

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

REVISED AGENDA • MAY 25, 2021

City Commission Chamber

Regular City Commission Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448



City Commission Chamber
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

CITY COMMISSION MEMBERS

Mayor
Chris Via

District 1 - Commissioner
John Penny

District 3 - Commissioner
John C. Danio

District 2 - Commissioner
Penny Currie

District 4 - Commissioner
Roy Johnson

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

- a. Roll Call
- b. Invocation by City Commissioner Penny Currie
- c. Pledge of Allegiance

2. PRESENTATION

- 1. Save the Arts Movement - Mural Painting on the Daytona Avenue Bridge
(Requested by Valerie Manning, City Clerk)

3. PUBLIC COMMENTS**4. APPROVAL OF MINUTES**

- 1. Minutes - May 11, 2021, Workshop on Pictona Phase 2 and May 11, 2021, Regular City Commission and CRA Meeting
(Requested by Valerie Manning, City Clerk)

5. CONSENT AGENDA - ITEMS (1 - 3)

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. Is there anyone in the audience who wishes to speak on any item on the Consent Agenda?

- 1. Resolution -2021-R-34 A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the First One (1) Year Extension of the Landscape Maintenance Services Agreement Between the City of Holly Hill and ABC Express Lawn Care, LLC and Authorize the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.
(Requested by Antoine Khoury, Public Works)
- 2. Resolution -2021-R-35 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute an Agreement in the Amount of \$50,040.00 with Sea Diversified, Inc., for the Provision of Construction Administrative Support Services, Inspections and Monitoring for the Replacement of 325 Linear Feet of the Northern Bulkhead of Sunrise Park North; Providing for Severability; and Providing for an Effective Date.
(Requested by Antoine Khoury, Public Works)
- 3. Volusia Sheriff's Office Clandestine Laboratory Cleanup Task Force - Memorandum of Understanding (2021)
(Requested by Steve Aldrich, Police)

6. REGULAR AGENDA

1. Resolution -2021-R-36 A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2020-2021; Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

7. PUBLIC HEARINGS

Please silence any cell phone, pager or noise making device as not to interrupt the meeting. Staff will introduce each item for consideration, with comments and recommendations. The applicant or appellant and supporters will be heard first. Those in opposition to the request will be heard next. Comments should be restricted to pertinent information regarding the agenda item under discussion. Out of courtesy to others, we ask that speakers keep their comments brief and try to limit these comments to information not previously discussed. Speakers should state their name and address clearly for the record. The City Clerk's office is required to retain any documents, photographs, drawings, etc. that are shown to the City Commissioners in support of a position. The City Commission may ask questions of speakers or of staff members. The Mayor will then ask the City Commission to make a recommendation or motion. Once a motion has been made and seconded, discussion will be closed to the floor. Following City Commission discussion, a vote will be taken. During voting, Commissioners who do not cast objecting votes are considered to have voted in support of the motion.

1. Ordinance -2021-O-3039 SECOND READING - ORDINANCE 3039 - an Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1860 N Nova Road and 1529 Old Kings Road Having Parcel Numbers 424231010280 and 424231010270 Respectively, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from MXZ (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And SECOND READING - ORDINANCE 3040 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit "A" from I-1 (Light Industrial) and B-5 (Heavy Commercial) to CC-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)

8. COMMUNICATIONS

- A. City Manager & Staff Comments
- B. City Attorney Comments
- C. City Commission Comments
- D. Mayor's Comments

9. ADJOURNMENT

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



Save the Arts Movement - Mural Painting on the Daytona Avenue Bridge

BACKGROUND:

Save The Arts Movement non-profit has landed its first opportunity in collaborating with the City of Holly Hill to beautify their Daytona Avenue bridge directly behind City Hall.

Dreamweaver Designs: Four Artists came together to collaborate on the LPGA bridge wall mural, the city's first piece of public art and the community loves it. We were astounded to see how many people had come by to see the mural unfold in less than 3 days!!! We were overwhelmed with the amount of support and excitement there was for this mural. Dreamweaver Designs is honored to contribute to this one with Natasha Azari, Ania Amador and Tasha Roth and
Taylor Renee.

Save The Arts Movement wants to thank City Manager Joe Forte for giving Save The Arts Movement the BIG opportunity to organize this project for our community. We were honored to have met Mayor Chris Via of Holly Hill to congratulate us. We also want to thank Ania Amador and Taylor Renee, for helping me coordinate and create the vision of this mural, and thank you Tasha Roth for coming in the second and 3rd day to help assist in the painting. Special thank you to Mallory Gabriella and Cole Klismith that contributed their time volunteering to facilitate for the Artists, special thank you Dick Liberty for coming out and creating the video of the mural process and Joe Plaskowski for photography.

And especially, a huge thank you to the residents that came out to check on us and all of our supporters for supporting our journey from the start.

For Further Information:

Natasha Azari wanted the public to know that she recently started a nonprofit organization called Save The Arts Movement. Their goal is to beautify our city and abroad other areas with murals. They hope to lift and inspire other Artists to create together, and inspire people to see the impactful value of the Arts through collaboration.

Please help us support the Movement by liking and sharing **Save The Arts Movement** Facebook page <https://www.facebook.com/SaveTheArtsMovement>.

Thank you all so much!!!

Presentation (ID # 3332)

Meeting of May 25, 2021

@AzariArt

@AniaAmador

@DreamWeaverdesigns

@TashaRothArt

2.1.a

Attachment: Pic 1-A (3332 : Save the Arts Movement -

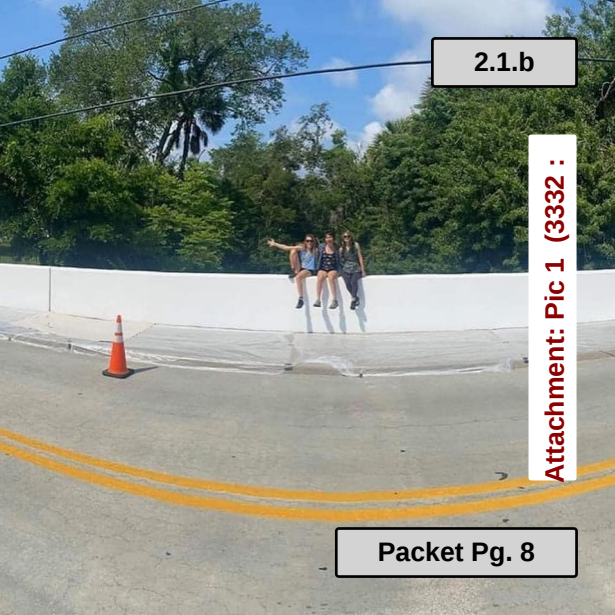
Packet Pg. 7



2.1.b

Attachment: Pic 1 (3332 :

Packet Pg. 8



2.1.c

Attachment: Pic 2 (3332 :

Packet Pg. 9



2.1.d

Attachment: Pic 3 (3332 :

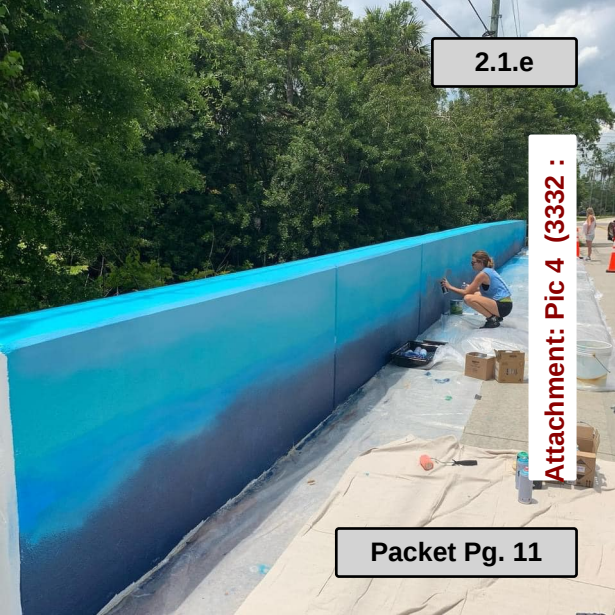
Packet Pg. 10



2.1.e

Attachment: Pic 4 (3332 :

Packet Pg. 11



2.1.f

Attachment: Pic 5 (3332 :

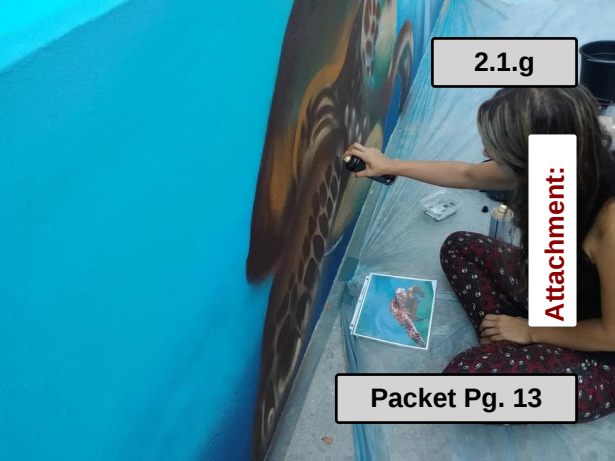
Packet Pg. 12



2.1.g

Attachment:

Packet Pg. 13



A woman with long brown hair is smiling as she paints a large, colorful mural on an outdoor wall. The mural features a large, vibrant red flower with green leaves in the foreground, and a blue bird flying in the sky above. The background is a mix of blue and green, suggesting a tropical setting. The woman is wearing a dark jacket and is holding a paintbrush, applying paint to the wall. The mural is painted on a light-colored wall, and the woman is standing on a concrete surface. The overall scene is bright and cheerful, with a focus on the woman's artistic process.

2.1.h

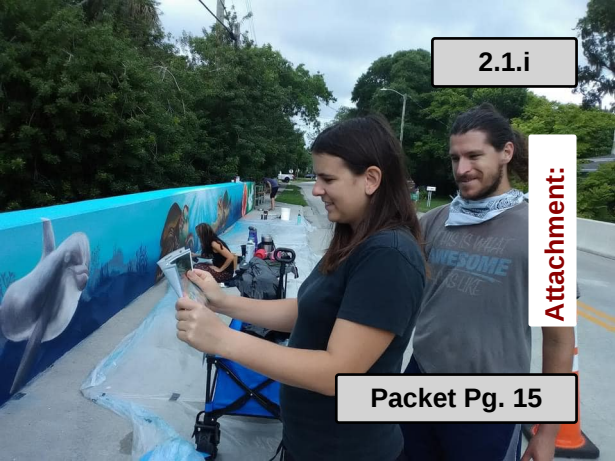
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Packet Pg. 14

2.1.i

Attachment:

Packet Pg. 15





2.1.j

Attachment:

Packet Pg. 16

2.1.k

Attachment: Pic 10 (3332

Packet Pg. 17





2.1.m

Attachment: Pic 12 (3332 : Save

Packet Pg. 19



**BY THE MAYOR OF THE CITY OF HOLLY HILL, FLORIDA
RECOGNIZING
SAVE THE ARTS MOVEMENT
May 25, 2021**

The City of Holly Hill would like to thank **Save The Arts Movement** and the following artists Natasha Azari, Ania Amador, Tasha Roth, and Taylor Renee who participated in the city's first mural on the Daytona Avenue bridge.

In Witness Whereof, I have hereunto set my hand and cause the Seal of the City of Holly Hill, Florida, to be affixed. Done at the City of Holly Hill, Florida, on Tuesday, May 25, 2021.

Chris Via, Mayor



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

4.1

**City Commission
Agenda Item**

MEETING DATE: May 25, 2021
FROM: Valerie Manning
SUBJECT: Minutes - May 11, 2021, Workshop on Pictona Phase 2 and May 11, 2021, Regular City Commission and CRA Meeting
NUMBER: (ID # 3330)
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from May 11, 2021 workshop on Pictona Phase 11 and May 11, 2021 regular City Commission and CRA meeting.

MOTION:

Approve both sets of minutes as submitted by staff.

- Minutes - May 11, 2021 - Regular City Commission and CRA meeting (PDF)
- Minutes - May 11, 2021 - Workshop - Pictona at Holly Hill - Phase 2 Update (PDF)



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • MAY 11, 2021

City Commission Chamber

Regular City Commission Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
Chris Via	Mayor	Present	
John Penny	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John C. Danio	District 3 - Commissioner	Present	
Roy Johnson	District 4 - Commissioner	Present	

b. Invocation by City Commissioner John Penny

Commissioner Penny led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

2. PRESENTATIONS

1.

Police Week Presentations - May 9-15, 2021

(Requested by Valerie Manning, City Clerk)

RESULT: NO VOTE NEEDED



3. RECESS THE CC MTG & CONVENE AS THE CRA

4. CRA AGENDA

1. -2021-R-28

A Resolution of the Community Redevelopment Agency (CRA) of the City of Holly Hill, Florida, Awarding a Contract Extension with RJ Landscape Contractors for the US1 Median Maintenance through December 31, 2021 in the Amount of \$45,996.00, and

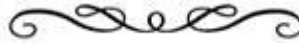
Authorizing the City Manager to Execute Any Necessary Price Agreements; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John Penny, District 1 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 11th day of May, 2021, in Holly Hill



5. ADJOURN AS THE CRA & RECONVENE THE CC MTG

6. PUBLIC COMMENTS

The following individual spoke to the Mayor and City Commissioners: Jim Legary, Holly Hill.

7. APPROVAL OF MINUTES

1.

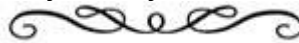
Minutes - April 13, 2021, Workshop and April 13, 2021, Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 11th day of May, 2021, in Holly Hill



8. CONSENT AGENDA - ITEMS (1 - 6)

Mayor Via asked if there was anyone in the audience who wished to speak on any item on the Consent Agenda or if any member of the Commission would like to pull an item for further discussion. There was no one.

1. -2021-R-29 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the City Manager to Enter into an Extension of the Professional Surveying Services Contract for the First One (1) Year Extension with Southeastern Surveying and Mapping Corp.,

and to Execute Any Necessary Price Agreements; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION

2021-R-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE CITY MANAGER TO ENTER INTO AN EXTENSION OF THE PROFESSIONAL SURVEYING SERVICES CONTRACT FOR THE FIRST ONE (1) YEAR EXTENSION WITH SOUTHEASTERN SURVEYING AND MAPPING CORP., AND TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE CITY MANAGER TO ENTER INTO AN EXTENSION OF THE PROFESSIONAL SURVEYING SERVICES CONTRACT FOR THE FIRST ONE (1) YEAR EXTENSION WITH SOUTHEASTERN SURVEYING AND MAPPING CORP. AND TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has approved a contract with Southeastern Surveying and Mapping Corp for professional surveying services; and

WHEREAS, this contract is for a three (3) year period beginning October 23, 2018 with two (2) one year extension options; and

WHEREAS, the City would like to extend this contract for the first one (1) year extension so Southeastern Surveying and Mapping Corp may perform a Network Pavement Condition Assessment of the City's roadways with an optional Pedestrian Access Route (Sidewalks and Crosswalks) Inventory and optional Sidewalk Conditions Assessment; and

WHEREAS, the requested amount for this assessment is \$35,974.20.00 and is budgeted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

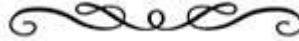
SECTION 1. That the City Commission of the City of Holly Hill to assess the Network Pavement Conditions with Pedestrian Access Route (Sidewalks and Crosswalks) Inventory and Sidewalk Conditions Assessment; and

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 11th day of MAY, 2021.

Enacted and approved this 11th day of May, 2021, in Holly Hill



2. -2021-R-30 Resolution

A Resolution of the City of Holly Hill, Florida, Supporting the FIVE Year Renewal to the Interlocal Agreement for Distribution of Proceeds of Local Option Fuel Tax for the Period September 1, 2020 - August 31, 2026; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

**RESOLUTION
2021-R-30**

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, SUPPORTING THE FIVE YEAR RENEWAL TO THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF PROCEEDS OF LOCAL OPTION FUEL TAX FOR THE PERIOD SEPTEMBER 1, 2020 - AUGUST 31, 2026; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, SUPPORTING THE FIVE YEAR RENEWAL TO THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF PROCEEDS OF LOCAL OPTION FUEL TAX FOR THE PERIOD SEPTEMBER 1, 2020 - AUGUST 31, 2026; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this extension to the agreement is entered into between the COUNTY OF VOLUSIA, a political subdivision of the State of Florida, and the municipalities of Volusia County by which it is executed; and

WHEREAS, the existing Interlocal Agreement governing the distribution of the

Local Option Fuel Taxes is set to expire on midnight, August 31, 2021; and

WHEREAS, the parties desire to extend the Interlocal Agreement and its distribution formula for the proceeds of the 6-Cent and 5-Cent Local Option Fuel Taxes for an additional five years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Interlocal Agreement for Distribution of Proceeds of Local Option Fuel Tax September 1, 2013 - August 31, 2021, is hereby renewed for an additional five (5) years. This renewal shall extend the Agreement to terminate midnight, August 31, 2026.

