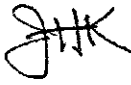




6A

MEMORANDUM

TO: Honorable Mayor Strickland and City Council Members

FROM: J.H.Kerr III, City Planner 

DATE: February 2, 2009

SUBJECT: Amendment to the Orange City Zoning Map – Ordinance No. 365
GEL Corporation Property – 33.8 Acres

PURPOSE

To approve a change of zoning for the GEL Corporation property, located in the northeast quadrant of Rhode Island Avenue and Leavitt Avenue, in Orange City, Florida.

BACKGROUND

The subject property consists of 33.8 acres, and is currently developed as a closed landfill and a recycling facility. The property is located within the City's jurisdiction. The applicant proposes to utilize a 12.5 acre portion of the property as a recycling facility. The proposed rezoning, if approved, will result in changing the subject property's 33.8-acre zoning classification from (I-2) Heavy Industrial to (I-PUD) Industrial Planned Unit Development.

The rezoning application was submitted to the Planning Commission for a public hearing, which was held on December 3, 2008, in accordance with Section 3.5.2 E of the City's land development code. Following a review and consideration of the application, the Commission voted unanimously to recommend that the City Council approve the rezoning. Staff maintains that the zoning change from (I-2) Heavy Industrial to (I-PUD) Industrial Planned Unit Development will have no adverse impacts in the area and is consistent with the elements of the City's Comprehensive Plan.

Attached is the staff report submitted to the Planning Commission, and the Commission minutes from the December 3, 2008 meeting.

RECOMMENDATION

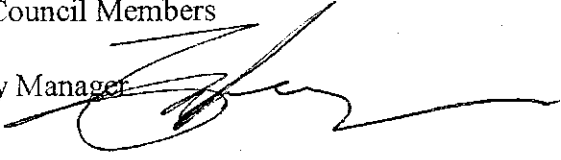
Staff recommends City Council approval of Ordinance No. 365, thereby amending the zoning map by changing the subject property's zoning classification from (I-2) Heavy Industrial to (I-PUD) Industrial Planned Unit Development.



6B

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Chester Murray, Interim City Manager 

DATE: February 02, 2009

**SUBJECT: COMPREHENSIVE PLAN AMENDMENT – ORDINANCE NO. 376
CAPITAL IMPROVEMENTS ELEMENT**

PURPOSE

To adopt the Comprehensive Plan Amendment, Ordinance No. 376, and transmit to the Florida Department of Community Affairs (DCA).

BACKGROUND

This amendment consists of revisions to the City's Comprehensive Plan that comply with new Florida Laws related to the City's Comprehensive Plan Capital Improvement Element (CIE) and Five-Year Capital Improvement Program (CIP). In 2005, the Florida Legislature enacted Senate Bill 360 which prohibits Orange City (as well as all other local governments) from amending its Comprehensive Plan unless the City Council adopts an updated CIE including the CIP every year and submits the update to the Department of Community Affairs (DCA).

The CIE is adopted and updated to reflect the timing and funding of capital projects to meet or maintain adopted level of service (LOS) standards for concurrency related facilities (sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities). If the LOS Standards are not met, concurrency management requires the City to deny applications for development orders and permits until the deficiency is addressed. In order to assure that facilities will be in place to maintain LOS standards in a timely manner and prevent a concurrency moratorium, the CIP must address deficiencies and be financially feasible. For purposes of the City's Comprehensive Plan, the CIP is a five-year schedule of capital projects for the annual budget year plus four years primarily in excess of \$25,000 to be undertaken by the City, including non-LOS items such as equipment purchases and government facilities and buildings.

Unlike other Comprehensive Plan amendments that require two public hearings by the City Council, the CIE annual update amendment is adopted with only one public hearing. Under this expedited process, the City does not transmit the annual update as a proposed amendment and DCA does not issue an Objections, Recommendation and Comments Report (ORC Report). Instead, the City simply adopts the CIE annual update amendment at a duly noticed public hearing, sends the adopted amendment to DCA and DCA publishes a Notice of Intent after conducting a compliance review. On January 7, 2009, the Planning Commission reviewed this amendment, and unanimously recommended approval by City Council

RECOMMENDATION

Staff and the Planning Commission recommend that City Council adopt the Comprehensive Plan Amendment, Ordinance No.376.



MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Chester Murray, Interim City Manager 

DATE: February 3, 2009

SUBJECT: **COMPREHENSIVE PLAN REMEDIAL AMENDMENT ORDINANCE 378**

PURPOSE

Approve the Comprehensive Plan Remedial Amendment via Ordinance No. 378 and transmit to the Florida Department of Community Affairs.

BACKGROUND

On July 8, 2008, the City Council adopted Ordinance No. 315, amending the City's Comprehensive Plan. On September 3, 2008, the Florida Department of Community Affairs (DCA) found the Comprehensive Plan amendment "not in compliance".

Following considerable deliberations between DCA and the City, the attached Stipulated Settlement Agreement (Resolution 526-09) represents the proposed agreement and changes. The changes contained in the Comprehensive Plan Remedial Amendment (Ordinance No. 378) satisfactorily address their concerns.

SUMMARY OF AMENDMENTS

The amendments consist of revisions to the Plan's Section 2 Future Land Use Element, Section 6 Conservation Element, Section 8 Intergovernmental Coordination Element, and Section 9 the Capital Improvements Element.

RECOMMENDATION

Staff recommends that City Council approve the attached Comprehensive Plan Remedial Amendment Ordinance No. 378, and transmit to the Florida Department of Community Affairs.