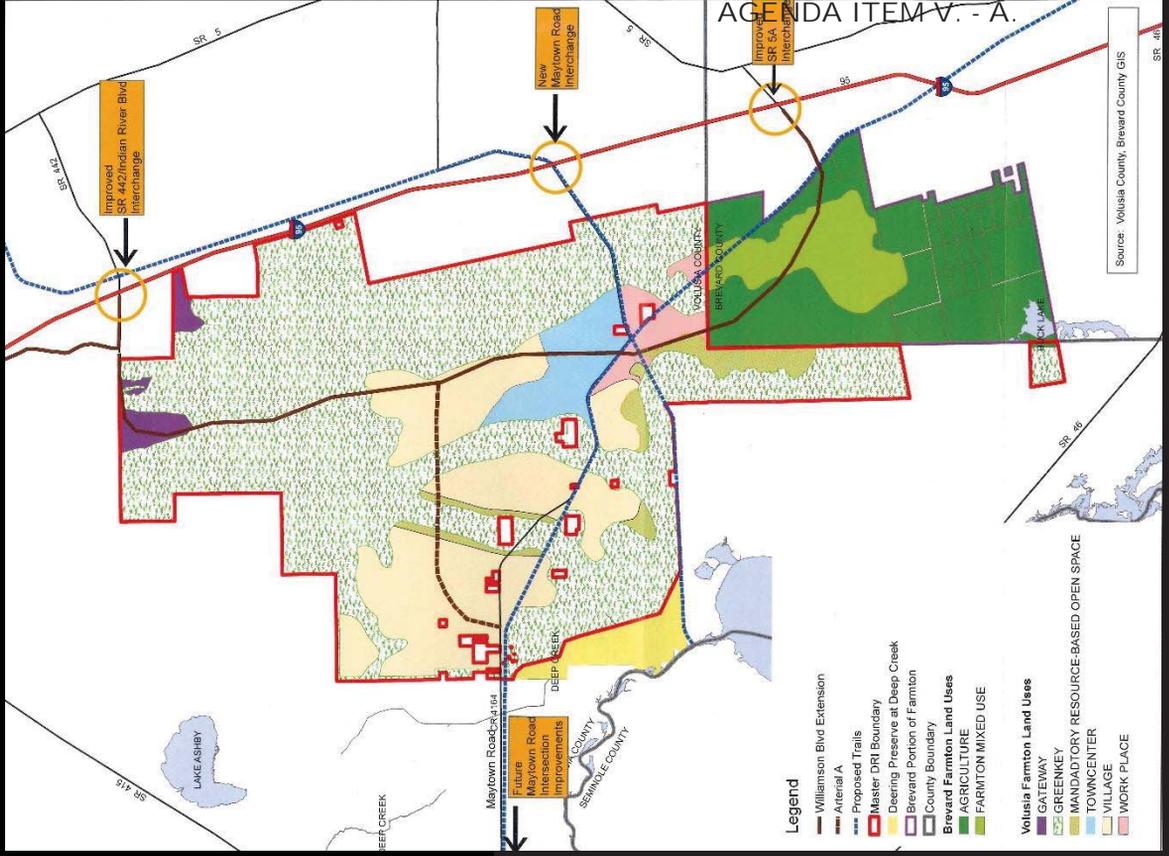


Farnton

- Potential adverse impacts on significant natural systems
- Central Utility Service solutions
- Regional transportation systems
- Impacts to infrastructure beyond one jurisdiction
- Timing and location of capital improvement
- Intergovernmental Coordination
 - Volusia County School Board – Additional policies and conditions
 - City of Deltona - MOU

Farnton

- Original application denied
- Master DRI recommended
- Applicant committed to Master DRI that addressed issues and concerns
- Master DRI approved by VGMC





Analogue – Restoration DRI

- Application included mitigation and management plans
- Application included infrastructure data and analysis
- RAI issued regarding School Board comments
 - Capacity Enhancement Agreement resolved these issues
- Certificate of Consistency without a public hearing

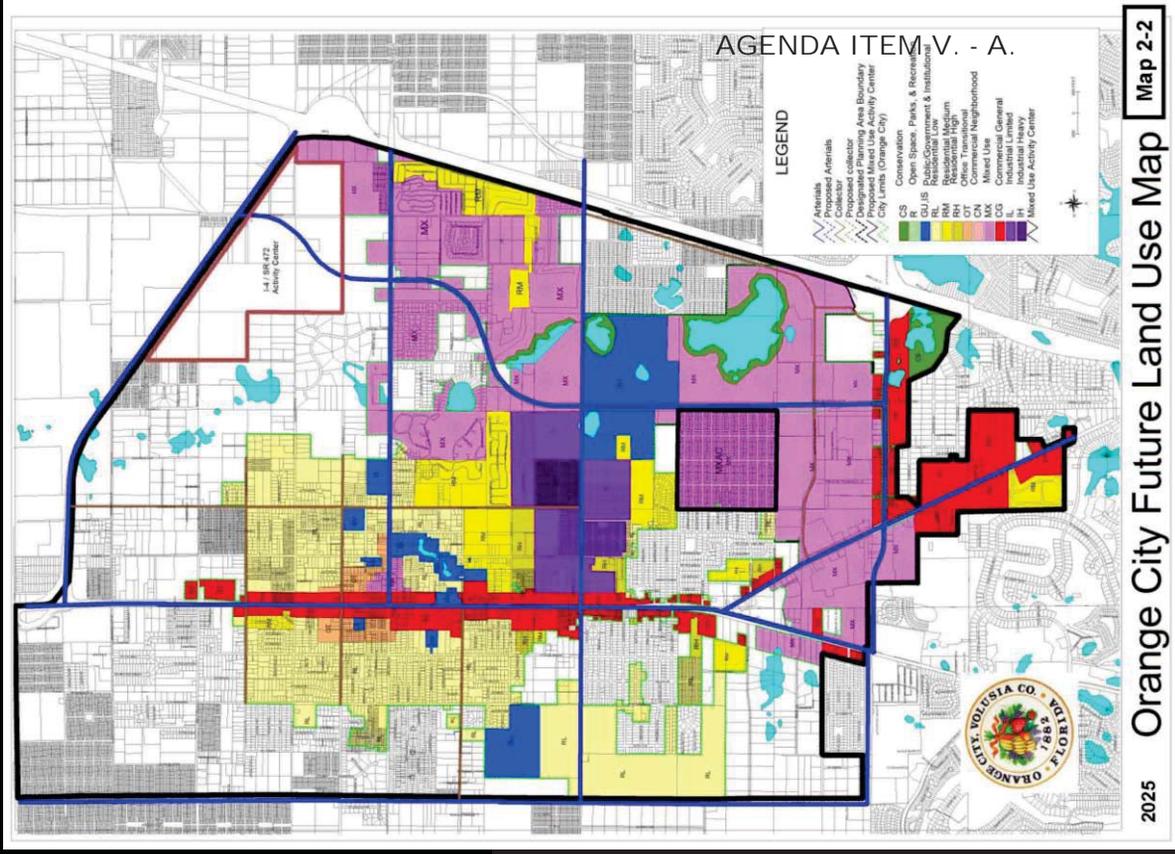
Analogue - Consolidated-Tomoka

- Overview
 - 990 acres of Forestry Resource to Low Impact Urban
 - 129 acres of Urban Low Intensity to Urban Medium Intensity
 - Density increase for Low Impact Urban (1 DU/acre to 2 DU/ac)

- Issues
 - Regional transportation systems
 - Impacts to infrastructure beyond one jurisdiction
 - VGMC requested additional information
 - Application denied

Analogue - Orange City

- Regional transportation systems
- Impacts to infrastructure beyond one jurisdiction
- Timing and location of capital improvement





Orange City

- Resolution of Consistency with conditions
- Adoption of revised application package



Volusia Growth Management Commission



- VGMC...
- Maximizes consistency among neighboring municipalities
- Minimizes adverse affects on regional systems
- Resolves conflicts between stakeholders

David Lee Davis
6385 S. Williamson Blvd #824
Port Orange, FL 32128
386-846-8705
dldcmh007@gmail.com

November 10, 2015

The Honorable J. Hyatt Brown, Chair

and the Honorables Glenn Ritchey Sr., Vice Chair, Dr. T. Wayne Bailey, Frank Bruno Jr., Frank Darden, Patricia Drago, Ambassador Stanley Escudero, Dr. Philip Fleuchaus, M. David Haas, Peter Heebner, James Morris, Patricia Northey, Derek Triplett, Mark Watts, Lisa Ford Williams, members of the Volusia County Charter Review Committee

RE: Article XII – Ethics – Charter Revision Request

Mr. Speaker and members and the Committee:

Thank you for the opportunity as a citizen of Volusia County to submit to you for consideration an amendment to our Charter. My amendment concerns Article XII – Ethics and calls for an amendment for the establishment of an Ethics Commission Exploratory Committee. In that you will be addressing Article XII in the future, I wanted the opportunity to present this early to you for your review.

As you will note from my submission, I believe that this approach would enable the public to have participation in the process. An exploratory committee would be the best approach in that it would give the appointees ample time and resources to evaluate at length what, if any, direction that should be considered. I submit this to you as an idea for evaluation certainly expecting that if adopted for submission, the language and scope would need to be changed to be appropriate and legal. If permissible, I would like to address the Committee at the time Article XII comes up for discussion.

Thank you for your consideration, I am

Sincerely,

David Lee Davis

Proposal for the Establishment of an
Ethics Commission Exploratory Committee for Volusia County

History

There can be no argument given today's climate and past issues with elected and employed government personnel that ethical violations do occur. Many of these violations are met with no consistent remedy and in some instance no action at all. This has prompted public outcry and a concern that individuals involved in these transgressions are above the law. The main problem rests with the absence of a proactive process to meet these events before they occur and establish a methodology for an appropriate and consistent manner in addressing them.

At present, the County Charter, Article XII, Section 1201., has but a general rule on Ethics to follow those guidelines under the laws of the State of Florida. While individual agencies with personnel departments have established employee rules, it cannot cover all areas where an employee may find themselves at risk to be an unwilling partner in questionable ethics situations. These rules are limited in scope to "employees" and in some instances are not associated with actions of elected or appointed officials who represent government entities within the county. Additionally, they do not extend into the private sector who interact with government and who in most instances are the perpetrators of such unethical practices.

In 2014, the County Council faced a serious issue pertaining to unethical campaign practices involving elected officials, county staff, private individuals and a company doing business with local government entities. The Council, in addressing this issue, was in "unchartered waters" ultimately turning to outside sources and spending several hundred thousand dollars. Upon conclusion of the investigation, no action was taken by the County Council in ensuring actions such as this would not be repeated. Furthermore, the Council brought up the idea of a blue ribbon panel to begin an evaluation process on an Ethics Commission, but it never materialized. As to the findings of the investigation, nothing was ever done and to this day the issue is still unresolved.

The Volusia County School District was not immune from its share of questionable ethical practices in 2014 either. Using poor judgement and posting photos of a night to remember on her Facebook page, a school district administrator created a firestorm of public outcry causing an internal investigation. Innocently enough, it was discovered that two administrators had accepted an invitation for dinner by representatives of a company doing business with the district. The dinner invitation entailed a private jet ride to Orlando where a stretch limousine whisked them away in style for an evening of what can only be described as a once in a lifetime night on the town extravaganza. When the dust had settled, the two administrators were demoted. Most notable in this incident was the defense of both employees claiming they had no idea that their actions violated any rules, one that raises some level of merit.

Even the Southeast Volusia Advertising Authority had its share of questionable practices when it was discovered that the SVAA Director was committing fraud and basically stealing funds. The conclusion of the investigation found probation to be the punishment and a repayment of \$5,000 to the county.

These three incidences are but a sampling of the various levels of unethical practices which have resulted in criminal prosecution for some, hand slaps for others and nothing for a select few. But in all of these instances there is one common denominator and that is the absence of any recognizable preemptive education against such things nor internal practices which can all but alleviate their actions.

Palm Beach County Corrupt Era and Resolutions

The history of corruption in Florida counties has been the subject of fictional as well as factual accounts in books and movies. One of the more notable occurred in 2006, when a series of government officials were arrested in Palm Beach County for bribes, kickbacks and preferential awards of contracts. Through an intense investigation by the State Attorney, criminal prosecutions continued through 2010 and Palm Beach County earned the least wanted title of “Most Corrupt County in Florida.”

Through intense efforts by citizen and business organizations, the legal community and elected officials, a series of directives created a Charter Amendment calling for a way to stop future corruption. In fall of 2010, the voters by a large margin brought forth sweeping changes through the creation of the Palm Beach County Ethics Commission. This new five member panel was tasked with:

- overseeing, administering, and enforcing the ethics code;
- investigating ethics complaints;
- issuing formal advisory opinions to persons who fall under the commission's jurisdiction;
- training municipal and county officials and employees; and
- proposing changes to the ethics code.

The passage of the Charter Amendment was a giant step in taking a proactive role as well as an investigative role against future violations. Inclusive in their concerns brought in all municipalities as well. They had accomplished this ethics umbrella over the whole county government system which included everyone.

The strongest part of the Palm Beach County Ethics Commission is its proactive measures. A mandatory training session is conducted for all new hires on ethics and codes of conduct. Mandatory retraining is also provided each year with a website for updates and reminders. The extent of their proactive posture is to go out into the community and provide lectures and educational material on the citizen's role as well as how to do business with government in an ethical and honest way. The Ethics Commission also provides skilled personnel to review and respond to requests from outside interests before they conduct their business with government entities providing a measure to catch inappropriate action before it occurs.

One unique component, modeled after the state of Florida and the United States Congress, is the registration of lobbyists. Anyone who represents issues to government entities on a continuing basis and receives compensation for such actions must register as a lobbyist. By identifying these individuals, they were able to put together standards of conduct by which lobbyists and government representatives interact.

A Need For Volusia County

As stated earlier, there is no doubt that issues occur all too often that fall outside the realm of practical ethical standards within all levels of government.

Questionable relationships between government personnel and service providers, as well as private sector business interests, go unchecked. This has caused more and more speculation about the integrity and trustworthiness of our government establishment. In the minds of the general public, it is an “us” against “them” mentality which is curtailing the real growth and prosperity of our communities.

The feeling the public has about transparency in government places a greater wedge between the people and government. With even the most innocent passage of a measure granting a developer a right to engage in an activity or dollars spent to attract a business to the area, the public is often opposed under the misguided illusion that the process is tainted.

Admittedly, both sides are guilty of misconceptions and intolerance to a point that it clearly is affecting government and citizen’s relationships. Pride is replaced with disgust, commitment has been altered to circumspect, and participation has been replaced with avoidance. It is insignificant at this point to not identify where the fault lies but rather who can make it right, who can make the changes to bring about a better relationship. As the great poet wrote, “...for whom the bell tolls; it tolls for thee.”

Do the circumstances in Volusia County warrant such action as that fashioned in Palm Beach County? Do we have an epidemic of jurisdictional inconsistent response to questionable ethical practices? Do we need an investigative proactive stance on the issue of ethics? Is there a need for better training for public employees and elected officials regarding standards by which they should conduct their duties? These and other questions are certainly to be asked but those who should ask them need to be prepared to come up with a solution should those answers indicate such a need for reforms.

Therefore, while it may very well be that the issues in Volusia County are less than that of Palm Beach County or they could be more. But we will never know unless

we ask the questions, all the questions, and then be in a position to remedy the findings.

The Volusia County Charter Review Committee has within its power to do just that. By adopting the Ethics Commission Exploratory Committee for Volusia County proposal and submitting it to the voters, it will be the most positive step to resolving this issue. By this process, it enables the appointment of a nine member panel that will encompass a broad area of thinking, also ensuring that two members of the committee will have a legal and law enforcement background. It is a formation of an exploratory committee charged with determining whether or not such a need exists to create an Ethics Commission. It empowers them also to create such a Commission, apply whatever standards they see fit and to prepare it for ratification by vote of the people in the 2018 general elections.

By enabling such a panel with specific guidelines, yet the ability to cast a wide net, the public would be encouraged by such actions and identify this as a first step to bridge the widening gap of public discontent.

The Proposal for Change

NOTICE IS HEREBY GIVEN that on Tuesday, November 8, 2016, a special referendum election will be held within the County of Volusia at the same time and places and on the same ballot as the general election of the State of Florida for vote by the electors on proposed amendments to the Volusia County Home Rule Charter, Ch. 70-966, Laws of Florida (Sp. Acts), as previously amended, as follows:

The ballot caption and ballot question shall read as follows:

Creation of an Ethics Commission Exploratory Committee.

Upon approval by the voters, the Volusia County Council is hereby ordered to establish an Ethics Commission Exploratory Committee as directed in the amendment.

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:

Article XII. CODE OF ETHICS

Section 1201. Creation of Ethics Commission Exploratory Committee

The Volusia County Council shall create The Ethics Commission Exploratory Committee. After the start of the new Volusia County Council commencing with the first meeting in 2017 and before the last meeting in February 2017, each current elected member of the County Council shall appoint one person. The Sheriff of Volusia County shall automatically be appointed to the committee or select another individual which possesses a law enforcement background. The

From: Nancy Close <nancy.j.close@gmail.com>
To: <VCCharterReview@volusia.org>
Date: 11/5/2015 9:56 PM
Subject: Charter Review Public comments

For your consideration.

Concerning the Charter. Article II, Section 202 Special states:

"The county, operating under this charter, shall have all special powers and duties which are not inconsistent with this charter, heretofore granted by law to the board of county commissioners, and shall have such additional county and municipal powers as may be required to fulfill the intent of this charter."

Who is the "board of county commissioners"? Shouldn't that be the county council?

The phrase "board of county commissioners" in this section seems inconsistent with the rest of the document which refers to the governing entity as the county council, and the members are council members rather than county commissioners.

Thank you.

Nancy Close
444 Seaview Ave
Daytona Beach, FL

nancy.j.close@gmail.com

Volusia County Bar Association shall select for automatic appointment to the committee one of its members. All individuals selected for this committee must be submitted by the last meeting of the Volusia County Council in February 2017 and be residents of Volusia County. Should any vacancy be unfilled by this date, the County Attorney will appoint an individual who meets the requirements. Any vacancy which occurs during the Committee's existence shall be filled by a majority vote of the committee. The Committee shall be provided with all necessary assistance, supplies, financing and equipment similar to those provided to the Volusia County Charter Review Committee.

Section 1202. Authority and Actions of Ethics Commission Exploratory Committee.

The nine member Ethics Commission Exploratory Committee is charged with conducting hearings, meetings, investigations and any and all other research necessary to create an Ethics Commission for Volusia County similar to those in other counties. The Committee shall complete its findings and submit a formal amendment to the Volusia county charter for approval by the voters in the 2018 November general election. The amendment (s) shall be submitted on or before the final date for charter amendments as set forth by the supervisor of elections.

From: "Mikedenis@cfl.rr.com" <mikedenis@cfl.rr.com>
To: "VCCharterReview" <VCCharterReview@volusia.org>
Date: 11/11/2015 9:47 AM
Subject: RE: Fwd: Request for a clarification on the Charter Review Process

Thank you for the clarification and quick response. I'll assume that emails in advance ready do nothing for future meetings.

Mike Denis

-----Original Message-----

From: VCCharterReview [mailto:VCCharterReview@volusia.org]
Sent: Wednesday, November 11, 2015 8:30 AM
To: Mikedenis@cfl.rr.com
Subject: Re: Fwd: Request for a clarification on the Charter Review Process

Mr. Denis -

Every meeting has a public participation section which allows 3 minutes to the speaker. The speaker may choose to discuss as many topics within slotted time line.

A public participation form is completed at each meeting.

Thank you.

>>> "Mikedenis@cfl.rr.com" <mikedenis@cfl.rr.com> 11/10/2015 3:01 PM >>>
Prior to last night's meeting, I have emailed in two topics that I wanted to talk about in Charter Review Meeting. I was told by the person that has the speakers fill out the "speaker form", that even though I received two emails confirming my participation, I only had one 3 minute session in total for both. That does not seem fair to me. Is that the policy? Or a misunderstanding? Depending on how the committee "splits up" the charter, one only gets 3 minute per Meeting?

Mike Denis (I sat to your left during most of the meeting)

625 Lenox Ave

Daytona Beach, FL

I do plan on speaking at the next meeting as well, just want a clarification of the "rules" for future reference.

AGENDA ITEM V. - B.