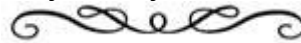
SECTION 2. All other terms and conditions of the Interlocal Agreement are hereby ratified and continue in full force and effect.

SECTION 3. This extension to the Agreement shall become effective if it shall have been executed by the County and by participating municipalities representing a majority of the population of the incorporated area of the County.

SECTION 4. This extension to the Agreement may be executed by the parties in counterparts, and each counterpart shall be deemed an original.

APPROVED AND AUTHENTICATED on this 11th day of MAY, 2021.

Enacted and approved this 11th day of May, 2021, in Holly Hill



3. -2021-R-31 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Renewing the Volusia Multi-Jurisdictional Program for Public Information Plan (PPI); Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION

2021-R-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, RENEWING THE VOLUSIA MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION PLAN (PPI); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, RENEWING THE VOLUSIA MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE .

WHEREAS, areas of the Holly Hill are vulnerable to coastal and riverine flooding that significantly threaten the safety of residents; and

WHEREAS, the National Flood Insurance Program (NFIP) provides federally supported flood insurance in communities that regulate development in floodplains; and

WHEREAS, the Community Rating System (CRS) rewards communities that exceed the minimum requirements of the NFIP that help citizens prevent or reduce flood losses; and

WHEREAS, the CRS program requirements were revised by the NFIP in 2013 to include new creditable activities, one of which is to develop and implement a Program for Public Information (PPI) Plan, a coordinated flood hazard outreach program for the purpose of building community resilience to flooding; and

WHEREAS, the CRS program requirements provide extra benefit for partnering with other jurisdictions to develop and implement a PPI Plan covering a broader, multi-jurisdictional area; and

WHEREAS, the City Commission adopted the original PPI Plan by Resolution 2018-R-70.

WHEREAS, the City of Holly Hill joined with its neighboring CRS communities, Volusia County, Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, and South Daytona, to develop

the updated 2020 Multi-Jurisdictional PPI Plan that provides a comprehensive, coordinated approach to improving communication with citizens to reduce injury and damage to property from future floods; and

WHEREAS, the City Commission finds the Plan consistent with its goals and objectives in reducing the potential for personal/property losses in flood prone areas and ensuring the lowest possible flood insurance premiums for property owners.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission hereby adopts the 2020 Volusia Multi-Jurisdictional Program for Public Information Plan.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 11th day of MAY, 2021.

Enacted and approved this 11th day of May, 2021, in Holly Hill



4.

River to Sea TPO - Bicycle and Pedestrian Advisory Board Committee - Alternate Board Member

(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 11th day of May, 2021, in Holly Hill



5.

FDOT State Highway Lighting, Maintenance and Compensation Agreement FY 21-22
Work Order

(Requested by Antoine Khoury, Public Works)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson



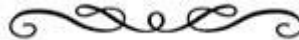
6.

Florida Department of Law Enforcement (FDLE) / United States Department of Justice
Drug Enforcement Administration (DEA) - Central Storage MOU (2021-2024)

(Requested by Steve Aldrich, Police)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 11th day of May, 2021, in Holly Hill



9. REGULAR AGENDA

1. -2021-R-32 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding a Contract Extension with RJ Landscape Contractors for the US1 Median Maintenance through December 31, 2021 in the Amount of \$45,996.00, and Authorizing the City Manager to Execute Any Necessary Price Agreements; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
Mayor Via opened public participation.

Heidi Heller, Holly Hill.

Mayor Via closed public participation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John Penny, District 1 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION

2021-R-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A CONTRACT EXTENSION WITH RJ LANDSCAPE CONTRACTORS FOR THE US1 MEDIAN MAINTENANCE THROUGH DECEMBER 31, 2021 IN THE AMOUNT OF \$45,996.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A CONTRACT EXTENSION WITH RJ LANDSCAPE CONTRACTORS FOR THE US1 MEDIAN MAINTENANCE THROUGH DECEMBER 31, 2021 IN THE AMOUNT OF \$45,996.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City approved a contract extension for the maintenance of the medians by the RJ Landscape Contractors, Inc., until June 30, 2021; and

WHEREAS, CRA desires to extend the maintenance contract an additional six (6) months; and

WHEREAS, there is budget available in 130-5510-552-3420 for fiscal year 2021; and

WHEREAS, the budget is anticipated to be available in 130-5510-552-3420 for fiscal year 2022; and

WHEREAS, the requested amount for this authorization is \$45,996.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City Commission of the City of Holly Hill approve the

contract extension with RJ Landscape Contractors, Inc.

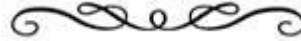
SECTION 2. That the fiscal year 2022 portion of this Resolution shall be contingent upon the approval of the budget appropriation for fiscal year 2022.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 11th day of MAY, 2021.

Enacted and approved this 11th day of May, 2021, in Holly Hill



2. -2021-R-33 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Proposed Change Order Number 1 Submitted by Brothers' Construction, Inc., for the Sunrise Park North Pier Replacement Project and Authorize the City Manager to Execute the Same; Providing for Severability; and Providing an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

**RESOLUTION
2021-R-33**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PROPOSED CHANGE ORDER NUMBER 1 SUBMITTED BY BROTHERS' CONSTRUCTION, INC., FOR THE SUNRISE PARK NORTH PIER REPLACEMENT PROJECT AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PROPOSED CHANGE ORDER NUMBER 1 SUBMITTED BY BROTHERS' CONSTRUCTION, INC., FOR THE SUNRISE PARK NORTH PIER REPLACEMENT PROJECT AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 23, 2021, the City Commission of the City of Holly Hill

approved a contract with Brothers' Construction, Inc., for the replacement of the Sunrise Park North Pier; and

WHEREAS, Sea Diversified, the engineer of record for the Sunrise Park North Replacement Project, has recommended the addition of center pilings for the main run of the pier in order to add stability and mitigate future damages; and

WHEREAS, City staff has reviewed the change order request and recommend the improvements to the pier construction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission approves change order number 1 submitted by Brothers' Construction, Inc., for the Sunrise Park North Pier Replacement Project

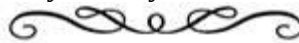
SECTION 2. The City Commission authorizes the City Manager to execute change order number 1 as submitted by Brothers' Construction, Inc.

SECTION 3. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 11th day of MAY, 2021.

Enacted and approved this 11th day of May, 2021, in Holly Hill



10. PUBLIC HEARINGS

1. -2021-O-3039 Ordinance

FIRST READING - ORDINANCE 3039 - an Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1860 N Nova Road and 1529 Old Kings Road Having Parcel Numbers 424231010280 and 424231010270 Respectively, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Mxz (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And FIRST READING - ORDINANCE 3040 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from I-1 (Light Industrial) and B-5 (Heavy Commercial) to Cc-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Attorney Simpson read both titles, but the Ordinances were voted on separately.

Mayor Via opened public participation. No one spoke.

*Commissioner Johnson made a motion to **ADOPT ORDINANCE 3039 FOR FIRST READING**, seconded by Commissioner Currie.*

PASSED, 5-0.

*Commissioner Currie made a motion to **ADOPT ORDINANCE 3040 FOR FIRST READING**, seconded by Commissioner Danio.*

PASSED, 5-0.

RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 5/25/2021 6:00 PM
MOVER:	Roy Johnson, District 4 - Commissioner	
SECONDER:	Penny Currie, District 2 - Commissioner	
AYES:	Via, Penny, Currie, Danio, Johnson	



11. COMMUNICATIONS

A. City Manager & Staff Comments

a.

3295 : FDOT Traffic Signal Maintenance and Compensation Agreement FY21/22
Work Order

(Requested by Antoine Khoury, Public Works)

*Commissioner Penny made a motion to **APPROVE the FDOT TRAFFIC SIGNAL MAINTENANCE, COMPENSATION AGREEMENT WORK ORDER FY 2021-2022**, seconded by Commissioner Currie.*

Mayor Via opened public participation. No one spoke.

PASSED, 5-0.



b.

Support of County Wide Pet License Program

(Requested by Joseph Forte, City Manager)

*Commissioner Currie made a motion to **AUTHORIZING THE CITY MANAGER TO SEND A LETTER OF SUPPORT TO VOLUSIA COUNTY FOR THE***

COUNTY-WIDE PET LICENSE PROGRAM, seconded by Commissioner Johnson.

Mayor Via opened public participation.

Heidi Heller, Holly Hill spoke.

Mayor Via closed public participation.

PASSED, 5-0.



c.

Volusia County- Justice Assistance Grant (JAG) Agency Funding Allocation - FY 2020-2021

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

Mr. Forte reminded the Mayor and Commissioners that on Tuesday, May 25th at 5:00 PM there is an Executive Session/SHADE meeting for Union Negotiations; in June there will be a workshop for the mid-year budget; briefly mentioned that there needs to be some changes at the YMCA; he sent them an email/letter and is waiting to hear back from them.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 11th day of May, 2021, in Holly Hill



B. City Attorney Comments
None.

C. City Commission Comments
The Mayor and Commissioners thanked all of the Police Officers for their hard work and spoke of how much they are appreciated all year long and not just during Police Week.

Commissioner Penny attended the event at Eclectic Church for their coffee on the bus event; reminded everyone about the Touch A Truck event next Saturday, May 22nd in front of City Hall that is being put on by the Chamber; reminded everyone that the Volusia League of Cities dinner is May 27th and that will be their last virtual meeting.

Commissioner Currie thanked the first responders for the help that they all participated in last week in the three tragic incidences in Holly Hill.

Commissioner Danio mentioned it was a good, productive workshop tonight with the Martens on Pictona Phase 2; wished Jim Cameron (who was present) a happy retirement.

Commissioner Johnson wished Jim Cameron a happy retirement; the Touch a Truck event next Saturday; Pictona Phase 2 is going to be a good thing for the city.

D. Mayor's Comments

Mayor Via thanked all of our police officers during Police Week.

12. ADJOURNMENT

The meeting adjourned at approximately 7:25 PM.



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • MAY 11, 2021

City Commission Chamber

Work Session

5:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
Chris Via	Mayor	Present	
John Penny	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John C. Danio	District 3 - Commissioner	Present	
Roy Johnson	District 4 - Commissioner	Present	

2. PICTONA AT HOLLY HILL - PHASE II UPDATE ON DESIGN & DEVELOPMENT COSTS

Rainer and Julie Martens were present to show a PowerPoint presentation to the Mayor, Commissioners and staff regarding Pictona at Holly Hill - Phase II Update on Design and Development. The following slides were discussed by Mr. Marten. *(A copy of the full meeting may be obtained through the City Clerk's office, copied onto a CD or listen online to the audio under this workshop date).*

Pictona at Holly Hill - Phase 2
Why are they here tonight?

- We want to build Pictona 2 in Hollyland Park
- The cost is projected to be \$4 million
- We are asking the City to contribute \$1 million
- (Mr. Marten will explain why)
- Mr. Marten discussed the rising costs of the materials

Pictona at Holly Hill - (As it is now) - What they have built

- Clubhouse/player shop
- Games room
- Senior Activity Center (inside)
- Recreation courts
- Restaurant
- Covered courts
- Outdoor courts
- Pavilion
- Gardens
- Welcome Desk

- Locker Rooms
- Croquet is offered

Great Facilities / Great Programs

Pictona by the Numbers:

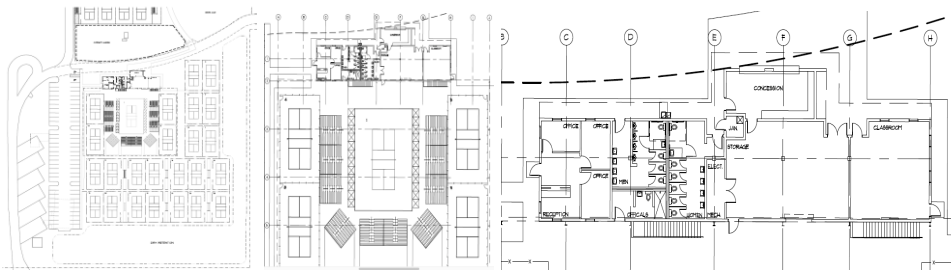
720 members
 2825 day passes
 39,525 member attendance
 5 tournaments, 1425 participants
 81 PB101 Classes, 748 students
 48 Advanced Classes
 36 Garden Plots; 65 club members
 17 Health classes; 69 students
 151 fitness classes; 1045 students

Pictona at Holly Hill - Phase 2

What they want to build in Pictona 2:

- 24 courts
- An arena seating 1200-1500
- Education building
- Parking lot
- 10 RV spaces

At this time, Mr. Martens showed some site plans to the Mayor, City Commissioners, and staff.



Construction Costs

- | | |
|------------------------|-----------|
| • Design & engineering | \$165,000 |
| • Site preparation | \$600,000 |
| • Court construction | \$625,000 |
| • Building | \$600,000 |
| • Covered courts | \$820,000 |
| • Seating | \$265,000 |
| • FF&E | \$60,000 |
| • Fencing/windcreens | \$90,000 |
| • Parking/paving | \$260,000 |
| • Electrical | \$30,000 |

- Other \$285,000
- Allowance \$200,000
- Total** **\$4,000,000**

How We Will Use Pictona 2

- **Education Center**
 - Training to play better
 - Training to be an instructor
 - Training for referees
 - Training for administrators
 - **Junior pickleball program**
 - Instruction
 - Leagues
 - Tournaments
 - **Tournaments**
 - 1-2 major tournaments
 - Monthly minor tournaments
 - **Entertainment**
 - Music
 - Plays
 - Comedy
 - Other
 - **Special Events**
 - Weddings
 - Anniversaries
 - Graduations
 - Corporate events
 - Other celebrations

Is It Worth Building?

Economic Impact of Pictona

\$40 million from 2022 - 2026

- Based on National Recreation and Park Association economic impact model

Pictona Impact on People

- Physical
- Psychological
- Social

Impact of Pictona on Community

- Fulfill duty to citizens
- Engagement
- Pride

Unforeseen Consequences

- Cannot always see what might be, but you create the conditions for good things to happen
- Bishops Crossing RV Park
- Real estate boom? Restaurants? Hotels? Other businesses?

The Value of Excellence

- Specialization in something, working hard to become excellent, provides the opportunity to not just be ordinary, but extraordinary.
- Human Kinetics
- Specialize in pickleball

Why Are We Here?

- Julie and I see this as an opportunity to do something great - great for pickleball, great for people, and great for Holly Hill.
- And we are willing to pay a large portion of the cost.
- We ask you to invest a relatively small amount of \$1 million to receive \$3 million to build something GREAT!

Your Decision: Time Is Of The Essence!

At this time there was some discussion amongst the Mayor, Commissioners and staff. There was **CONSENSUS** to move forward with Pictona at Holly Hill 2.

(A copy of this workshop may be obtained in the City Clerk's Office, which would be copied to a CD or audio is available on the city's website).

3. **ADJOURNMENT**

The workshop adjourned at approximately 6:10 PM.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Resolution**

MEETING DATE: May 25, 2021
FROM: Antoine Khoury
SUBJECT: A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the First One (1) Year Extension of the Landscape Maintenance Services Agreement Between the City of Holly Hill and ABC Express Lawn Care, LLC and Authorize the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.
NUMBER: 2021-R-34
APPLICANT:
PLANNER:

DISCUSSION:

On September 25, 2018, the City Commission approved an agreement with ABC Express Lawn Care, LLC to provide landscape maintenance of City grounds through RFP 18-PW-04. On October 13, 2020, the City Commission approved the execution of a change order to this contract to include additional landscape maintenance of City facilities.

The terms for RFP 18-PW-04 are for three (3) years with two (2) optional one (1) year extensions as approved by the City. Without extensions, this contract is scheduled to expire on September 25, 2021.

Grounds maintained in this agreement include City Hall, the City Hall Annex, Fire Station, YMCA, Boys & Girls Club, Sica Hall, the Pictona Complex, Centennial Park, Sunrise Parks North and South, Grove Avenue Park, Riviera Oaks Dog Park, Riverside Park, Hallman Pond, 7th Street Park, Shirley Heyman Pond, Ross Point and the right-of-way landscaping bed located at 224 Riverside Drive.

ABC Express Landscape continues to do an exemplary job in the maintenance of landscaping throughout the City, and as such, it is the recommendation of staff that this agreement be approved for the first of its two (2) one (1) year extensions.

A copy of the executed professional services agreement is attached under 'Exhibit A'.

FISCAL ANALYSIS:

No increases in the cost of services have been requested by the contractor or approved by the City. The annual cost of the agreement to maintain landscaping in City buildings and grounds will remain \$123,490 for fiscal year 2021-2022.

