

Volusia Growth Management Commission

MEETING MINUTES FOR  
REGULAR MEETING HELD  
Wednesday, January 25, 2012

County Council Chambers  
Thomas C. Kelly Administration Center  
123 W. Indiana Avenue  
DeLand, FL

MEMBERS PRESENT

Steve Katz, Chairman  
Gerald Brandon, Vice Chairman  
Dwight Lewis, Secretary  
Richard Walton (Excused)  
Carla Page  
Danny Allen  
Sandy Lou Gallagher  
Jason Floyd  
John Heaphy  
Roger Sonnenfeld  
Rick Tresher  
Robert Storke  
Don Romanik  
Debbie Connors  
Joan Spinney  
James Wachtel (Excused)  
Kenneth Kuhar  
David Michael Halpin

REPRESENTING

DeLand  
Ormond Beach  
Volusia County  
Daytona Beach  
Daytona Beach Shores  
DeBary  
Deltona  
Edgewater  
Holly Hill  
Lake Helen  
New Smyrna Beach  
Orange City  
Ponce Inlet  
Port Orange  
South Daytona  
Volusia County  
Volusia County  
Volusia County

NON-VOTING MEMBERS

Sara Lee Morrissey  
Cathy Foerster (not present)

REPRESENTING

Volusia Co. School Board  
SJRWMD

OTHERS PRESENT

Barry Wilcox, VHB Miller Sellen  
Merry Chris Smith, VGMC Coordinator

CALL TO ORDER

VGMC Chairman Steven Katz called the meeting to order at 7:00 p.m. Mr. Katz welcomed two new VGMC members, Carla Page representing Daytona Beach Shores, and Don Romanik representing Ponce Inlet.

ROLL CALL

Roll call was taken and it was determined there was a quorum present.

Chairman Katz stated that a revised agenda has been prepared (see Exhibit 1) and asked for a motion to approve the use of the revised agenda. Rick Tresher moved to approve the use of the revised agenda; seconded by Dwight Lewis. Motion carried unanimously.

APPROVAL OF MINUTES

Rick Tresher made a motion to approve the minutes of the regular meeting held on October 26, 2011 as presented; seconded by John Heaphy. Motion carried unanimously.

REMARKS OF INTERESTED CITIZENS

There were no citizens present who wished to speak.

REPORTS OF COMMISSION COORDINATOR

Ms. Smith stated that over the past 3-4 weeks, she has primarily worked on the coordination of materials and minutes for the two previous POP committee meetings, as well as the Budget Committee, POP Committee and Regular meetings held tonight. She also stated the County sent email invitations to the individual commission members for the State of the County address scheduled for Monday, February 6, 2012 beginning at 12:00 noon at the Ocean Center.

REPORTS OF COMMISSION CHAIRMAN

Chairman Katz commented favorably on the Commission Coordinator's performance and the positive interaction she has with the local governments. He also stated that he previously met with the commission planners and they are now reviewing the applications within the first seven days of receipt in order to determine if they appear sufficient. If they find they are not, they will communicate with the applicant jurisdiction early in the process to obtain any additional information. Mr. Katz stated the goal is to have the VGMC review process completed so that an application can be certified 30 days from receipt.

Chairman Katz stated that he has also been working with legal staff in terms of the VGMC's role in matters of litigation. With respect to the Farmton litigation, Mr. Katz reported that the Administrative Law Judge had issued an order. He then read aloud information he obtained from

our legal staff which stated: "On January 24, 2012, the Administrative Law Judge, David Maloney, entered a Recommended Order finding in favor of Volusia County, The Miami Corporation, and VGMC and against Barbara Herrin and the Sierra Club on Herrin and the Sierra Club's challenges that the Farmton Comprehensive Plan Amendment and Remedial Amendments were not in compliance with Chapter 163. The Recommended Order will now go to the Department of Economic Opportunity for entry of a Final Order. After the Final Order is entered, Herrin and the Sierra Club will have 30 days in which to appeal the Final Order to the First District Court of Appeal. If Herrin and the Sierra Club decide to appeal the matter, VGMC will be a party to the appeal but it is anticipated that the VGMC's participation in the appeal will be minimal and that Volusia County and The Miami Corporation will take the lead in preparing any necessary briefs or court submissions." Chairman Katz stated if no appeal is filed, this matter will have concluded and the only other pending litigation deals with the Edgewater Restoration amendment.

Chairman Katz provided background information relating to Section 202.3 of the County Charter, the VGMC Consistency Certification Rules, and also the internal Rules of Procedure.

