ORDINANCE 2018-15

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA, BY AMENDING CHAPTER 72, ARTICLE I, DEFINITIONS AND INTERPRETATION; AMENDING ARTICLE II, ZONING, AMENDING THE FR, A-1, AND A-2 ZONING CLASSIFICATIONS TO ALLOW RURAL EVENT CENTERS AS SPECIAL EXCEPTIONS; AMENDING CHAPTER 72, SECTION 72-286, OFF-STREET PARKING; AMENDING CHAPTER 72, SECTION 72-293, SPECIAL EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

(Words in strike-through are deletions; words in underscore type are additions)

SECTION I. Chapter 72, Article I, Section 72-2 of the Code of Ordinances, County of Volusia, is amended to read as follows:

Sec. 72-2. Definitions.

AASHTO: The American Association of State Highway and Transportation Officials.

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Rock crusher: A portable or fixed machine(s) and any related equipment such as belts, elevators, bins, and conveyors, used to cherish or grind concrete, asphalt, or any nonmetallic minerals which may include, but may not be limited to, crushed or broken stone, limestone, dolomite, granite, sandstone, quartz, marl, marble, gypsum, shall and sand. Such machine(s) may include, but not be limited to, the following types: Jay, gyratory, cone, roll, rod mill, hammermill, and impactor.

Rural event center: A venue on agricultural zoned property intended primarily to house, shelter, transport, facilitate the congregation, and/or accommodate members of the general public for events that include weddings, family reunions, class reunions, company retreats and picnics, or other similar events or celebrations.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.
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SECTION II. Chapter 72, Article II, Section 72-241 of the Code of Ordinances, County of Volusia, is amended to read as follows:

Sec. 72-241. Classifications.

The following classifications and their included regulations are established:

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FR FORESTRY RESOURCE CLASSIFICATION

Purpose and intent. The purpose and intent of the FR Forestry Resource classification is to preserve land that is suited for multiple-use resource management. It is further intended that this classification will permit limited agricultural activities. In addition, all agricultural uses should be encouraged to utilize natural resource conservation service (formerly the soil conservation service) best management techniques and other agricultural best management practices.

** **

Permitted special exceptions. Additional regulations/requirements governing permitted special exceptions are located in sections 72-293 and 72-415 of this article.

Aquaculture operations in which there are non-exempt excavations (refer to subsection 72-293(15)).

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Riding stables.
Rural event centers (refer to subsection 72-293(26)).
Sawmills and planing mills.

** **

A-1 PRIME AGRICULTURE CLASSIFICATION

Purpose and intent. The purpose and intent of the A-1 Prime Agriculture Classification is to preserve valuable agricultural land for intensive agricultural uses, and to protect land best suited for agricultural uses from the encroachment of incompatible land uses:

** **
Permitted special exceptions: Additional regulations/requirements governing permitted special exceptions are located in sections 72-293 and 72-415 of this article.

Air curtain incinerators (refer to subsection 72-293(17)).

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Riding stables.
Rural event centers (refer to subsection 72-293(26)).
Sawmills and planing mills.

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A-2 RURAL AGRICULTURAL CLASSIFICATION

Purpose and intent: The purpose and intent of the A-2 Rural Agriculture Classification is to preserve and protect rural areas of the county that have some agricultural value, but which are also suitable for rural estate living.

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Permitted special exceptions: Additional regulations/requirements governing permitted special exceptions are located in section 72-293 and 72-415 of this article.

Air curtain incinerators (refer to subsection 72-293(17)).

***

Riding stables.
Rural event centers (refer to subsection 72-293(26)).
Sawmills and planing mills.

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SECTION III. Chapter 72, Article II, Section 72-286 of the Code of Ordinances, County of Volusia, is amended to read as follows:

Sec. 72-286. – Off-street parking.

Where required by this article, every use or structure shall have an adequate number of off-street parking and loading spaces for the use of occupants, employees, visitors, customers, patrons or suppliers. Division 4 of the Land Development Code [article III], shall apply to the design and construction of all required off-street parking and loading areas.
(1)  \textit{Lighting}. If the off-street parking area is lighted, artificial lighting shall be arranged and installed to minimize or eliminate glare on surrounding residential property and to motorists traveling on adjacent streets.

\* \* \* \* 

(5)  \textit{Minimum off-street parking spaces}. The minimum number of off-street parking spaces shall be determined from the following table. Numbers for any use not specifically mentioned shall be the same as for the use most similar to the one sought. Fractional spaces shall be rounded to the closest number. In stadiums, houses of worship, sports arenas or other places of assembly where occupants sit on seats without dividing arms, each 18 linear inches of such seat shall be counted as one seat. For modification of certain minimum parking standard, refer to subsection 72-291(b).

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<table>
<thead>
<tr>
<th>Civic Uses</th>
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<tbody>
<tr>
<td>Auditoriums</td>
<td>All uses</td>
<td>1 per 3 seats</td>
</tr>
<tr>
<td>Lecture halls</td>
<td>All uses</td>
<td></td>
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<tr>
<td>Conference rooms</td>
<td></td>
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<tr>
<td>Rural event centers</td>
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<tr>
<td>Community center</td>
<td>All uses</td>
<td>3 per 1,000 sq. ft. GFA</td>
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<tr>
<td>Civic Center</td>
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\textbf{SECTION IV.} Chapter 72, Article II, Section 72-293 of the Code of Ordinances, County of Volusia, is amended to read as follows:

\textbf{Sec. 72-293. Special exceptions.}

The following uses or structures are permitted as special exceptions only when listed as permitted special exceptions in division 7 and meeting all requirements set forth in division 11.