STAFF RECOMMENDATION:

Approve the first one (1) year extension of the landscape maintenance services agreement between the City of Holly Hill and ABC Express Lawn Care, LLC and authorize the City Manager to execute the same.

COMMISSION GOAL:

Goal #1: Develop and maintain a sound and sustainable financial plan for the city that establishes sufficient reserves for all funds, ensures (whenever possible) that user fees pay for services rendered, provides a realistic capital improvement program, and encourages public/private sector partnerships and intergovernmental partnerships.

Goal #2: Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

Goal #5: Promote a small town city “branding” that focuses on the city’s accessible staff and interactive use of technologies (i.e. city website), the city’s business friendly approach to attract and retain business, and the city’s available open space, parks, and waterfront amenities that enhance the quality of life for citizens.

MOTION:

APPROVE THE FIRST ONE (1) YEAR EXTENSION OF THE LANDSCAPE MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND ABC EXPRESS LAWN CARE, LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.

ATTACHMENTS:

- Exhibit A (1)(PDF)

Resolution No. 2021-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST ONE (1) YEAR EXTENSION OF THE LANDSCAPE MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND ABC EXPRESS LAWN CARE, LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST ONE (1) YEAR EXTENSION OF THE LANDSCAPE MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND ABC EXPRESS LAWN CARE, LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the contract with ABC Express Lawn Care, LLC to provide landscape maintenance services was approved by the City Commission on September 25, 2018 with a term of three (3) years with two (2) one-year extension options; and

WHEREAS, ABC Express Lawn Care, LLC continue to do an exemplary job in the landscape maintenance of City buildings and grounds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission approves the first one (1) year extension of the landscape maintenance service agreement between the City of Holly Hill and ABC Express Lawn Care, LLC.

SECTION 2. The City Commission authorizes the City Manager to execute the first (1) year extension year extension of the landscape maintenance service agreement between the City of Holly Hill and ABC Express Lawn Care, LLC.

SECTION 3. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 25th day of MAY, 2021.

**PROFESSIONAL SERVICES AGREEMENT
LANDSCAPE MAINTENANCE SERVICES
Request for Proposal (RFP) #18-PW-04**

THIS AGREEMENT is made and entered into this 25th day of September, 2018, by and between David Doyle (ABC Express Lawn Care LLC), duly authorized to conduct business in the State of Florida and whose address is 495 North Pine Meadow Dr Debary, hereinafter, called "CONTRACTOR" and the **CITY OF HOLLY HILL**, a political subdivision of the State of Florida, whose address is 1065 Ridgewood Ave, Holly Hill, FL 32117, hereinafter called "CITY".

SECTION 1. AGREEMENT. The terms of this Agreement, together with the incorporation of the terms and conditions of the Request for Proposal (RFP #18-PW-04), and any exhibits, schedules and attachments hereto, and any and all amendments relating to same, and any and all submittals from CONTRACTOR, constitute the entire Agreement between CITY and CONTRACTOR. This Agreement is the final, complete and exclusive expression of the terms and conditions of the parties' Agreement. Any and all prior agreements, representations, negotiations, and understandings made by the parties, oral or written, expressed or implied, are hereby superseded and merged herein.

SECTION 2. TERM OF AGREEMENT. The term of this Agreement shall be for three (3) years from the date of award with two (2) one year extension options. Renewal options may be exercised at the discretion of the City based on performance of the company and adherence to the terms and conditions set forth in the RFP documents. The City retains the sole right to determine whether the renewal option shall be granted.

SECTION 3. COMPENSATION. For Services rendered, the CITY shall pay the CONTRACTOR a lump-sum fee, including or excluding reimbursable expenses as mutually agreed upon. Unless otherwise agreed in a Scope of Services, the CONTRACTOR will invoice the City monthly based upon the CONTRACTOR's estimate of the portion of the total Services actually completed at the time of billing.

SECTION 4. REIMBURSABLE EXPENSES. "Reimbursable Expenses" means the actual, necessary and reasonable expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto for travel; toll telephone calls and facsimiles; reproduction of reports, drawings and specifications, and similar Project-related items; as provided in the City's Purchasing Policy.

SECTION 5. NOTICES. Whenever either party desires to give notice unto the other, it must be given by written notice, sent by registered or certified United States mail, return receipts requested, addressed to the party for whom it is intended at the place last specified. The place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this Section. For the present, the parties designate the following as the respective places for giving of notice, to-wit:

For City:
Valerie Manning, City Clerk
City of Holly Hill
1065 Ridgewood Ave.
Holly Hill, FL 32117
(386)248-9441

For Contractor: President
David Doyle, owner (Name, Title)
ABC Express Lawn Care LLC (Company)
495 North Pine Meadow Dr (Address)
Debary Florida 32713 (City, State, Zip)
386 216-3998 (Phone)

SECTION 6. RIGHTS AT LAW RETAINED. The rights and remedies of CITY, provided for under this Agreement, are in addition and supplemental to any other rights and remedies provided by law.

SECTION 7. CONTROLLING LAW, VENUE, ATTORNEY'S FEES. This Agreement is to be governed, construed, and interpreted by, through and under the laws of Florida. Venue for any litigation between the parties to this Agreement shall be in the County of Volusia, Florida and any trial shall be non-jury. The prevailing party in any litigation arising from or related to this Agreement shall be reimbursed reasonable attorney fees and costs, including all fees and costs of an appeal.

SECTION 8. MODIFICATIONS TO AGREEMENT. This Agreement and any exhibits, amendments and schedules may only be amended, supplemented, modified or canceled by a written instrument duly executed by the parties hereto of equal dignity herewith.

SECTION 9. SEVERABILITY. If, during the term of this Agreement, it is found that a specific clause or condition of this Agreement is illegal under federal or state law, the remainder of the Agreement not affected by such a ruling shall remain in force and effect.

SECTION 10. WAIVER OF JURY TRIAL. THE CITY AND CONSULTANT HAVE SPECIFICALLY WAIVED THE RIGHT TO A JURY TRIAL CONCERNING ANY DISPUTES WHICH MAY ARISE CONCERNING THIS AGREEMENT.

SECTION 11. NON-WAIVER. No indulgence, waiver, election or non-election by CITY under this Agreement shall affect CONSULTANT's duties and obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date written above for execution, by CITY.

WITNESSES:

Valerie Manning

CITY OF HOLLY HILL

Joseph Forte
Joseph Forte, City Manager

Dated: 10-19-2018

WITNESSES:

FIRMS

By: ABC Express Lawn Care LLC

Dated: 10-1-2018

Attachments: A. RFP #18-PW-04

B. Firm Response to RFP

Approved by the City Commission of the City of
Holly Hill at a meeting held on this 25th
day of September, 2018 under
Agenda Item No. 6.5.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Resolution**

MEETING DATE: May 25, 2021
FROM: Antoine Khoury
SUBJECT: A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute an Agreement in the Amount of \$50,040.00 with Sea Diversified, Inc., for the Provision of Construction Administrative Support Services, Inspections and Monitoring for the Replacement of 325 Linear Feet of the Northern Bulkhead of Sunrise Park North; Providing for Severability; and Providing for an Effective Date.
NUMBER: 2021-R-35
APPLICANT:
PLANNER:

DISCUSSION:

On March 26, 2019, the City Commission approved a contract with Sea Diversified, Inc., to provide the engineering and design of the Hurricane Irma damaged seawalls located at Sunrise Park and Riverside Park. Since the time of award, the Federal Emergency Management Agency (FEMA) has found the Riverside Park bulkhead and the Sunrise Park North southern bulkhead ineligible for federal reimbursement. However, the replacement of 325 linear feet of the northern bulkhead at Sunrise Park has been approved by FEMA as an alternate project eligible for reimbursement. The design of the seawall has now been completed and the construction phase of this project has been prepared for advertisement.

On May 11, 2021, a proposal from Sea Diversified was received in the amount of \$50,040.00 to provide construction administrative support services, inspections and monitoring during the construction phase of the northern bulkhead replacement project. This proposal is included under "Exhibit A".

Construction inspections and monitoring are critical to this project in order to ensure that construction is done according to the design specifications, according to permit requirements, and according to FEMA requirements.

FISCAL ANALYSIS:

The replacement of 325 linear feet of the Sunrise Park North Northern Bulkhead was approved as an alternate project and is subject to reimbursement from FEMA in the amount of 90% of cost up to \$561,231.99. The CEI of \$50,040.00 will need to be paid for by the City with \$45,036.00 reimbursed by FEMA following project completion.

\$828,080 is budgeted for the replacement of the northern bulkhead at Sunrise Park North.

STAFF RECOMMENDATION:

Approve the proposal from Sea Diversified to provide construction administrative support services, inspections and monitoring for the replacement of 325 linear feet of the northern bulkhead at Sunrise Park North.

COMMISSION GOAL:

Goal #2: Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

MOTION:

APPROVE THE RESOLUTION FOR THE PROPOSAL FROM SEA DIVERSIFIED TO PROVIDE CONSTRUCTION ADMINISTRATIVE SUPPORT SERVICES, INSPECTIONS AND MONITORING FOR THE REPLACEMENT OF 325 LINEAR FEET OF THE NORTHERN BULKHEAD AT SUNRISE PARK NORTH.

ATTACHMENTS:

- Exhibit A (1)(PDF)
- Sea Diversified, Inc. Professional Services Agreement - Fully Executed - March 2019 (PDF)

Resolution No. 2021-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$50,040.00 WITH SEA DIVERSIFIED, INC., FOR THE PROVISION OF CONSTRUCTION ADMINISTRATIVE SUPPORT SERVICES, INSPECTIONS AND MONITORING FOR THE REPLACEMENT OF 325 LINEAR FEET OF THE NORTHERN BULKHEAD OF SUNRISE PARK NORTH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$50,040.00 WITH SEA DIVERSIFIED, INC., FOR THE PROVISION OF CONSTRUCTION ADMINISTRATIVE SUPPORT SERVICES, INSPECTIONS AND MONITORING FOR THE REPLACEMENT OF 325 LINEAR FEET OF THE NORTHERN BULKHEAD OF SUNRISE PARK NORTH; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission selected Sea Diversified to supply engineering and construction inspection services for the professional design of the Sunrise Park North northern bulkhead on March 26, 2019; and

WHEREAS, FEMA has found the replacement of 325 linear feet of the Sunrise Park North northern bulkhead eligible for reimbursement as an alternate project; and

WHEREAS, construction administration support services are critical to ensure compliance with design, permit and FEMA requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to execute the agreement with Sea Diversified, Inc., in the amount of \$50,040.00 to provide construction administrative support, inspections and monitoring for the replacement of the northern bulkhead at Sunrise Park North.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or

impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 25th day of MAY, 2021.

**PROFESSIONAL SERVICES AGREEMENT
LANDSCAPE MAINTENANCE SERVICES
Request for Proposal (RFP) #18-PW-04**

THIS AGREEMENT is made and entered into this 25th day of September, 2018, by and between David Doyle (ABC Express Lawn Care LLC), duly authorized to conduct business in the State of Florida and whose address is 495 North Pine Meadow Dr Debary, hereinafter, called "CONTRACTOR" and the CITY OF HOLLY HILL, a political subdivision of the State of Florida, whose address is 1065 Ridgewood Ave, Holly Hill, FL 32117, hereinafter called "CITY".

SECTION 1. AGREEMENT. The terms of this Agreement, together with the incorporation of the terms and conditions of the Request for Proposal (RFP #18-PW-04), and any exhibits, schedules and attachments hereto, and any and all amendments relating to same, and any and all submittals from CONTRACTOR, constitute the entire Agreement between CITY and CONTRACTOR. This Agreement is the final, complete and exclusive expression of the terms and conditions of the parties' Agreement. Any and all prior agreements, representations, negotiations, and understandings made by the parties, oral or written, expressed or implied, are hereby superseded and merged herein.

SECTION 2. TERM OF AGREEMENT. The term of this Agreement shall be for three (3) years from the date of award with two (2) one year extension options. Renewal options may be exercised at the discretion of the City based on performance of the company and adherence to the terms and conditions set forth in the RFP documents. The City retains the sole right to determine whether the renewal option shall be granted.

SECTION 3. COMPENSATION. For Services rendered, the CITY shall pay the CONTRACTOR a lump-sum fee, including or excluding reimbursable expenses as mutually agreed upon. Unless otherwise agreed in a Scope of Services, the CONTRACTOR will invoice the City monthly based upon the CONTRACTOR's estimate of the portion of the total Services actually completed at the time of billing.

SECTION 4. REIMBURSABLE EXPENSES. "Reimbursable Expenses" means the actual, necessary and reasonable expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto for travel; toll telephone calls and facsimiles; reproduction of reports, drawings and specifications, and similar Project-related items; as provided in the City's Purchasing Policy.

SECTION 5. NOTICES. Whenever either party desires to give notice unto the other, it must be given by written notice, sent by registered or certified United States mail, return receipts requested, addressed to the party for whom it is intended at the place last specified. The place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this Section. For the present, the parties designate the following as the respective places for giving of notice, to-wit:

For City:
Valerie Manning, City Clerk
City of Holly Hill
1065 Ridgewood Ave.
Holly Hill, FL 32117
(386)248-9441

For Contractor: President
David Doyle, owner (Name, Title)
ABC Express Lawn Care LLC (Company)
495 North Pine Meadow Dr (Address)
Debary Florida 32713 (City, State, Zip)
386 216-3998 (Phone)

SECTION 6. RIGHTS AT LAW RETAINED. The rights and remedies of CITY, provided for under this Agreement, are in addition and supplemental to any other rights and remedies provided by law.

SECTION 7. CONTROLLING LAW, VENUE, ATTORNEY'S FEES. This Agreement is to be governed, construed, and interpreted by, through and under the laws of Florida. Venue for any litigation between the parties to this Agreement shall be in the County of Volusia, Florida and any trial shall be non-jury. The prevailing party in any litigation arising from or related to this Agreement shall be reimbursed reasonable attorney fees and costs, including all fees and costs of an appeal.

SECTION 8. MODIFICATIONS TO AGREEMENT. This Agreement and any exhibits, amendments and schedules may only be amended, supplemented, modified or canceled by a written instrument duly executed by the parties hereto of equal dignity herewith.

SECTION 9. SEVERABILITY. If, during the term of this Agreement, it is found that a specific clause or condition of this Agreement is illegal under federal or state law, the remainder of the Agreement not affected by such a ruling shall remain in force and effect.

SECTION 10. WAIVER OF JURY TRIAL. THE CITY AND CONSULTANT HAVE SPECIFICALLY WAIVED THE RIGHT TO A JURY TRIAL CONCERNING ANY DISPUTES WHICH MAY ARISE CONCERNING THIS AGREEMENT.

SECTION 11. NON-WAIVER. No indulgence, waiver, election or non-election by CITY under this Agreement shall affect CONSULTANT's duties and obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date written above for execution, by CITY.

WITNESSES:

Valerie Manning

CITY OF HOLLY HILL

Joseph Forte
Joseph Forte, City Manager

Dated: 10-19-2018

WITNESSES:

FIRMS

By: ABC Express Lawn Care LLC

Dated: 10-1-2018

Attachments: A. RFP #18-PW-04

B. Firm Response to RFP

Approved by the City Commission of the City of Holly Hill at a meeting held on this 25th day of September, 2018 under Agenda Item No. 6.5.

PROFESSIONAL CONSULTANT SERVICES AGREEMENT

Professional Design Services for Sunrise Piers

Request for Qualification (RFQ) #18-PW-03

THIS AGREEMENT is made and entered into this 26th day of ^{March 2019}~~July, 2018~~, by and between Sea Diversified, Inc., duly authorized to conduct business in the State of Florida and whose address is 1900 S. Harbor City Blvd, #110, Melbourne, FL 32901 hereinafter, called "CONSULTANT" and the **CITY OF HOLLY HILL**, a political subdivision of the State of Florida, whose address is 1065 Ridgewood Ave, Holly Hill, FL 32117, hereinafter called "CITY".

SECTION 1. AGREEMENT. The terms of this Agreement, together with the incorporation of the terms and conditions of the Request for Qualifications (RFQ #18-PW-03), and any exhibits, schedules and attachments hereto, and any and all amendments relating to same, and any and all submittals from CONSULTANT, constitute the entire Agreement between CITY and CONSULTANT. This Agreement is the final, complete and exclusive expression of the terms and conditions of the parties' Agreement. Any and all prior agreements, representations, negotiations, and understandings made by the parties, oral or written, expressed or implied, are hereby superseded and merged herein.

SECTION 2. TERM OF AGREEMENT. The term of this Agreement shall be for three (3) years from the date of award with two (2) one year extension options which may be exercised at the sole discretion of the City.

SECTION 3. COMPENSATION. For Services rendered, the CITY shall pay the CONSULTANT a lump-sum fee, including or excluding reimbursable expenses as mutually agreed upon. Unless otherwise agreed in a Scope of Services, the CONSULTANT will invoice the City monthly based upon the CONSULTANT's estimate of the portion of the total Services actually completed at the time of billing.

