

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on
 2 Wednesday, October 04, 2017 at 6:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City,
 3 Florida.

4
 5 **1. CALL TO ORDER**

6
 7 The meeting was called to order at 6:00 p.m. by Chair Laputka and roll call was taken.

8
 9 **ROLL CALL:**

10
 11 **PRESENT:** Chair: Tom Laputka; Commissioners: Amy Campbell, Vernon Stafford, Martin Harper,
 12 Kathaline Salzano, Fran Schwartz, Michelle Polgar, (arrived at 6:07 p.m.), Staff
 13 Members: Rebecca Mendez, Development Service Director; Carol McFarlane, City
 14 Planner, City Attorney, Jennifer Barrington Nix, Deputy City Clerk, Melani Brown.

15
 16 Absences: None at this time

17
 18 **2. PLEDGE OF ALLEGIANCE**

19
 20 **3. APPROVAL OF MINUTES** September 6, 2017

21
 22 **Commissioner Harper moved to approve the minutes of the**
 23 **September 06, 2017 Planning Commission meeting as presented,**
 24 **seconded by Commissioner Stafford and passed by a 6/0 roll call vote**
 25 **of the Planning Commission.**

26
 27 **4. PUBLIC HEARINGS**

28
 29 **A. ORDINANCE 580:** an amendment to the Official Zoning Map to rezone the
 30 approximately ±6.66 acres of property known as Orange City Mobile Home Park
 31 from General Commercial (CG-2) and Medium Density Residential (R-2) to the
 32 Residential Planned Unit Development (RPUD) zoning classification.

33
 34 Jennifer Barrington Nix, City Attorney, read the title of Ordinance 580 into the record. She advised
 35 that this is a quasi-judicial public hearing and asked that any ex-parte communication on this topic be
 36 disclosed at this time. Ms. Nix noted for the record there were no disclosures.

37
 38 Carol McFarlane, City Planner, presented a detailed PowerPoint presentation (a copy of which is
 39 attached and becomes a permanent part of these minutes). She explained that this application is a
 40 rezoning request from General Commercial (CG-2) and Medium Density Residential (R-2) to a
 41 Residential Planned Unit Development (RPUD) zoning classification for the property known as the
 42 Orange City Mobile Home Park. She stated that mobile home dwelling units are not allowed in either
 43 the CG-2 or the R-2 zoning classifications and the park is currently a non conforming use, and is not
 44 eligible for building permits for new or replacement structures. The applicant wishes to rezone the
 45 property to make it compliant with the Land Development Code and to make improvements to the site.

1 Ms. McFarlane stated that the property is located at 1065 South Volusia Ave and has been used as a
2 mobile home park since the 1960's. She provided a brief history of the park. Ms. McFarlane discussed
3 the 10 rezoning review criteria.
4

5 Ms. McFarlane stated that staff recommends the Planning Commission find the rezoning request
6 consistent with the comprehensive plan and forward Ordinance 580 to the City Council for approval
7 with the following conditions:

- 8 1. Accept revisions to the Development Agreement, as may be applicable.
- 9 2. The Development Agreement shall be executed and recorded in the Volusia Council
10 Official Records with recommended changes as well as any changes requested by the City
11 Council within six months of approval.
12

13 Chair Laputka asked if the adjacent property concerning the septic was currently adequate. Ms.
14 McFarlane replied that the Volusia County Health Department is part of the technical review
15 committee and receives the application at the same time as the City and will request changes if
16 necessary. Chair Laputka also voiced his concern about the curb appeal of the property.
17

18 Charles Dehart, applicant for Sunrise Communities, came forward to answer any questions that the
19 Planning Commission may have.
20

21 Commissioner Stafford asked if the residents own the property or if they were renters.
22

23 Mr. Dehart replied there are some renters who typically stay for 1-2 years. However, there are 53 families
24 that own their own homes in the park.
25

26 Commissioner Polgar asked how many homes were condemned on the property. Mr. Dehart replied one.
27

28 Commissioner Salzano asked if there were absentee owners. Mr. Dehart replied no, there is one person
29 who owns two homes in the park and that owner rents one of the homes.
30

31 Chair Laputka opened the public hearing by asking if anyone wanted to speak for or against the
32 application, no one appeared. The chair closed the public hearing.
33

34 Ms. Nix noted that the date on the Ordinance will need to be updated. Ms. Mendez commented that the
35 Ordinance will need to be updated before it is presented to City Council.
36

37 Commissioner Campbell stated that she was pleased to see this type of property in the City.
38

39 **Commissioner Harper moved based upon competent substantial**
40 **evidence as presented, the Planning Commission recommends that the**
41 **City Council of the City of Orange City adopt Ordinance NO. 580,**
42 **thereby amending the Official Zoning Map classification of the**
43 **property known as Orange City Mobile Home Park from General**
44 **Commercial (CG-2) and Medium Density Residential (R-2) to the**
45 **Residential Planned Unit Development (RPUD) zoning classification**
46 **and find it to be consistent with the comprehensive plan, seconded by**
47 **Commissioner Salzano.**

1 Commissioner Polgar asked if the updates noted by the applicant will be updated in the notes before
 2 being presented to Council.

3
 4 Ms. Mendez recommended to keep the requirements in the development agreement and verbally
 5 update Council.

6
 7 **Motion passed with a 7/0 roll call vote of the Planning Commission.**

8
 9 **5. DISCUSSION ITEMS**

10
 11 Ms. Mendez reported that Florida Planning and Zoning Association (FPZA) chapter luncheon will be held
 12 on October 27th discussing medical marijuana at Deltona City Hall. She asked the Commission to email her
 13 if they were interested in attending. She reported that last year Chair Laputka accepted an FPZA award on
 14 behalf of the City for the Mill Lake project. Ms. Mendez stated that the City may be nominating the
 15 Historic Preservation Ordinance for one of the sustainability awards for FPZA.

16
 17 **6. STAFF/COMMISSION COMMENTS**

18
 19 Commissioner Salzano stated that she missed the last meeting and asked what decision was made on
 20 medical marijuana. Ms. Mendez replied that the Commission reviewed Ordinance No. 581, a text
 21 amendment defining dispensaries as pharmacies allowing them in the CG-1 and CH-2 zoning
 22 classifications. The first reading will be presented to Council on October 24, 2017.

23
 24 A lengthy discussion ensued between the Commission and Ms. Mendez discussing the medical
 25 marijuana restrictions and qualifications.

26
 27 Commissioner Schwartz reported that she attended the last council meeting to praise the Fire
 28 Department on their efforts after Hurricane Irma. She also attended the Coleman Park ribbon cutting
 29 and the National Night Out.

30
 31 Commissioner Harper read a newspaper article about a Planning Commissioner who resigned after
 32 state investigators found probable cause that he violated state ethics laws. Commissioner Harper stated
 33 as public officials, it is important to be careful.

34
 35 **7. CITIZEN COMMENTS**

36
 37 **8. ADJOURNMENT**

38
 39 There being no further business to discuss, Chair Laputka adjourned the meeting at 6:41 p.m.

40
 41 **RESPECTFULLY SUBMITTED:**

APPROVED ON

42
 43
 44 _____
 45 Melani Brown
 46 Deputy City Clerk

_____ 12/06/2017
 Date