From: David Hartgrove <birdman9@earthlink.net>
To: John Duckworth <jduckworth@volusia.org>
CC: <jebk75@gmail.com>, "VCCharterReview" <VCCharterReview@volusia.org>
Date: 11/13/2015 3:23 PM
Subject: Re: Volusia Charter Review Commission December 14th Meeting

Hi John,

I was teaching this morning and just got the message a few minutes ago. I'm honored to be asked and I'll be there for sure. Thank you.

David Hartgrove
Conservation Chair/Pelican Editor,
Halifax River Audubon

On Nov 13, 2015, at 10:54 AM, John Duckworth wrote:

> Mr. Hartgrove:
>
>
> I attempted to reach you via phone today, but was not successful.
>
> The Charter Commission would like to extend an invitation for a representative of the Halifax River Audubon to speak at the December 14, 2015 - 5:30 pm meeting which will be held in the Volusia Room located at the Daytona Beach International Airport. The December meeting has primarily been dedicated to discussion relating to the Volusia Growth Management Commission and economic development as it relates to the county charter, but the Commission has discussed environmental issues at previous meetings. Three (3) minutes has been allotted for your group. Please let me know who will be attending and provide any handouts by November 27th to be included in the Commission's agenda packet.
>
> Feel free to give me a call to discuss.
>
> Thanks for your help,
>
>
> John Duckworth
> Volusia Charter Review Commission Staff Support
> Volusia County Purchasing & Contracts
> 123 W. Indiana Ave., Rm. 302, DeLand, FL 32720-4608
> JDuckworth@volusia.org
> Direct Phone: 386-822-5792
> Fax: 386-626-6556

From: John Duckworth
To: VCCharterReview
Date: 11/13/2015 11:12 AM
Subject: Fwd: Re: Volusia Charter Review Commission December 14th Meeting

>>> Deanie Lowe <deanielowe@bellsouth.net> 11/13/2015 11:06 AM >>>
Thank you, John. I look forward to attending and speaking at the Charter Review Commission's 12/14 meeting.

Deanie Lowe

On Nov 13, 2015, at 10:58 AM, John Duckworth <jduckworth@volusia.org> wrote:

Ms. Lowe:

As a followup to our conversation today...

The Charter Commission would like to extend an invitation for you to speak at the December 14, 2015 - 5:30 pm meeting which will be held in the Volusia Room located at the Daytona Beach International Airport. The December meeting has primarily been dedicated to discussion relating to the Volusia Growth Management Commission and economic development as it relates to the county charter. Three (3) minutes has been allotted for you. Please let me if you will be attending and provide any handouts by November 27th to be included in the Commission's agenda packet.

Feel free to give me a call to discuss.

Thanks for your help,

John Duckworth
Volusia Charter Review Commission Staff Support
Volusia County Purchasing & Contracts
123 W. Indiana Ave., Rm. 302, DeLand, FL 32720-4608
JDuckworth@volusia.org
Direct Phone: 386-822-5792
Fax: 386-626-6556

From: John Duckworth
To: VCCharterReview
Date: 11/13/2015 1:27 PM
Subject: Fwd: Re: Volusia Charter Review Commission December 14th Meeting

>>> Kent Sharples <ksharples@ceobusinessalliance.com> 11/13/2015 12:16 PM >>>
Thank you John.

We will be in touch with regards to attendees and handouts.

Kent

On Fri, Nov 13, 2015 at 11:38 AM, John Duckworth <jduckworth@volusia.org> wrote:

Mr. Sharples:

As a follow up to our conversation today...

The Charter Commission would like to extend an invitation for a representative of the CEO Business Alliance to speak at the December 14, 2015 - 5:30 pm meeting which will be held in the Volusia Room located at the Daytona Beach International Airport. The December meeting has primarily been dedicated to discussion relating to the Volusia Growth Management Commission and economic development as it relates to the county charter. Ten (10) minutes has been allotted for your group. Please let me know who will be attending and provide any handouts by November 27th to be included in the Commission's agenda packet.

Feel free to give me a call to discuss.

Thanks for your help,

John Duckworth

Volusia Charter Review Commission Staff Support
Volusia County Purchasing & Contracts
123 W. Indiana Ave., Rm. 302, DeLand, FL 32720-4608
JDuckworth@volusia.org
Direct Phone: 386-822-5792

Fax: 386-626-6556

John Duckworth, Procurement Analyst I

Volusia County Purchasing & Contracts
123 W. Indiana Ave., Rm. 302, DeLand, FL 32720-4608
JDuckworth@volusia.org
Direct Phone: 386-822-5792

Fax: 386-626-6556

AGENDA ITEM V. - B.

--

Kent Sharples
President

CEO Business Alliance
825 Ballough Road Suite 210
Daytona Beach, FL 32114
386.256.4900 ceobusinessalliance.com



City of DeLand

“The Athens of Florida”

www.deland.org

120 South Florida Avenue
DeLand, Florida 32720-5481
Telephone: (386) 626-7000
Fax: (386) 626-7140

November 30, 2015

J. Hyatt Brown, Chairman and
Members of the Charter Review Commission
County of Volusia
123 West Indiana Avenue
DeLand, FL 32720

Re: Volusia County Growth Management Commission

Dear Chairman Brown and Members of the Charter Review Commission:

At its November 16th meeting, the DeLand City Commission discussed our thoughts and concerns regarding the future of the Volusia County Growth Management Commission (VGMC). We did not adopt a resolution calling for the abolishment of the VGMC, but we want to share our thoughts and concerns regarding the VGMC for your consideration during your deliberations on Charter recommendations. We do believe that the notion of its elimination merits discussion. If it remains in the charter, we believe VGMC should be substantially modified from its historic practices and procedures.

The City Commission noted that the currently adopted regulations and procedures for the VGMC are out of date, overly burdensome, and put Volusia County at an economic disadvantage for projects requiring timely and efficient review. We suggest that the following thoughts be considered by the Charter Review Commission in evaluating your recommendations regarding VGMC.

We believe the following considerations are reasons to sunset VGMC:

- Since the adoption of the VGMC, there have been significant and substantial changes to the laws affecting DRIs, growth management and comprehensive plans amendments. No longer do all plan amendments require scrutiny by the state. Previously, VGMC review occurred during that state review delay. Today, review by the VGMC causes a delay in moving projects forward by at least several months and often longer for contested matters which is an impediment to economic development.
- VGMC is a costly, somewhat repetitious and an additional layer of review. There is the direct expense of VGMC as well as the indirect costs of participating in the process to the applicant jurisdiction and to the private sector interest desiring the plan amendment of participating in the process.

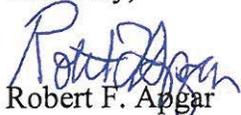
If VGMC remains we suggest the following substantial changes:

- Not all comprehensive plan amendments should be reviewed by the VGMC. Minimum thresholds and significant multi jurisdictional impacts should be established (for example number of acres, dwelling units, square footage or burdens on public services and infrastructure) so that only applications for major plan amendments require review and small applications do not need to be submitted for review.
- Standing should be limited to the governmental units impacted by the application (including the Volusia County School Board). In the past, the VGMC has been used as a “super planning board” especially when citizens have been unhappy with decisions at the local level. Standing should be limited to those directly impacted by the plan amendment.
- Similarly, better rules are needed to determine local government standing so that those jurisdictions that are geographically distant or do not have reasonable proof of inconsistency and affect on its plan do not have standing.
- Weighted voting rules should be reconsidered. As currently written, unaffected local governments could decide the fate of an application that does not impact that jurisdiction in any way.
- A jurisdiction’s representative should serve at will to allow the appointing body to remove their representative from the VGMC should the appointing board determine that its representative is not fulfilling their duties or accurately representing the interests and decisions of the appointing jurisdiction.

We believe you should consider that there may still be a need for a formal mechanism for coordinating the plans of municipalities, the County and the School Board as they relate to changes of comprehensive land use designations that may have a major impact on the provision of public services to residents of an impacted geographic area which span multiple jurisdictions. For example, a jurisdiction that receives water service from another jurisdiction should not be permitted to approve a plan amendment that impacts the capacity of the water provider to service its existing commitments without some discussion and coordination. Sunsetting the VGMC would eliminate one formal means of assuring intergovernmental coordination on review of land use applications of major impact.

Thank you very much for the opportunity to voice our opinion about the Volusia County Growth Management Commission. We respectfully request that our opinions be taken into consideration as you deliberate the need for the VGMC.

Sincerely,



Robert F. Apper
Mayor-Commissioner

cc: DeLand City Commission
Michael Pleus, DeLand City Manager
Dale Arrington, DeLand Assistant City Manager



November 20, 2015

J. Hyatt Brown, Chair
County of Volusia
Charter Review Commission
123 W. Indiana Ave
DeLand, FL 32710

Re: City of Edgewater - Resolution #2015-R-36

Dear Chairman Brown:

During the regularly scheduled City Council meeting on Monday, November 16, 2015 the Council unanimously approved the attached resolution (#2015-R-36) urging the Charter Review Commission to consider recommending an amendment to the County Charter eliminating the Volusia Growth Management Commission.

Sincerely,

Robin L. Matusick
Interim City Clerk/Paralegal
rmatusick@cityofedgewater.org

/rlm

Enclosure

Cc: Dr. Philip Fleuchaus
Glenn Ritchey, Sr., Vice Chair
M. David Haas
Dr. T. Wayne Bailey
Peter Heebner
Frank Bruno, Jr.
James Morris
Frank Darden
Patricia Northey
Patricia Drago
Derek Triplett
Ambassador Stanley Escudero
Lisa Ford Williams

RESOLUTION NO. 2015-R-36

A RESOLUTION OF THE CITY OF EDGEWATER, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION TO RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION; DIRECTING THE CITY CLERK TO FORWARD TO THE VOLUSIA CHARTER REVIEW COMMISSION, REPEALING RESOLUTIONS IN CONFLICT HERewith AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted the Growth Management Act (Act) which requires local governmental entities to adopt comprehensive plans to establish policies for the future growth within their jurisdictions; and

WHEREAS, furthermore it is the intent of the Act for counties and municipalities to cooperate and coordinate planning with each other, regional agencies and the State and specifically states:

It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law; and

WHEREAS, in addition to the Act, in 1986 the Volusia County Charter (Charter) was amended to create the Volusia Growth Management Commission (VGMC) and the Charter amendment contained the following language:

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; and

WHEREAS, to implement the VGMC, Volusia County adopted rules and regulations for the VGMC, including Section 90-33(5) of the Volusia County Code of Ordinances which reads as follows:

The main purpose of the commission is to provide an effective means for coordinating the plans of municipalities and the county,

in order to provide a forum for the several local governments in the county to cooperate with each other in coordinating the provision of public services to and improvements for the citizens of the county, and create incentives to foster intergovernmental cooperation and coordination; and

WHEREAS, these two provisions clearly indicate that the intended purpose of the VGMC was to provide a forum through which local governmental entities could resolve inconsistencies and/or incompatibilities regarding comprehensive plans; and

WHEREAS, the role of the VGMC is inefficient as it duplicates the requirement of Florida Statutes 163.3177 which requires procedures for local governments to follow where there are inconsistencies and/or incompatibilities with their respective Comprehensive Plan Amendments; and

WHEREAS, the role of VGMC has encroached beyond resolving inconsistencies and/or incompatibilities among local government Comprehensive Plan Amendments; and

WHEREAS, the VGMC has previously granted standing to parties other than local governments, and property owners without reasonable standing that has resulted in lengthy delays that is counter to the legislative growth policies adopted by local governmental entities; and

WHEREAS, the VGMC has independently interpreted its role to intervene in growth management policy decisions even if all local governmental entities are in agreement as to Comprehensive Plan consistency and compatibility and would not require a hearing; and

WHEREAS, the vast majority of the VGMC hearings have not been the result of inconsistencies and/or incompatibilities of Comprehensive Plan Amendments submitted by local governmental entities, but rather objections filed by the VGMC staff or other parties without appropriate standing; and

WHEREAS, the VGMC is a process funded by the taxpayers of Volusia County that requires the VGMC to review every proposed comprehensive plan amendment in Volusia County and allows for hearings to be easily requested and such a process has been used to delay and complicate local government's planning efforts; and

WHEREAS, the VGMC is not required by State law, this additional process puts Volusia County at a disadvantage when competing with other jurisdictions for new development and businesses who do not have such an added layer of bureaucracy; and

WHEREAS, each local governmental entity has the sovereign authority to adopt its own growth management policies, within the provisions of Florida Law, thereby establishing how that community will develop. The VGMC was never intended to be an additional forum to review and/or to hear or create objections to growth management policies adopted by local governmental entities. Such process violates the sovereignty of the local government to establish its own growth management policies; and

WHEREAS, the County Charter should be amended to eliminate the VGMC; and

WHEREAS, eliminating the VGMC will not adversely affect the public's right to participate in the adoption of the growth policies of the local governmental entities and/or to pursue the administrative review provided under State law.

NOW, THEREFORE, be it resolved by the City Council of the City of Edgewater, Florida:

Section 1. The City Council of the City of Edgewater does hereby requests the Volusia Charter Review Commission to recommend an amendment to the Volusia County Charter to eliminate the VGMC.

Section 2. The City Clerk is hereby directed to forward this Resolution to the Volusia Charter Review Commission.

Section 3. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Section 4. This resolution shall take effect immediately upon adoption.

After motion by Councilwoman Bennington and Second by _____

Councilwoman Power the vote on this resolution was as follows:

	<u>AYE</u>	<u>NAY</u>
Mayor Michael Ignasiak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilwoman Christine Power	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilwoman Gigi Bennington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Dan Blazi	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Gary T. Conroy	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PASSED AND DULY ADOPTED this 16th day of November, 2015.

ATTEST:

CITY COUNCIL OF THE
CITY OF EDGEWATER, FLORIDA

Robin L. Matusick
Robin L. Matusick
Interim City Clerk/Paralegal

By: Mike Ignasiak
Mike Ignasiak
Mayor

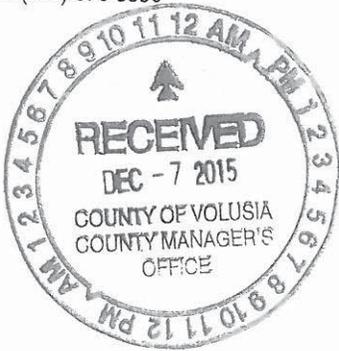
For the use and reliance only by the City of Edgewater, Florida. Approved as to form and legality by: Aaron R. Wolfe, Esquire
City Attorney
Doran, Sims, Wolfe & Ciochetti

Approved by the City Council of the City of Edgewater at a meeting held on this 16th day of November, 2015 under Agenda Item No 8 7.



CITY OF ORMOND BEACH

22 South Beach Street • Ormond Beach, FL 32174 • (386) 677-0311 • Fax (386) 676-3330



December 3, 2015

Mr. Jason P. Davis, County Chair and
Volusia County Council Members
County of Volusia
Thomas C. Kelly Administrative Center
123 West Indiana Avenue
DeLand, Florida 32720-4612

Re: City of Ormond Beach Resolution No. 2015-227

Dear Mr. Davis:

On December 1, 2015, the City Commission of the City of Ormond Beach approved Resolution No. 2015-227 requesting the Volusia Charter Review Commission to recommend an amendment to the Volusia County Charter. A copy of said resolution is enclosed.

Best regards,

J. Scott McKee
City Clerk

Enclosure

cc: Volusia County Council Members

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

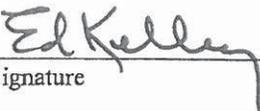
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Ed Kelley
Name of Signatory

City of Ormond Beach
Name of Investor

Attachment 1.

Excerpts the Volusia County Charter and Florida Statutes

Volusia County

Article II. Powers And Duties Of The County

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.

Florida Statutes 163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(2) Coordination of the several elements of the local comprehensive plan shall be a major objective of the planning process. The several elements of the comprehensive plan shall be consistent. Where data is relevant to several elements, consistent data shall be used, including population estimates and projections unless alternative data can be justified for a plan amendment through new supporting data and analysis. Each map depicting future conditions must reflect the principles, guidelines, and standards within all elements and each such map must be contained within the comprehensive plan.

(4)(a) Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.709; and with adopted rules pertaining to designated areas of critical state concern shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, as the case may require and as such adopted plans or plans in preparation may exist.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.709, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent

municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for a dispute resolution process, as established pursuant to s. 186.509, for bringing intergovernmental disputes to closure in a timely manner.

c. The intergovernmental coordination element shall provide for interlocal agreements as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall also state principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element must describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement.

3. Within 1 year after adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements. The agreement must:

a. Ensure that the local government addresses through coordination mechanisms the impacts of development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region, and the state. The area of concern for municipalities shall include adjacent municipalities, the county, and counties adjacent to the municipality. The area of concern for counties shall include all municipalities within the county, adjacent counties, and adjacent municipalities.

b. Ensure coordination in establishing level of service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibility for such facilities.

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Affected person” includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the

period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

(b) “In compliance” means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, with the appropriate strategic regional policy plan, and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable.

(c) “Reviewing agencies” means:

1. The state land planning agency;
2. The appropriate regional planning council;
3. The appropriate water management district;
4. The Department of Environmental Protection;
5. The Department of State;
6. The Department of Transportation;
7. In the case of plan amendments relating to public schools, the Department of Education;
8. In the case of plans or plan amendments that affect a military installation listed in s. 163.3175, the commanding officer of the affected military installation;
9. In the case of county plans and plan amendments, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services; and
10. In the case of municipal plans and plan amendments, the county in which the municipality is located.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(a) Any affected person as defined in paragraph (1)(a) may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57, with a copy served on the affected local government, to request a formal hearing to challenge whether the plan or plan amendments are in compliance as defined in paragraph (1)(b). This petition must be filed with the division within 30 days after the local government adopts the amendment. The state land planning agency may not intervene in a proceeding initiated by an affected person.

RESOLUTION NO. 2015-227

A RESOLUTION OF THE CITY OF ORMOND BEACH, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION TO RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER EITHER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION OR ALTERNATIVELY, LIMITING THE JURISDICTION OF THE VOLUSIA GROWTH MANAGEMENT COMMISSION TO ONLY CONDUCT REVIEWS AND COMPREHENSIVE PLAN HEARINGS AMENDMENTS OF PROPOSED OF LOCAL GOVERNMENTAL ENTITIES WHEN AN OBJECTION TO A PROPOSED COMPREHENSIVE PLAN AMENDMENT IS FILED BY ANOTHER LOCAL GOVERNMENTAL ENTITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted the Growth Management Act (Act) which requires local governmental entities to adopt comprehensive plans to establish policies for the future growth within their jurisdictions, and

WHEREAS, furthermore it is the intent of the Act for counties and municipalities to cooperate and coordinate planning with each other, regional agencies and the State and specifically states:

It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

WHEREAS, in addition to the Act, in 1986 the Volusia County Charter (Charter) was amended to create the Volusia Growth Management Commission (VGMC) and the Charter amendment contained the following language:

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.

WHEREAS, to implement the VGMC, Volusia County adopted rules and regulations for the VGMC, including Section 90-33(5) of the Volusia County Code of Ordinances which reads as follows:

The main purpose of the commission is to provide an effective means for coordinating the plans of municipalities and the county, in order to provide a forum for the several local governments in the county to cooperate with each other in coordinating the provision of public services to and improvements for the citizens of the county, and create incentives to foster intergovernmental cooperation and coordination.