SECTION 4. REIMBURSABLE EXPENSES. "Reimbursable Expenses" means the actual, necessary and reasonable expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto for travel; toll telephone calls and facsimiles; reproduction of reports, drawings and specifications, and similar Project-related items; as provided in the City's Purchasing Policy.

SECTION 5. NOTICES. Whenever either party desires to give notice unto the other, it must be given by written notice, sent by registered or certified United States mail, return receipts requested, addressed to the party for whom it is intended at the place last specified. The place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this Section. For the present, the parties designate the following as the respective places for giving of notice, to-wit:

For City:

Valerie Manning, City Clerk
City of Holly Hill
1065 Ridgewood Ave.
Holly Hill, FL 32117
(386)248-9441

For Contractor:

William T Sadler, Jr, PE, PSM - President (Name, Title)
Sea Diversified, Inc. (Company)
1900 S. Harbor City Blvd, Suite 110 (Address)
Melbourne, Florida, 32901 (City, State, Zip)
(321) 984-7268 (Phone)

Attachment: RFQ 18-PW-03 Sea Diversified (2227 : RFQ 18-PW-03 – Professional Design Sunrise Pier)
Attachment: Sea Diversified, Inc. Professional Services Agreement - Fully Executed - March 2019 (2021-R-35 : Construction Inspections and

SECTION 6. RIGHTS AT LAW RETAINED. The rights and remedies of CITY, provided for under this Agreement, are in addition and supplemental to any other rights and remedies provided by law.

SECTION 7. CONTROLLING LAW, VENUE, ATTORNEY'S FEES. This Agreement is to be governed, construed, and interpreted by, through and under the laws of Florida. Venue for any litigation between the parties to this Agreement shall be in the County of Volusia, Florida and any trial shall be non-jury. The prevailing party in any litigation arising from or related to this Agreement shall be reimbursed reasonable attorney fees and costs, including all fees and costs of an appeal.

SECTION 8. MODIFICATIONS TO AGREEMENT. This Agreement and any exhibits, amendments and schedules may only be amended, supplemented, modified or canceled by a written instrument duly executed by the parties hereto of equal dignity herewith.

SECTION 9. SEVERABILITY. If, during the term of this Agreement, it is found that a specific clause or condition of this Agreement is illegal under federal or state law, the remainder of the Agreement not affected by such a ruling shall remain in force and effect.

SECTION 10. WAIVER OF JURY TRIAL. THE CITY AND CONSULTANT HAVE SPECIFICALLY WAIVED THE RIGHT TO A JURY TRIAL CONCERNING ANY DISPUTES WHICH MAY ARISE CONCERNING THIS AGREEMENT.

SECTION 11. NON-WAIVER. No indulgence, waiver, election or non-election by CITY under this Agreement shall affect CONSULTANT's duties and obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date written above for execution by CITY.

WITNESSES:

Valerie Manning

CITY OF HOLLY HILL

Joseph Forte, City Manager

Dated: 5-12-2021

WITNESSES:

FIRMS

By: WILLIAM T. SALLER JR., FIRM PRESIDENT

Dated: SEPTEMBER 10, 2018

Attachments: A. RFQ #18-PW-03

B. Firm Response to RFQ

Approved by the City Commission of the City of Holly Hill at a meeting held on this 26th day of March, 2018 under Agenda Item No. 7(1) ²⁰¹⁹.

Attachment: RFQ 18-PW-03 Sea Diversified (2227 : RFQ 18-PW-03 – Professional Design Sunrise Pier)
Attachment: Sea Diversified, Inc. Professional Services Agreement - Fully Executed - March 2019 (2021-R-35 : Construction Inspections and



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Agenda Item**

5.3

MEETING DATE: May 25, 2021
FROM: Steve Aldrich
SUBJECT: Volusia Sheriff's Office Clandestine Laboratory Cleanup Task
Force - Memorandum of Understanding (2021)
NUMBER: (ID # 3329)
APPLICANT:
PLANNER:

DISCUSSION:

The Volusia Sheriff's Office Clandestine Laboratory Cleanup Task Force has been fully operational with the full cooperation of all Volusia Law Enforcement agencies since September 2013. The Holly Hill Police Department has been a member of the Clandestine Laboratory Cleanup Task Force since inception to reduce the cost of dismantling and disposal fees associated with the clean-up of both active and inactive illicit methamphetamine labs within the City.

Holly Hill Police Department's participation in the Clandestine Laboratory Cleanup Task Force has proven to save the city thousands of dollars annually with greatly reducing costs associated with the clean-up and collection of evidence related to Methamphetamine Investigations. The prior cost to dispose of Methamphetamine labs averaged \$2,500.00 - \$3,000.00 per lab, but could be much higher depending upon the size of the clandestine laboratory. The current cost to dispose of a methamphetamine laboratory averages around \$200.00 per incident. Since the inception of the Clandestine Laboratory Cleanup Task Force, the City of Holly Hill has encountered a total of nearly 15 clandestine methamphetamine laboratories. Saving the City of Holly Hill approximately \$37,000 over the years.

There are currently two Holly Hill Police officers, one sergeant (Liaison) and two officers, assigned to the Volusia Clandestine Laboratory Cleanup Task Force. A third officer will be added as certification training becomes available.

FISCAL

ANALYSIS:

This is a cost savings measure to prevent the City of Holly Hill from incurring the total private contractor cost associated with the dismantling/cleanup of clandestine labs within the City of Holly Hill.

STAFF

RECOMMENDATION:

Authorize the City Manager to enter into the Volusia Clandestine Laboratory Cleanup Task

Force Memorandum of Understanding and remain a participating agency in order to foster an efficient and cohesive unit capable of addressing the dismantling/cleanup of clandestine laboratories within the City of Holly Hill.

COMMISSION**GOAL:**

Goal #4: Provide public health and safety services in terms of police and fire protection, water, storm water, waste water and solid waste management and disaster preparedness with a focus on intergovernmental collaboration, private partnerships and utilization of technologies and proven innovations.

MOTION:

MOTION TO APPROVE THE CITY MANAGER ENTERING INTO A MEMORANDUM OF UNDERSTANDING FOR THE HOLLY HILL POLICE DEPARTMENT'S CONTINUED PARTICIPATION IN THE VOLUSIA CLANDESTINE LABORATORY CLEANUP TASK FORCE.

- 2021 Clan Lab Team MOU (PDF)

VOLUSIA

CLANDESTINE LABORATORY CLEANUP

TASK FORCE

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered this _____ day of _____ 2021, by and among the following agencies (hereinafter referred to as “participating agencies”):

Volusia Sheriff’s Office	Volusia County Beach Patrol
City of Daytona Beach	City of New Smyrna Beach
City of Edgewater	City of Port Orange
City of Ponce Inlet	City of South Daytona
City of Ormond Beach	City of Deland
City of Daytona Beach Shores	City of Orange City
City of Lake Helen	City of Holly Hill

WHEREAS, the participating agencies enter into this Memorandum of Understanding (hereinafter referred to as “MOU”) for the operation of the Volusia Clandestine Laboratory Cleanup Task Force (hereinafter referred to as “*Task Force*”); and

WHEREAS, it is necessary to create the *Task Force* in an effort to reduce the manpower burden associated with the cleanup of clandestine methamphetamine laboratories within the communities served in Volusia County; and

WHEREAS, it is necessary to enter into this MOU to provide guidelines for the overall operation of the participating agencies on the *Task Force*.

THEREFORE, the parties agree as follows:

PREAMBLE

Nothing in the MOU should be construed as limiting or impeding the basic spirit of cooperation, which exists between the participating agencies listed above.

The participating agencies to this MOU understand and agree that other law enforcement agencies may join the *Task Force* from time to time with notification made to all currently participating

Task Force members. All law enforcement agencies approved to join the *Task Force* will be considered participating agencies for the purposes of this MOU.

I. PURPOSE

This MOU establishes and delineates the mission of the *Task Force*, as a joint cooperative effort. Additionally, the MOU formalizes relationships between and among the participating agencies in order to foster an efficient and cohesive unit capable of addressing the dismantling/cleanup of clandestine labs within Volusia County. It is the desire of the participating agencies to achieve maximum inter-agency cooperation in a combined law enforcement effort aimed at reducing the manpower burden on individual agencies while safely dismantling lab sites within the communities served.

II. ORGANIZATIONAL STRUCTURE

A. Composition

The *Task Force* will consist of a combined enforcement body of agencies participating in this MOU. Agencies participating in this MOU will also have signed the DEA Authorized Central Storage Program (ACS) MOU (attachment A) as a prerequisite. The Volusia Sheriff's Office currently provides a ratio of 1 certified deputy for every 20 sworn deputies in the agency. Thus, it is required that participating agencies with over sixty sworn officers maintain at least this ratio of 1:20. Agencies with less than sixty personnel will provide a minimum of three certified officers, or more, dependent on the agency's meth related trends, to perform *Task Force* work in accordance with the direction and supervision stated below. The minimum certification requires successful completion of a 40 hour Basic Clan Lab Safety Course that meets the requirements set forth by OSHA regulation 1910.120(e)(3)(i). In addition, each agency will provide a liaison officer to communicate with the *Task Force* Coordinator on various issues to include, but not limited to, ensuring that OSHA requirements are met by those assigned to the *Task Force* from their agency. It is required that the liaison be of the rank of Sergeant or above and it is preferred that the individual be able to serve in that role for a minimum of two years. This is requested so that the liaison may become proficient in the agency responsibilities that are outlined in the Personnel section on page 3 of this MOU.

B. Direction

All participants acknowledge that the *Task Force* is a joint operation in which all agencies will act in a cooperative manner to meet the purpose of the *Task Force*. The *Task Force* Coordinator will establish the call-out schedule for all participating *Task Force* members.

The call-out schedule places a *Task Force* member on-call for a period of one week at a time. When a *Task Force* member is on-call and he/she is unable to fulfill the

obligation during that period, it will be the responsibility of that member's agency to fill their position during that time.

C. Supervision

The day-to-day operation and administrative control of the *Task Force* will be the responsibility of the Volusia Sheriff's Office *Task Force* Coordinator. Responsibility for the conduct of the *Task Force* members shall remain with the respective agency law enforcement heads.

1. Complaints against Task Force Member

Any formal complaints filed against a participating agency's *Task Force* member will be handled by the member's agency. This would also include use of force complaints and supervisor reports that are necessary due to injury incurred by a *Task Force* member.

III. PROCEDURES

A. Personnel

Continued assignment of personnel to the *Task Force* will be based upon performance/proficiency and will be at the discretion of the respective agency law enforcement heads/supervisors or the Volusia Sheriff's Office Coordinator assigned to the *Task Force*.

It is the responsibility of each respective agency (liaison officer) to ensure that their personnel receive all required training/certifications that are required of those entering clandestine labs, as well as training to participate in the Authorized Central Storage program. This includes annual recertification courses, annual fit testing, and annual medical screenings that are required per OSHA standards. Each agency is also responsible for the maintaining of training and medical records for members assigned to the *Task Force*.

B. Call Out Guidelines

Not all clandestine labs necessitate the activation of the *Task Force*; as such, the following guidelines will be put into place for determining when to call out a *Task Force* team. During normal business hours (Monday-Friday 8a-5p not including weekends/holidays) and if the lab is similar to one of the ones listed below it, will be the responsibility of the agency having jurisdiction to remove and separate the items found. After the removal and separation is complete, the agency will request thru Volusia Sheriff's Office Communications for a member of the On-Call *Task Force* Team Leader to respond so that the items can be packaged and transported to the ACS container.

1. Suspected lab sites where there are no mixed chemicals, i.e. chemicals are still in their original containers or they are in another container but obviously not mixed.
2. Suspected lab sites where it is equipment only or the cooking vessels/gas generators are dry and no longer active.

Clandestine labs that would necessitate the activation of the *Task Force* regardless of the time would include labs with mixed chemicals or labs that are active. Large scale dumpsites and labs located within dwellings to include hotels/motels would also be included in this list.

Note: Remote/isolated labs and dumpsites which are not an immediate danger to the public may require the location to be posted until the *Task Force* can safely respond to dismantle the site. Factors that may necessitate the area to be posted by the requesting agency include, but are not limited to, inclement weather and darkness. The posting of these areas will be the responsibility of the agency having jurisdiction over the area.

C. Investigations

Criminal investigations will be the responsibility of the agency making the request for the *Task Force* to include, but not limited to, arrest affidavits and search warrants. Evidence submission will also be the responsibility of the requesting agency. However, sampling of items will be conducted by a *Task Force* member. Once the items have been sampled and placed into a safe container, they will be turned over to the requesting agency for submission.

In order to maintain scene security, it will be the responsibility of the requesting agency to have at least one uniformed officer on scene for the duration that the *Task Force* is present. There is always the possibility that more than one uniformed officer will need to be present depending on the circumstances, i.e. high traffic area, numerous arrestees, crowd/media issues.

D. Media

Any media releases on a clandestine lab site will be handled by the agency completing the criminal charges/search warrant. No information pertaining to the *Task Force* itself will be released to the media without the approval of the Sheriff's Office *Task Force* Coordinator.

E. Equipment

The Volusia Sheriff's Office will provide the necessary equipment to safely investigate and dismantle lab sites in which the *Task Force* is requested. This includes Tyvek suits, gloves, tape, APR cartridges, gas monitors, and SCBA's. The usage of items on a lab site that are considered "one time" use items will be billed to the requesting agency via the Meth *Task Force* Equipment Billing Form (VSO Form 041114.001). Items that are

considered “one time” use include Nitrile gloves (inner and outer), Chem tape, Tyvek suits, APR cartridges, Decon Wipes, Sample jars/cans, and prisoner coveralls.

Note: These items may change based on changes in industry safety standards prescribed by OSHA.

Equipment that is needed for the transportation and disposal of waste will be supplied per the Authorized Central Storage Program MOU that was signed by each participating agency. These items include buckets, barrels, absorbent, chemical neutralizers and labels.

IV. Duration

- A. This MOU shall be in effect upon the execution of this MOU by at least 2 participating agencies and shall remain in effect until terminated as specified below. Continuation of this MOU shall be subject to the availability of necessary funding. This agreement may be modified at any time upon written agreement of all participating agencies.
- B. The participating agencies may withdraw from this agreement at any time by providing a 30-day written notice of its intent to withdraw to all other participating agencies. Upon withdrawal of any agency, that agency will no longer be able to utilize the services of the *Task Force* or the equipment belonging to the Volusia Sheriff's Office for the cleanup of a lab site. However, providing that an agency has signed the ACS MOU they would still be able to transport and store items in the ACS container per the MOU.
- C. This MOU may be terminated upon the written consent of all parties to this MOU. Upon the termination of the *Task Force* and the MOU, it will become the responsibility of each agency to dismantle and clean-up lab sites within their jurisdiction.

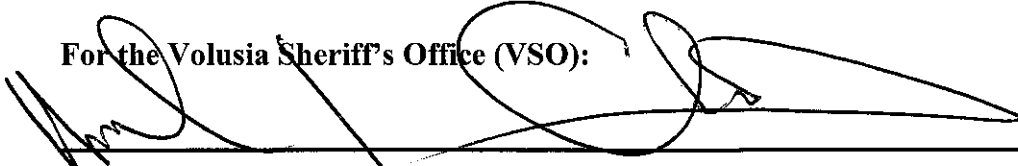
V. Indemnification

Each participating agency (indemnitor) hereby shall, to the extent permitted by law, indemnify from any liability and hold harmless the other participating agencies (indemnitees), against liability including, but not limited to, court costs and attorney's fees, arising from any actions, causes of action, suits, trespasses, damages, judgments, executions, and claims in law, brought against the respective indemnitees, as a result of the indemnitor's negligent acts or negligent omissions, while acting with the scope of their employment. Each participating agency will at all times be entitled to the benefits of sovereign immunity as provided in Florida Statutes Section 768.28 and

common law. Nothing contained herein shall be construed as a waiver of sovereign immunity.

**Party's Acceptance of Memorandum of Understanding
for Participation in the Volusia Meth Clean up Task Force**

For the Volusia Sheriff's Office (VSO):

A handwritten signature in black ink, appearing to read 'Michael J. Chitwood', is written over a horizontal line.

Michael J. Chitwood

Sheriff, Volusia County, Florida

**Party's Acceptance of Memorandum of Understanding
for Participation in the Volusia Meth Clean up Task Force**

For the Name of Participating Agency:

(Agency)

(Signature)

(Printed Name)

(Title)

(Date)



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Resolution**

6.1

MEETING DATE: May 25, 2021
FROM: Stella Gurnee
SUBJECT: A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2020-2021; Providing for Severability; and Providing for an Effective Date.
NUMBER: 2021-R-36
APPLICANT:
PLANNER:

DISCUSSION:

The City Manager performed an extensive mid-year review of the revenue and expenditure figures for each fund to compare the current amounts with the amount budgeted; and the City Commission of the City of Holly Hill amends the Fiscal Year 2020-2021 budget by revising the budget \$38,317,307 in total of \$57,663, pursuant to itemizations contained in Exhibit "A" of the Resolution.

