

## AFTER ACTION AGENDA

**REGULAR CITY COMMISSION MEETING**  
**MONDAY, JUNE 4, 2012**  
**6:30 P.M.**

**DELTONA COMMISSION CHAMBERS**  
**2345 PROVIDENCE BLVD.**  
**DELTONA, FLORIDA**



### **AGENDA**

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. INVOCATION AND PLEDGE TO THE FLAG:
  - A. Silent Invocation Presented by Vice Mayor Treusch.
4. APPROVAL OF MINUTES & AGENDA:
  - A. Minutes:

Special City Commission Meeting – April 26, 2012.  
Regular City Commission Meeting – May 21, 2012.

The Commission voted unanimously to approve the minutes of the Special City Commission Meeting of April 26, 2012 and the Regular City Commission Meeting of May 21, 2012 as presented.
  - B. Additions or Deletions to Agenda.
5. PRESENTATIONS/AWARDS/REPORTS:
  - A. Presentation to students residing in Deltona who are 2012 Valedictorians, Salutatorians and Medallion of Excellence winners.
  - B. Presentation - Superstar Students of the Month Certificates - May, 2012.

- C. **Presentation of artifacts from the Thornby Property, March 2009 archaeological assessment survey to the Enterprise Preservation Society.**

**6. PUBLIC FORUM – Citizen comments for any items.  
(4 minute maximum length)**

**CONSENT** All items marked with an \* will be considered by one motion unless removed  
**AGENDA:** from the Consent Agenda by a member of the City Commission.

**7. CONSENT AGENDA:**

**8. ORDINANCES AND -PUBLIC HEARINGS:**

- A. **Public Hearing - Ordinance No. 04-2012, providing an Amendment to Chapter 102, Signs, and Section 70-30, Definitions, of the City's Code of Ordinances at second and final reading.**

*The proposed Ordinance No. 04-2012 is a rewrite of Chapter 102 (a.k.a. the Sign Code) of the City's Code of Ordinances that also includes amendments to Section 70-30, Definitions. These documents are included with Ordinance No. 04-2012 as Exhibit A and Exhibit B, respectively.*

*Historically, the City has amended portions of the Sign Code, but has not undertaken a comprehensive rewrite of Chapter 102. The need for a rewrite of Chapter 102, and associated changes to Section 70-30 is in response to finding a balance between providing reasonable conveyance of information for business marketing purposes, while not adversely impacting neighborhoods and the general appearance of the City. The City Commission, residents, and local businesses have all expressed this balance as a goal. The need for public safety was also listed as a factor for rewriting the Code. Public safety is afforded by maintaining clear sight distances and limiting driver distraction.*

*Through a series of City Commission workshops and public hearings and input from the residential and business communities, the draft sign ordinance has been formulated to address issues raised by the public and City Commission. The latest draft includes modifications to several elements of the proposed City Sign Code. Recent changes to the proposed Sign Code along with a brief summary of key issues are listed below:*

- 1. Section 102-2 (19). Exempt signs, has been modified to allow up to five (5) signs per garage/yard sale. No more than four (4) of the signs, directional in nature, can be located off site in the public right-of-way, but not within 25 feet of an intersection.*

2. *Section 102-2(22). Exempt signs from the permitting requirements, has been added to allow banners associated with non-profit activities or houses of worship to include secondary uses on such property.*

3. *Section 102-4. Nonconforming signs. Allow signs in existence before the adoption of the new Sign Code to remain and be considered non-conforming. The copy face of a non-conforming sign can be changed, but the sign cannot be enlarged, expanded, or moved. Non-load bearing repairs and maintenance may be made to a non-conforming sign. Replacement, repair, or reinforcement of a load bearing component of a non-conforming sign will not be considered maintenance and will require the sign be removed. Any new signs will be required to be built in full conformance with the Sign Code. In addition, signs are required to be maintained in an aesthetically appropriate and safe manner. Finally, if a non-conforming sign is destroyed by a storm or other event, the sign shall be removed if the cost of repair/reconstruction exceeds 50% of replacement cost (the 50% replacement cost does not include the cost of electric components.) Any replacement sign shall be built in conformity with the new Sign Code.*