WHEREAS, these two provisions clearly indicate that the main purpose of the VGMC is to provide a forum through which local governmental entities can resolve differences regarding Comprehensive plans, and

WHEREAS, if the role of the VGMC was limited to resolving disputes between local governmental entities regarding comprehensive plans, the VGMC would provide a valuable, cost saving service by avoiding the administrative hearing process provided in State law to resolve such disputes, and

WHEREAS, however, the VGMC has not limited its role to resolving disputes among local governmental entities, but has become a forum that is used by opponents to growth and development to delay and frustrate the legislative growth policies adopted by local governmental entities, and

WHEREAS, the VGMC has interpreted its role to intervene in growth management policy decisions even if all local governmental entities are in agreement as to consistency, and

WHEREAS, the vast majority of the VGMC hearings have not been the result of disputes between local governmental entities, but objections filed by other parties, and

WHEREAS, the VGMC is a costly process funded by the taxpayers of Volusia County. The VGMC reviews every proposed comprehensive plan amendment in Volusia County and hearings are easily requested. Such a process has been used to delay and frustrate growth. The VGMC is not required by State law and Volusia County is the only County in the State with such an added layer of review. This puts Volusia County at a disadvantage when competing with other jurisdictions for new businesses who do not have such an added layer of bureaucracy, and

WHEREAS, each local governmental entity has the sovereign authority to adopt its own growth management policies thereby establishing how that community will grow. The VGMC was never intended to be a second forum to review and hear objections to growth management policies adopted by local governmental entities. Such a review would violate the sovereignty of the local government to establish its own growth management policies. The VGMC should only be involved when a local government entity believes that a proposed comprehensive plan amendment of another local governmental entity would have adverse impacts beyond the adopting agencies jurisdiction and negatively impact adjacent local government entities. If a

local governmental entity proposes a comprehensive plan amendment and no local governmental entity raises an objection, there is no need for the VGMC to review the proposed amendment and conduct a hearing, and

WHEREAS, the County Charter should be amended to either eliminate the VGMC or limit the VGMC involvement to only when an objection to a comprehensive plan amendment is timely filed by another local governmental entity, and

WHEREAS, eliminating the VGMC or limiting the role of the VGMC to its primary purpose will not adversely affect the public's right to participate in the adoption of the growth policies of the local governmental entities and to pursue the administrative review provided under State law, now therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. The City Commission hereby requests the Volusia Charter Review Commission to recommend an amendment to the Volusia County Charter either eliminating the VGMC or alternatively limiting the jurisdiction of the VGMC to only conduct reviews and hearings of proposed comprehensive plan amendments of local governmental entities when an objection to a proposed comprehensive plan amendment is filed by another local governmental entity.

SECTION TWO. The City Manager is hereby directed to forward this Resolution to the Volusia Charter Review Commission.

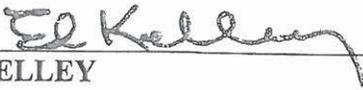
SECTION THREE. If any section, subsection, sentence, clause, phrase, or portion of this resolution, or application hereof, is for any reason held invalid or unconstitutional by any

Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION FOUR. All resolutions made in conflict with this Resolution are hereby repealed.

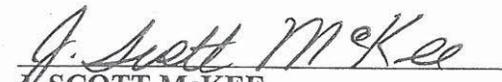
SECTION FIVE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED this 1st day of December, 2015.



ED KELLEY
Mayor

ATTEST:



J. SCOTT MCKEE
City Clerk

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

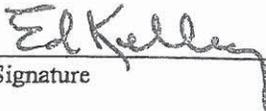
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Ed Kelley
Name of Signatory

City of Ormond Beach
Name of Investor

Attachment 1.

Excerpts the Volusia County Charter and Florida Statutes

Volusia County

Article II. Powers And Duties Of The County

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.

Florida Statutes 163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(2) Coordination of the several elements of the local comprehensive plan shall be a major objective of the planning process. The several elements of the comprehensive plan shall be consistent. Where data is relevant to several elements, consistent data shall be used, including population estimates and projections unless alternative data can be justified for a plan amendment through new supporting data and analysis. Each map depicting future conditions must reflect the principles, guidelines, and standards within all elements and each such map must be contained within the comprehensive plan.

(4)(a) Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.709; and with adopted rules pertaining to designated areas of critical state concern shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, as the case may require and as such adopted plans or plans in preparation may exist.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.709, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent

municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for a dispute resolution process, as established pursuant to s. 186.509, for bringing intergovernmental disputes to closure in a timely manner.

c. The intergovernmental coordination element shall provide for interlocal agreements as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall also state principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element must describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement.

3. Within 1 year after adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements. The agreement must:

a. Ensure that the local government addresses through coordination mechanisms the impacts of development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region, and the state. The area of concern for municipalities shall include adjacent municipalities, the county, and counties adjacent to the municipality. The area of concern for counties shall include all municipalities within the county, adjacent counties, and adjacent municipalities.

b. Ensure coordination in establishing level of service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibility for such facilities.

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Affected person” includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the

period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

(b) "In compliance" means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, with the appropriate strategic regional policy plan, and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable.

(c) "Reviewing agencies" means:

1. The state land planning agency;
2. The appropriate regional planning council;
3. The appropriate water management district;
4. The Department of Environmental Protection;
5. The Department of State;
6. The Department of Transportation;
7. In the case of plan amendments relating to public schools, the Department of Education;
8. In the case of plans or plan amendments that affect a military installation listed in s. 163.3175, the commanding officer of the affected military installation;
9. In the case of county plans and plan amendments, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services; and
10. In the case of municipal plans and plan amendments, the county in which the municipality is located.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(a) Any affected person as defined in paragraph (1)(a) may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57, with a copy served on the affected local government, to request a formal hearing to challenge whether the plan or plan amendments are in compliance as defined in paragraph (1)(b). This petition must be filed with the division within 30 days after the local government adopts the amendment. The state land planning agency may not intervene in a proceeding initiated by an affected person.



CITY OF PORT ORANGE

1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA 32129
TELEPHONE 386-506-5500
FAX 386-756-5290
www.Port-Orange.org

December 3, 2014

Mr. Hyatt Brown, Charter Review Committee Chair
c/o Christine Beccaris
County of Volusia
123 W. Indiana Avenue, Room 100
Deland, FL 32720

Dear Mr. Brown:

On Tuesday, December 1, 2015, the City Council of the City of Port Orange carefully considered a resolution to recommend to either eliminate or limit the jurisdiction of the Volusia Growth Management Commission or alternatively limit the jurisdiction of the Volusia Growth Management Commission. The motion to approve this resolution failed with a vote of 1 to 4. Council prefers the Volusia Growth Management Commission remain intact as originally established.

The draft resolution is attached as presented.

Thank you for considering our participation on this decision. The City Council and I appreciate the Charter Review Committee's service to our community.

Sincerely,

A handwritten signature in blue ink that reads "Allen Green". The signature is written in a cursive style.

Allen Green
Mayor

AG: ckr

RESOLUTION NO. 15-77

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION TO RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER EITHER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION OR ALTERNATIVELY LIMITING THE JURISDICTION OF THE VOLUSIA GROWTH MANAGEMENT COMMISSION TO ONLY CONDUCT REVIEWS AND HEARINGS OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS OF LOCAL GOVERNMENTAL ENTITIES WHEN AN OBJECTION TO A PROPOSED COMPREHENSIVE PLAN AMENDMENT IS FILED BY ANOTHER LOCAL GOVERNMENTAL ENTITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted the Growth Management Act (Act), which requires local governmental entities to adopt comprehensive plans to establish policies for the future growth within their jurisdiction.

WHEREAS, furthermore it is the intent of the Act for counties and municipalities to cooperate and coordinate planning with each other, regional agencies and the State and specifically states:

It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

WHEREAS, in addition to the Act, in 1986 the Volusia County Charter (Charter) was amended to create the Volusia Growth Management Commission (VGMC) and the Charter amendment contained the following language:

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 county's comprehensive plans and any amendments thereto with each other.

WHEREAS, these two provisions clearly indicate that the main purpose of the VGMC is to provide a forum through which local governmental entities can resolve differences regarding comprehensive plans.

WHEREAS, if the role of the VGMC was limited to resolving disputes between local governmental entities regarding comprehensive plans, the VGMC would provide a valuable, cost saving service by avoiding the administrative hearing process provided in State law to resolve such disputes.

WHEREAS, however, the VGMC has not limited its role to resolving disputes among local governmental entities, but has become a forum that is used by opponents to growth and development to delay and frustrate the legislative growth policies adopted by local governmental entities.

WHEREAS, the VGMC has interpreted its role to intervene in growth management policy decisions even if all local governmental entities are in agreement as to consistency.

WHEREAS, the vast majority of the VGMC hearings have not been the result of disputes between local governmental entities, but objections filed by other parties.

WHEREAS, the VGMC is a costly process funded by the taxpayers of Volusia County. The VGMC reviews every proposed comprehensive plan amendment in Volusia County and hearings are easily requested. Such a process has been used to delay and frustrate growth. The VGMC is not required by State law and Volusia County is the only

county in the State with such an added layer of review. This puts Volusia County at a disadvantage when competing with other jurisdictions for new businesses that do not have such an added layer of bureaucracy.

WHEREAS, each local governmental entity has the sovereign authority to adopt its own growth management policies thereby establishing how that community will grow. The VGMC was never intended to be a second forum to review and hear objections to growth management policies adopted by local governmental entities. Such a review would violate the sovereignty of the local government to establish its own growth management policies. The VGMC should only be involved when a local government entity believes that a proposed comprehensive plan amendment of another local governmental entity would have adverse impacts beyond the adopting agencies jurisdiction and negatively impact adjacent local government entities. If a local governmental entity proposed a comprehensive plan amendment and no local governmental entity raises an objection, there is no need for the VGMC to review the proposed amendment and conduct a hearing.

WHEREAS, the County Charter should be amended to either eliminate the VGMC or limit the VGMC involvement to only when an objection to a comprehensive plan amendment is timely filed by another local governmental entity.

WHEREAS, eliminating the VGMC or limiting the role of the VGMC to its primary purpose will not adversely affect the public's right to participate in the adoption of the growth policies of the local governmental entities and to pursue the administrative review provided under State law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AS FOLLOWS:

Section 1. The City Council of the City of Port Orange hereby requests the Volusia Charter Review Commission to recommend an amendment to the Volusia County Charter either eliminating the VGMC or alternatively limiting the jurisdiction of the VGMC to only conduct reviews and hearings of proposed comprehensive plan amendments of local governmental entities when an objection to a proposed comprehensive plan amendment is filed by another local governmental entity.

Section 2. The City Manager is hereby directed to forward this Resolution to the Volusia Charter Review Commission.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 4. This Resolution shall take effect upon adoption.

MAYOR ALLEN GREEN

ATTEST:

Robin L. Fenwick, CMC, City Clerk

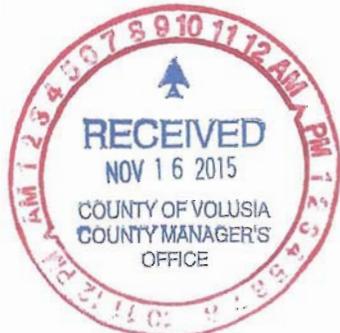
Adopted this _____ day of _____, 2015.

Reviewed and Approved: _____
Margaret T. Roberts, City Attorney

City of South Daytona

Office of the City Manager

Post Office Box 214960 • South Daytona, FL 32121 • 386/322-3010 • FAX 386/322-3008



November 11, 2015

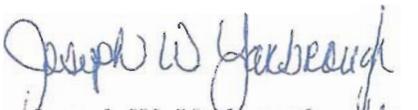
Mr. J. Hyatt Brown, Chair
Volusia County Charter Review Commission
123 W. Indiana Avenue
DeLand, FL 32720

Dear Mr. Brown,

Attached please find Resolution No. 15-21 that was adopted on November 10, 2015 by the elected body of South Daytona communicating the City's request that the Volusia County Charter Review Commission give consideration to placing on the ballot a charter amendment that would allow the voters of the county an opportunity to abolish the Volusia Growth Management Commission.

The resolution adequately delineates the reasoning for the City Council's position on this issue. However, I will be glad to address any questions that may arise from the Volusia County Charter Review Commission.

Sincerely,


Joseph W. Yarbrough
City Manager

/attachment

RESOLUTION NO. 15-21

A RESOLUTION OF THE CITY OF SOUTH DAYTONA, VOLUSIA COUNTY, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION TO RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted the Growth Management Act (Act), which requires local governmental entities to adopt comprehensive plans to establish policies for the future growth within their jurisdiction.

WHEREAS, furthermore it is the intent of the Act for counties and municipalities to cooperate and coordinate planning with each other, regional agencies and the State and specifically states:

It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

WHEREAS, in addition to the Act, in 1986 the Volusia County Charter (Charter) was amended to create the Volusia Growth Management Commission (VGMC) and the Charter amendment contained the following language:

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 county's comprehensive plans and any amendments thereto with each other.

WHEREAS, these two provisions clearly indicate that the main purpose of the VGMC is to provide a forum through which local governmental entities can resolve differences regarding comprehensive plans.

WHEREAS, if the role of the VGMC was limited to resolving disputes between local governmental entities regarding comprehensive plans, the VGMC would provide a valuable, cost saving service by avoiding the administrative hearing process provided in State law to resolve such disputes.

WHEREAS, however, the VGMC has not limited its role to resolving disputes among local governmental entities, but has become a forum that is used by opponents to growth and development to delay and frustrate the legislative growth policies adopted by local governmental entities.

WHEREAS, the VGMC has interpreted its role to intervene in growth management policy decisions even if all local governmental entities are in agreement as to consistency.

WHEREAS, the vast majority of the VGMC hearings have not been the result of disputes between local governmental entities, but objections filed by other parties.

WHEREAS, the VGMC is a costly process funded by the taxpayers of Volusia County. The VGMC reviews every proposed comprehensive plan amendment in Volusia County and hearings are easily requested. Such a process has been used to delay and frustrate growth. The VGMC is not required by State law and Volusia County is the only county in the State with such an added layer of review. This puts Volusia County at a disadvantage when competing with other jurisdictions for new businesses who do not have such an added layer of bureaucracy.

WHEREAS, each local governmental entity has the sovereign authority to adopt its own growth management policies thereby establishing how that community will grow.

The VGMC was never intended to be a second forum to review and hear objections to growth management policies adopted by local governmental entities. Such a review would violate the sovereignty of the local government to establish its own growth management policies. The VGMC should only be involved when a local government entity believes that a proposed comprehensive plan amendment of another local governmental entity would have adverse impacts beyond the adopting agencies jurisdiction and negatively impact adjacent local government entities. If a local governmental entity proposed a comprehensive plan amendment and no local governmental entity raises an objection, there is no need for the VGMC to review the proposed amendment and conduct a hearing.

WHEREAS, the County Charter should be amended to eliminate the VGMC.

WHEREAS, eliminating the VGMC will not adversely affect the public's right to participate in the adoption of the growth policies of the local governmental entities and to pursue the administrative review provided under State law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, VOLUSIA COUNTY, FLORIDA AS FOLLOWS:

Section 1. The City Council of the City of South Daytona hereby requests the Volusia Charter Review Commission to recommend an amendment to the Volusia County Charter eliminating the VGMC.

Section 2. The City Manager is hereby directed to forward this Resolution to the Volusia Charter Review Commission.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and

independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 4. All resolutions made in conflict with this Resolution are hereby repealed.

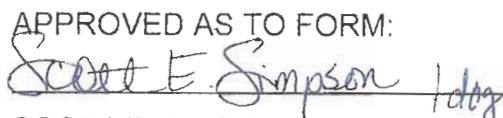
Section 5. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED at a meeting of the City Council of the City of South Daytona, Florida on the 10 day of November 2015.


GEORGE F. LOCKE III, MAYOR

ATTEST:

JOSEPH W. YARBROUGH, CITY MANAGER

APPROVED AS TO FORM:

SCOTT E. SIMPSON, ESQUIRE



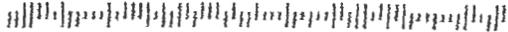
City of South Daytona
Post Office Box 214960
South Daytona, Florida 32121

AIRMAIL
NOV 11 2013
DELAND FL 32720



Mr. J. Hyatt Brown, Chair
Volusia County Charter Review Commission
123 W. Indiana Avenue
DeLand, FL 32720

32720461599





Town of Ponce Inlet

4300 South Atlantic Avenue
 Ponce Inlet, Florida 32127
 Phone: (386) 236-2150
 Fax: (386) 322-6717
www.ponce-inlet.org

December 1, 2015

Mr. Hyatt Brown, Charter Review Committee Chair
 c/o Christine Beccaris
 County of Volusia
 123 W. Indiana Ave., Room 100
 DeLand, FL 32720

Dear Mr. Brown,

As you undertake the important task of reviewing the Volusia County Charter, the Ponce Inlet Town Council was asked to review and offer suggestions regarding that portion pertaining to the Volusia Growth Management Commission.

A few years ago Ponce Inlet had the opportunity to not only present a case before the VGMC but to then have the VGMC's finding appealed to the Circuit Court. In both cases, the ultimate legal determinations favored the Town but the process was expensive, arduous and duplicative of the review procedures established by state statute. The additional cost to the Town was about thirty-five thousand dollars, but did not eliminate the challenger's almost identical administrative hearing review at the state level in which the Town was also successful at an expense of many more thousands of tax payer dollars.

Additionally, VGMC membership requirements create an interesting dichotomy, given that those elected to represent their community are not eligible to serve on the VGMC board. As a result, the Town's appointed representative to VGMC could make decisions that conflict with the community's elected officials. In no other governmental unit may an appointed body override an elected body, as the built-in accountability to the electorate is then lost. The Town of Ponce Inlet has been fortunate to have a dedicated and qualified representative for the past six years. Prior to that however, there have been times when a volunteer could not be found and extended time has gone by without a Town representative.

From the perspective of our own experience, we offer the following for your consideration:

Though the VGMC's original intent appears to have been to settle disputes between adjacent governing bodies locally, the process is not and cannot be a replacement for the state level review. Instead, it has created an additional level of bureaucracy which necessitates additional time and cost for an already expensive and lengthy process. We encourage you to review whether this additional level of bureaucracy, which requires

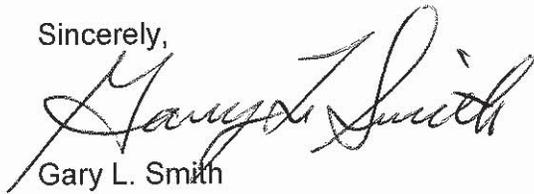
yearlong, tax-payer funding, is accomplishing a distinct goal or is it unnecessarily duplicative of the state required process. It is important to note that the VGMC is the only one of its kind in the State of Florida.

Should you determine that a distinct goal is being met, and the VGMC should remain in place, we encourage you to propose the following changes to the VGMC:

- Limit citizen standing to adjacent municipalities only, to align VGMC's purposes more closely to the original intent upon which this body was created; and
- Allow elected officials to be appointed to represent their municipality on the VGMC and make all appointments subject to serving at the pleasure of the appointing governing body.

We thank you for your consideration of our input on this matter and request that you share this with your fellow members on this committee. Please contact me if you have any questions or need more information. Your service to the citizens of Volusia County on the Charter Review Committee is most greatly appreciated.

Sincerely,



Gary L. Smith
Mayor

C: Ponce Inlet Town Council
Volusia County & Municipalities



As requested by the board at Team Volusia, the DeLand Area Chamber of Commerce has made the following suggestions in regards to the Volusia County Growth Management Commission. The DeLand Area Chamber of Commerce feels all business regulations must be clear and our land-use reviews efficient to allow us to compete with nearby counties who have already streamlined the site selection process. As such, the DeLand Area Chamber of Commerce suggests a focus on correcting the following three (3) areas with the current VCMC body:

Creation of Minimum Thresholds Which Would Require A VCMC Review

These minimum thresholds should be set in terms of the number of acres, density (dwellings per unit) or by square footage of units, so that smaller applications do not have to be submitted for review before the VCMC.

Standing

Standing should be limited to governmental units and the potential impact by the application itself. Unfortunately, the VCGM has become less an approval/review body and more a political action committee for varied interested across both ends of the development spectrum (No Growth/Pro-Growth, etc.). The creation of the Volusia County Growth Management Commission and its subsequent metastasizing into 'a super regional planning board' goes well beyond what its intended purview was.

Review of Voting Rules/Committee Member Appointments

The current language as presented should be reviewed. As currently written, unaffected local governments could decide the fate of a project that does not impact their city directly in anyway. In addition, previous appointees have used the commission as a place to publicly launch a political career, or begin a personal attack for - or against - a project, turning honest debate into unnecessary battles that only make the area look bad. The spirit of the Volusia County Growth Management Commission itself is to openly discuss points of agreement, and disagreement and to work through those issues to find consensus.

We suggest a review of the three points of operation outlined above to help provide the VGMC with a more defined focus and mission. However, the DeLand Chamber does not recommend the dissolution of the Volusia County Growth Management Commission as suggested. A question that voters will be left to ask following completion of the Charter Review Commissions work is this: Is it easier to eliminate a body created by the Charter than to modify its purpose and intent? For all of its past foibles, VGMC is a unique tool whose original purpose ought to be modified to current needs before simply discarding it.