#### REPORTS OF COMMITTEES

POP Report: POP Committee Chairman Gerald Brandon stated the committee has evaluated the Commission Coordinator's performance and are recommending a 5% salary increase effective upon approval of the full commission. Dwight Lewis, Chairman of the Budget Committee, stated the Budget Committee reviewed the recommended increase in their earlier meeting and confirmed there is funding available in the current budget to accommodate the increase.

The recommendation from the POP Committee serves as a motion and a second. Commissioner Lewis commented that he feels the salary increase is appropriate particularly since the Coordinator does not receive benefits such as paid vacation, medical insurance and retirement. Mr. Brandon stated that the POP Committee took that into consideration in their discussions. The motion carried unanimously.

Budget Report: Budget Committee Chairman Dwight Lewis stated the committee met earlier and reviewed the first quarter expenditures for the 2011-12 fiscal year. He stated the expenses are on track and the committee did not identify any necessary changes or modifications at this time.

Mr. Lewis reported that last year, the commission came in approximately \$65,000 under budget and the committee wants to be sure the proposal brought to the full commission for the 2012-13 fiscal year represents the commission's financial needs. Mr. Lewis stated the budget committee discussed reducing the contract services budget by \$25,000, eliminating the \$25,000 litigation contingency request, and also reducing the legal ad budget by \$5,000. He also stated that the Budget Committee will be looking at invoices and that Budget Committee member Danny Allen has volunteered to oversee and review the invoices to ensure we have all of the information that is needed.

Mr. Lewis confirmed that the Budget Committee would be meeting again in February and plan to bring the proposed budget before the full commission for a vote at the March 28, 2012 regular meeting.

#### NEW BUSINESS

##### Presentation by POP Committee on proposed amendments to the VGMC Consistency Certification Rules

Gerald Brandon, POP Committee Chairman, stated the committee had met on several occasions and has prepared proposed changes to the VGMC Consistency Certification Rules. Mr. Brandon then presented the recommended changes as contained in the draft dated 1/12/12. He pointed out several specific changes to Section 90-35(c) on page 5 relating to the application process and completeness review, as well as Section 90-35(g) on page 10 which includes language that if the commission does not act on an application within the established timeframe then the application would be deemed approved. Commissioner Sonnenfeld asked the purpose of the language in Section 90-35(g). Mr. Brandon stated the language was necessary to be consistent with the interlocal agreement between the VGMC, Volusia County and Florida Department of Economic Opportunity (formerly DCA). Chairman Katz added that the VGMC is required to act on an application within the established timeframe and the language provides assurance to the local jurisdictions that the applications cannot linger indefinitely.

Mr. Brandon stated the POP Committee is recommending, in the form of a motion and a second, for the Chairman to meet with Volusia County to review the recommended changes prior to submitting a formal resolution to the County Council for consideration. Commissioner Allen commented on the legal costs associated with the rules revisions. Chairman Katz stated that if approved by the commission, he would meet with Jamie Seaman at the County to get their feedback.

Commissioner Romanik raised concern that the 2-day completeness review may be inadequate in the event of extenuating circumstances. Chairman Katz stated the Coordinator reviews the applications for completeness immediately upon receipt, adding that if something is missed in the completeness review, the planning staff would have the ability to request it during their review.

Commissioner Tresher commented that the present draft represents the least controversial part of the rules changes and should be approved without issue. He added, however, that the commission still has the substantive changes to address. Chairman Katz stated he thinks a separate ad hoc committee should be established to review those issues, and that the County Attorney's office should be involved.

Commissioner Spinney asked if it would be appropriate to take a vote to accept the POP Committee recommendations. Chairman Katz stated he would like to first have the opportunity to review the proposed changes with the County Attorney's office.

Chairman Katz restated the motion on the floor is to authorize him to contact the County Attorney's office to review the proposed draft, take their comments, and then report back to the POP Committee and commission. The motion carried unanimously.

Chairman Katz stated that he spoke with Commissioner Spinney earlier and she has agreed to be a historian for the commission. He stated Ms. Spinney will get with the Coordinator to discuss historical accomplishments of the commission which we could later communicate to the community to highlight the positive actions of the commission.

#### REPORTS FROM STAFF

Planner Update and Acronym Presentation: Barry Wilcox, VHB MillerSellen, planning consultant to the VGMC, reviewed a powerpoint presentation (see Exhibit 2) outlining a variety of acronyms utilized in planning and provided detailed descriptions of the acronyms. Chairman Katz commented that he was very impressed with Mr. Wilcox's knowledge and thanked him for the presentation.

Mr. Wilcox also spoke concerning the west side planner meetings which occur periodically where he and the planners meet to discuss upcoming projects. He stated he attended a meeting earlier that day where they discussed a study the Metropolitan Planning Organization will be putting out to bid which will look at the entirety of the 17-92 corridor to try to establish contiguity in terms of how 17-92 is viewed by the local governments. Mr. Wilcox also spoke concerning the repeal of state mandated transportation concurrency.