FISCAL ANALYSIS:

Adjustments based on mid-year budget review by the City Commission. This resolution budgets the Victim advocate's grant and the FPL Christmas decorations donation.

STAFF RECOMMENDATION:

Approve the Resolution by adopting the mid-year amended budget.

COMMISSION GOAL:

Goal #1: Develop and maintain a sound and sustainable financial plan for the city that establishes sufficient reserves for all funds, ensures (whenever possible) that user fees pay for services rendered, provides a realistic capital improvement program, and encourages public/private sector partnerships and intergovernmental partnerships.

MOTION:

APPROVE RESOLUTION BY AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2020-2021.

ATTACHMENTS:

- EXHIBIT A-BUDGET RESOLUTION MID-YEAR FY2021 (PDF)

Resolution No. 2021-36**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2020-2021; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2020-2021; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill, by Resolution 2020-R-47, adopted an operating budget for Fiscal Year 2020-2021; and

WHEREAS, the budget adjustment \$57,663 revenues and expenditures in total pursuant to itemizations contained in Exhibit “A”, which is attached hereto and incorporated herein; and

WHEREAS, the budget adjustments will allow the City of Holly Hill to adjust the Fiscal Year 2020-2021 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. Amended Budget: The City Commission of the City of Holly Hill amends the Fiscal Year 2020-2021 budget by revising the budget in total pursuant to itemizations contained in Exhibit “A”, which is attached hereto and incorporated herein.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 25th day of MAY, 2021.

Exhibit "A"

FY 2020 - 2021 BUDGET ADMENDMENT

REVENUES AND EXPENSES FY 2020 - 2021	REVENUE	EXPENSE
001 - GENERAL FUND	\$ 57,663	\$ 57,663
002 - LOGT 2nd		
004 - BUILDING AND ZONING		
115 - EXPLORERS		
400 - WATER & SEWER		
401 - WATER IMPACT FEES		
402 - SEWER IMPACT FEES		
407 - WATER & SEWER R & R		
460 - STORMWATER		
495 - SOLID WASTE		
TOTAL ALL FUNDS	\$ 57,663	\$ 57,663

Attachment: EXHIBIT A-BUDGET RESOLUTION MID-YEAR FY2021 (2021-R-36 : Budget Resolution for FY2020-2021)



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Ordinance**

MEETING DATE: May 25, 2021
FROM: Brian Walker
SUBJECT: **SECOND READING - ORDINANCE 3039 - an Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1860 N Nova Road and 1529 Old Kings Road Having Parcel Numbers 424231010280 and 424231010270 Respectively, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from MXZ (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And SECOND READING - ORDINANCE 3040 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit "A" from I-1 (Light Industrial) and B-5 (Heavy Commercial) to CC-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.**

NUMBER: 2021-O-3039
APPLICANT: Brian Walker
PLANNER:

INTRODUCTION:

1860 N NOVA ROAD AND 1529 OLD KINGS ROAD CPA AND REZONE - Consider an Ordinance enacting a Small-Scale Future Land Use Map Amendment from MXZ (Mixed Use Zone) (Volusia County) to General Commercial (Holly Hill) and an Ordinance enacting a Rezone from I-1 (Light Industrial) and B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately 1.45 acres located about 500 feet south of Flomich Street between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1529 Old Kings Road and 1860 N Nova Road. (CPA-2021-03) and (Z-2021-03) (Joseph Jaquish and Rosemary Powell, Applicant).

BACKGROUND:

The Applicant has petitioned for the parcels in question to be annexed into the City of Holly Hill. At its regular meeting on March 23, 2021, the City Commission voted unanimously to approve the annexation. The property now needs to receive City zoning and be included in the City of

Holly Hill's Comprehensive Plan.

The applicant is requesting a Small-Scale Future Land Use Amendment from Volusia County's future land use designation of MXZ (Mixed Use Zone) to General Commercial (Holly Hill) and a Rezone from I-1 (Light Industrial) and B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill).

PROJECT INFORMATION:

Size of Property: The property is 1.45 Acres +/-

Legal Description: Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

Parcel Identification Number: 424231010280 and 424231010270 per Property Appraiser. (Exhibit A)

General Location: The property is generally located about 500 feet south of Flomich Street between N Nova Road and Old Kings Road. (Location Map Exhibit B).

Frontage: The property has approximately 246 feet of frontage along N. Nova Road and 225 feet of frontage on Old Kings Road.

Access: Vehicular access will be provided via the abutting rights-of-way.

Aerial Photography: (Exhibit C)

Existing Development: The property is currently used as a used car lot and location of a fencing business.

Future Land Use Designation: The current FLU designation is MXZ (Mixed Use Zone) (Volusia County) and the proposed FLU designation is General Commercial (Holly Hill). (Exhibit D)

Zoning: Current Zoning is I-1 (Light Industrial) (Volusia County) and B-5 (Heavy Commercial) and the proposed zoning is CC-1 (Commercial Corridor) (Holly Hill). (Exhibit E)

Floodplain Impacts: Based on FIRM Panel 12127C0352H, there are no floodplains on the subject property. (Exhibit F)

Wetland Impacts: Based on aerial photos, survey, and County wetland map analysis, there are no wetlands on the subject property.

Zoning and Land Uses

See the attached sheet labeled “**Zoning and Land Use Table.**”

Site Analysis

The amendment has been analyzed in terms of the infrastructure impacts. For considering a change of land use, an analysis of the maximum development potential is required.

Potable Water & Wastewater Impacts & Analysis:

Potable Water Facilities: The City of Holly Hill’s water treatment plant is located at 453 LPGA Blvd. The capacity of the plant is 2.3 MGD. The current maximum monthly average daily flow is 1.3 MGD.

Maximum Potable Water Demand from the Current FLUM Designation: The current potable water demand under the existing FLUM designation has been calculated using the Florida Administrative Code 64E-6.008 sewer flow standards to estimate water demand. Standard engineering practice uses sewer flows to estimate water demand. The maximum development scenario under the Volusia County "Mixed Use Zone" is 90% commercial with a FAR of .50 and 10% residential with up to 16 dwelling units per acre. The subject site is 63,162 square feet in size, yielding 28,423 sq. ft. of retail space (63,162 x.90) x.50) and 2 residential units. It is estimated that the retail space would have a maximum flow of 2,842 GPD. Assuming the single residential units have 3 bedrooms each, the residential flows would be a total of 600 GPD.

Existing Potable Water Demand = 3,442 GPD

Potable Water Demands from the Proposed FLUM Designation: The maximum development scenario under Holly Hill’s "General Commercial" FLU is calculated using the allowable FAR of 1.95. This yields 123,166 square feet of retail space (63,162x1.95). At this yield, the maximum flows would be 12,317 GPD.

Proposed Potable Water Demand = 12,317 GPD

Change in Potable Water Usage: The maximum change in potable water demand is projected to be an increase of **8,875 GPD**. The City's water distribution system has the excess capacity to serve the proposed development of the subject site.

Waste Water Facilities: The City of Holly Hill’s waste water treatment plant is located at 453 LPGA Blvd. The capacity of the plant is 3.0 MGD. The current maximum monthly average incoming daily flow is 1.85 MGD.

Waste Water Demand from the Current FLUM Designation: The current potable water

demand under the existing FLUM designation has been calculated using the Florida Administrative Code 64E-6.008 sewer flow standards to estimate water demand. Standard engineering practice uses sewer flows to estimate water demand. The maximum development scenario under the Volusia County "Mixed Use Zone" is 90% commercial with a FAR of .50 and 10% residential with up to 16 dwelling units per acre. The subject site is 63,162 square feet in size, yielding 28,423 sq. ft. of retail space (63,162 x.90)x.50) and 2 residential units. It is estimated that the retail space would have a maximum flow of 2,842 GPD. Assuming the single residential units have 3 bedrooms each, the residential flows would be a total of 600 GPD.

Existing Waste Water Demand = 3,442 GPD

Waste Water Demand from the Proposed FLUM Designation: The maximum development scenario under the Holly Hill "General Commercial" FLU is calculated using the allowable FAR of 1.95. This yields 123,166 square feet of retail space. At this yield, the maximum flows would be 12,317 GPD.

Proposed Waste Water Flows = 12,317 GPD.

Change in Waste Water Usage: The maximum change in waste water demand is projected to be an increase of 8,875 GPD. The City's waste water treatment system has the excess capacity to serve the proposed development of the subject site.

Transportation: The 2019 traffic data for Nova Road, from LPGA to Hand, shows average daily volumes (ADT) of 29,000 vehicles compared to a maximum capacity at LOS D of 59,900 ADT. The maximum potential development on this property can be accomplished without degradation of the traffic level of service.

The proposed future land use map amendment will result in no significant increase of daily trips from the maximum allowed by the current land use.

Stormwater Management: Any additional development will require an engineered drainage plan to demonstrate that all government and agency regulations are being met with regard to stormwater management.

Solid Waste: The City's contracted waste hauler, Waste Pro, delivers solid waste to the Volusia County's Tomoka Farms Road Landfill. This is a 3,400-acre Class 1 landfill and it is estimated to have excess capacity through 2052.

Consistency with Urban Sprawl Rule

Section 163.3177(6)(a)(9)(b), Florida Statutes, provides that plan amendments shall be determined to discourage the proliferation of urban sprawl. In general terms and as directed by Florida Statutes and rules of the Florida Administrative Code, key urban sprawl indicators are leapfrog development, premature development, and development that does not make efficient use of urban services. Local governments are responsible for ensuring that their actions do not further urban sprawl.

This amendment does not represent leapfrog development. This amendment generally promotes efficiency in the use of urban services.

Consistency with the Comprehensive Plan

A review of the goals, objectives and policies of the comprehensive plan was conducted to determine if the proposed amendment to the future land use map is consistent with the comprehensive plan. The proposed request is consistent with the comprehensive plan with particular note of the following:

Chapter 1 - Future Land Use Element

- Policy 1.1.2 - The Future Land Use Element sets a maximum development intensity for the General Commercial Development future land use, at an F.A.R. of 1.95.

Current development is within this limitation and any future development on the subject parcel will be required to comply with this limitation.

- Policy 1.1.5 requires development to be consistent with all aspects of the comprehensive plan.

Current development is consistent with the comprehensive plan and any proposed development will be required to be consistent with the comprehensive plan and demonstrate that there will be no decline to any established levels of service.

- Policy 1.2.17 - Properties that are annexed into the City of Holly Hill shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity.

The County's land use designation of this property is "Mixed Use Zone" which is described in the County's Future Land Use Element in part as "An area that provides for a mixture of primarily commercial and industrial development with many different property owners." It goes on to state the following: "Retail commercial, office use, and even some residential, normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses."

Designating the subject site as "General Commercial" will allow the same uses as "Mixed Use Zone" with the exception of residential which would not fit in with this highly commercialized area along Nova Road. The "General Commercial" future land use will allow that the property be developed at a greater intensity, however increased impacts to facilities can be accommodated.

- Policy 1.9.1 - The City shall promote and encourage infill development on previously bypassed, vacant properties and redevelopment of underutilized properties.

This amendment promotes infill development for this location. The property is located on Nova Road which is classified in the City's Comprehensive Plan as a Principal

Arterial. The parcel is surrounded by commercial development.

Policy 2.3.4 - Encourage the maintenance, restoration and adaptive reuse of existing urban areas, including buildings, infrastructure and other assets, to reduce energy use and Vehicle Miles Traveled (VMTs).

The subject site is not on the fringe of a developed area, but is an infill location. One of the benefits of infill development is reduced VMTs.

Policy 5.1.2. - The City shall continually work to expand the Holly Hill non-residential tax base and other revenue sources.

The proposed amendment is consistent with this policy. The property was recently annexed into the City. This will have the direct effect of expanding the City's tax base.

Objective 5.2 - The City shall ensure a sufficient amount of commercial and light industrial properties available for business recruitment and to work with property owners to redevelop vacant and underutilized properties in Holly Hill.

Staff finds that the requested small scale land use amendment is consistent with the City's Comprehensive Plan. The City has available capacity to serve any increased demand on facilities and infrastructure created by the requested amendment. Additionally, the requested amendment does not encourage the proliferation of sprawl.

Appropriateness of the Requested Zoning Category

The predominant zoning category applied along the west side of Nova Road north of 15th Street and south of Flomich Street is CC-1(Commercial Corridor District) and B-4 (Highway Business District). The existing business and property that abut the parcels under review is zoned CC-1. According to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning designation is consistent with the General Commercial land use classification.

Any future development on the site will be consistent with the stated intent of the CC-1 zoning district and the general intent of the land development regulations as stated in Sec. 78-5.

Board of Planning and Appeals Recommendation:

At its regular meeting on May 3, 2021, the Board of Planning and Appeals voted unanimously to recommend adoption of the proposed ordinances enacting a future land use map amendment and rezone for approximately 1.45 acres located about 500 feet south of Flomich Street between N Nova Road and Old Kings Road.

STAFF RECOMMENDATION:

Adopt the proposed Ordinance enacting a Small-Scale Future Land Use Map Amendment from MXZ (Mixed Use Zone) (Volusia County) to General Commercial (Holly Hill).

and;

Adopt the proposed Ordinance enacting a Rezone from I-1 (Light Industrial) and B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately 1.45 acres located about 500 feet south of Flomich Street between N Nova Road and Old Kings Road and more specifically known as 1529 Old Kings Road and 1860 N Nova Road.

ATTACHMENTS:

- Exhibit A - Property Appraiser (PDF)
- Exhibit B - Location Map (PDF)
- Exhibit C - Aerial Map (PDF)
- Exhibit D - Current and Proposed FLU of Property(PDF)
- Exhibit E - Current and Proposed Zoning of Property (PDF)
- Exhibit F - Flood Map (PDF)
- Application and Related Docs (PDF)
- Zoning and Land Use Table (PDF)
- Legal Description (PDF)
- Survey (PDF)
- FL Admin Code for Estimating Water and Sewer Usage (PDF)
- Zoning and FLU Descriptions (PDF)

HISTORY:

05/11/21

City Commission

APPROVED AT 1ST READING

Next: 05/25/21

Attorney Simpson read both titles, but the Ordinances were voted on separately.

Mayor Via opened public participation. No one spoke.

*Commissioner Johnson made a motion to **ADOPT ORDINANCE 3039 FOR FIRST READING**, seconded by Commissioner Currie.*

PASSED, 5-0.

*Commissioner Currie made a motion to **ADOPT ORDINANCE 3040 FOR FIRST READING**, seconded by Commissioner Danio.*

PASSED, 5-0.

Ordinance No. 2021-3039

SECOND READING - ORDINANCE 3039 - AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1860 N NOVA ROAD AND 1529 OLD KINGS ROAD HAVING PARCEL NUMBERS 424231010280 AND 424231010270 RESPECTIVELY, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. AND SECOND READING - ORDINANCE 3040 - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM I-1 (LIGHT INDUSTRIAL) AND B-5 (HEAVY COMMERCIAL) TO CC-1 (COMMERCIAL CORRIDOR DISTRICT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 3039

AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1860 N NOVA ROAD AND 1529 OLD KINGS ROAD HAVING PARCEL NUMBERS 424231010280 AND 424231010270 RESPECTIVELY, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission has reviewed the future land use designation for the parcel described in Attachment “A” and determined that it is necessary to amend its Future Land Use Map as herein provided in order to more effectively implement its adopted comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the parcels identified as 1860 N Nova Road having parcel number 4242-3101-0280 and 1529 Old Kings Road having parcel number 4242-3101-0270 as described in Attachment A, as General Commercial.

SECTION 2. The City Manager is authorized and directed to submit the proposed amendment to the Florida Department of Economic Opportunity and Volusia Growth Management Commission, as required by law.

SECTION 3. The proposed amendment will not become final until certification of consistency is provided by the Volusia Growth Management Commission and approval is noticed by the Florida Department of Economic Opportunity.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, 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 5. That all ordinances made in conflict with this Ordinance are hereby repealed.

APPROVED AND AUTHENTICATED on this 25th day of MAY, 2021 for second reading.

ATTACHMENT “A”

Legal Description: Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

ORDINANCE 3040

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM I-1 (LIGHT INDUSTRIAL) AND B-5 (HEAVY COMMERCIAL) TO CC-1 (COMMERCIAL CORRIDOR DISTRICT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement its adopted comprehensive plan, and

WHEREAS, the City Commission has determined that the proposed amendment to the Land Development Regulations is consistent with its adopted comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in Attachment “A” as CC-1 (Commercial Corridor District.)