This tool was established to provide a formal mechanism for helping coordinate the plans of municipalities, the county, and the school board, as they relate to changes with comprehensive land use designations on large-scale projects. In addition, it plays an important role in providing a level playing field for the County and municipalities of all sizes to review land use amendments and large scale projects. With improvements, this tool could allow for proactive issue spotting, allowing the County to better position itself for growth opportunities in the future.

Removing it would end the one formal means currently available to assure that intergovernmental cooperation and coordination on the review of land-use applications is occurring in a fair and open process.

As submitted this 25th day of November 2015,

Nick Conte Jr.
Executive Director
DeLand Area Chamber of Commerce



Serving New Smyrna Beach, Edgewater & Oak Hill for over 80 Years!

2015 Members of the Board of Directors

Mike Funaro, President
The Rainmakers Consulting Group

Steve Harrell, President – Elect
Bert Fish Medical Center

Donna Snow, Elected Vice President
Regions Bank

Trudy Ward, Secretary / Treasurer
SunTrust Bank

James Archimbaud
Keyes Realty

Krissy Chalk
Maserati of Daytona

Lillian Conrad
SCORE Volusia Flagler

Frank Crooks
Garriques & Associates Staff Leasing

Buddy Davenport
State Farm Insurance

Melanie Emanuel
Allstate – Melanie Emanuel & Associates

Carlos Giraldo
SunBeach Consulting

Peggy Hallett
StorQuest Self Storage

Trey Harshaw
*Trey Harshaw & Associates
Allstate Insurance*

Ken Poulin
First Response Disaster Team

Lillian Sheller
Best Western Hotel & Suites

Marlene Thomas
Florida Hospital NSB Health Park

Larry Volenec
Florida Power & Light

December 2, 2015

Mr. Hyatt Brown, Charter Review Committee Chair
C/o Christine Beccaris
County of Volusia
123 W. Indiana Ave., Room 100
Deland, FL 32720

Dear Mr. Brown,

Please accept this letter on behalf of the elected Board of Directors of the Southeast Volusia Chamber of Commerce in support of Resolution No. 2015-R-36, recently submitted by the City of Edgewater to the Volusia County Charter Review Commission. We support the recommendation to amend the Volusia County Charter to eliminate the Volusia County Growth Management Commission.

We believe that the Resolution No. 2015-R-36 fully captures the consensus of our Board of Directors and membership. The language and terms used in the City of Edgewater Resolution which we feel are most relevant related to the dissolution of the Volusia Growth Management Commission are as follows: “inefficiencies”, “encroached”, “lengthy delays”, “independently interpreted it’s role”, “funded by taxpayers”, “not required by state law”, “each local government entity has the sovereign authority to adopt its own growth management policies”. We believe that these echo the sentiments of our Board and members.

We believe that while some oversight is necessary, the Florida Statute 163.3177 provides the necessary oversight. We believe that there must be a better use for the tax payers’ money than fund an unnecessary and arbitrary commission. We respectfully ask that you honor the requests made in the above named Resolution.

Yours truly,

Michael A. Funaro
President 2015

Volusia County, Florida - Code of Ordinances

https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTIICOOR

The screenshot displays the Municode website interface for Volusia County, FL. The header includes the Municode logo with the tagline "The nation's leading legal publisher.", the text "Volusia County, FL", and a search bar. Below the header is a navigation bar with icons for home, documents, calendar, cursor, and share, along with buttons for "Show Changes: OFF", "Update Me new!", and "Menu".

The main content area is split into a left sidebar and a main panel. The sidebar lists the following items: "CODE OF ORDINANCES COUNTY OF VOLUSIA VOLUME I", "SUPPLEMENT HISTORY TABLE modified", "PART I - CHARTER", "CHARTER COMPARATIVE TABLE", "CHARTER COMPARATIVE TABLE", "PART II - CODE OF ORDINANCES", "Chapter 1 - GENERAL PROVISIONS", "Chapter 2 - ADMINISTRATION", "Chapter 6 - ALCOHOLIC BEVERAGES", and "Chapter 10 -".

The main panel displays the title "CODE OF ORDINANCES COUNTY OF VOLUSIA VOLUME I" with icons for link, print, download, email, and share. Below the title, it states: "Adopted, April 20, 1995" and "Effective, May 1, 1995". Further down, it says: "Published by Order of the County Council, 1994 pursuant to F.S. § 125.68 and Charter § 308.1".

The Municode logo is prominently displayed in the center of the main panel, with contact information: "Municipal Code Corporation • PO Box 2235 Tallahassee, FL 32316", "info@municode.com • 800.262.2633", and "fax 850.575.8852 • www.municode.com".

At the bottom of the main panel, the text "OFFICIALS of the" is visible. The footer contains the "Municode Library" logo and navigation links for "Support", "Terms of Use", "View Mobile Site", and "MuniPRO Sign In".

Section 202.2. Security of Citizens' Property Rights. In order to secure to the citizens of the county protection against unlawful taxes, improper use of public property or taxing power, and abuse of the environment, the county shall have the duty to defend and enforce the following rights, and shall have the power to investigate violations of these rights within the county and by ordinance, or by civil or criminal legal action where appropriate, to prevent:

(1) *Imposition of unlawful taxes.* The county shall prevent the imposition of any tax within the county in excess of the limitations imposed by Article VII, Section 9, of the Florida Constitution or by the laws of Florida.

(2) *Improper use of public property or taxing power.* The county shall prevent the use of public property or taxing power for the benefit of private individuals, partnerships or corporations, in violation of the restrictions imposed by Article VII, Section 10, of the Florida Constitution, or by the laws of Florida.

(3) *Abuse of the environment.* The county shall prevent the development or use of land or the commission of other acts by persons, partnerships or corporations which will tend to destroy or have a substantially adverse effect on the environment of the county. Such destruction or adverse effects may include any or all of the following.

(a) Pollution of the air, land or water by foreign substances, including noxious liquids, gases or solid wastes.

(b) Pollution of the air, land or water by the creation of potentially harmful conditions therein, including the creation of unnecessarily injurious heat, noise or odor. (Ch. 70-966, Laws of Florida (Sp. Acts), Art. II, ' 202; Res. No. 86-136, Amend. No. 1, 9-18-86)

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. (Res. No. 86-136, Amend. No. 2, 9-18-86; Res. No. 96-121, Amend. No. 1, 6-20-96)

Volusia Growth Management Commission Request for Information

- VGMC Public Hearing – 10 Year History
- RSQ History for Staff Contracts
- VGMC Application and Budget Expense History
- Email Response for Additional Questions
- VGMC Complete Resolutions (See Separate Binder)

VGMC 10 Year History
Total Applications Received – 600
Public Hearings Held – 28

	Applicant Jurisdiction	VGMC Case #	Commenting Jurisdiction/ Party Requesting Public Hearing	VGMC Resolution #/ Decision	Hearing Date	Original Receipt Date	# of Calendar Days to Final Determination (includes days application tolled by jurisdiction to prepare RAI response)	90-Day Waiver/ Continuance Request by Jurisdiction
1	DeLand	15-031-Small Scale Student Housing	DeLand Neighborhoods Inc. (Resident citizens group)	#2015-03 Approved without conditions	9/23/15	7/27/15	57	---
2	Oak Hill	15-009-Large Scale Activity Center	Florida Audubon Society & SE Volusia Audubon Society	#2015-02 Approved with conditions	4/22/15	2/24/15	57	---
3	DeLand	14-028-Large Scale Lake Winnimessett Gateway Corridor	Volusia County School Board	#2014-03 Approved with conditions	9/24/14	7/1/14	86	---
4	Orange City	14-024 Large Scale Map/Text Amendments	Volusia County	#2014-02 Approved with conditions	8/27/14	5/21/14	98	Yes
5	Orange City	Hearing to acknowledge satisfaction of prior conditions	Orange City	#2013-02 Approved without conditions	8/28/13	6/3/13	86	---
6	Orange City	10-018-Large Scale EAR Based Amendments	VGMC	#2011-07 Approved with conditions	5/25/11	6/7/10	352	---
7	New Smyrna Beach	10-031A-Large Scale EAR Based Amendments	Volusia County	#2011-03 Approved with conditions	4/6/11	10/14/10	174	Yes
8	New Smyrna Beach	10-031B-Large Scale FEC Property	Volusia County School Board	#2011-06 Approved with conditions	4/6/11	10/14/10	174	Yes
9	Volusia County	09-022-Farnton Remedial Amendments	Volusia County	#2011-04 Approved without conditions	3/23/11	3/4/11	19	---

	Applicant Jurisdiction	VGMC Case #	Commenting Jurisdiction/ Party Requesting Public Hearing	VGMC Resolution #/ Decision	Hearing Date	Original Receipt Date	# of Calendar Days to Final Determination (includes days application tolled by jurisdiction to prepare RAI response)	90-Day Waiver/ Continuance Request by Jurisdiction
10	Ponce Inlet	10-022-Large Scale Text Amendments	- Port Orange - Pacetta Group (property owner)	#2011-02 Approved with conditions	2/23/11	7/6/10	232	Yes
11	Volusia County	10-028-PD Gardens 207	Sheldon Rubin (adjacent property owner)	#2010-09 Approved with conditions	11/17/10	8/30/10	79	---
12	Deltona	10-015-Large Scale EAR Based Amendments	VGMC	#2010-07 Approved without conditions	8/25/10	5/24/10	93	---
13	Port Orange	07-055-Small Scale Tomoka Farms Local Plan	- Volusia County - Tomoka Farms Rural Village Inc. (citizen group)	#2010-06 Approved with conditions	7/28/10	9/10/07	1,051	---
14	Volusia County	09-022 Large Scale Farmton	- Deltona - Volusia County School Board	#2010-04 Approved with conditions	3/24/10	10/22/09	153	Yes
15	Deltona	09-021 Large Scale Water Supply Plan	- Volusia County - New Smyrna Beach - Edgewater - NSB Utilities Commission	#2010-03 Approved with conditions	1/27/10	10/13/09	106	---
16	Daytona Beach	09-016 Large Scale Clear Amendment	Volusia County	#2009-06 Approved with conditions	11/18/09	7/13/09	132	---
17	Port Orange	09-009 Large Scale Woodhaven	- New Smyrna Beach - Turnbull Bay Community Inc. (citizens group) - Tomm & Lorelle Friend (citizens)	#2009-05 Approved without conditions	8/26/09	3/26/09	153	---
18	Ormond Beach	08-043 Large Scale Water Supply Plan	Volusia County	#2008-06 Approved with conditions	10/22/08	7/3/08	111	---

	Applicant Jurisdiction	VGMC Case #	Commenting Jurisdiction/ Party Requesting Public Hearing	VGMC Resolution #/ Decision	Hearing Date	Original Receipt Date	# of Calendar Days to Final Determination (includes days application tolled by jurisdiction to prepare RAI response)	90-Day Waiver/ Continuance Request by Jurisdiction
19	Daytona Beach Shores	06-064/07-051 Large Scale Lady Godiva Rehearing	Myra Gercken/Tommy Partin etc. (citizen petition)	#2008-02 Approved with conditions	1/23/08	11/28/07 (date request for rehearing approved)	56	---
20	Daytona Beach	07-053 Large Scale Riverbend Church	VGMC	#2007-06 Approved with conditions	12/19/07	8/27/07	114	---
21	Daytona Beach Shores	06-064/07-051 Large Scale Lady Godiva Request for Rehearing	Daytona Beach Shores	Request for Rehearing approved	11/28/07	11/8/07	20	---
22	Daytona Beach Shores	06-064/07-051 Large Scale Lady Godiva	Myra Gercken/Tommy Partin etc. (citizen petition)	#2007-04 Denied	10/24/07	Orig. 9/21/06 Re-sub. 8/20/07	65	Yes
23	DeBary	06-073 Large Scale Marina	- Volusia County - Volusia County School Board	#2007-02 Approved with conditions	6/11/07	11/9/06	214	---
24	Port Orange	06-040 Small Scale Gazebo	Uta C. Dumermuth, etc. (resident citizen petition)	#2006-07 Approved without conditions	8/23/06	6/12/06	72	---
25	Orange City	05-075 Large Scale Map Amendments	- DeBary - Volusia County - Volusia County School Board	#2006-06 Approved with conditions	8/23/06	11/22/05	273	Yes
26	DeLand	06-014 Large Scale Map Amendments	- Volusia County - Volusia County School Board	#2006-05 Approved with conditions	6/28/06	1/31/06	148	---
27	Deltona	05-034C Large Scale Pinder Amendment	- Lake Helen - Volusia County - Volusia County School Board	#2006-04 Approved with conditions	5/24/06	6/27/05	331	Yes

	Applicant Jurisdiction	VGMC Case #	Commenting Jurisdiction/ Party Requesting Public Hearing	VGMC Resolution #/ Decision	Hearing Date	Original Receipt Date	# of Calendar Days to Final Determination (includes days application tolled by jurisdiction to prepare RAI response)	90-Day Waiver/ Continuance Request by Jurisdiction
28	Deltona	05-034 Large Scale Map Amendments	<ul style="list-style-type: none"> - Lake Helen - Volusia County - Volusia County School Board - Stone Island Homeowners Association 	#2006-02 Approved with conditions	4/26/06	6/27/05	303	---

***This chart does not include administrative public hearings on 1) Requests for extension to comply with prior VGMC resolutions (5), 2) Requests for waiver of the 90-day rule (8), or 3) Weighted Vote resolutions (10).**

VGMC – RSQ History for Staff Contracts

Year	Purpose	Firms Submitting Proposals	Awarded Contract
2015	Legal Services	- GrayRobinson Orlando, FL - Law Office of Robert K. Lincoln, Sarasota, FL	GrayRobinson
2014	Planning Services #1	- VHB Orlando, FL - Littlejohn Orlando, FL - Genesis Jacksonville, FL - Planning Design Group Orlando, FL	VHB
2014	Planning Services #2	- Miller Legg Winter Park, FL - Littlejohn Orlando, FL - Genesis Jacksonville, FL - HCI Planning & Land Development Orlando, FL - Planning Design Group Orlando, FL	Littlejohn
2013	Planning Services	- Land Planning Consulting & Dev. New Smyrna Beach, FL - Miller Legg Winter Park, FL	Miller Legg
2010	Legal Services	- GrayRobinson Orlando, FL - Lowndes, Drosdick, Doster, Kantor & Reed Orlando, FL - Rogers Towers St. Augustine, FL	GrayRobinson
2007	Planning Services	- TKW Consulting Engineers Fort Myers, FL - GAI Consultants Orlando, FL - Land Design Innovations Winter Park, FL - Planning Design Group Orlando, FL - Morris-Depew Associates Fort Myers, FL - The Curtis Group South Miami, FL	Planning Design Group

VGMC Application and Budget Expense History

Year	Apps Received	Public Hearings on Amendments	VGMC Expenses
2004	58	5	\$244,720
2003	54	5	\$179,622
2002	43	3	\$203,415
2001	46	10	\$177,306
2000	53	9	\$143,264
1999	36	8	\$212,194
1998	37	9	\$180,629
1997	54	11	\$158,545
1996	50	11	\$139,469
1995	34	7	\$151,036
1994	43	9	\$176,084
1993	38	10	\$157,251
1992	23	12	\$218,171
1991	17	11	\$216,257
1990	11	12	\$213,189
1989	31	12	\$103,579
1988	16	12	\$52,645
1987			\$21,570

VGMC Application and Budget Expense History

Year	Apps Received	Public Hearings on Amendments*	Average # days from Receipt to Determination	VGMC Expenses
2014	46	2	34	\$170,507
2013	97	1	30	\$113,266
2012	33	0	32	\$121,418
2011	59	5	35	\$256,838
2010	34	5	62	\$341,922
5-Year Average	54	3	39	\$200,790
2009	26	2	58	\$267,861
2008	81	2	50	\$328,456
2007	77	5	76	\$301,343
2006	83	5	88	\$268,835
2005	81	5	79	\$244,720
10-Year Average	62	3	54	\$241,517

5-year average = 54 applications/year; 39 day avg. turn around
10-year average = 62 applications/year; 54 day avg. turn around

***Does not include public hearings on 1) Requests for extension to comply with prior VGMC resolutions, or 2) Requests for waiver of the 90-day rule.**

www.gray-robinson.com

From: VGMC
To: John Duckworth
CC: Chipok, Paul; Brandon, Jerry; Wachtel, James; Seaman, Jamie
Date: 11/22/2015 2:57 PM
Subject: Re: Charter Review Commission Requests / December 14 Meeting
Attachments: Public Hearing 10-year History.pdf

John,

Thank you for your message.

In response to your questions, please see the following:

1. Frequency of meetings -- The VGMC is scheduled to meet monthly on the fourth Wednesday and the Annual Meeting schedule is published at the beginning of each year. However, the VGMC only meets when it has business to conduct. The frequency of regular meetings of the VGMC varies and depends upon what business comes before the commission and when. Over the past 10 years, the commission has averaged 6-7 meetings per year.
2. Term of contracts -- The VGMC consultant staff contracts are generally one year contracts with the option for two, one-year renewals.
3. List of Public Hearings on amendments by date/year and who requested -- Attached please find the requested 10-year public hearing history, beginning with the most recent. In separate, multiple emails (due to file size limitations), I am forwarding the referenced VGMC resolutions associated with the public hearings. We want to be sure the Charter Review Commission receives the resolutions as well. If you would like me to send you printed copies of the material, just let me know how many and I will do so after I return to the office on November 30th. Or, if we need to send the information directly to the Charter Review Commission members, please provide forwarding information.

John, I will be out of the office the week of November 23rd and unable to respond to email. I'll be back in on Monday, November 30th should you have any questions.

Have a nice Thanksgiving holiday.

Merry Chris

Volusia Growth Management Commission (VGMC)

Established 1986

Goals and Objectives

Goals:

To provide an effective means for coordinating the comprehensive plans of municipalities and the County, in order to provide a forum for local governments in Volusia County to coordinate decision making related to land use, the environment and public services for the citizens of Volusia County.

Objective:

Review the comprehensive plans and any plan amendments thereto for each governmental entity in Volusia County to insure intergovernmental coordination and cooperation.

VGMC Creates a Level Playing Field

- **No one comprehensive plan controls over others**
- **Forces cooperation early in the process**
- **Coordination between jurisdictions must be established before comprehensive plan can be amended**
- **All local governments are represented on the commission – 21 voting members: One member appointed by each of the municipalities, and five members appointed by Volusia County -- Voting is weighted based on the population represented by the member**
- **The Volusia County School Board and St. Johns River Water Management District are also represented on the commission as ex-officio members**

Interlocal Agreement with the State

- **An interlocal agreement exists between VGMC, Volusia County and the State in which the State agrees the findings of the VGMC pertaining to matters of intergovernmental coordination and consistency between local government comprehensive plans within Volusia County shall be considered by the State as additional data appropriate in review of intergovernmental coordination element matters.**
- **Most of the local government comprehensive plans policies include the VGMC review as a means of meeting the State required intergovernmental coordination element policies.**
- **VGMC review is not duplicative. The State recognizes a consistency certification as having met the intergovernmental coordination requirement.**

Comments Recently Raised Relating to the VGMC

- The VGMC intervenes when no local government raises objections and the local governments are in agreement with the amendment

-- In accordance with the present charter, the VGMC is required to. Section 202.3 in part states: “The commission shall have the power and the duty to determine the consistency of the municipalities and county’s comprehensive plans and any amendments thereto with each other.”

-- In the past 10 years, only 3 public hearings were held when there were no comments or objections raised by another jurisdiction or party.

- The VGMC has become a forum used by opponents to growth and development to delay and frustrate the legislative growth policies adopted by local governmental entities

- In 2009, the VGMC polled the local governments on the issue of citizen standing. Of the 13 responding jurisdictions, 7 supported limiting standing to the local governments.

- Since there was not an overwhelming response from the local governments to eliminate citizens/other interested groups from being an affected party, nor was there a perceived abuse at the time, no policy changes were recommended at that time.

