



CITY OF ORMOND BEACH CITY COMMISSION MEETING

MARCH 2, 2010

7:00 PM

~~~~~  
PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

~~~~~  
PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES. LISTENING DEVICE AVAILABLE FOR HEARING IMPAIRED.

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Father Comforted Keen, Church of the Holy Child.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Proclamation in honor of Embry-Riddle Coach Steve Ridder.
 - B) Proclamation honoring humanitarian efforts by local community groups and businesses for Haitian relief.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the February 16, 2010, meeting.
- 7) **CONSENT AGENDA:** The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.
 - A) Resolution No. 2010-23 authorizing the execution of a Landscape Maintenance Easement Deed in favor of Whispering Oaks Homeowners' Association of Ormond Beach, Inc., located on Fernery Trail. (Public Works Director) **APPROVED**
 - B) Resolution No. 2010-24 of the City of Ormond Beach, Volusia County, Florida, authorizing the acceptance of an easement deed from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida to allow the construction of sidewalk trails through Tomoka State Park as part of the Ormond Scenic Loop and

Trail System on property located in Tomoka State Park. (Acting City Engineer)
APPROVED

- C) Resolution No. 2010-25 authorizing the execution of a Lease Agreement between the City and Halifax Urban Ministries, Inc., for the “Old Housing Authority Building” located at 164 West Granada Boulevard. **APPROVED**
- D) Resolution No. 2010-26 terminating a Lease Agreement between the City and Joseph Wright and Charles Kristman; authorizing the execution of a Lease Agreement between the City and Wright Flyer, LLC, for Parcel 1 in the SE Quad at the Airport Business Park. (Economic Development Director) **APPROVED**
- E) Resolution No. 2010-27 authorizing the execution of a Release and Satisfaction of Special Master Administrative Fine/Lien for code violations on property located at 1405 North Beach Street (Parcel ID 3242-21-01-0770), Ormond Beach, Volusia County, Florida. (\$203.76) (Neighborhood Improvement Manager) **APPROVED**
- F) Resolution No. 2010-28 pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Raul M. Duarte and located at 712 Montana Terrace, Ormond Beach, Volusia County, Florida (Parcel ID No. 4242-65-00-0070) for costs incurred by the City to terminate or abate a site maintenance violation. (\$190) (Neighborhood Improvement Manager) **APPROVED**
- G) Resolution No. 2010-29 authorizing the execution of a Memorandum of Understanding between the City and the Coastal Florida Police Benevolent Association regarding a wage reopener. (Human Resources Director) **APPROVED**
- H) Eastern Volusia Regional Water Authority JPA for Nova Canal drainage system improvements. **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated February 25, 2010.

- I) Emergency procurement from ThadCon Construction for storm drain repairs. **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated February 25, 2010.

- J) Volusia County Mosquito Control low-level flights. **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated February 25, 2010.

8) **SECOND READING OF ORDINANCES:**

- A) Ordinance No. 2010-13 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 58 unit building located at 149 South Atlantic

Avenue, known as Cove II, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**

- B) Ordinance No. 2010-14 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 138 unit building located at 485 South Atlantic Avenue, known as Maverick Resort, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- C) Ordinance No. 2010-15 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 119 unit building located at 621 South Atlantic Avenue, known as Casa Del Mar Beach Resort, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- D) Ordinance No. 2010-16 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 54 unit building located at 145 South Atlantic Avenue, known as Plantation Cove, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON SECOND READING**
- E) Ordinance No. 2010-17 amending Chapter 1, General Administration, of Article III, Definitions, Section 1-22, Definition of Terms and Words, of the City of Ormond Beach *Land Development Code*, amending the definition of Transient Lodging, to clarify the minimum duration of renting residential property. (Planning Director) **APPROVED ON SECOND READING**
- F) Ordinance No. 2010-18 amending Sections 2-322, Conditions, of Article X, Franchises and Public Utilities, of Chapter 2, Administration, of the *Code of Ordinances*, by amending the provision pertaining to grants and renewals of franchises. (Public Works Director) **APPROVED ON SECOND READING**

9) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2010-19 updating the floodplain management and protection regulations of the City of Ormond Beach *Land Development Code* by amending Chapter 1, General Administration, Article III, Definitions, Section 1-22, Definition of Terms and Words, and Section 1-24, Acronyms and Abbreviations, deleting Section 3-12.B., Definitions, of Chapter 3, Performance Standards, Article II, Environmental Protection Standards, and reserving the section, amending Section 3-20, Floodplain Management and Protection, of Chapter 3, Performance Standards, Article II, Environmental Protection Standards. (Planning Director) **APPROVED ON FIRST READING, AMENDED TO REQUIRE A 1:1 RATIO FOR ALL MITIGATION.**
- B) Ordinance No. 2010-20 amending Chapter 3, Performance Standards, Article II, Environmental Protection Standards, Section 3-21, Wetland Protection, of the *Land Development Code* to delete the current wetland classification system to align with the St. Johns River Water Management District, Department of Environmental Protection, and Volusia County Wetland Standards for wetland impacts, required buffers, and mitigation. (Planning Director) **APPROVED ON FIRST READING**

C) Ordinance No. 2010-21 updating the sign regulations of the City of Ormond Beach by amending Chapter 1, General Administration, Article II, Definitions and Acronyms, Section 1-22, Definitions and Acronyms, Section 1-22, Definition of Terms and Words, deleting Chapter 2, General and District Regulations, Article VI, Overlay Districts, Section 2-70, Downtown Overlay District, Sub-section K, Signs, amending Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-38, Purpose, Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-39, Sign Permit Required, Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-40, Signs Exempt from the Permitting Standards of this Article, Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-41, Sign Maintenance, Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-42, Prohibited Signs, Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-43, Non-conforming Signs, Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-44, General Sign Regulations, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-45, Temporary Signs, and creating a section titled, Commercial vs. Non-commercial Speech and Content, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-46, Non-residential Site Identification Signs, and creating a section titled, Temporary Signs, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-47, Business Premise Identification Signs, and creating a section titled, Site Identification Signs, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-48, Specialized Signage Standard, and creating a section titled, Business Premise Identification Signs, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-49, Residential Development Identification Signs, and creating a section titled, Master Sign Plan, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-50, Historic District/Bed and Breakfast Inn Signs, deleting Chapter 3, Performance Standards, Article IV, Sign Regulations, Section 3-51, Sign Variances of the *Land Development Code*. (Planning Director) **APPROVED ON FIRST READING, AMENDED TO ALLOW HOUSES OF WORSHIP TO USE ELECTRONIC CHANGEABLE SIGNS**

10) **DISCUSSION ITEMS:**

A) Fire Department staffing. (Fire Chief)

Any changes would be postponed and reevaluated in three months.

B) Options for the use of the Birthplace of Speed logo. (Planning Director)

The Birthplace of Speed logo will be used only in the downtown and A1A area.

11) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.

12) **CLOSE THE MEETING.**