\* \* \* \* 

(26) \textit{Rural event center}. 

\hspace{1cm} a. The minimum lot area shall be ten (10) acres.

\hspace{1cm} b. The site must be served by a public road. If located on an unpaved road, a maintenance agreement shall be required.
c. A twenty (20') foot wide landscaped buffer shall be provided between the facility, or any area used for an event, including but not limited to parking areas, and adjacent properties. Landscaping shall be in accordance with section 72-284(2), Table 1 Landscape Buffer Requirements, item 31d.

d. All permanent and temporary structures such as tents, stages, and dance floors shall be located a minimum of fifty (50') feet from the property line.

e. All permanent structures that will be used by the public for events shall be constructed and maintained in accordance with the Florida Building Code and Florida Fire Prevention Code.

f. No events shall be held between the hours of 11:00 p.m. and 8:00 a.m.

g. No outdoor loudspeaker or call system shall be audible on adjoining property.

h. All artificial lights shall be directed away from adjoining properties.

i. The property must have adequate space available for on-site parking. Parking off-site is prohibited. Parking shall be prohibited within the twenty (20') foot wide buffer between the facility and adjacent properties. The number of parking spaces provided shall be in accordance with section 72-286 of the zoning code, including accessible parking spaces.

j. Overnight stay is prohibited unless approved as a Special Exception under the requirements for a bed and breakfast per section 72-293(19) of the zoning code.

k. As part of the application for a rural event center, the owner/operator shall submit a Site Plan in accordance with section 72-415(1)(d), and include the following information:

1. A copy of the site plan indicating the location, size, and maximum capacity of all existing or proposed permanent and temporary structures; parking area(s); and ingress/egress point(s).

2. A traffic control plan that identifies sufficient ingress and egress for emergency vehicles and provides for the orderly and safe arrival, parking, and departure of all vehicles using means such as parking attendants, shuttle service, law enforcement, and traffic control personnel.
enforcement service, directional signage, etc. Additional traffic control measures may be required.

3. Plans for sanitation and public health protection including bathroom facilities, inspection of food facilities, drainage, garbage and litter control, and recycling as required by the Florida Department of Health.

SECTION V. Chapter 72, Article III, Section 72-576 of the Code of Ordinances, County of Volusia, is amended to read as follows:

Sec. 72-576. Final site plan review.

(a) Approval required. Unless otherwise stated in this article, granting of a final site plan development order (FSP) is required prior to the issuance of any development permit allowing the commencement of site construction of any development in the unincorporated area of Volusia County.

(b) Exempt development. The following activities shall not require compliance with this division, but may be subject to other divisions:

(1) Implementation, by a governmental entity, of a water management plan approved by the county council, as such plan relates to an approved development of regional impact (DRI) (not a conceptual DRI).

(2) Construction of a single-family home and customary accessory structures on an existing single-family classified lot.

(3) Construction of a single duplex and customary accessory uses on an existing duplex classified lot.

(4) The installation of those improvement which are required to develop a subdivision and for which development permits have been issued pursuant to division 2.

(5) Agricultural production practices, which include fencing, drainage, irrigation, and other agricultural uses and structures, including portable structures which do not conflict with existing county ordinances. This does not include construction of rural event centers, bed and breakfasts, and/or other structures, facilities, or improvements intended primarily to house, shelter, transport, or otherwise accommodate members of the general public in agricultural zoning classifications.

SECTION VI. SEVERABILITY - Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall
be severed from this ordinance and all other words, phrases, sentences, subsections, or
sections shall remain in full force and effect.

SECTION VII: CONFLICTING ORDINANCES - All ordinances, or part thereof, in
conflict herewith are, to the extent of such conflict, repealed.

SECTION VIII: EFFECTIVE DATE – A certified copy of this Ordinance shall be
filed with the Department of State by the County Manager within ten (10) days after
enactment by the County Council and this Ordinance shall take effect upon filing with the
Department of State.

ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN
MEETING DURILY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE
THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE,
DELAND, FLORIDA, THIS 21st DAY OF AUGUST, 2018.

COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA

George Recktenwald, Interim County Manager

Ed Kelley, County Chair
STATE OF FLORIDA
COUNTY OF VOLUSIA

I, GEORGE RECKTENWALD, Interim County Manager and Clerk to the
County Council of Volusia County, Florida, do hereby certify that the attached and
foregoing ORDINANCE 2018-15 is a true and correct copy of that certain Ordinance as
adopted by the County Council of Volusia County, Florida, at its meeting held on August
21, 2018.

WITNESS my hand and official seal at DeLand, Volusia County, Florida, this
22nd day of August, A.D. 2018.

George Recktenwald
GEORGE RECKTENWALD
INTERIM COUNTY MANAGER AND
CLERK TO THE COUNTY COUNCIL
OF VOLUSIA COUNTY, FLORIDA

BY: MARCY A. ZIMMERMAN, DEPUTY CLERK