- **The vast majority of public hearings are due to objections filed by other parties**

- **The VGMC has received nearly 600 applications over the past 10 years, and held 28 public hearings.**
- **Approximately 68% of the public hearings held involved applications where comments/objections and/or request for hearing were received from a local government and/or the Volusia County School Board.**
- **When no hearing is held on an application, a certificate of plan consistency letter is issued by the Chairman and is the final administrative action by the commission on the application**

- **The VGMC has gone beyond its scope of authority and issues conditional certifications requiring planned development zoning with VGMC review**

- **VGMC is not in the business to deny applications.**
- **The VGMC must, per state statute, measure impacts by maximum development scenario.**
- **Some view conditional certifications as VGMC going beyond their scope of authority and looking at zoning issues. The alternative would be denial of application because impacts cannot be determined at the time of application.**
- **Conditional certification allows an amendment to move forward, even when impacts cannot be accurately measure.**
- **Conditions are often the VGMC's method of ensuring compliance when the local governments agree upon modifications to an amendment after an application is submitted.**
- **In the past 10 years, 22 of all applications reviewed were planned development (PD) applications – one went to public hearing, all others were letter certified.**

- The VGMC is a costly process

VGMC Budget:

**\$160,000 – 5-year average annual cost, averaging 2 public hearings/year
 \$230,000 – 10-year average annual cost, averaging 3 public hearings/year**

- Only once in the past 10 years has VGMC exceeded its requested budget (2008 by \$10,000). In part, the expenses were caused by litigation/appeal of a VGMC resolution conditionally certifying an application.
- Any monies budgeted for the VGMC, but not used for actual expenses, are returned to the County at the end of each year.

- **The VGMC is a timely process**

- **VGMC Review timeline runs concurrently and within the State Review guidelines**
- **VGMC application is filed at the same time the local government sends to FDEO. Local government cannot adopt an amendment for either 30 or 60 days until comments are received from FDEO.**
- **Average VGMC turnaround time from application receipt to final determination:**
 - 5 year average – 32 days**
 - 10 year average – 50 days**
- **95% of VGMC applications are certified by letter without the need for a public hearing.**

VGMC Application and Budget Expense History

Year	Apps Received	Public Hearings*	Average # days from Receipt to Determination	VGMC Budget Request	County Adopted Budget	Amended Budget	Actual Expenses
2015	64 YTD	2	31	\$324,923	\$298,704	---	\$138,608
2014	46	2	34	\$309,352	\$275,949	---	\$170,507
2013	97	1	30	\$291,528	\$286,051	---	\$113,266
2012	33	0	32	\$345,591	\$321,528	---	\$121,418
2011	59	5	35	\$345,839	\$320,841	---	\$256,838
5-Year Average	59	2	32	\$323,447	\$300,615	N/A	\$160,127
2010	34	5	62	\$349,617	\$316,500	\$428,009	\$341,922
2009	26	2	58	\$323,807	\$325,060	---	\$267,861
2008	81	2	50	\$318,493	\$318,493	\$360,192	\$328,456
2007	77	4	76	\$302,102	\$301,193	\$343,943	\$301,343
2006	83	5	88	\$292,930	\$251,592	\$296,592	\$268,835
10-Year Average	60	3	50	\$320,418	\$301,591	N/A	\$230,905

5-year average = 59 applications/year; 32 day avg. turn around

10-year average = 60 applications/year; 50 day avg. turn around

*Does not include administrative public hearings on 1) Requests for extension to comply with prior VGMC resolutions (5), or 2) Requests for waiver of the 90-day rule (8), or 3) Weighted Vote resolutions (10).

Closing Remarks:

- The VGMC provides a forum for the local governments to coordinate their plans and work out inconsistencies early on and at the local level
- All of the local governments have a seat at the table
- Elimination of the VGMC will require all local governments to prepare a new Intergovernmental Coordination Element to meet the provisions of Chapter 163.3177(6)(h), which includes the requirement to establish procedures for establishing Joint Planning Area's and Dispute Resolution. The Statute requires that all local jurisdictions in the County execute interlocal agreements within one year of adoption of the Intergovernmental Coordination Element. The Interlocal Agreement must address how 2 local governments will address intergovernmental coordination issues. So essentially you will be required to establish a process similar to VGMC but sacrificing local control for state oversight.
- Policy or procedural changes can be made without the need for a change to the charter
- If seeking change to policies/procedures, encourage cooperative and coordinated effort to look at amendments to streamline the process without losing local oversight
- Encourage open line of communication between the local governments and their respective appointed commission member(s)

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

Attachment 1.**Excerpts the Volusia County Charter and Florida Statutes****Volusia County****Article II. Powers And Duties Of The County****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.

Florida Statutes 163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(2) Coordination of the several elements of the local comprehensive plan shall be a major objective of the planning process. The several elements of the comprehensive plan shall be consistent. Where data is relevant to several elements, consistent data shall be used, including population estimates and projections unless alternative data can be justified for a plan amendment through new supporting data and analysis. Each map depicting future conditions must reflect the principles, guidelines, and standards within all elements and each such map must be contained within the comprehensive plan.

(4)(a) Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.709; and with adopted rules pertaining to designated areas of critical state concern shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, as the case may require and as such adopted plans or plans in preparation may exist.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.709, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent

municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for a dispute resolution process, as established pursuant to s. 186.509, for bringing intergovernmental disputes to closure in a timely manner.

c. The intergovernmental coordination element shall provide for interlocal agreements as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall also state principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element must describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement.

3. Within 1 year after adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements. The agreement must:

a. Ensure that the local government addresses through coordination mechanisms the impacts of development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region, and the state. The area of concern for municipalities shall include adjacent municipalities, the county, and counties adjacent to the municipality. The area of concern for counties shall include all municipalities within the county, adjacent counties, and adjacent municipalities.

b. Ensure coordination in establishing level of service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibility for such facilities.

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Affected person” includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the

period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

(b) "In compliance" means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, with the appropriate strategic regional policy plan, and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable.

(c) "Reviewing agencies" means:

1. The state land planning agency;
2. The appropriate regional planning council;
3. The appropriate water management district;
4. The Department of Environmental Protection;
5. The Department of State;
6. The Department of Transportation;
7. In the case of plan amendments relating to public schools, the Department of Education;
8. In the case of plans or plan amendments that affect a military installation listed in s. 163.3175, the commanding officer of the affected military installation;
9. In the case of county plans and plan amendments, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services; and
10. In the case of municipal plans and plan amendments, the county in which the municipality is located.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(a) Any affected person as defined in paragraph (1)(a) may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57, with a copy served on the affected local government, to request a formal hearing to challenge whether the plan or plan amendments are in compliance as defined in paragraph (1)(b). This petition must be filed with the division within 30 days after the local government adopts the amendment. The state land planning agency may not intervene in a proceeding initiated by an affected person.

Team Volusia EDC White Paper Endorsement

AGENDA ITEM IX. - C.

AI Group, LLC
AVCON, Inc.
BB&T Bank
Bethune Cookman University
Boulevard Tire Center
Brent Millikan & Co., P.A.
Bruce Rossmeyer's Daytona Harley-Davidson
CareerSource Flagler Volusia
CBC Benchmark
Cobb Cole, PA
Coldwell Banker Commercial AI Group
Commercial Construction, Inc.
Council on Aging
Daytona Beach Kennel Club
Duke Energy
Duvasawko
Embry Riddle
Fairwinds Credit Union
Florida Hospital Volusia/Flagler Market
Florida Power & Light
Florida Public Utilities
Foley & Lardner LLP
Hazen Construction
Homebridge Financial Services
Lamar Outdoor Advertising
Lassiter Transportation Group
Mainstreet Community Bank of Florida
Massey Properties
Michael Jiloty, Marketing & Advertising Consultant
NASCAR
Nova Property Management
Olivari & Associates, CPA's & Consultants
Ormond Chamber of Commerce
Page Insurance Agency
Raydon Corporation
Root Organization
Selby Realty, Inc.
TD Bank
Universal Engineering Services
University of Central Florida
Volusia Flagler Family YMCA
Zev Cohen & Associates
City of DeBary
City of South Daytona

Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

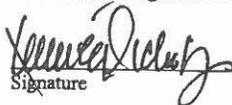
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

KENNETH E. NICHOLS
Name of Signatory

ADVANTAGE INSURANCE GROUP LLC
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

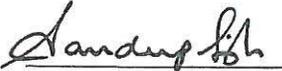
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

SANDEEP SINGH
Name of Signatory

AVCON, INC.
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

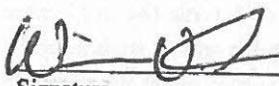
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

William V. Capeland
Name of Signatory

B B a T
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

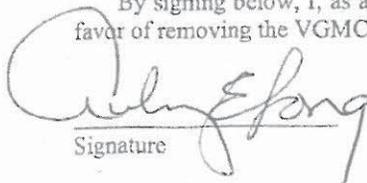
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Aubrey E. Long
Name of Signatory

Bethune-Cookman University
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

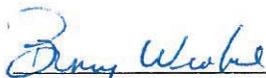
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

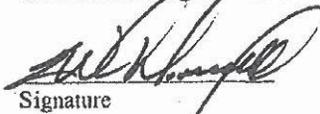
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

EARL W COLVARD
Name of Signatory

BOULEVARD TIRE CENTER
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

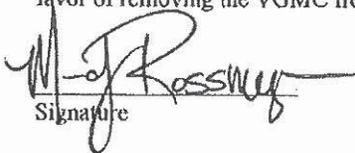
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Mandy Rossmeyer
Name of Signatory

Bruce Rossmeyer's
Daytona Harley-Davidson
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

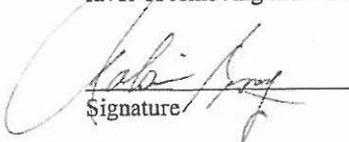
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

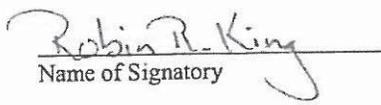
Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

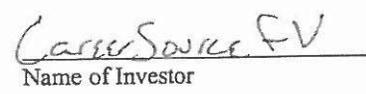
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

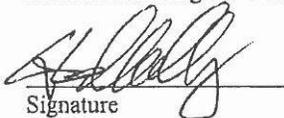
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

G.G. GALLOVAY
Name of Signatory

CBC BENCHMARK
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

John P. Ferguson
Name of Signatory

Cobb Cole, P.A.
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

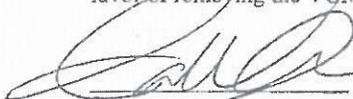
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

John Wanamaker
Name of Signatory

Coldwell Banker Commercial
Name of Investor AI Group

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

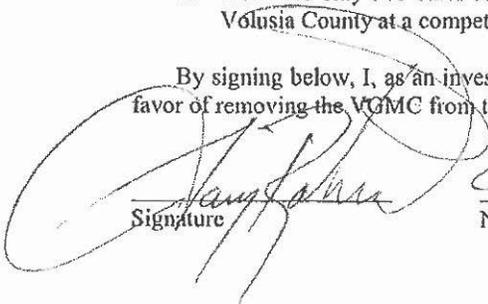
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.



Signature

GARY ROBERTS
Name of Signatory

GARY ROBERTS
Name of Investor
COMMERCIAL CONST. INC.

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

SARAH F. GURTIS
Name of Signatory

COUNCIL ON AGING (COA)
Name of Investor

Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.

Daxtona Beach Kennel
Signature Investor Club

Daniel Francati
Name of Signatory

Daniel
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.

Marc Hoenstine
Signature

Marc Hoenstine
Name of Signatory

Duke Energy
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Charles Duva, MD
Name of Signatory

Charles Duva, MD
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

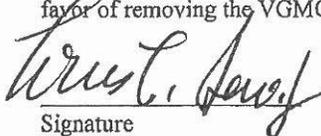
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Louis C. Seno, Jr
Name of Signatory

Embry-Riddle Aeronautical
Name of Investor University

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

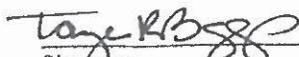
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

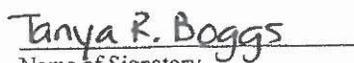
Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

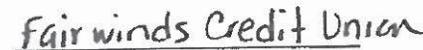
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

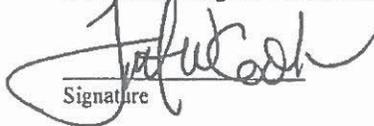
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

TIMOTHY W. COOK
Name of Signatory

FLORIDA HOSPITAL
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Lorraine C. Volonac
Name of Signatory

Florida Power & Light
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.

Mark F.
Thompson
Signature

Digitally signed by Mark F. Thompson
DN: cn=Mark F. Thompson, o=Florida Public
Utilities Company, ou=Investor, email=mark.thompson@flpu.com, c=US
Date: 2015.11.01 12:59:47-0500

Mark Thompson, BDM Mgr.
Name of Signatory

Florida Public Utilities Company
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

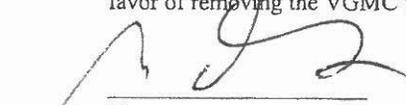
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

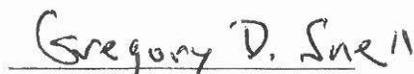
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

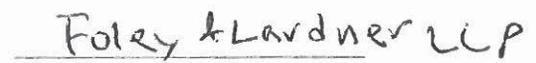
By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.



Signature



Name of Signatory



Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

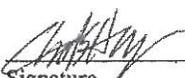
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Chad S Hazen
Name of Signatory

Hazen Construction
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

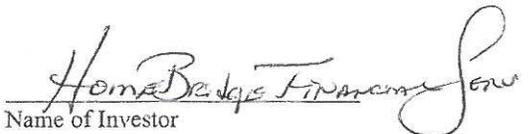
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.



Digitally signed by R. Sans Lassiter, PE
DN: cn=R. Sans Lassiter, PE, o=Lassiter
Transportation Group, Inc., ou,
email=rs@lassitertgroup.com, c=US
Date: 2017.11.19 15:47:19 -0500

Signature

R. Sans Lassiter
Name of Signatory

Lassiter Transportation Group, Inc.
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.

 E. Bliss Jamison
Signature Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

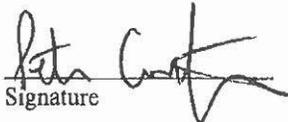
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

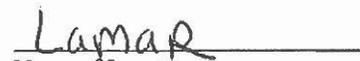
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

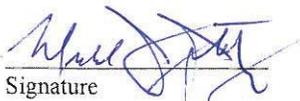
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Michael J. Jiloty
Name of Signatory

Michael J. Jiloty
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

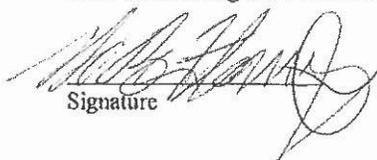
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

W. Ben Flowers, Jr
Name of Signatory *Pres/CEO*

Mainstreet Community
Name of Investor *Bank of Florida*

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

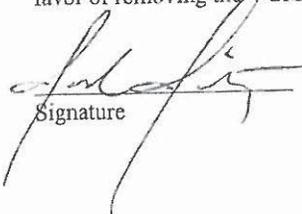
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

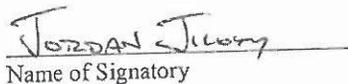
Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

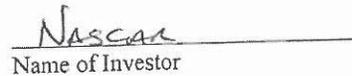
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

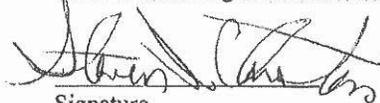
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

STEVEN J. LEWATIN
Name of Signatory

NOVA PROPERTY MANAGEMENT
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VGMC process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

JOHN OLIVARI, CPA
Name of Signatory

OLIVARI & ASSOCIATES
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.

Richard A. Fraser
Signature

RICHARD A. FRASER
Name of Signatory

ORMOND BEACH
CHAMBER OF COMMERCE
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.

 _____ Signaturo	Donna K. Courtney _____ Name of Signatory	Page Inv Agency _____ Name of Investor
---	---	--

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

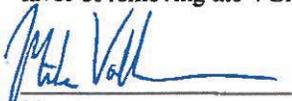
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

MIKE VOLLMAR
Name of Signatory

RAYDON
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

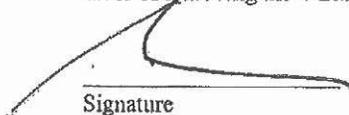
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Philip Manning
Name of Signatory

Root Company
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

SHERYL C. SELBY
Name of Signatory

SELBY REALTY, INC.
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

James E. Weite
Name of Signatory

TD BANK
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

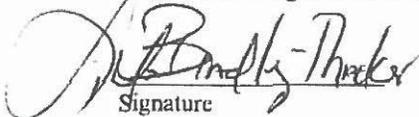
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (c.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

Linda Bradley-Thacker
Name of Signatory

UCF
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

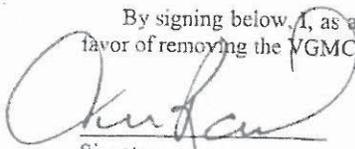
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

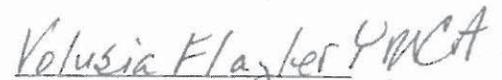
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

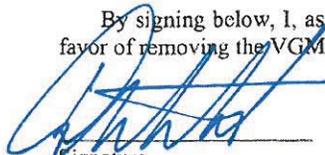
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

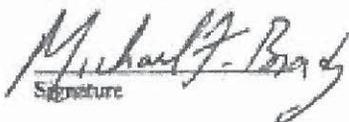
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VOGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature

MICHAEL F. BRADY
Name of Signatory

CITY OF DEBARLY
Name of Investor

**Coordination of Comprehensive Plans in Volusia County-
Volusia County Growth Management Commission**

Introduction: The following summarizes recommendations regarding the current regulatory framework for coordination of comprehensive plans in Volusia County. Also summarized are concerns and recommended changes to current process. The proposed changes attempt to implement the following goals:

1. Ensure a coordinated and integrated planning process that does not create additional procedural requirements for amendments to comprehensive plans of local governments.
2. Ensure that cities and Volusia County are competitive in attracting and developing economic opportunities.

Background: The following summarizes the regulatory framework for planning in the Volusia County and the State of Florida:

1. All cities and county have to adopt and implement a comprehensive plan (F.S. Chp. 163, Part II Community Planning Act).
2. There are required elements for comprehensive plans. The intergovernmental coordination element is the element that ensures that local governments' plans are consistent and compatible.
3. In the Community Planning Act there are standards and procedures that establish standing and how an appeal of an amendment to an adopted comprehensive plan will occur.
4. The Volusia County Council adopted ordinance 86-136 and created the Volusia Growth Management Commission (VGMC) to ensure that cities and the county worked together in the development and implementation of the individual local comprehensive plans.
5. The VGMC requirements place an additional level of review regarding the determination as to whether a plan amendment is consistent with the comprehensive plans of adjoining cities and Volusia County.

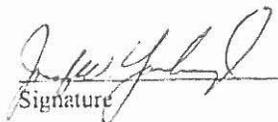
Issues: The specific concern is whether or not the VGMC certification process has resulted in costly delays of critical economic development opportunities due to its un-authorized expansion of review. The secondary, but equally important concern is that VGMC increases operational costs and actually interferes with the amendment process.

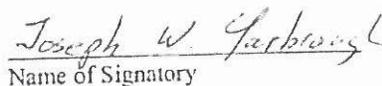
Recommendations: The goal is to have a process that follows statutory requirements for coordination and consistency, and eliminate a costly bureaucracy that puts Volusia County at an economic disadvantage. A review of existing state and local regulations show that the currently adopted regulations and procedures for the VGMC are out of date and create an additional level of review that can be detrimental to the economic vitality of Volusia County. Revisions to the Charter are needed to eliminate the VGMC and allow for local governments in Volusia County to address coordination and consistency as provided by the Community Planning Act.

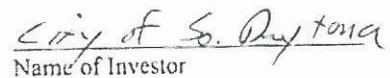
The following summarizes why the VGMC needs to be sunset:

1. Repetitive and additional layer of bureaucracy.
2. Lack of direct control by elected officials.
3. Allows for local governments, otherwise without standing, to interfere with other local government (e.g. a city on the northeast side can request hearing on a proposed amendment from a city on the southwest side, with minimal, if any proof of inconsistency).
4. The additional layer of government has a direct cost of \$288,225 for FY 2015-2016 and indirect costs due to additional staff time in preparation of VGMC applications and private-sector representation at the VGMC meetings.
5. Counterproductive to local efforts for economic development.
6. Loosely interpreted rules have resulted in an unauthorized expansion of powers.
7. There are only two other counties in Florida with similar planning procedures. The VCGM process places Volusia County at a competitive disadvantage.

By signing below, I, as an investor in Team Volusia Economic Development Corporation, offer my support in favor of removing the VGMC from the Volusia County Charter.