SECTION 2. Development of the property described in Attachment “A” shall conform to the Land Development Regulations of Holly Hill.

SECTION 3. This ordinance shall become effective following approval of the future land use map amendment designated as CPA-2021-03, by the Florida Department of Economic Opportunity and certification of the same amendment by the Volusia Growth Management Commission.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, 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 5. That all ordinances made in conflict with this Ordinance are hereby repealed.

APPROVED AND AUTHENTICATED on this 25th day of MAY, 2021 for second reading.

ATTACHMENT “A”

Legal Description: Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

EXHIBIT A

1860 N. Nova Road

Alternate Key: 3194799
Parcel ID: 424231010280
Township-Range-Section: 14 - 32 - 42
Subdivision-Block-Lot: 31 - 01 - 0280

Business Name:
Owner(s): JAQUISH JOSEPH P - TIC - Tenancy in Common - 50
 POWELL ROSEMARY K - TIC - Tenancy in Common - 50

Mailing Address On File: 1152 LANDERS ST
 ORMOND BEACH FL 32174
[Update Mailing Address](#)

Physical Address: 1860 N NOVA RD, DAYTONA BEACH 32117

1529 Old Kings Road

Alternate Key: 3194781
Parcel ID: 424231010270
Township-Range-Section: 14 - 32 - 42
Subdivision-Block-Lot: 31 - 01 - 0270

Business Name:
Owner(s): JAQUISH JOSEPH - TIC - Tenancy in Common - 50
 POWELL ROSEMARY K - TIC - Tenancy in Common - 50

Mailing Address On File: 1152 LANDERS ST
 ORMOND BEACH FL 32174
[Update Mailing Address](#)

Physical Address: 1529 OLD KINGS RD, DAYTONA BEACH 32117

Property Appraiser Information

EXHIBIT B



Location Map

EXHIBIT C



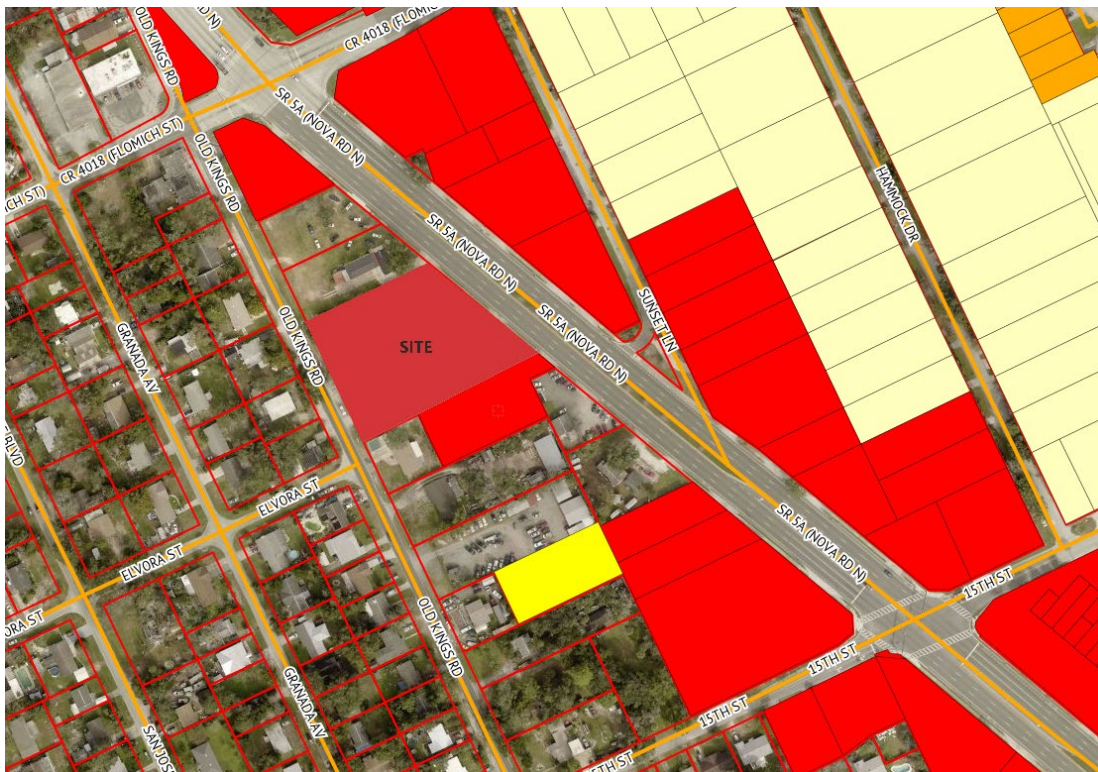
Aerial Map

EXHIBIT D

MXZ - CURRENT FLU



COMMERCIAL – PROPOSED FLU



CURRENT ZONING B-5 AND I-1 (Volusia County)



EXHIBIT F



The flood map for the selected area is number **12127C0352H**, effective on **02/19/2014**

Flood Map

HOLLY HILL RECEIVED

DEC 29 2020

COMM. DEV. DEPT.



HOLLY HILL

FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

REZONE/ FUTURE LAND USE AMENDMENT

Date Received: 12/29/20 Application ID: 21-294 Submitted By: _____

PROJECT INFORMATION:

PROJECT NAME: Annex, Rezone, CPA
 PARCEL ID #(S): 4242-3101-0270 and 4242-3101-0280
 LOCATION: (.84) 1860 N Nova Rd and 1529 Old Kings Rd. (.6100 acres)
 EXISTING USE(S): Fence sales, Car lot
 PROPOSED USE(S): General Business
 TOTAL ACREAGE: .8390 + .6100 = 1.45 acres
 WATER PROVIDER: Daytona SEWER PROVIDER: N/A
 PRIVATE WELL N/A PRIVATE SEPTIC Yes
 CURRENT ZONING: B-5 and I-1 PROPOSED ZONING: CC-1
 CURRENT FUTURE LAND USE: MX2 PROPOSED FUTURE LAND USE: COM

APPLICANT INFORMATION:

Name: Joseph Jaquish E-Mail: Jakester 1964@yahoo.com
 Address: 1152 Lenders St. Ormond Phone: 386-871-6970
 Company: N/A Fax: _____
☒ Owner ☐ Agent for Owner ☐ Attorney for Owner

OWNER INFORMATION:

Name: Same E-Mail: _____
 Address: _____ Phone: _____
 Fax: _____

CONSULTANT INFORMATION:

Name: N/A E-Mail: _____
 Address: _____ Phone: _____
 Company: _____ Fax: _____

Attachment: Application and Related Docs (2021-O-3039 : 1860 N Nova and 1529 Old Kings - Comp Plan Amendment and Rezone)



1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

WHO SHOULD ALL COMMUNICATION BE DIRECTED TO?

X APPLICANT X OWNER _____ CONSULTANT

APPLICATION TYPE(S)/FEE(S)*

LAND USE AMENDMENT

- ☐ LARGE SCALE FUTURE LAND USE AMENDMENT (>10 ACRES) \$3,000.00
☒ SMALL SCALE FUTURE LAND USE AMENDMENT (≤10 ACRES) \$2,000.00

REZONE (NON-PD)

- ☒ STRAIGHT REZONE / LDR TEXT AMENDMENT \$1,200

REZONE (PD)

- ☐ PD REZONE \$2,000
☐ PD AMENDMENT \$1,250 (This does not mean changes in items such as uses or density but means minor changes in items such as layout and landscaping.)

***THERE MAY BE ADDITIONAL PASS-THROUGH FEES FOR REVIEWS DONE BY REVIEWERS OUTSIDE OF THIS AGENCY. ALL FEES ARE DUE AT THE TIME OF APPLICATION SUBMITTAL.**

ATTACHMENT CHECKLIST

REQUIRED SUBMITTALS

- ☒ COPY OF PRE-APPLICATION COMMENTS. IF YOU HAVE NOT HAD A PRE-APPLICATION MEETING TO DISCUSS THIS PROJECT PLEASE CONTACT THE CITY PLANNER TO ARRANGE AN APPOINTMENT AT 386-248-9424.
☒ ELECTRONIC COPY OF ALL ITEMS SUBMITTED
☒ APPLICATION AND FEE
☒ PROOF THAT TAXES ARE CURRENT
☒ PROPERTY APPRAISER'S PROPERTY INFORMATION PRINTOUT
☒ OWNERSHIP DISCLOSURE FORM (ADD'L DOCUMENTATION MAY REQUIRED IF OWNER IS A TRUST OR CORPORATION)
☒ OWNER'S AUTHORIZATION FORM, IF APPLICABLE (ADD'L DOCUMENTATION REQUIRED IF OWNER IS A TRUST OR CORPORATION)
☒ 2 CURRENT SIGNED AND SEALED BOUNDARY SURVEYS
☒ LEGAL DESCRIPTION IN MS WORD FORMAT (EMAIL THIS TO THE CITY PLANNER)



1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

- N/A ☒ SCHOOL CAPACITY REVIEW – IF PROPOSING OVER 10 RESIDENTIAL UNITS (CONTACT SCHOOL BOARD PLANNING & BUSINESS SERVICES AT 386-734-7190 FOR APPLICATION)
- ☒ TRAFFIC IMPACT ANALYSIS FOR PROJECTS GENERATING OVER 1000 TRIPS PER DAY ACCORDING TO RATES PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS "TRIP GENERATION MANUAL" (LATEST EDITION)
- N/A ☒ DRAFT DEVELOPMENT ORDER IN MS WORD FORMAT (PD REZONE ONLY – CONTACT THE CITY PLANNER)
- N/A ☒ PRELIMINARY DEVELOPMENT PLAN (**PD REZONE ONLY** - SEE CODE SEC. 114-771)
- ☒ **REZONES ONLY:** ANSWER THE 8 QUESTIONS ATTACHED ON THE REZONING REQUIREMENTS SHEET
- ☒ **COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Facility Demand Comparison**. For example, for the existing Future Land Use designation, show the demands on the city's infrastructure at the highest intensity, and for the proposed Future Land Use, show what the demands would be at the highest intensity. Show this information for the following facilities:
- Potable Water
 - Sanitary Sewer
 - Stormwater
 - Transportation (Use current year ITE Trip Generation Rates—Provide PM Peak Hour and Avg Daily)
 - Solid Waste Collection
 - School (Residential Only)
- ☒ **COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Demonstration of Capacity:** Show that there is capacity and ability to meet increased demands on facilities. The city's public works department can assist in providing information regarding potable water, sanitary sewer and solid waste.

Applicant's Signature:

Joseph P Jaguish
(Signature)

12/29/20
(Date)

Joseph P Jaguish
(Print)

Applications must be complete to initiate the preview process. For questions please contact the City Planner at (386) 248-9424, fax (386) 248-9498 or email at bwalker@hollyhillfl.org



VOLUSIA COUNTY TAX BILL
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2020 Paid Real Estate

7.1.g

PROPERTY ADDRESS: 1529 OLD KINGS RD, DAYTONA BEACH, 32117
LEGAL DESCRIPTION: S 85 FT OF LOT 27 & THAT PT OF LOTS 8 & 9 W OF RD 415 LYING BETWEEN N & S/LS OF S 85 FT OF
 See Additional Legal on Tax Roll

JAKUSH JOSEPH
 POWELL ROSEMARY K
 POWELL ROSEMARY K
 1152 LANDERS ST
 ORMOND BEACH, FL 32174



PARCEL: 424231010270
ALTERNATE KEY : 3194781
MILLAGE CODE: 200
TAX YEAR: 2020

County of Volusia
 Paid By Joseph Jakush & Douglas P
 11/03/2020 \$1,817.64

Receipt # 064-20-0000081

PAY IN U.S. DOLLARS DRAWN FROM A U.S. BANK.

WALK-IN CUSTOMERS PLEASE BRING ENTIRE NOTICE

TAXES BECOME DELINQUENT APRIL

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAX AMOUNT
VOLUSIA COUNTY GENERAL FUND	5.45000	96,988	0	96,988	528.58
VOLUSIA COUNTY LIBRARY	0.51740	96,988	0	96,988	50.18
VOLUSIA FOREVER	0.10520	96,988	0	96,988	10.20
VOLUSIA ECHO	0.00000	96,988	0	96,988	0.00
VOLUSIA FOREVER I&S 2005	0.07830	96,988	0	96,988	7.59
VOLUSIA COUNTY MSD	2.10830	96,988	0	96,988	204.48
VOLUSIA COUNTY FIRE DISTRICT	3.84120	96,988	0	96,988	372.55
VOLUSIA COUNTY MOSQUITO CONTROL	0.17810	96,988	0	96,988	17.27
PONCE INLET PORT AUTHORITY	0.08800	96,988	0	96,988	8.53
SCHOOL	5.90700	96,988	0	96,988	572.91
ST JOHNS WATER MANAGEMENT DIST	0.22870	96,988	0	96,988	22.18
FLORIDA INLAND NAVIGATION DIST	0.03200	96,988	0	96,988	3.10
HALIFAX HOSPITAL AUTHORITY	0.98790	96,988	0	96,988	95.81

TOTAL MILLAGE RATE: 19.52210 **TOTAL TAXES:** \$1,893.38

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	TELEPHONE	RATE PER UNIT	AMOUNT
-------------------	-----------	---------------	--------

TOTAL ASSESSMENTS: \$0.00

TOTAL COMBINED TAXES AND ASSESSMENTS: \$1,893.38

Pay online at volusia.county-taxes.com

Phone: 386-736-5938
 Revenue@volusia.org

RETURN WITH PAYMENT

VOLUSIA COUNTY TAX BILL
2020 Paid Real Estate

Make payment to:
 COUNTY OF VOLUSIA
 Mail payment to:
 County of Volusia-Revenue Division
 123 W Indiana Ave Room 103
 DeLand FL 32720

NOTE: In order to avoid a rejected payment, please verify that the legal written line of your check matches the exact amount due based on the "IF POSTMARKED BY" date.

PARCEL: 424231010270
ALTERNATE KEY : 3194781
TAX YEAR: 2020

PAY IN U.S. DOLLARS DRAWN ON A U.S. BANK
 JAKUSH JOSEPH
 POWELL ROSEMARY K
 POWELL ROSEMARY K
 1152 LANDERS ST
 ORMOND BEACH, FL 32174

PROPERTY ADDRESS:
 1529 OLD KINGS RD, DAYTONA BEACH, 32117

Please do not staple, tape, or paperclip your payment to this stub.

TAXES BECOME DELINQUENT APRIL

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

TaxSys



PLEASE DO NOT WRITE ON THIS STUB

Receipt # 064-20-0000081
 Paid 11/03/2020

\$1,817.64

Packet Pg. 88

Attachment: Application and Related Docs (2021-O-3039 : 1860 N Nova and 1529 Old Kings - Comp Plan Amendment and Rezone)



VOLUSIA COUNTY TAX BILL
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
 2020 Paid Real Estate

7.1.g

PROPERTY ADDRESS: 1860 N NOVA RD, DAYTONA BEACH, 32117
LEGAL DESCRIPTION: N 25 FT OF LOT 8 W OF ST RD 415 & N 15 FT OF LOT 27 & LOT 28
 BLK 1 LARSEN SUB MB 11 PG 252
 See Additional Legal on Tax Roll

County of Volusia
 Paid By Joseph Jaquish & Douglas P
 11/03/2020 \$3,366.36

Receipt # 064-20-0000081



JAQUISH JOSEPH P
 POWELL ROSEMARY K
 POWELL ROSEMARY K
 1152 LANDERS ST
 ORMOND BEACH, FL 32174



PARCEL: 424231010280
ALTERNATE KEY : 3194799
MILLAGE CODE: 200
TAX YEAR: 2020

PAY IN U.S. DOLLARS DRAWN FROM A U.S. BANK.