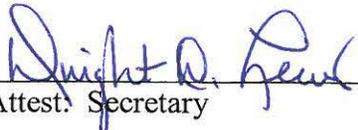
#### OTHER BUSINESS AND REQUESTS OF COMMISSION MEMBERS

There were no additional requests or comments of the commission members.

Chairman Katz announced that the next meeting was scheduled for February 22, 2012 in the City of Daytona Beach commission chambers.

#### ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

  
Attest: Secretary

  
Chairman

# Volusia Growth Management Commission Meeting Notice and Agenda

7:00 p.m.

January 25, 2012

County Council Chambers  
Thomas C. Kelly Administration Center  
123 W. Indiana Avenue  
DeLand, FL

- I. Call Meeting to Order
- II. Roll Call
- III. Approval of Revised Agenda – 1/25/12
- IV. Approval of Minutes
  - 1) October 26, 2011 Regular Meeting
- V. Remarks of interested citizens
- VI. Reports of Commission Coordinator
- VII. Reports of Commission Chairman
- VIII. Reports of Committees
  - A. P.O.P. Report
    - 1) Annual performance evaluation for Commission Coordinator
  - B. Budget Report
    - 1) 2011-12 YTD Expense Update including analysis of staff expenditures
    - 2) Proposed 2012-13 Budget
- IX. New Business
  - 1) Presentation by POP Committee on proposed amendments to the VGMC Consistency Certification Rules
- X. Reports from Staff
  - A. Planner Update and Acronym Presentation
- XI. Other business and requests of Commission Members
- XII. Adjournment

# Planning Acronyms



PRESENTED TO

**Volusia Growth Management  
Commission**



PRESENTED BY

**MillerSellen**

January 25, 2012



## Transportation

- *ADT – Average Daily Traffic*
- *FDOT – Florida Department of Transportation*
- *ITE – Institute of Transportation Engineers*
- *LRTP – Long Range Transportation Plan*
- *MMTD – Multimodal Transportation District*
- *MPO/TPO – Metropolitan Planning Organization*
- *SIS – Strategic Intermodal System*
- *TCEA – Transportation Concurrency Exception Area*
- *TIA – Transportation Impact Analysis*
- *TIP – Transportation Improvement Program*
- *VMT – Vehicle Miles Traveled*



## Environmental

- ACOE – *Army Corp of Engineers*
- CHHA – *Coastal High Hazard Area*
- DEP – *Department of Environmental Protection*
- ERP – *Environmental Resource Permit*
- FEMA – *Federal Emergency Management Agency*
- FIRM – *Flood Insurance Rate Map*
- FWC – *Fish and Wildlife Conservation Commission*
- NWI – *National Wetlands Inventory*
- WMD – *Water Management District (ie, SJRWMD)*



## Public Services

- CEA – *Capacity Enhancement Agreement*
- CSA – *Concurrency Service Area*
- CUP – *Consumptive Use Permit*
- ILA – *Interlocal Agreement*
- LOS – *Level of Service*
- USA/USB – *Urban Service Area/Urban Service Boundary*
- WSP – *Water Supply Plan*



## Land Use and Development

- CBD – *Central Business District*
- CRA – *Community Redevelopment Area/Agency*
- DEO – *Department of Economic Opportunity (formerly DCA)*
- DRI – *Development of Regional Impact*
- DU – *Dwelling Unit*
- FAR – *Floor Area Ratio*
- FLUE – *Future Land Use Element*
- FLUM – *Future Land Use Map*



## Land Use and Development (cont'd)

- JPA – *Joint Planning Area/Agreement*
- LDC – *Land Development Code*
- MFR/SFR – *Multifamily Residential/Single-family Residential*
- PD/PUD – *Planned Development/Planned Unit Development*
- RPC – *Regional Planning Council (ie, ECFRPC)*
- TDR – *Transfer of Development Right*
- TND – *Traditional Neighborhood Design*
- TOD – *Transit Oriented Development*



## Finance

- **CDBG** – *Community Development Block Grant*
- **CDD** – *Community Development District*
- **CIE** – *Capital Improvement Element*
- **CIP** – *Capital Improvement Plan/Program*
- **TIF** – *Tax Increment Financing*



## Miscellaneous

- *AICP – American Institute of Certified Planners*
- *ALJ – Administrative Law Judge*
- *APA – American Planning Association*
- *GIS – Geographic Information System*
- *PE – Professional Engineer*
- *RAI – Request for Additional Information*
- *RLA – Registered Landscape Architect*
- *VCARD – Volusia County Assoc for Responsible Development*
- *VGOG – Volusia Council of Governments*