Signature


Name of Signatory


Name of Investor

2. VOLUSIA COUNTY HOME RULE CHARTER – ARTICLE II, CHAPTER 90 AND SECTION 202.3 VOLUSIA GROWTH MANAGEMENT COMMISSION

Volusia Growth Management Commission created by referendum adopted November 4, 1986
 The Commission operates through the Volusia County Council adoption of certification rules as codified in Article II, Chapter 90, Volusia Growth Management Commission Consistency Certification Rules and Organization

“the commission shall have the power and duty to determine 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”

3. THE PROBLEMS:

The VGMC by Charter defines its own role beyond consistency.

1. The County’s Home Rule Charter under Section 202.3 provides for the commission to “perform such other directly related duties from time to time [it] deems necessary” This provision allows the commission to deviate into other areas, such as zoning, from its primary mission of consistency. See the required submittals required by the commission from the City of Oak Hill 04/13/2015.

Memo to VGMC from VHB, Planning Consultants to the VGMC, dated 04/13/2015

III. Conclusion and Recommendation(s)

Volusia County Code Section 90-37(e) states that “The Commission may deny certification where any applicant has failed to establish, by a preponderance of the evidence, its entitlement under this ordinance to the certificate.” Based upon the preceding information, the VGMC Planning Staff concludes that the proposed amendment may result in significant adverse impacts to the region’s central utility system, transportation system, and natural resources. We further conclude that the proposed amendment could adversely impact adjacent jurisdictions based on the Criteria of Consistency established in Volusia County Code; therefore, staff recommends the VGMC deny the application as submitted.

Should the Volusia Growth Management Commission determine there is a merit for approving VGMC Case No. 15-009, we recommend the following conditions be placed upon the certification of this amendment, such that the application and the comprehensive plan amendments contained therein can be certified consistent. Those condition(s) are as follows:

1. To address the lack of data and analysis available at this time, all development within the Activity Center shall occur as a Planned Development (PD) agreement to be submitted to the VGMC and must receive a certification of consistency before any development additional opportunity to review development of the subject site for specific impacts at the time of rezoning.
2. To address the possible environmental impacts on the water quality of the Indian River Lagoon and the encroachment of wildlife habitat of the National Seashore, a Mitigation Plan must be submitted as part of the PD agreement.
3. Any proposed development shall demonstrate how connection to the nearest central utility line locations will be accomplished.
4. All proposed development uses shall be located towards the center of the subject site, and all building setbacks shall be a minimum of thirty-five (35) feet. Only conservation and agricultural uses shall be allowed towards the edge of the property.
5. Any proposed changes or amendments to be made or adopted to the City’s Comprehensive Plan in response to a compliance agreement pursuant to Florida Statute Section 163.3184(6) or a directive from the Administrative Commission pursuant to Florida Statute Section 163.3184(8) (collectively referred to as “Remedial Amendment”) must be submitted to the Volusia Growth Management Commission as additional information to the original application pursuant to Volusia County Code Section 90-37(i) and the VGMC may “determine in its sole discretion that the additional information changes the facts and circumstances of the prior certification.” If such a determination is made, the VGMC shall hold a noticed public hearing on the Remedial Amendment. If the determination is made that the Remedial Amendment is consistent with the prior certification, no public hearing is required and a letter confirming consistency of the Remedial Amendment shall be issued to the City.
6. Failure to comply with any of the conditions of certification shall result in an automatic revocation of this certification, thereby rendering the amendment to the City’s Comprehensive Plan, which is the subject of this certification, invalid and ineffective.

2. **Intervention Sec 90-38:** While the intent of the enabling legislation and the Charter (Sec. 90-31 and 90-37) is for the VGMC to address issues of consistency between adjacent political subdivisions, the door is open by Charter language (Sec. 90-38) for “persons” to claim to be an aggrieved party and “petition for leave to intervene”.

Persons other than the original parties to a pending complete application under this article who are or may be substantially affected and aggrieved by the outcome of the proceeding may petition the commission for leave to intervene. Petitions for leave to intervene must be filed in writing at least five days before the date of the public hearing, and should, at a minimum, contain the following:

- (1) The name and address of the intervenor, and an explanation of how its substantial interests may be substantially affected by the commission’s determination;
- (2) If the intervenor intends to object to certification of consistency, a statement of all disputed issues of material fact, including specific objections to the pending application;
- (3) A demand for relief to which the intervenor deems itself entitled; and
- (4) Other information which the intervenor contends is material and relevant.

3. The Charter under Section 202.3 Volusia Growth Management Commission requires that the voting members of the commission be appointed, with each municipality having one member and five members from the unincorporated areas of the county. It further defines that the governing body of each respective jurisdiction make the appointment and that member’s votes will be weighted based on percentage of county population.

Consequently, small municipalities elected council can easily be denied a certificate of consistency, including minor amendments by an appointed body, the majority of which are not adjacent political subdivisions.

VGMC ROLL CALL VOTE			
	<u>MEMBER</u>	<u>CITY POP</u>	<u>%</u>
DAYTONA BEACH	RICHARD WALTON	62,622	12.43%
DAYTONA BEACH SHORES	VACANT	4,264	0.85%
DEBARY	SID VIHLEN	19,802	3.93%
DELAND	VACANT	29,467	5.85%
DELTONA	SANDY LOU GALLAGHER	86,360	17.14%
EDGEWATER	ROBERT LOTT	20,748	4.12%
HOLLY HILL	LORETTA ARTHUR	11,661	2.31%
LAKE HELEN	ROGER SONNENFELD	2,616	0.52%
NEW SMYRNA BEACH	ROBERT LOVELACE JR	23,834	4.73%
OAK HILL	VACANT	1,855	0.37%
ORANGE CITY	ROBERT STORKE	11,483	2.28%
ORMOND BEACH	GERALD BRANDON	39,455	7.83%
PIERSON	VACANT	1,688	0.33%
PONCE INLET	DON ROMANIK	3,039	0.60%
PORT ORANGE	DEBBIE CONNORS	57,467	11.40%
SOUTH DAYTONA	RICHARD KANE	12,373	2.46%
UNINCORPORATED AREA		115,117	22.85%
	SANDRA WALTERS		4.57%
	JAMES WACHTEL		4.57%
	DOUGLAS DELEON		4.57%
	WILLIAM POUZAR		4.57%
	GLYM SLAY		4.57%
	TOTAL	503,851	100%

4. Neither the Volusia County Home Rule Charter or the Volusia Growth Management Commission Consistency Certification Rules and Organization provide for an appeal other than filing a petition for Writ of Certiorari which is a Court action following prescribed state appellate rules to the Circuit Court of the County. The burden of proof is on the political jurisdiction requiring the amendment to its Comprehensive Land Use Plan. The resulting cost is usually burdensome, especially to small municipalities.

Additionally, the time delay, especially if VGMC denies consistency is a detriment to potential economic development projects.

Sec. 90-40. Appeals.

(a) Any substantially affected and aggrieved local government or other substantially affected and aggrieved party which has previously timely intervened pursuant to section 90-38 may contest the issuance, denial or revocation of a certificate of consistency by filing a petition for writ of certiorari along with a complete record of the proceeding(s) from which said certificate emanated so certified by the commission's records custodians, in the manner prescribed by the state appellate rules to the circuit court of the county, within 30 days after the date the commission's decision is filed with its secretary. The court shall not conduct a trial de novo. The proceedings before the commission, including the testimony of witnesses, and any exhibits, photographs, maps or other documents filed before them, shall be subject to review by the circuit court. The petition for writ of certiorari shall state how the commission erred and shall include all of the documents, papers, photographs, exhibits and transcripts constituting the record upon which the action appealed from was taken, or properly certified copies thereof in lieu of originals. The petition, along with the record, shall be filed in the circuit court within 30 days after the filing of the decision by the commission to which such petition is addressed. The court may extend the time for filing the record, including the transcript and exhibits, for good cause shown. The person filing the petition for certiorari shall be responsible for filing a true and correct transcript of the complete testimony of the witnesses.

(b) The petition for writ of certiorari shall be furnished to the original applicant, the owner of record of the subject property, to each attorney at law appearing for any person at the hearing before the Volusia Growth Management Commission, and to the Volusia Growth Management Commission. The commission shall suspend the issuance of its permit until the court has ruled upon the petition.

(c) The Volusia Growth Management Commission shall be a necessary and indispensable party to any appeal of its decisions. Any other person including but not limited to an adjacent local government may intervene, pursuant to Florida Rule of Civil Procedure 1.230, as a respondent in the certiorari proceeding authorized by this section.

(Ord. No. 87-24, § 9, 7-23-87; Ord. No. 99-16, § 4, 5-13-99)

5. The VGMC, under authority of the County Charter, and its Rules of Operation can and has given individuals or groups standing to identify themselves as an aggrieved party on issues outside of the primary mission of intergovernmental consistency.

A petition for "leave to intervene" was filed with VGMC by Audubon Florida and the Volusia County Audubon Society. The petition named a resident of New Smyrna Beach who is a member of Audubon as the "aggrieved party" The City raised the question as to the Audubon Society's authority to have standing since it is not an adjacent political subdivision and the City's request was only for a text change to allow for manufacturing on a specific 415 acre site.

EXHIBIT #2**VGMC Application and Budget Expense History**

Year	Apps Received	Public Hearings on Amendments*	Average # days from Receipt to Determination	VGMC Expenses
2014	46	2	34	\$170,507
2013	97	1	30	\$113,266
2012	33	0	32	\$121,418
2011	59	5	35	\$256,838
2010	34	5	62	\$341,922
5-Year Average	54	3	39	\$200,790
2009	26	2	58	\$267,861
2008	81	2	50	\$328,456
2007	77	5	76	\$301,343
2006	83	5	88	\$268,835
2005	81	5	79	\$244,720
10-Year Average	62	3	54	\$241,517

5-year average = 54 applications/year; 39 day avg. turn around
10-year average = 62 applications/year; 54 day avg. turn around

***Does not include public hearings on 1) Requests for extension to comply with prior VGMC resolutions, or 2) Requests for waiver of the 90-day rule.**

EXHIBIT #3

VGMC ROLL CALL VOTE

	<u>MEMBER</u>	<u>CITY POP</u>	<u>%</u>
DAYTONA BEACH	RICHARD WALTON	62,622	12.43%
DAYTONA BEACH SHORES	VACANT	4,264	0.85%
DEBARY	SID VIHLEN	19,802	3.93%
DELAND	VACANT	29,467	5.85%
DELTONA	SANDY LOU GALLAGHER	86,360	17.14%
EDGEWATER	ROBERT LOTT	20,748	4.12%
HOLLY HILL	LORETTA ARTHUR	11,661	2.31%
LAKE HELEN	ROGER SONNENFELD	2,616	0.52%
NEW SMYRNA BEACH	ROBERT LOVELACE JR	23,834	4.73%
OAK HILL	VACANT	1,855	0.37%
ORANGE CITY	ROBERT STORKE	11,483	2.28%
ORMOND BEACH	GERALD BRANDON	39,455	7.83%
PIERSON	VACANT	1,688	0.33%
PONCE INLET	DON ROMANIK	3,039	0.60%
PORT ORANGE	DEBBIE CONNORS	57,467	11.40%
SOUTH DAYTONA	RICHARD KANE	12,373	2.46%
UNINCORPORATED AREA		115,117	22.85%
	SANDRA WALTERS		4.57%
	JAMES WACHTEL		4.57%
	DOUGLAS DELEON		4.57%
	WILLIAM POUZAR		4.57%
	GLYM SLAY		4.57%
	TOTAL	503,851	100%

EXHIBIT #4

Examples of Non-Political Jurisdictions Petitioning VGMC

MINUTES	CASE #	APPLICANT	PETITIONER	FOR/AGAINST	GRANTED STANDING	RESOLUTION PASSED
2/23/2011	10-022	Ponce Inlet	Pacetta Group	AGAINST	YES	2011-02
4/22/2015	15-009	Oak Hill	Florida Audubon Society	AGAINST	NO	2015-03
4/22/2015	15-009	Oak Hill	Southeast Volusia Audubon Society	AGAINST	YES	2015-02
4/22/2015	15-009	Oak Hill	David Hall	AGAINST	YES	2015-02
4/22/2015	15-009	Oak Hill	Gerald Heizmann	AGAINST	YES	2015-02
4/22/2015	15-009	Oak Hill	Mamie Huber	AGAINST	YES	2015-02
4/22/2015	15-009	Oak Hill	Jane Andrews	AGAINST	YES	2015-02
9/23/2015	15-031	DeLand	DeLand Neighborhoods, Inc.	AGAINST	YES	2015-03

Volusia Growth Management Commission Meeting

MINUTES FOR
MEETING HELD
Wednesday, April 22, 2015

City of Daytona Beach
City Commission Chambers
301 S. Ridgewood Avenue
Daytona Beach, FL

MEMBERS PRESENT

James Wachtel, Chairman
Gerald Brandon, Vice Chairman
Roger Sonnenfeld, Secretary
Rich Walton
Sid Vihlen, Jr.
Sandy Lou Gallagher
Robert Lott
Loretta Arthur
Robert Lovelace
Mark McGee
Robert Storke
Don Romanik
Debbie Connors
Richard Kane
Glyn Slay
Sandra Walters
William Pouzar

REPRESENTING

Volusia County
Ormond Beach
Lake Helen
Daytona Beach
DeBary
Deltona
Edgewater
Holly Hill
New Smyrna Beach
Oak Hill
Orange City
Ponce Inlet
Port Orange
South Daytona
Volusia County
Volusia County
Volusia County

MEMBERS NOT PRESENT

Douglas deLeon

Volusia County

NON-VOTING MEMBERS

Sara Lee Morrissey (not present)
Steven Fitzgibbons (not present)

Volusia Co. School Board
SJRWMD

OTHERS PRESENT

Paul Chipok, GrayRobinson, VGMC General Counsel
Merry Chris Smith, VGMC Operations Manager
Erika Hughes, VHB, VGMC Planning Consultant
James Sellen, VHB, VGMC Planning Consultant

VGMC Minutes
Meeting of April 22, 2015
Page 2 of 21

CALL TO ORDER

VGMC Chairman James Wachtel called the meeting to order at 7:03 p.m.

ROLL CALL

Roll call was taken and it was determined there was a quorum present. Chairman Wachtel welcomed newly appointed member Mark McGee representing the City of Oak Hill.

CITIZEN COMMENTS

There were no citizens present who wished to speak at this time.

Chairman Wachtel moved the Committee Reports up in the agenda schedule and asked the POP and Budget Committee Chairman to provide any update at this time.

POP Committee Report: Gerald Brandon, Chairman of the POP Committee, stated there were no updates at this time.

Budget Committee Report: Roger Sonnenfeld, Chairman of the Budget Committee, reported that the proposed 2015-16 Budget was submitted to the County and no comments have been received back to date. With respect to the 2014-15 year to date expense worksheet provided in the agenda package, Mr. Sonnenfeld reported that additional staff invoices have been submitted which will raise the total contract services YTD expenses to nearly \$26,000. Overall, he stated the budget is in good shape.

There were no questions relating to the budget update.

PUBLIC HEARING

Consideration of VGMC Case No. 15-009, City of Oak Hill Large Scale Amendment Application

Paul Chipok, GrayRobinson, General Counsel to the VGMC addressed the commission. Mr. Chipok read a statement of policies and procedures into the record which will serve as the format for the scheduled public hearing. He also stated the issue of party status for the petitioners will be addressed prior to the VGMC staff report in the presentation. Mr. Chipok discussed Section 202.3 of the Volusia County Code which established the mission of the VGMC, the narrow scope of the VGMC authority, as well as the criteria for determining consistency.

Mr. Chipok then discussed ex parte communications. He stated that ex parte communications are contacts made with commissioners about this matter, outside of the scope of this public hearing, other than those materials received from the VGMC Operations Manager. Mr. Chipok asked any commission members to disclose any ex parte communications on the matter before them at this time.

Commissioner Lovelace disclosed he was contacted by Steve Unatin who provided a brief introduction. He stated he advised Mr. Unatin he hadn't reviewed the agenda package yet and would keep an open mind at the public hearing.

Commissioner Storke stated in a casual conversation at another meeting earlier in the day, a woman who stated she worked for Planning Solutions asked if he had any questions relating to the Oak Hill application and responded that he did not.

Commissioner Connors disclosed she was contacted by Steve Unatin who asked her if she had any questions relating to the project.

Commissioner Brandon disclosed that he was contacted by Steve Unatin in a brief conversation who discussed his background and the background of the property.

Commissioner Walters stated she contacted Dinah Pulver to find out where she got the date for the April 22nd hearing, and also that she reviewed the file at the VGMC office.

Commissioner Walton stated he received a call from the Planning Consultant for the City and was asked if he had read the agenda package and also whether or not he knew if there would be an overhead projector available at tonight's meeting.

Chairman Wachtel disclosed that he had a conversation with Dr. Sharples relating to the project and application. Additionally, he stated he had a brief, general conversation with Rick Karl, the Economic Development Director for Volusia County.

Commissioner Arthur stated she did speak with Beth Lemke who asked if she would be in attendance at the hearing.

Commissioner McGee stated he had been to several community meetings in Oak Hill relating to the Unatin property.

At this time, those in attendance who were planning to give testimony at the hearing were sworn in by the VGMC Operations Manager.

Consideration of Party Status:

Mr. Chipok explained at this time, the commission will consider party status for the SE Volusia and Florida Audubon Societies. He stated the groups have claimed to be a substantially affected party, however, there needs to be some showing of proof that they are a substantially affected party.

Mr. Chipok stated a substantially affected and aggrieved party has the right to participate in the proceeding as a party. Such person or entity may either file a petition for hearing pursuant to Section 90-35(c)(4) as was the case with the two Audubon groups, or file a motion for leave to intervene pursuant to Section 90-38. He stated on April 17, 2015, a petition was timely filed by

numerous individuals petitioning for leave to intervene, which the commission will be considering as well.

Mr. Chipok stated that denial of party status shall not prohibit a person from being heard at the public hearing. He explained the basis test for a substantially affected or aggrieved party is to establish: 1) They are in close proximity to the area under consideration by the amendment; and 2) That they are affected by the amendment to a degree greater than the general public.

Mr. Chipok asked Clay Henderson, counsel to both the Southeast Volusia and Florida Audubon Societies, if he would like to address both groups concurrently, and Mr. Henderson responded affirmatively. Mr. Chipok reminded the commission that they are only considering the issue of standing at this time, and not the substantive matter of the amendment. He also discussed case law under *Renard v. Dade County*, in which the court basically said to be granted standing there needs to be some form of special injury or damage shown by the individual claiming standing different in kind from injury that may be suffered by other residents in the area. Additionally, a second category of standing under *Renard* is that there is a legally recognizable property or other interest affected by the decision that is going to occur. He added that the court went on to state that proximity of the members to the property in question is an important factor when determining standing under this category. Mr. Chipok stated "proximity" is a sliding scale and something for the commission to decide.

With respect to the Audubon groups, Mr. Chipok stated they are trying to get standing for a group. He referenced the case of *O'Donnell v. The Florida Department of Community Affairs*, which stated in general, a group or association has standing to sue on behalf of its members when it can meet a three-prong test: 1) The group's members would otherwise have standing to sue in their own right; 2) Interests the group seeks to protect are germane to the organization's purpose; and 3) Neither the claim asserted nor the relief requested requires participation of individual members in the lawsuit. Mr. Sonnenfeld asked Mr. Chipok if all three items of the three-prong test would have to be met. Mr. Chipok responded affirmatively.

Clay Henderson, 1016 S. Riverside Drive, New Smyrna Beach provided a power point presentation and addressed the commission relating to the issue of standing for the two Audubon societies. Mr. Henderson stated he is a life member of the Florida Audubon Society, and also a member of the Southeast Volusia Audubon Society. He also stated the Audubon Society has never been denied standing in any growth management or comprehensive plan challenge anywhere in the state of Florida.

Mr. Henderson stated they do accept the *Renard* standard for determining standing and believe their interests are substantially affected adversely because of the long time commitment and relationship between the Audubon Society and the resources of the Canaveral National Seashore. He stated the Canaveral National Seashore is an adjacent property to the subject amendment. Mr. Henderson presented testimony relating to a prior court ruling where specifically with a membership organization it is shown that if there is a close nexus between the organization, its mission, and how the members participate in an activity, that is in addition to the rights and interests of the public. He further described the mission, membership and background of the two Audubon groups.

development on the Homosassa River, the individuals who organized the Alliance resided on the Homosassa River, and the primary purpose of their organization was to promote the river.

With respect to the matter before the commission, Mr. Simpson state the Florida Audubon Society is headquartered in Miami, and all of the officers are from Miami except one which is Tallahassee. He also stated they have no property ownership in Oak Hill, and the City of Oak Hill objects to the commission granting party status.