WALK-IN CUSTOMERS PLEASE BRING ENTIRE NOTICE

TAXES BECOME DELINQUENT APRIL 1

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAX AMOUNT
VOLUSIA COUNTY GENERAL FUND	5.45000	169,112	0	169,112	921.66
VOLUSIA COUNTY LIBRARY	0.51740	169,112	0	169,112	87.50
VOLUSIA FOREVER	0.10520	169,112	0	169,112	17.79
VOLUSIA ECHO	0.00000	169,112	0	169,112	0.00
VOLUSIA FOREVER I&S 2005	0.07830	169,112	0	169,112	13.24
VOLUSIA COUNTY MSD	2.10830	169,112	0	169,112	356.54
VOLUSIA COUNTY FIRE DISTRICT	3.84120	169,112	0	169,112	649.59
VOLUSIA COUNTY MOSQUITO CONTROL	0.17810	169,112	0	169,112	30.12
PONCE INLET PORT AUTHORITY	0.08800	169,112	0	169,112	14.88
SCHOOL	5.90700	169,112	0	169,112	998.95
ST JOHNS WATER MANAGEMENT DIST	0.22870	169,112	0	169,112	38.68
FLORIDA INLAND NAVIGATION DIST	0.03200	169,112	0	169,112	5.41
HALIFAX HOSPITAL AUTHORITY	0.98790	169,112	0	169,112	167.07

TOTAL MILLAGE RATE:

19.52210

TOTAL TAXES:

\$3,301.43

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	TELEPHONE	RATE PER UNIT	AMOUNT
VOLUSIA COUNTY STORMWATER	386-822-6422	72.00	205.20

TOTAL ASSESSMENTS:

\$205.20

TOTAL COMBINED TAXES AND ASSESSMENTS:

\$3,506.63

Pay online at volusia.county-taxes.com

Phone: 386-736-5938
Revenue@volusia.org

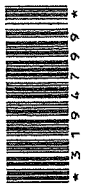
RETURN WITH PAYMENT

VOLUSIA COUNTY TAX BILL
 2020 Paid Real Estate

Make payment to:
 COUNTY OF VOLUSIA
 Mail payment to:
 County of Volusia-Revenue Division
 123 W Indiana Ave Room 103
 DeLand FL 32720

NOTE: In order to avoid a rejected payment,
 please verify that the legal written line of your
 check matches the exact amount due based
 on the "IF POSTMARKED BY" date.

PARCEL: 424231010280
ALTERNATE KEY : 3194799
TAX YEAR: 2020



PAY IN U.S. DOLLARS DRAWN ON A U.S. BANK
 JAQUISH JOSEPH P
 POWELL ROSEMARY K
 POWELL ROSEMARY K
 1152 LANDERS ST
 ORMOND BEACH, FL 32174

PROPERTY ADDRESS:
 1860 N NOVA RD, DAYTONA BEACH, 32117

Please do not staple, tape, or paperclip your payment to this stub.

TAXES BECOME DELINQUENT APRIL 1

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

TaxSys

PLEASE DO NOT WRITE ON THIS STUB



Receipt # 064-20-0000081

\$3,366.36

Paid 11/03/2020

Packet Pg. 89

Attachment: Application and Related Docs (2021-O-3039 : 1860 N Nova and 1529 Old Kings - Comp Plan Amendment and Rezone)

Table 1: Land Use and Zoning Table

1860 N. Nova Road and 1529 Old Kings Road

	Existing Development	Future Land Use Designation	Zoning Classification
Site	Car Lot and Fence Sales	MXZ	I-1 and B-5 Volusia County
North	Parking Lot & Commercial Development	MXZ	B-5 Volusia County
South	Commercial Development	Commercial and MXZ	CC-1 Holly Hill I-1 Volusia County
East	N. Nova Road & Commercial & Multi-family Development	Commercial	B-4 Holly Hill
West	Mistletoe Drive and Single-Family Residential	UMI	R-5 Volusia County

MYER LAND SURVEYING

Incorporated

Michael M. Myer, Professional Surveyor and Mapper

Bachelor of Land Surveying, University of Florida

Phone 386 255-6304

myerlandsurveying@gmail.com

Description for parcels combination

Parcel No. 42423101280 and Parcel No. 42423101270

Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

Description prepared by:



Michael M. Myer, PSM SL4006

Boundary Survey

GENERAL LEGEND:

A/C Air conditioning pad
 A/U Aerial utilities
 ACLRR Atlantic Coastline Railroad
 CALC Calculation
 CB Catch basin
 CL Centerline
 Ⓞ Cleanout
 CM Concrete monument
 CONC Concrete
 Ⓢ Cable riser
 Ⓢ Cable TV service
 Ⓢ Delta
 ° Degree
 DESC Description
 Doc Document
 E(LY) East(ery)
 Ⓢ Electric meter
 EMT Electrical metal tubing
 FD Found
 FLD Field
 FPC Florida Power Corporation
 FPLS Florida Professional Land Surveyor
 Ⓢ Fire Hydrant
 Ⓢ Gas VALVE
 Ⓢ Guy Anchor
 Ⓢ Electric Service
 IP Iron pipe
 L Arc length
 LB Licensed business
 MB Mailbox
 N(LY) North(ery)
 RLS Registered land surveyor
 NAVD North American Vertical Datum
 NGVD National Geodetic Vertical Datum
 R/W Right of Way
 PC Point of curve
 PCP Permanent control point
 POB Point of beginning
 POC Point of commencement
 PT Point of tangent
 R&C Rod and cap
 REC Recovered
 S(LY) South(ery)
 Ⓢ Storm manhole
 Ⓢ Sign
 Ⓢ Telephone service
 Ⓢ Radius
 Ⓢ Typical
 Ⓢ Utility pole
 Ⓢ Utility services
 Ⓢ Well
 W(LY) West(ery)
 Ⓢ Water meter
 Ⓢ Water spigot
 Ⓢ Water valve
 Ⓢ Light Pole

Legal Description:

Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida.

And:

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida

Job Number 20337 CRD #87193
 FB 334 © 68-70

GENERAL NOTES:

1. The field survey was completed 1/11/21.
2. Bearing Basis is assumed: N24°53'47"E along the Easterly right of way of Old Kings Road.
3. Dimensions shown are feet and decimals thereof.
4. Only visible utilities were located.
5. Dimensions are feet and decimals thereof.
6. No title search has been performed by or provided to Myer Land Surveying.

MICHAEL M. MYER, FL PSM LS4006
 MYER LAND SURVEYING, INC., LICENSED BUSINESS #6877
 (Not valid unless signed and embossed with surveyor's seal and/or stamped with a digital signature badge.)

This Boundary Survey is exclusively prepared for the benefit of:
 Joseph Jaquish

MYER LAND SURVEYING, INC.
 LICENSED BUSINESS #6877
 MICHAEL M. MYER #LS 4006
 PROFESSIONAL LAND SURVEYOR
 316 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
 386 255-6304 Phone MyerLandSurveying@gmail.com

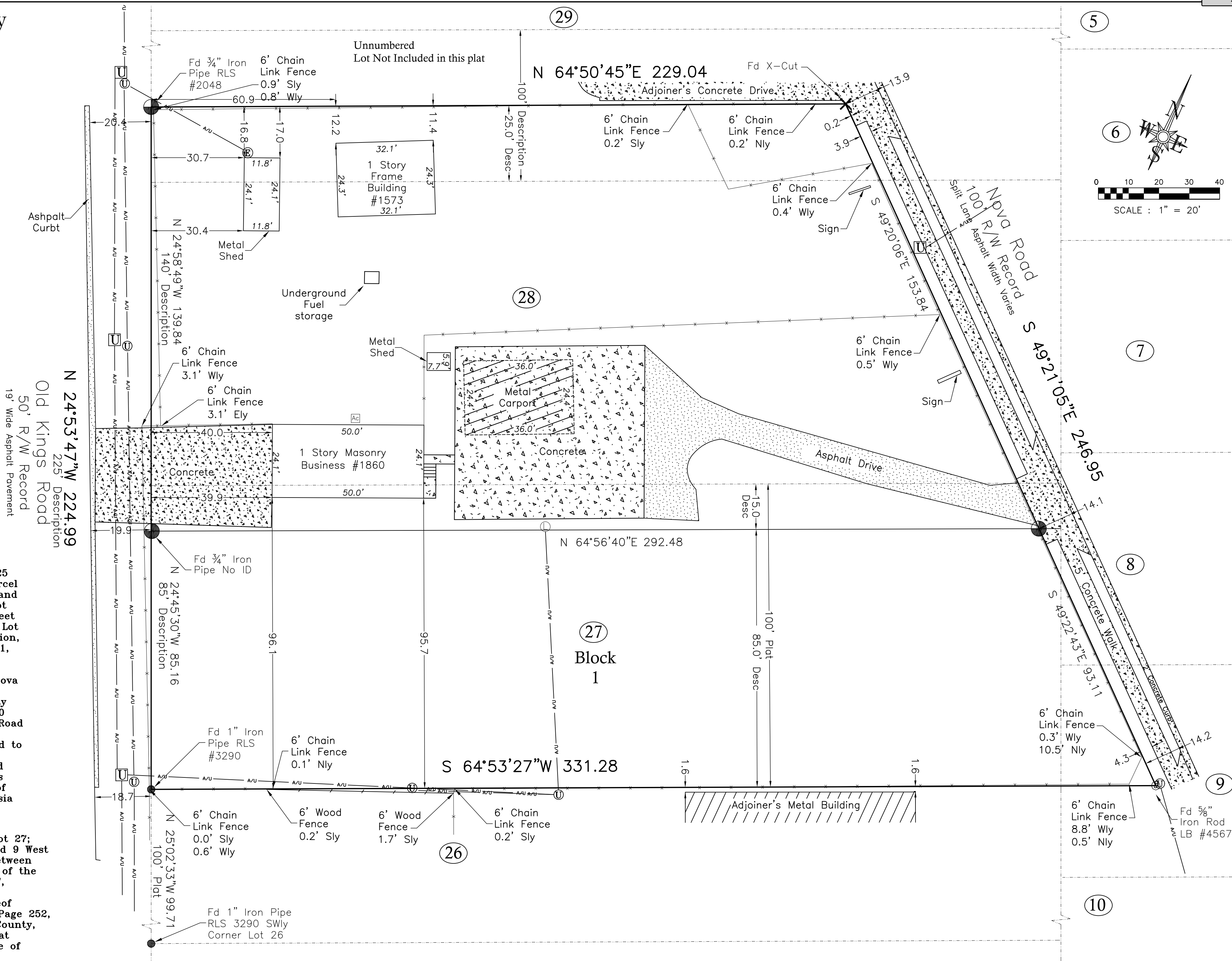
SCALE
 1" = 20'

DRAWN
 ALH/AJS

CHECKED
 MMM

DATE
 1/25/2021

Packet Pg. 92



64E-6.008 System Size Determinations.

(1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the estimated daily sewage flow as determined from Table I or the following:

(a) The DOH county health department shall accept, for other than residences and food operations, metered water use data in lieu of the estimated sewage flows set forth in Table I. For metered flow consideration, the applicant shall provide authenticated monthly water use data documenting water consumption for the most recent 12 month period for at least six similar establishments. Similar establishments are those like size operations engaged in the same type of business or service, which are located in the same type of geographic environment, and which have approximately the same operating hours. Metered flow values will not be considered to be a reliable indicator of typical water use where one or more of the establishments utilized in the sample has exceeded the monthly flow average for all six establishments by more than 25 percent or where the different establishments demonstrate wide variations in monthly flow totals. When metered flow data is accepted in lieu of estimated flows found in Table I, the highest flow which occurred in any month for any of the six similar establishments shall be used for system sizing purposes. Except for food operations which exceed domestic sewage waste quality parameters as defined in subsection 64E-6.002(15), F.A.C., where an existing establishment which has been in continuous operation for the previous 24 months seeks to utilize its own metered flows, the applicant shall provide authenticated monthly water use data documenting water consumption for the most recent 24 month period. The highest monthly metered flow value for an existing establishment shall be used for system sizing purposes.

(b) When onsite systems use multiple strategies to reduce the total estimated sewage flow or the drainfield size, only one reduction method shall be credited.

TABLE I
For System Design
ESTIMATED SEWAGE FLOWS

TYPE OF ESTABLISHMENT COMMERCIAL:	GALLONS PER DAY
Airports, bus terminals, train stations, port & dock facilities, Bathroom waste only	
(a) Per passenger	4
(b) Add per employee per 8 hour shift	15
Barber & beauty shops per service chair	75
Bowling alley bathroom waste only per lane	50
Country club	
(a) Per resident	100
(b) Add per member or patron	25
(c) Add per employee per 8 hour shift	15
Doctor and Dentist offices	
(a) Per practitioner	250
(b) Add per employee per 8 hour shift	15
Factories, exclusive of industrial wastes gallons per employee per 8 hour shift	
(a) No showers provided	15
(b) Showers provided	25
Flea Market open 3 or less days per week	
(a) Per non-food service vendor space	15
(b) Add per food service establishment using single service articles only per 100 Square feet of floor space	50
(c) Per limited food service establishment	25
(d) For flea markets open more than 3 days per week estimated flows shall be doubled	
Food operations	
(a) Restaurant operating 16 hours or less per day per seat	40
(b) Restaurant operating more than 16 hours per day per seat	60
(c) Restaurant using single service articles only and operating 16 hours or less per day per seat	20
(d) Restaurant using single service articles only and operating more than 16 hours per day per seat	35
(e) Bar and cocktail lounge per seat	20

add per pool table or video game	15
(f) Drive-in restaurant per car space	50
(g) Carry out only, including caterers	
1. Per 100 square feet of floor space	50
2. Add per employee per 8 hour shift	15
(h) Institutions per meal	5
(i) Food Outlets excluding deli's, bakery, or meat department per 100 square feet of floor space	10
1. Add for deli per 100 square feet of deli floor space	40
2. Add for bakery per 100 square feet of bakery floor space	40
3. Add for meat department per 100 square feet of meat department floor space	75
4. Add per water closet	200
Hotels & motels	
(a) Regular per room	100
(b) Resort hotels, camps, cottages per room	200
(c) Add for establishments with self service laundry facilities per machine	750
Mobile Home Park	
(a) Per single wide mobile home space, less than 4 single wide spaces connected to a shared onsite system	250
(b) Per single wide mobile home space, 4 or more single wide spaces are connected to a shared onsite system	225
(c) Per double wide mobile home space, less than 4 double wide mobile home spaces connected to a shared onsite system	300
(d) Per double wide mobile home space, 4 or more double wide mobile home spaces connected to a shared onsite system	275
Office building	
per employee per 8 hour shift, or	15
per 100 square feet of floor space, whichever is greater	15
Transient Recreational Vehicle Park	
(a) Recreational vehicle space for overnight stay, without water and sewer hookup per vehicle space	50
(b) Recreational vehicle space for overnight stay, with water and sewer hookup per vehicle space	75
Service stations per water closet	
(a) Open 16 hours per day or less	250
(b) Open more than 16 hours per day	325
Shopping centers without food or laundry per square foot of floor space	0.1
Stadiums, race tracks, ball parks per seat	4
Stores per bathroom	200
Swimming and bathing facilities, public	10
per person	
Theatres and Auditoriums, per seat	4
Veterinary Clinic	
(a) Per practitioner	250
(b) Add per employee per 8 hour shift	15
(c) Add per kennel, stall or cage	20
Warehouse	
(a) Add per employee per 8 hour shift	15
(b) Add per loading bay	100
(c) Self-storage, per unit (up to 200 units)	1
add 1 gallon for each 2 units or fraction thereof, for over 200 units, and shall be in addition to	

employees, offices or living quarters flow rates.

INSTITUTIONAL:

Churches per seat which includes kitchen wastewater flows unless meals prepared on a routine basis	3
If meals served on a regular basis add per meal prepared	5
Hospitals per bed which does not include kitchen wastewater flows	200
add per meal prepared	5
Nursing, rest homes, adult congregate living facilities per bed which does not include kitchen wastewater flows	100
add per meal prepared	5
Parks, public picnic	
(a) With toilets only per person	4
(b) With bathhouse, showers & toilets per person	10
Public institutions other than schools and hospitals per person which does not include kitchen wastewater flows	100
add per meal prepared	5
Schools per student	
(a) Day-type	10
(b) Add for showers	4
(c) Add for cafeteria	4
(d) Add for day school workers	15
(e) Boarding-type	75
Work/construction camps, semi-permanent per worker	50
RESIDENTIAL:	
Residences	
(a) Single or multiple family per dwelling Unit	
1 Bedroom with 750 sq. ft. or less of building area	100
2 Bedrooms with 751-1,200 sq. ft. of building area	200
3 Bedrooms with 1,201-2,250 sq. ft. of building area	300
4 Bedrooms with 2,251-3,300 sq. ft. of building area	400
For each additional bedroom or each additional 750 square feet of building area or fraction thereof in a dwelling unit, system sizing shall be increased by 60 gallons per dwelling unit.	
(b) Other per occupant	50

Footnotes to Table I:

1. For food operations, kitchen wastewater flows shall normally be calculated as 66 percent of the total establishment wastewater flow.

2. Systems serving high volume establishments, such as restaurants, convenience stores and service stations located near interstate type highways and similar high-traffic areas, require special sizing consideration due to expected above average sewage volume. Minimum estimated flows for these facilities shall be 3.0 times the volumes determined from the Table I figures.

3. For residences, the volume of wastewater shall be calculated as 50 percent blackwater and 50 percent graywater.

4. Where the number of bedrooms indicated on the floor plan and the corresponding building area of a dwelling unit in Table I do not coincide, the criteria which will result in the greatest estimated sewage flow shall apply.

5. Convenience store estimated sewage flows shall be determined by adding flows for food outlets and service stations as appropriate to the products and services offered.