Chairman Wachtel opened the floor for questions and discussion of the commission members.

Commissioner Vihlen asked to hear the opinion of the VGMC Attorney, Paul Chipok, with respect to the arguments made on standing.

Mr. Chipok provided the commission with case law he felt would be applicable in this situation, he reiterated the three-prong test he discussed earlier, discussed the Renard standards, and suggested the commission apply the facts they've heard to those standards. He added that the ultimate decision concerning standing lies with the commission.

Commissioner Walton asked if any of the case law Mr. Chipok referred to related to what the role and mission of the VGMC is. Mr. Chipok responded that specifically to the mission of the VGMC, the answer is no. In the broader purpose of being in the context of land use decisions on a comprehensive planning level, the answer is yes. Mr. Chipok added that under the certification rules adopted by Volusia County ordinance, the VGMC function is to look at whether a comprehensive plan amendment as submitted to the commission, is consistent with the adjacent jurisdictions comprehensive plans. In response to a question from Mr. Walton, Mr. Chipok reviewed the three ways a public hearing can be requested under the VGMC rules.

Commissioner Kane commented that the VGMC is here to compare the comp plan amendment with adjacent jurisdictions comprehensive plans, and not to review environmental or zoning issues.

Commission Lott commented that none of the letters from the review agencies, including the Department of Transportation, St. Johns River Water Management District, Department of Economic Opportunity and the Environmental Protection Agency raised an issue with the proposed amendment. He stated he is trying to understand how the Audubon Societies are being injured.

Commissioner Sonnenfeld asked how the VGMC handles the Federal Government in terms of being an adjacent government for purposes of notification. Mr. Chipok responded that the VGMC rules more specifically state adjacent local governments. He further stated that while the Canaveral National Seashore is adjacent, in the context of the VGMC rules for purposes of notice, they are considered more a property owner than a governmental entity.

Mr. Sonnenfeld asked Mr. Henderson if he was speaking on behalf of the Canaveral National Seashore. Mr. Henderson responded that he is not authorized to speak on behalf of the National

Parks Service, but stated the Superintendent of the National Parks is in attendance and prepared to address the commission.

Chairman Wachtel discussed the role of the commission is to determine consistency of one jurisdiction's comprehensive plan to the comprehensive plans of adjacent jurisdictions. He commented that the Audubon Society is a self appointed group that does not have a comprehensive plan, and he felt it would be way too broad to allow standing based on the limited role of the VGMC.

Mr. Vihlen commented that Chairman Wachtel raised a key issue in that the VGMC is to determine consistency of land use between governmental entities, and to address issues raised by adjacent local governments. He added that he felt the Audubon concerns should be directed to the local government and related agencies during the zoning process.

Commissioner Walters stated she disagreed with Chairman Wachtel's earlier comment relating to the Audubon Society and standing.

Sandra Walters made a motion to grant standing for both the Florida Audubon Society and the Southeast Volusia Audubon Society. She stated the motion is based upon the testimony presented, based upon Mr. Chipok's remarks relating to the Renard criteria, and also based upon the precedent the commission has set from VGMC Case No. 05-034A relating to the Thornby property. Glyn Slay seconded the motion.

Commissioner Arthur asked for confirmation that a substantial number of the members have to be directly affected. Mr. Chipok responded that the court case does not provide a specific measurement as to what substantial means. He stated it's not a percentage, but rather a sliding scale for the commission to determine.

With respect to the vote on the motion, Chairman Wachtel explained it is a weighted vote. Mr. Chipok confirmed that in order for a motion to carry, it requires an affirmative vote of more than 50% of the members in attendance at the meeting, and those votes must represent more than 50% of the weighted vote of the members in attendance at the meeting.

Commissioner Romanik asked for clarification as to whether the commission would be voting on both Audubon groups together, or individually.

Sandra Walters amended her motion, and moved to grant standing to the Florida Audubon Society. Glyn Slay seconded the amended motion. Following a roll call vote, the motion failed with an 8-9 vote and 46.21% of the weighted vote.

For the record, Ms. Smith stated that based upon the members present, an affirmative vote of 9 members representing at least 44.21% of the weighted vote would be required to carry a motion.

Sandra Walters made a motion to grant standing to the Southeast Volusia Audubon Society. Glyn Slay seconded the motion. Following a roll call vote, the motion carried with a 9-8 vote and 46.81% of the weighted vote.

Chairman Wachtel called for a brief recess at 8:30 p.m. and the meeting reconvened at 8:40 p.m.

Mr. Chipok addressed the commission relating to the Petition for Leave to Intervene signed by approximately 160 individuals with diverse addresses received on April 17, 2015. He explained that the petition didn't claim they were acting as a cohesive group, and in order to determine standing they would need to be considered individually.

Mr. Chipok stated he broke the names down into several groupings: 1) Oak Hill addresses within 1,000 feet of the subject property; 2) Oak Hill addresses outside 1,000 feet of the subject property; 3) Addresses of individuals outside the City of Oak Hill; and 4) Persons and/or addresses that were either incomplete or illegible. He then restated the Renard standard for the commission's use in determining standing.

For the record, Mr. Chipok read aloud the names of those individuals with an address within 1,000 feet of the subject property.

Chairman Wachtel asked who submitted the petition. Ms. Smith responded that it was received in the VGMC office with a cover letter signed by Jane Andrews. Mr. Wachtel asked if Ms. Andrews wished to speak on the petition. Jane Andrews, 118 & 120 E. Church Street, Oak Hill, addressed the commission relating to the proximity of her property and stated she facilitated the petition. Mr. Henderson asked Ms. Andrews to tell the commission how the petitioners believe they are substantially affected by the proposed amendment. Ms. Andrews stated they believe they are substantially affected parties because their residences surround the subject property.

With proximity being one of the considerations under the Renard standard, Mr. Chipok described how the information was obtained from the Volusia County Property Appraisers website in order to group them in the four categories. He suggested the commission first consider those individuals listed with addresses located within 1,000 feet of the subject property.

Following several questions from Commissioner Lovelace, Mr. Chipok asked any individuals present whose names were read from the list of those addresses located within 1,000 feet of the subject property to stand and identify themselves. The following three individuals stood and identified themselves as present: David Hall, Gerald Heizmann, and Mamie Huber.

Mr. Henderson stated for the record that the Southeast Volusia Audubon Society has no objection to the commission granting standing to those three individuals present, and denying standing to all others on the petition. Mr. Simpson stated the City of Oak Hill concurs with Mr. Henderson.

Mr. Chipok explained to the commission that anyone who is granted standing can participate as a party in the hearing which allows them to present more evidence, cross examine through the Chair other witnesses to a limited degree, and also if the VGMC's decision is appealed through the circuit court, the commission would not object to them claiming to have standing to bring an appeal. Those individuals who are denied standing can participate in the hearing as a member of the public.

Roger Sonnenfeld made a motion to grant standing to David Hall, Gerald Heizmann and Mamie Huber. Motion was seconded by Glyn Slay. Following a roll call vote, the motion carried with a 14-3 vote and 74.35% of the weighted vote.

In order to allow due process, Mr. Chipok suggested the commission hear from any other individuals present who signed the petition that wished to present additional testimony as to why they should be granted standing.

Jane Andrews, 118 & 120 E. Church Street, Oak Hill addressed the commission concerning her interests that would be affected by the proposed amendment. Following brief discussion, Richard Kane made a motion to grant standing to Jane Andrews. Motion was seconded by Sandra Walters. Following a roll call vote, the motion carried with a 13-4 vote and 72.04% of the weighted vote.

Sid Vihlen made a motion to deny standing to all remaining individuals who signed the petition. Motion was seconded by Glyn Slay. Following a roll call vote, the motion carried unanimously.

Public Hearing on the Subject Amendment and Consideration of VGMC Resolution 2015-02:

Erika Hughes, VHB, planning consultant to the VGMC, addressed the commission. Ms. Hughes provided a summary of the amendment request and also presented the planning report, along with a power point presentation. She reviewed the six criteria that are considered when determining consistency as outlined in Section 90-37(c) of the Volusia County Code, along with the findings of staff.

With respect to utilities, Ms. Hughes stated the City did not provide any utility information with the submitted application. She stated VGMC planning staff calculated demand space from the proposed amendments and found there is a small increase in sanitary sewer impacts, however, without any capacity data, the total impact to the area wide utility system cannot be determined. Additionally, she stated the City of Oak Hill does not provide utility services to the area, that it is done through a tri-party agreement with Volusia County and the City of Edgewater.

Ms. Hughes stated that while the original consistency certification to the EAR based amendments to the City's comprehensive plan allowed for residential and commercial development to occur on the subject site, the additional industrial development at an intensity of 1.0 FAR, as well as the uses permitted under the industrial land use designation, raises questions regarding the compatibility of these uses with the adjacent affected community. Specifically, incompatibility as it relates to impacts on water quality and intergovernmental impacts to the National Seashore.

Regarding transportation, Ms. Hughes stated that a traffic impact analysis was not provided with the original application. She stated VGMC planning staff calculated the potential impacts and found there to be a small increase in PM peak hour trips, however, with no capacity data, they cannot determine how much of an impact this would have on the regional transportation system.

VGMC Minutes
Meeting of April 22, 2015
Page 10 of 21

With respect to infrastructure, Ms. Hughes stated that the proposed amendment would result in a net decrease in residential entitlements so there are no additional impacts to public schools. However, since Oak Hill does not provide utility service to the area, staff is concerned with the ability to extend utility service to the site since it is not included in the CIP elements for Volusia County, City of Edgewater or the City of Oak Hill.

With respect to natural resource impacts, Ms. Hughes stated the proposed amendment poses significant adverse impacts to natural resources. She stated the Canaveral National Seashore borders the subject site on two sides and is a critical component of the regions eco system. Ms. Hughes stated that no information regarding the impact of the proposed industrial development on natural resources was submitted with the application.

With respect to the final two consistency criteria, Ms. Hughes stated the proposed amendment is not anticipated to result in a duplication of services or competition, and that no interlocal agreement exists.

Ms. Hughes reviewed the planning staff findings and recommendations. She stated the proposed amendment as submitted lacks data and analysis needed to support approval of the application, and may result in significant adverse impacts to the region's central utilities system, transportation system and natural resources. As a result, she stated VGMC planning staff recommends the commission deny the application as submitted. She further added that if the VGMC finds merit for approving the application, staff would recommend issuing the approval with the conditions outlined in the proposed draft Resolution #2015-02.

Ms. Hughes concluded her report and asked if any of the commission members had any questions.

Commissioner Brandon asked why there would be a change in potable water impacts. Ms. Hughes explained that there are two development scenarios, and utilizing the level of service (LOS) standards in the City's comprehensive plan, VGMC staff calculated impacts based upon the current and proposed development scenarios.

Commission Walters commented that the City's comprehensive plan states they will coordinate with the National Parks Service and the County for consistent and coordinated management of marine resources. She asked if that was done in this case. Ms. Hughes stated that based upon the information received with the application, staff cannot determine whether or not that was done. Ms. Hughes responded to several additional questions raised by Ms. Walters relating to the recommendation to locate the industrial development in the center of the site, current allowed uses in the City's conservation land use designation, and building height limits.

Clay Henderson asked Ms. Hughes if the property adjacent to the subject site has a land use designation of Volusia County Conservation with Environmental Core Overlay. Ms. Hughes responded affirmatively. She also responded to a question raised by Mr. Henderson relating to the FAR.

Scott Simpson asked Ms. Hughes to confirm how the impacts were measured. Ms. Hughes responded that the impacts were being measured based upon what is currently adopted in the comprehensive plan to that of the proposed development scenario.

Chairman Wachtel asked the City of Oak Hill to address the commission relating to the proposed amendment.

Scott Simpson, attorney for the City addressed the commission. Mr. Simpson stated that no comments were received from adjacent jurisdictions on the VGMC application. He also commented that all state agencies have reviewed the proposed amendment, the issues have been addressed and all of the state agencies are satisfied. Mr. Simpson then discussed the current and proposed land uses. Under the current land use, he stated the property could be developed 75% residential and 25% commercial. He added that the current land use was previously approved by the VGMC without comments, objections or a public hearing. Under proposed Option #2, Mr. Simpson stated this would allow 30% industrial and 70% conservation. Additionally, he stated the proposed amendment includes a limitation that impacts cannot exceed what is currently allowed, which is why no data and analysis was submitted or necessary. Mr. Simpson also discussed the central location of the industrial land use, buffer requirements, and building height limitations.

Mr. Simpson emphasized that the City cannot increase impacts over what is already allowed on the subject site. He also spoke concerning issues raised by the Southeast Volusia Audubon Society, and commented that he felt much of the opposition is due to concern over a potential launch facility in Brevard County. With respect to infrastructure, Ms. Simpson stated whoever develops the subject site will be required to install water and sewer lines for the City of Oak Hill.

Beth Lemke, Planning Solutions, 206 N. Beach Street, Daytona Beach, City Planner for the City of Oak Hill, addressed the commission. She stated that based upon all of the evidence and information presented relating to the proposed amendment, the commission should issue a clear finding of consistency. In reference to the VGMC staff report, Ms. Lemke clarified that this is not an industrial land use designation, but rather they are proposing an industrial use in an Activity Center future land use designation. She also stated that according to VGMC rules, the commission looks at impacts on adjacent local governments, which in this case are Volusia County and the City of Edgewater, neither of which objected to the amendment. Ms. Lemke stated representatives from both of those jurisdictions are present and asked them to come forward to speak to their position.

Becky Mendez, Senior Planning Manager for Volusia County stated they reviewed the amendment application, identified no impacts, did not request additional information as it was consistent with the County's comprehensive plan, and the County's position is that the commission should issue a finding of consistency without any conditions.

Darren Lear, Development Services Director for the City of Edgewater stated they also reviewed the amendment application, have no objections, it is consistent with the City of Edgewater comprehensive plan, and the City of Edgewater recommends the commission issue a finding of consistency without conditions.

Ms. Lemke read into the record a letter dated April 9, 2015 from the Florida Department of Environmental Protection (FDEP) which states their earlier concerns will be addressed by the City amending the language in Policy 1.1.2.H. as outlined in their letter. She added that FDEP was in consultation with the Canaveral National Seashore during their review of the proposed amendment.

With respect to VGMC consistency certification criteria #1, #2 & #3 relating to public infrastructure impacts, Ms. Lemke stated that these are not applicable because the policy limits impacts. She stated no additional analysis was provided because no additional impacts are allowed. Ms. Lemke also stated that every state agency reviewed the proposed amendment and agreed that it would have no impact, adding that no adjacent local governments had objections.

Referring to criteria #4 relating to natural resource impacts, Ms. Lemke stated this aspect was addressed by the FDEP, adding that the Canaveral National Seashore is not an adjacent local government. She also stated the VGMC staff report cites the St. Johns River Water Management District (SJRWMD) as having authority over those natural resources, and she read from a letter provided by the SJRWMD which indicated they had no comments on the amendment because no adverse impacts to important state resources and facilities were identified. Ms. Lemke stated that the Florida Department of Economic Opportunity raised no objections or issues with the amendment either.

With respect to criteria #5 & #6, Ms. Lemke stated that VGMC staff identified no issues and the City concurs.

Ms. Lemke stated the petitioners did not cite specific inconsistencies between the City of Oak Hill's comprehensive plan and the comprehensive plans of adjacent jurisdictions. She also stated the VGMC staff report repeatedly states that insufficient data and analysis was provided. Ms. Lemke disagreed, adding that VGMC staff did not request any additional information from the City during the 30 day review period. She further stated that the state agencies and adjacent local governments reviewed the amendment based upon the same information and data provided with the VGMC application, and they all supported the amendment.

In closing, Ms. Lemke commented that the proposed amendment is compatible and consistent with each of the VGMC criteria, and the commission should issue a finding of consistency with no conditions.

Mr. Chipok asked Ms. Lemke several questions relating to the date the application was submitted to the VGMC and the date the FDEP added language to the policy to address their earlier concerns. Ms. Lemke stated the original application was submitted to the VGMC on February 24, 2015, and the FDEP issued their letter on April 9, 2015 to added policy language that was not included in the original application submitted to the VGMC. Mr. Chipok also asked Ms. Lemke several questions relating to the proposed land use and any corresponding policies. Ms. Lemke responded that the specific compatible zoning category for the proposed amendment would be Activity Center zoning which would be the standard that would be applied to implement the land use. In response to another question of Mr. Chipok, she also confirmed that the Activity Center

does not currently contain specific standards of how the use is allocated on the property, adding this is done during the design phase.

Commissioner Walters asked Ms. Lemke what is permitted in conservation land use categories in the City's comprehensive plan. Ms. Lemke distributed a map which illustrates the property as currently adopted and also as proposed. She stated the property is currently 68% developable with commercial and residential uses. Under the proposed, she stated the industrial land use will be located near the center of the site to create the buffer around it with conservation/agricultural.

Ms. Walters stated the commission is being asked by the City to approve the amendment without conditions, however, one of the recommended conditions includes locating the industrial category near the center of the site. Ms. Lemke stated she felt the City would be comfortable with that condition since that issue was raised by FDEP, and it is also in the City's zoning requirements they are moving forward for this property.

Commissioner Kane asked Ms. Lemke if she has reviewed the 6 conditions of approval being recommended by the VGMC staff. She responded that condition #4 which addresses the central location of proposed development is acceptable, however, she feels none of the other conditions are valid.

Commissioner Romanik asked if there were any uses on the site prior to the landfill. Steve Unatin, one of the owners of the subject property, responded that the landfill has been closed for a long time and he previously worked with FDEP to monitor the site and they issued him a letter that no further action was required. Mr. Unatin responded to additional questions from Mr. Romanik relating to the landfill and current condition of the subject property.

Mr. Unatin, as the applicant to the City of Oak Hill for the amendment, also addressed the commission in support of the request, adding that all of the review agencies have signed off on it.

Chairman Wachtel called for a brief recess at 10:18 p.m. and the meeting reconvened at 10:25 p.m.

Chairman Wachtel then called forward those individuals who wished to speak in support of the amendment.

Becky Mendez submitted into the record a written letter of support to certify the amendment without conditions from the Volusia County Director of Planning & Development, Palmer Pantan.

The following members of the public spoke in support of the amendment: Ron Engele, 131 Canal Avenue, Oak Hill; Jim Cameron, Senior Vice President of Government Relations, Daytona Regional Chamber of Commerce; Richard Brice, 332 Marsh Landing Loop, Oak Hill; Barbara Weidner, 291 River Road, Oak Hill; Eugene Kowalski, 175 N US Highway, Oak Hill; Mike Arman, Oak Hill; and Doug Gibson, 297 River Road, Oak Hill-Mayor of Oak Hill spoke individually and not on behalf of the City.

With no others else present who wished to speak in favor of the amendment, Chairman Wachtel stated we will now hear from those who are opposed, starting with the parties who were granted standing in this matter.

Clay Henderson, representing the Southeast Volusia Audubon Society addressed the commission in opposition. He provided a power point presentation and discussed issues such as lack of data and analysis provided, burden of proof on the City to demonstrate they affirmatively meet the consistency criteria, the lack of infrastructure to support the proposed use, and the property's proximity to the Canaveral National Seashore. Mr. Henderson stated the subject site is adjacent to property in Volusia County with a land use designation of Conservation with an Environmental Core Overlay.

Mr. Henderson spoke of the role of the Canaveral National Seashore in protecting natural resources, the state agency review process, the lack of coordination with the Canaveral National Seashore, compatibility and consistency issues.

In closing, Mr. Henderson stated the City of Oak Hill has not demonstrated they have met the consistency criteria standards and that he concurs with the VGMC staff analysis. He recommended the commission deny the amendment, but if the commission chose to approve it with the staff recommended conditions, he asked that an additional condition be added requiring the City of Oak Hill to keep the National Parks Service informed and let them comment on what transpires on the subject property.

Mr. Henderson then introduced Myrna Palfrey, Superintendent to the Canaveral National Seashore.

Ms. Palfrey addressed the commission. She clarified that her conversation with Suzanne Ray of FDEP relating to this matter was very brief and not considered a consultation. Ms. Palfrey also discussed the jurisdiction the National Parks Service and other agencies have over the Mosquito Lagoon and she felt they should be considered local governments. She then spoke more specifically on the background and history of the Canaveral National Seashore and the purpose of the National Parks Service. Ms. Palfrey discussed their concerns and stated there is insufficient data to measure the impacts on Canaveral National Seashore resources. If the commission were to approve the amendment subject to the staff recommended conditions, she asked that the City of Oak Hill also be required to provide them notice and opportunity to comment on any development and mitigation plans for the property.

Don Picard, President of the Southeast Volusia Audubon Society, 1530 Queen Palm Drive, Edgewater, stated their primary concern in this process has been the secrecy surrounding it. He stated there have been reports that a rocket parts manufacturing plant may be planned, and it is unknown what types of chemicals or possible explosives may be used in the manufacturing, or potential for toxic spills that could affect the Mosquito Lagoon. Mr. Picard stated that since the process has not been transparent leaving many unknowns, coupled with the proximity of the property to a resource they care about, the Southeast Volusia Audubon Society has issues with the proposed amendment.

Chairman Wachtel then called on the individual residents who were granted standing to address the commission at this time.

Jane Andrews, 118 & 120 E. Church Street, Oak Hill addressed the commission. Ms. Andrews spoke extensively regarding her experience with the amendment review process at the City Commission and planning board level. She stated there presently is no industrial zoning on the east side of US 1 in Oak Hill and to make this change would be precedent setting. Ms. Andrews also spoke of several businesses in the City of Oak Hill and the growth of the City through annexations. She stated she is concerned with the location of the subject site of the amendment and requested the commission deny the application.

Gerald Heizmann, 137 Bills Hill Road, Oak Hill, raised several concerns with the proposed amendment, including: the potential size of an industrial site, noise associated with an industrial use, access to and from the site, building height and the ability for fire services to handle a fire involving a structure of that size, and whether or not hazardous materials would be used on the site. Mr. Heizmann also commented on a map that was printed in a recent News Journal article that inaccurately portrayed the location of the subject site, and also spoke of wildlife on the subject property. In closing, he asked the commission to think about the property, the proposed land use change, and the environmental impacts, and to make an informed decision that commission, the citizens of Oak Hill and Volusia County, and future generations can all live with

Dave Hall, 400 Bills Hill Road, Oak Hill, addressed the commission on behalf of himself and other family members who could not be in attendance. He stated his family has lived on the property adjacent to the subject site for four generations. Mr. Hall spoke about the wildlife on the subject site, as well as the surrounding properties. He stated he feels the change in land use is wrong, will set a precedent and he strongly opposes the change.

Mamie Huber, 245 Sand Avenue, Oak Hill, addressed the commission. She stated her property is immediately adjacent to the subject site. Ms. Huber discussed the rural nature of the area and wildlife. She expressed concerns with the proposed amendment, including: negative impacts on quality of life, lighting and noise impacts, and costs associated with the installation of water and sewer. Ms. Huber also stated the proposed amendment is inconsistent with everything Oak Hill has done in the past. In closing, she felt the proposed amendment has not been thoroughly thought out and the process has not been transparent. Ms. Huber requested the commission deny the amendment.

Chairman Wachtel then called forward those members of the public who wished to speak in opposition of the amendment.

The following members of the public spoke in opposition of the amendment: Claudia Roth, DeLand, President of the League of Women's Voters of Volusia County; Eric West, 3943 S. Peninsula, Wilbur-by-the-Sea; and T. Gray Ames, 124 Randle Avenue, Oak Hill.

There being no further comment from members of the public, Chairman Wachtel closed the public hearing and opened the floor for commission member comments and questions.

Commissioner Gallagher commented that she felt there were too many unanswered questions to move forward with the proposed amendment.

Commissioner McGee stated that he is a life-long resident of Oak Hill and adjacent property owner to the subject site. He commented that he agrees it is a treasure to have the Canaveral National Seashore and Merritt Island Wildlife Refuge just to the south, but added that these would not exist if not for the Kennedy Space Center. Mr. McGee stated the space industry has proven they can co-exist with the wildlife and environmental concerns raised by the Audubon Society, National Parks Services and others.

Commissioner Arthur raised a question regarding any existing industrial land uses in the City of Oak Hill and whether or not the City would allow a rocket launch site within that designation. Ms. Lemke responded that only light industrial exists in the City presently, so there is no place for manufacturing in the City currently. Ms. Arthur then asked if the proposed amendment were allowed and developed as some form of rocket facility, is there an agency that would regulate it to address the environmental and hazardous concerns raised. Ms. Lemke responded that the proposed amendment is for a change in land use only and there is no known user at this time. She stated we are currently at the comprehensive plan review phase and there will be additional levels of review throughout the development process.

Commissioner Arthur commented that based upon the information presented and the criteria for VGMC review, it does not appear there will be increased impacts that extend beyond the jurisdictional boundaries and the proposed amendment should be approved.

Commissioner Romanik commented that we've heard extreme viewpoints at the hearing tonight. He also expressed concern over issues of trust.

Commissioner Connors stated the subject property currently allows 75% residential and 25% commercial development and feels the community will be better protected with the proposed amendment which requires 70% conservation and the industrial development centered on the site. She also commented that the commission was established to determine consistency of comprehensive plans between local jurisdictions, not to review matters of zoning. Ms. Connors stated the proposed amendment is consistent with adjacent local government's comprehensive plans.

Commissioner Brandon asked for clarification relating to the relationship between the Mosquito Lagoon, the Canaveral National Seashore and the Merritt Island Wildlife Refuge, as well as their location and proximity to the subject site. Ms. Palfrey responded that the site borders the Canaveral National Seashore which is part of the National Parks Service. She stated the National Parks Service is an agency separate from the Fish & Wildlife Service, however, they are both under the Department of Interior.

Discussion ensued to determine, on a map, which properties were adjacent and contiguous to the subject site. There were differing statements offered in terms of ownership of the properties immediately contiguous to the subject site. Kohn Evans, City Administrator for the City of Oak

Hill stated the Canaveral National Seashore is not contiguous to the subject site, and that the property pointed out is owned by the Federal Government for the Florida Inland Navigational District (FIND). Mr. Unatin concurred with Ms. Evans, stating that he sold the 94 acres to the immediate east of the property to FIND.

Commissioner Brandon asked for clarification in terms of how the industrial development square footage was determined. Mr. Chipok reminded the commission that we are not looking at this at the site plan level, but rather a comprehensive planning level and assigning a comprehensive plan designation. He stated VGMC planners are obligated to look at the most intense use that is applicable in the proposed land use and base the impacts on that. Mr. Chipok stated if the City is claiming lesser impacts, then there would need to be a VGMC condition that would lock them into the less intense scenario and impacts could be calculated based upon that scenario. At this point in time, Mr. Chipok stated we have to base the impacts on the Activity Center designation with 30% of the property being developed as an industrial type use, which is what staff calculations are based upon.

Jim Sellen, VHB, planning consultant to the VGMC, addressed the commission regarding the difference on impacts to wastewater, transportation, etc. if developed residential or if developed industrial. When reviewing the proposed amendment, he stated staff measured the impacts based upon the types of uses allowed in the City's industrial category, and the impacts are what concerns staff, particularly with respect to the extension of sewer and water to the City. Additionally, Mr. Sellen stated the recommended condition requiring the Planned Development to come back to the VGMC is consistent with actions taken in prior amendments and allows staff to determine impacts based upon the actual intended use of the site. He also commented that the VGMC has always been solution based and these conditions allow the proposed amendment to move forward, while protecting the ability to measure the impacts as development of the site is planned. Mr. Sellen stated for the record that he felt we may have made a mistake approving the original Activity Center amendment which allowed 75% residential and 25% commercial without requiring the extension of sewer and water at that time.

Commissioner Romanik commented that the VGMC is not in the business of denial. He stated the VGMC is responsible for facilitating an acceptable resolution among all of the parties, and we look for an inclusive solution.

Commissioner Vihlen commented on the narrow scope of the VGMC review and the additional review process the City will be subject to after the comprehensive plan amendment is approved. He stated he does not feel it is within VGMC authority to review the City's development plans, and also commented that the adjacent jurisdictions, Volusia County and the City of Edgewater, both went on record to state they have no problem with the proposed amendment.

Commissioner Walton stated the original application submitted by the City to the VGMC contains policy language that does not allow the impacts of scenario 2, which would allow for 30% industrial and 70% conservation, to exceed what is currently allowed. Based upon this policy, he asked VGMC staff if they are still recommending the conditions of approval as contained in the proposed resolution. Mr. Sellen responded yes, the conditions are being recommended because the criteria for impacts on industrial uses are different than impacts on

residential developments. Mr. Chipok stated that adding industrial as a use in the comprehensive plan Activity Center land use designation essentially allows any of the individual ultimate user uses to go in there at the zoning level. He added that the various industrial allowed uses have individual quantitative impacts that are unknown at this time. Mr. Chipok explained at the comprehensive plan level, we have to assume maximum impacts. At this point in time, that is why the conditions are being recommended since we do not know what the impacts are. Mr. Walton commented in disagreement and stated the policy text clearly states that impacts cannot exceed what is currently allowed.

Commissioner Lott commented in agreement with Commissioner Vihlen's comments regarding the role and responsibility of the VGMC. Mr. Lott felt the recommended conditions of approval are zoning related which is outside the authority of the VGMC. He also spoke of existing industrial uses near the Canaveral National Seashore, and commented that we aren't going to lose wildlife because of an industrial use. Mr. Lott stated we are looking tonight at giving the City of Oak Hill the opportunity to bring business into the City. Once they do that, they will be subject to the required agency reviews during the development process.

Commissioner Walters thanked the individuals in attendance for their politeness throughout the meeting. Ms. Walters stated that the role of the VGMC is to determine consistency between comprehensive plans. She stated the role is not to pound square pegs into round holes, it is not to create jobs, and is not to worry about people's quality of life. Ms. Walters stated there are six criteria established to determine consistency and she discussed the findings of staff on each of those criteria. She stated there is too much information lacking and she would not be supporting approval of the amendment.

Commissioner Kane commented in agreement with Commissioner Vihlen's comments regarding the role and responsibility of the VGMC. He stated the commission is here to determine consistency, not to look at matters of zoning.

Commissioner Sonnenfeld stated the only two adjacent jurisdictions are Volusia County and the City of Edgewater and both of those jurisdictions testified that the proposed amendment is consistent with their respective comprehensive plans. Mr. Sonnenfeld stated he thinks with our charge, as the VGMC, we have to move in the direction of approval, although he doesn't necessarily agree with it on a personal level. That being said, Mr. Sonnenfeld stated he does agree with the conditions of approval recommended by staff, as they will provide a level of protection from the current unknown factors.

Chairman Wachtel stated he believed the intent to add industrial use in the Activity Center is consistent, but also felt the conditions recommended by staff are appropriate due to the lack of data and analysis.

Commissioner Brandon commented in agreement with Chairman Wachtel & Commissioner Sonnenfeld. Due to the unknown factors, Mr. Brandon stated he likes that it would come back to the VGMC as a planned development so the impacts can be measured.

Commissioner Vihlen asked the City of Oak Hill if the recommended conditions of approval would unduly delay the City in moving forward. Ms. Lemke responded that condition #4 relating to locating the industrial development to the center of the site is acceptable to the City. With respect to water and sewer, Ms. Lemke stated the thought process throughout has been to have central water and sewer under the industrial development scenario, and the City would not have an issue with that requirement.

Ms. Lemke stated they are also doing a planned development as part of the zoning and a condition requiring it be developed as a planned development is acceptable, however, she does not recommend that the planned development be required to come back to the VGMC. She added that the VGMC is another layer in the process and they need the ability to have a site available as quickly as possible when an economic opportunity for the City of Oak presents itself. Ms. Lemke stated the City needs local control to go through their processes without having the uncertainty of the VGMC. She commented she felt what's happening tonight is that nothing has been gained, we've just postponed the consistency hearing. Chairman Wachtel commented in disagreement with Ms. Lemke. While she indicated the planned development should have local control, Chairman Wachtel stated there was testimony tonight from members of the City's planning board and members of the public that they haven't been informed and things were changed. Additionally, he stated there is concern among some members of the commission to insure that all parties are included in the process.

Chairman Wachtel called for a motion.

Commissioner Lott asked procedurally whether or not there can be multiple votes on the application. Mr. Chipok responded that the end net result at the hearing has to be a resolution that does something. Either: 1) approves the application with no conditions; 2) approves it with conditions; or 3) denies it.

Roger Sonnenfeld made a motion to approved VGMC Resolution #2015-02 as presented; seconded by Glyn Slay.

Commissioner Walters asked if a condition could be added requiring the City to keep the Canaveral National Seashore notified of the planned development.

Following discussion, Commissioner Sonnenfeld amended his motion to approve VGMC Resolution #2015-02 with an additional condition requiring the City of Oak Hill to notify the Canaveral National Seashore at the time the planned development is submitted to the VGMC; Commissioner Slay accepted the amendment to his second.

Commissioner Vihlen commented that he will not be supporting the motion. Specifically, he stated condition #2 regarding submitting a mitigation plan relating to water quality and wildlife is handled during the zoning process and not within the purview of the VGMC. Additionally, condition #4 establishes a 35' setback which he stated is an internal planning matter and also not within the jurisdiction of the VGMC.

Richard Kane made a motion to amend the motion on the floor to strike conditions #1, #2, #3, #5, and #6, and to add a condition that the City must notify the Canaveral National Seashore at the time of the planned development.

Mr. Chipok addressed the commission relating to conditions #5 & #6. He explained that condition #6 is in every VGMC resolution to insure compliance to any conditions of approval. With respect to condition #5, Mr. Chipok explained that if an amendment is appealed at the state level and modifications are made, this condition requires the jurisdiction to bring it back to the VGMC to insure consistency.

Chairman Wachtel asked Commissioner Kane to restate his motion. Richard Kane stated his motion is to amend the motion on the floor to strike conditions #1, #2 & #3, renumber the current conditions #4, #5 & #6 to #1, #2, & #3 respectively, and to add a fourth condition requiring the City to notify the Canaveral National Seashore at the time of the planned development. Motion was seconded by Debbie Connors.

Commissioner Sonnenfeld commented that condition #3 relating to utilities was one that VGMC staff emphasized was most needed. Commissioner Kane responded that different developments may have different utility services that may not connect through a central utility line.

Commissioner Brandon commented that he felt the condition requiring the planned development to come back to the VGMC was necessary and integral in order to measure the impacts that are presently unknown.

Commissioner Arthur commented there is no real benefit to delete a condition that the City has already agreed to. Several other commission members concurred.

Chairman Wachtel called for a roll call vote on the motion made by Richard Kane. Following a roll call vote, the motion failed with a 7-10 vote and 37.02% of the weighted vote.

Chairman Wachtel stated the original motion is now on the floor. He restated the motion is to approve VGMC Resolution #2015-02 as presented with one additional condition requiring the City of Oak Hill to notify the Canaveral National Seashore at the time the planned development is submitted to the VGMC. Following a roll call vote, the motion failed with a 7-10 vote and 20.74% of the weighted vote.

Sid Vihlen made a motion to approve VGMC Resolution #2015-02 with the following amendments: Delete condition #2; and modify condition #4 to delete the language "and all building setbacks shall be a minimum of 35 feet". Motion seconded by Richard Kane.

Chairman Wachtel asked Commissioner Vihlen if his motion included notification to the Canaveral National Seashore. Mr. Vihlen amended his motion to include a condition that the City notify the Canaveral National Seashore at the time the planned development is submitted to the VGMC. Commissioner Kane accepted the amendment to his second.

Following a roll call vote, the motion carried with an 11-6 vote and 52.30% of the weighted vote.

Charles Lee, Director of Advocacy of Audubon Florida, property manager for the Florida Audubon Society and Central Florida representative of Florida Audubon Society, addressed the commission. Mr. Lee discussed his work experience and the history of the Florida Audubon Society. With respect to membership, Mr. Lee stated they have over 1,200 members in Volusia County. He stated at least 250 of those members are in Southeast Volusia County area, and 5 active memberships in the Oak Hill zip code.

Mr. Lee stated the Florida Audubon Society is also a landowner in Volusia County and he discussed various properties and their locations in relationship to the subject amendment. He provided history on past members and their involvement with the Society. He also stated the Audubon has in excess of 500,000 members throughout the United States, and that the Merritt Island National Wildlife Refuge and Canaveral National Seashore are primary destinations for those members to visit.

Mr. Lee expressed concern about industrialization on the shore of the Canaveral National Seashore and stated the proposed amendment is inherently in conflict with the purposes and the future potential for the management of the Canaveral National Seashore and the Merritt Island National Wildlife Refuge.

Scott Simpson, Attorney for the City of Oak Hill, asked Mr. Lee to clarify how many total members they have. Mr. Lee responded that there are approximately 500,000 members in the United States. Mr. Simpson also asked for clarification of the organization's name and principal place of business. Mr. Lee responded that it is the Florida Audubon Society Inc., and the principal office is located in Miami, Florida.

Mr. Lee submitted the following documents into the record: 1) A map depicting the Farmton tract and Volusia/Brevard County lines; 2) A list of properties Audubon owns in Volusia County; 3) A table from the membership records of the Florida Audubon Society with memberships broken down by Chapter within Volusia County; and 4) An aerial photo which locates the closest real property owned by them.

Don Picard, 1530 Queen Palm Drive, Edgewater, President of the Southeast Volusia Audubon Society, addressed the commission. Mr. Picard discussed the history of the Southeast Volusia Audubon Society as well its membership. He also discussed the mission of the Society, the role of the members, and commented that they feel they have standing in this matter.

Mr. Henderson, in closing, stated he believes the Audubon Society's have met the test to be granted standing.

Scott Simpson, attorney for the City of Oak Hill, addressed the commission in opposition of granting standing to the Audubon groups. In reference to the court case previously referenced by Mr. Henderson, Mr. Simpson stated the case basically stated that in order to get above the general interest of the community's well-being, you have to show that the primary purpose of the organization includes protecting the particular issue you are dealing with. In that particular case, Mr. Simpson stated the petitioner was Save the Homosassa River Alliance Inc., the issue was a

VGMC

1. STATE LEGAL AUTHORITY OF LOCAL COMPREHENSIVE PLAN

1985 Local Government Comprehensive Planning and Land Development Regulation Act Chapter 163 Part II, Florida Statutes – referred to as Growth Management Act, establishes that there is a need for comprehensive land planning and assigns to local government

- a. Planning – local (County) government responsibility Chap 163 Florida Statutes.

Growth Management Act goal is to:

Strengthen “powers of local governments in the establishment and implementation of comprehensive planning programs to guide and control future development”

Section 163.3194(1)(a), Florida Statutes, establishes the legal status of comprehensive plans.
Section 163.3194(1)(a), Florida Statutes, states that

...After a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted.

- b. Comprehensive plan includes among other elements

Future Land Use Element (FLUM) – includes Future Land Use Maps

- c. Intergovernmental Coordination

A County’s plan should establish mechanisms (not must) for and facilitate coordination with comprehensive plans of adjacent

1. Counties
2. Municipalities within County & adjacent Counties
3. County School District

- d. General Requirements of a Comprehensive Plan:

Rule 9J-5, Florida Administrative Code, details the specific intergovernmental coordination mechanisms that must now be included in the element. Some of these include:

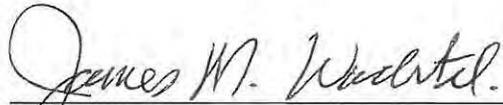
- Coordination of planning activities mandated by the various elements of the comprehensive plan with other local governments, school boards, other units of local government providing services but not having regulatory authority over the use of land, the region, and the state.
- Resolution of conflicts with other local governments through the regional planning council’s informal mediation process.
- Establishment of procedures to identify and implement joint planning areas for the purposes of annexation, municipal incorporation and joint infrastructure service areas.
- Coordinated management of certain bays, estuaries and harbors that fall under the jurisdiction of more than one local government.
- Recognition of campus master plans.
- Establishment of joint processes for collaborative planning and decision-making with the school board on population projections and the siting of public school facilities.
- Establishment of joint processes for the siting of facilities with county-wide significance, including locally unwanted land uses, such as solid waste disposal facilities.

ADJOURNMENT

Chairman Wachtel thanked everyone for attending and adjourned the meeting at 12:50 a.m., Thursday, April 23, 2015.



Attest: Secretary



Chairman

NOTE: These minutes were approved at the September 23, 2015 regular meeting of the VGMC with a revision to include reference to the discussion relating to the prior VGMC approval of the existing land use development of 75% residential and 25% commercial. The revision was made on October 6, 2015 and is reflected on pages 11 and 17.