6. Estimated flows for residential systems assumes a maximum occupancy of two persons per bedroom. Where residential care facilities will house more than two persons in any bedroom, estimated flows shall be increased by 50 gallons per each additional occupant.

(2) Minimum effective septic tank capacity and total dosing tank capacity shall be determined from Table II. However, where multiple family dwelling units are jointly connected to a septic tank system, minimum effective septic tank capacities specified in the table shall be increased 75 gallons for each dwelling unit connected to the system. With the exception noted in paragraph 64E-6.013(2)(a), F.A.C., all septic tanks shall be multiple chambered or shall be placed in series to achieve the required effective capacity. The use of an approved outlet filter device shall be required. Outlet filters shall be installed within or following the last septic tank or septic tank compartment before distribution to the drainfield. The outlet filter device requirement includes blackwater tanks, but does not include graywater tanks or grease interceptors or laundry tanks. Outlet filter devices shall be placed to allow accessibility for routine maintenance. Utilization and sizing of outlet filter devices shall be in accordance with the manufacturers' recommendations. The approved outlet filter device shall be installed in accordance with the manufacturers' recommendations. The Bureau of Onsite Sewage Programs shall approve outlet filter devices per the department's Policy on Approval Standards For Onsite Sewage Treatment And Disposal Systems Outlet Filter Devices, November 2008, which is herein incorporated by reference.

TABLE II
SEPTIC TANK AND PUMP TANK CAPACITY

AVERAGE SEWAGE FLOW GALLONS/DAY	SEPTIC TANK MINIMUM EFFECTIVE CAPACITY GALLONS	PUMP TANK MINIMUM TOTAL CAPACITY GALLONS	
		Residential	Commercial
0-200	900	150	225
201-300	900	225	375
301-400	1,050	300	450
401-500	1,200	375	600
501-600	1,350	450	600
601-700	1,500	525	750
701-800	1,650	600	900
801-1,000	1,900	750	1,050
1,001-1,250	2,200	900	1,200
1,251-1,750	2,700	1,350	1,900
1,751-2,500	3,200	1,650	2,700
2,501-3,000	3,700	1,900	3,000
3,001-3,500	4,300	2,200	3,000
3,501-4,000	4,800	2,700	3,000
4,001-4,500	5,300	2,700	3,000
4,501-5,000	5,800	3,000	3,000

(3) Where a separate graywater tank and drainfield system is used, the minimum effective capacity of the graywater tank shall be 250 gallons with such system receiving not more than 75 gallons of flow per day. For graywater systems receiving flows greater than 75 gallons per day, minimum effective tank capacity shall be based on the average daily sewage flow plus 200 gallons for sludge storage. Design requirements for graywater tanks are described in subsection 64E-6.013(2), F.A.C. Where separate graywater and blackwater systems are utilized, the size of the blackwater system can be reduced, but in no case shall the blackwater system be reduced by more than 25 percent. However, the minimum capacity for septic tanks disposing of blackwater shall be 900 gallons.

(4) Where building codes allow separation of discharge pipes of the residence to separate stubouts and where lot sizes and setbacks allow system construction, the applicant may request a separate laundry waste tank and drainfield system. Where an aerobic treatment unit is used, all blackwater, graywater and laundry waste flows shall be consolidated and treated by the aerobic treatment unit. Where a residential laundry waste tank and drainfield system is used:

(a) The minimum laundry waste trench drainfield absorption area for slightly limited soil shall be 75 square feet for a one or two bedroom residence with an additional 25 square feet for each additional bedroom. If an absorption bed drainfield is used the minimum drainfield area shall be 100 square feet with an additional 50 square feet for each additional bedroom over two bedrooms. The DOH county health department shall require additional drainfield area based on moderately limited soils and other site specific conditions, which shall not exceed twice the required amount of drainfield for a slightly limited soil.

(b) The laundry waste interceptor shall meet requirements of subsections 64E-6.013(2) and (8), F.A.C.

(c) The drainfield absorption area serving the remaining wastewater fixtures in the residence shall be reduced by 25 percent.

(5) The minimum absorption area for standard subsurface drainfield systems, graywater drainfield systems, and filled systems shall be based on estimated sewage flows and Table III so long as estimated sewage flows are 200 gallons per day or higher. When estimated sewage flows are less than 200 gallons per day, system size shall be based on a minimum of 200 gallons per day.

TABLE III
For Sizing of Drainfields Other Than Mounds

U.S. DEPARTMENT OF AGRICULTURE SOIL TEXTURAL CLASSIFICATION	SOIL TEXTURE LIMITATION (PERCOLATION RATE)	MAXIMUM SEWAGE LOADING RATE TO TRENCH & BED ABSORPTION SURFACE INGALLONS PER SQUARE FOOT PER DAY	
		TRENCH	BED
Sand; Coarse Sand not associated with a seasonal water table of less than 48 inches; and Loamy Coarse Sand	Slightly limited (Less than 2 min/inch)	0.80	0.60
Loamy Sand; Sandy Loam; Coarse Sandy Loam; and Fine Sand Loam;	Slightly limited (2-4 min/inch)	0.80	0.60
Fine Sandy Loam; Silt Loam; Very Fine Sand; Very Fine Sandy Loam; Loamy Fine Sand; Loamy Very Fine Sand; and Sandy Clay Loam	Moderately limited (5-10 min/inch)	0.65	0.35
Clay Loam; Silty Clay Loam; Sandy Clay; Silty Clay; and Silt	Moderately limited (Greater than 15 min/inch but not exceeding 30 min/inch)	0.35	0.20
Clay; Organic Soils; Hardpan; and Bedrock	Severely limited (Greater than 30 min/inch)	Unsatisfactory for standard subsurface system	
Coarse Sand with an estimated wet season high water table within 48 inches of the bottom of the proposed drainfield; Gravel or Fractured Rock or Oolitic Limestone	Severely limited (Less than 1 min/inch and a water table less than 4 feet below the drainfield)	Unsatisfactory for standard subsurface system	

Footnotes to Table III:

1. U.S. Department of Agriculture major soil textural classification groupings and methods of field identification are explained in Rule 64E-6.016, F.A.C. Laboratory sieve analysis of soil samples may be necessary to confirm field evaluation of specific soil textural classifications. The USDA Soil Conservation Service "Soil Textural Triangle" shall be used to classify soil groupings based on the proportion of sand, silt and clay size particles.

2. The permeability or percolation rate of a soil within a specific textural classification may be affected by such factors as soil structure, cementation and mineralogy. Where a percolation rate is determined using the falling head percolation test procedure described in the United States Environmental Protection Agency Design Manual for Onsite Wastewater Treatment and Disposal Systems, October, 1980, incorporated by reference into this rule, the calculated percolation test rate shall be used with Table III and evaluated by the DOH county health department with other factors such as history of performance of systems in the area in determining the minimum sizing for the drainfield area.

3. When all other site conditions are favorable, horizons or strata of moderately or severely limited soil may be replaced with slightly limited soil or soil of the same texture as the satisfactory slightly limited permeable layer lying below the replaced layer. The slightly limited permeable layer below the replaced layer shall be identified within the soil profile which was submitted as part of the permit application. The resulting soil profile must show complete removal of the moderately or severely limited soil layer being replaced and must be satisfactory to a minimum depth of 54 inches beneath the bottom surface of the proposed drainfield. The

width of the replacement area shall be at least 2 feet wider and longer than the drain trench and for absorption beds shall include an area at least 2 feet wider and longer than the proposed bed. Drainfields shall be centered in the replaced area. Where at least 33 percent of the moderately limited soils at depths greater than 54 inches below the bottom of the drainfield have been removed to the depth of slightly limited soil, drainfield sizing shall be based on the following sewage loading rates. Where severely limited soils are being removed at depths greater than 54 inches below the bottom of the drainfield, 100 percent of the severely limited soils at depths greater than 54 inches shall be removed down to the depth of an underlying slightly limited soil. Maximum sewage loading rates for standard subsurface systems installed in replacement areas shall be 0.80 gallons per square foot per day for trench systems and 0.60 gallons per square foot per day for absorption beds in slightly limited soil textures. Where moderately limited soil materials are found beneath the proposed drainfield, and where system sizing is based on that moderately limited soil, soil replacements of less than 33% may be permitted.

4. Where coarse sand, gravel, or oolitic limestone directly underlies the drainfield area, the site shall be approved provided a minimum depth of 42 inches of the rapidly percolating soil beneath the bottom absorption surface of the drainfield and a minimum 12 inches of rapidly percolating soil contiguous to the drainfield sidewall absorption surfaces, is replaced with slightly limited soil material. Where such replacement method is utilized, the drainfield size shall be determined using a maximum sewage application rate of 0.80 gallons per square foot per day of drainfield in trenches and 0.60 gallon per square foot per day for drainfield absorption beds.

5. Where more than one soil texture classification is encountered within a soil profile and it is not removed as part of a replacement, drainfield sizing for standard subsurface drainfield systems and fill drainfield systems shall be based on the most restrictive soil texture encountered within 24 inches of the bottom of the drainfield absorption surface.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713.

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00, 11-26-06, 6-25-09, 7-16-13.

FUTURE LAND USES

Mixed Use Zone (MXZ) - Volusia County - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

UMI - Urban Medium Intensity – Volusia County

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial.

All requests for nonresidential uses within one- quarter ($\frac{1}{4}$) mile of another jurisdiction shall require notification to that jurisdiction.

Proposed FLU**General Commercial (Holly Hill)**

General commercial development - the ratio of building floor area to total site area shall not exceed 1.95 except for properties fronting on Ridgewood Avenue where a ratio of 4.55 may be permitted. (The ratio is calculated by dividing building floor area by site area.)

ZONING DISTRICTS**I-1 Light Industrial Zoning (Volusia County)**

This classification is to provide sufficient space in appropriate locations for industrial operations engaged in the fabricating, repair, or storage of manufactured goods of such a nature that objectionable by-products of the activity (such as odors, smoke, dust, refuse, electromagnetic interference, noise in excess of that customary to loading, unloading, and handling of goods and materials) are not nuisances beyond the lot on which the facility is located. Minimum 1 acre per lot.

B-5 Heavy Commercial (Volusia County)

This classification is to provide areas for commercial uses and structures that are not generally compatible with B-4 uses and structures. Minimum 1 acre per lot.

R-5 Urban Single Family Residential (Volusia County)

This classification is to provide medium-density residential developments, preserving the character of existing or proposed residential neighborhoods. Single family standard or manufactured modular dwelling are permitted. Minimum 5,000 sq. ft. per lot; minimum 750 sq. ft. livable floor area.

B-4 (Holly Hill)**Sec. 114-443. - Permitted principal uses and structures.****Permitted principal uses and structures in the B-4 district are as follows:**

(1)Any use permitted in the B-1 professional office/hospital-medical district.(2)Administrative offices.(3)Retail sales and services.(4)Personal services.(5)Restaurants, type A and B, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.(6)Bars and nightclubs, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.(7)Houses of worship.(8)Application of permanent makeup.(9)Adult day care centers.

Sec. 114-444. - Prohibited uses.

Prohibited uses in the B-4 district are as follows:

(1)Blood banks.(2)Tattoo parlors except that tattoo parlors shall be permitted on B-4 zoned property only within the redevelopment district overlay if approved by special exception. (Ord. No. 2454, § 1, 3-11-97; Ord. No. 2460, § 1, 3-25-97; Ord. No. 2999, § 2, 3-13-18)

Sec. 114-445. - Permitted accessory uses and structures.

Permitted accessory uses and structures in the B-4 district are as follows:

(1)Uses customarily associated with, dependent on and incidental to the permitted principal use.(2)Outside display, storage or sale of goods and objects that are customarily associated with and incidental to a permitted principal use. (Refer to section 114-767.) (Ord. No. 2352, § 2(5.5.16.D), 7-13-93; Ord. No. 2454, § 1, 3-11-97)

Sec. 114-446. - Special exceptions.

Special exceptions in the B-4 district are as follows:

(1)City-owned and quasipublic service and safety facilities. (Refer to section 114-669.)(2)Child day care centers. (Refer to section 114-667.)(3)Meeting places for civic, fraternal and service organizations. (Refer to section 114-663.)(4)Self-service automobile fuel stations and accessory self-service fuel pumps. (Refer to section 114-682.)(5)Motor vehicle rentals. (Refer to section 114-675.)(6)Type A and B service stations. (Refer to section 114-682.)(7)Flea markets and farmers' markets. (Refer to section 114-676.)(8)Restaurants, type A and B, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-690.)(9)Bars and nightclubs, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-691.)(10)New and used car lots. (Refer to section 114-683.)(11)Indoor shooting ranges. (Refer to section 114-697.)(12)Schools (public, private, parochial or technical) (Refer to section 114-698.)(13)Amusement center. (Refer to section 114-701.) (Ord. No. 2352, § 2(5.5.16.E), 7-13-93; Ord. No. 2361, § 1(V), 11-9-93; Ord. No. 2471, § 1, 6-24-97; Ord. No. 2454, § 1, 3-11-97; Ord. No. 2495, § 1, 1-13-98; Ord. No. 2561, § 1, 5-11-99; Ord. No. 2680, § 2, 1-27-04)

(Proposed Zoning)

CC-1, COMMERCIAL CORRIDOR DISTRICT

Sec. 114-591. - Scope.

This division shall apply to the CC-1 commercial corridor district.

Sec. 114-592. - Intent.

The CC-1 district regulations are intended to promote a relatively intense mix of uses along Ridgewood Avenue, including general retail, wholesale commercial, light industrial and limited residential uses, that are compatible and functionally related so as to enhance the economy of the area; to promote functionally efficient and visually attractive open spaces along the street and between buildings; and to promote the efficient use of Ridgewood Avenue and to minimize the deleterious effects of vehicle turning movements on its traffic-carrying capacity through reasonable access controls.

Sec. 114-593. - Permitted principal uses and structures.

Permitted principal uses and structures in the CC-1 district are as follows:

- (1) Administrative offices.
- (2) Adult congregate living facilities not exceeding 65 clients per acre (licensed capacity).
- (3) Adult day care centers.
- (4) Banks and savings and loans.
- (5) Barbershops.
- (6) Bars and nightclubs, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.
- (7) Beauty salons.
- (8) Business services.
- (9) Carwash facilities, except when located on property adjacent to Ridgewood Avenue or LPGA Blvd., in which case such use is allowed by special exception.
- (10) Child day care centers.
- (11) Civic, fraternal and service organizations.

- (12) Clubs, private.
- (13) Convenience grocery stores.
- (14) General office uses.
- (15) Hospitals.
- (16) Hotels/motels.
- (17) Houses of worship.
- (18) Laboratories: biological, optical, medical, dental and X-ray, but not including research and development laboratories related to the manufacturing of drugs for distribution and sale.
- (19) Manufacturing (light industrial).
- (20) Marinas.
- (21) Medical and dental clinics.
- (22) Miniwarehouses.
- (23) Motor vehicle sales and rentals.
- (24) Newsstands.
- (25) Personal services.
- (26) Prescription pharmacies.
- (27) Professional services offices.
- (28) Public uses.
- (29) Public utility uses and structures.
- (30) Recreational vehicles and equipment sales (including boat sales).
- (31) Residential dwelling units (not more than ten dwelling units per acre in conjunction with a nonresidential use only).
- (32) Rest and convalescent homes.
- (33) Restaurants, type A or B, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.
- (34) Retail sales and services.
- (35) Retail specialty shops.
- (36) Self-service laundromats.
- (37) Shopping centers.
- (38) Veterinary clinics.
- (39) Warehousing and distribution.
- (40) Motor vehicle and marine sales, services, parts and repair.
- (41) Paint and body shops, except when such uses are located on a parcel abutting Ridgewood Avenue (U.S. 1/S.R. 5) or abutting any R-1 through R-9 zoned property.

Sec. 114-594. - Prohibited uses.

The following uses are prohibited in the CC-1 district:

- (1) Asphalt batching plants.
- (2) Blood plasma centers.
- (3) Bulk storage of petroleum products and other flammable substances.
- (4) Concrete plants.
- (5) Truck and automobile salvage yards.
- (6) Temporary labor halls and similar uses, but not including employment services.
- (7) Tattoo parlors, except that tattoo parlors shall be permitted on CC-1 zoned property only within the redevelopment district overlay if approved by special exception.

Sec. 114-596. - Special exceptions.

Special exceptions in the CC-1 district are as follows:

- (1) Automobile service stations (type A and B) (Refer to section 114-682.)
- (2) Bars and nightclubs, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-691.)
- (3) Fence manufacturing and assembly. (Refer to section 114-684.)
- (4) Flea markets and farmers' markets. (Refer to section 114-676.)
- (5) Restaurants, types A and B, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-690.)
- (6) Self-service automobile fuel stations and accessory self-service fuel pumps. (Refer to section 114-682.)
- (7) Transmission repair services. (Refer to section 114-681.)
- (8) Truck and rail freight terminals.