4. *Section 102-102. Changeable copy signs, has been amended to allow for a changeable copy area threshold of 50% for all defined uses and for greater changeable copy area allowances only for fuel prices (100%) and Movie Theater marquees (80%).*

*The Planning and Zoning Board reviewed Ordinance No. 04-2012 at their March 21st meeting and the Board recommended that the City Commission approve the Ordinance to include language pertaining to pole signs in certain designated areas of the City and canopy signage requirements. Further, the Ordinance is consistent with the City's Comprehensive Plan and Code of Ordinances.*

**After discussion, the Commission voted unanimously to approve Ordinance No. 04-2012 to amend Chapter 102, Signs, and Section 70-30, Definitions, of the City of Deltona's Code of Ordinances.**

- B. Public Hearing - Ordinance No. 07-2012, An Amendment to the Code of Ordinances by copying language from Section 110-814(a), *Adult Entertainment Establishments*, to Section 110-318(b), *Conditional uses*, within the (I) *Industrial* zoning district, for first reading and to schedule second and final reading.**

*The City of Deltona's Code of Ordinances (Code) includes proper language that is required to uphold the Adult Entertainment Ordinance, as listed in Chapter 78 of the Code. This language currently exists in Section 110-814, Additional regulations for certain permitted principal uses and structures, and should also be included in Section 110-318, (I) Industrial district.*

*Specifically, Section 110-814(a), Adult Entertainment Establishments, reads, "Adult entertainment establishments shall be permitted only in accordance with the requirements of the adult entertainment code, Chapter 78, Code of Ordinances." For administrative purposes, this identical language should also be included within Section 110-318(b), Conditional uses, within the (I) Industrial zoning district.*

*The Planning and Zoning Board reviewed Ordinance No. 07-2012 at the April 16, 2012, meeting and recommended that the City Commission approve the Ordinance. This item is consistent with the City's Comprehensive Plan and Code of Ordinances.*

**This item was deleted from the agenda at the request of the City Attorney.**

**C. Public Hearing - Consideration and Approval of Contract for Sale and Purchase of 2.89 Acres of Vacant Industrial Land (3 lots) located on Enterprise Road, Bristol Court and Jena Drive, Deltona, Florida.**

*This property is needed by the City's Water Department as and for additional parking and for storing material and equipment. The property was appraised for \$208,000. The purchase price is \$211,000. The extra \$3000 is to cover the Seller's closing costs.*

**After discussion, the Commission voted 5 to 1 (with Commissioner Zischkau voting against the motion) to approve the Contract for Sale and Purchase for the purchase of 2.89 Acres of Vacant Industrial Land (3 lots) located on Enterprise Road, Bristol Court and Jena Drive, Deltona, Florida at a cost of \$211,000.00.**

**9. OLD BUSINESS:**

**A. Consideration of appointment of one (1) member to the William S. Harvey Deltona Scholarship Advisory Board (Commissioner Zischkau's appointment).**

*The terms of all seven (7) members of the William S. Harvey Deltona Scholarship Advisory Board will expire on May 31, 2012. All of the current members have expressed that they wish to be appointed to this Board. The appointment of Commissioner Zischkau was tabled at the City Commission Meeting on May 7, 2012 and again on May 21, 2012.*

*The City has run press releases and posted the openings on D-TV, the City's Web Page and Bulletin Boards. To date, the City has received applications from the following individuals: Lori Burbank, Johnnie Ebbert, Ruth Garcia, Kenneth Grant, Julia Hewitt Hand, (District #6 Candidate) Ronald Watral and Lonnie Wilson.*

**The Commission voted unanimously to confirm the appointment of the following individual, Ronald Watral to the William S. Harvey Deltona Scholarship Advisory Board for one (1) term to expire on May 31, 2013.**

**10. NEW BUSINESS:**

- A. Request for approval of Resolution No. 2012-10, supporting the VCOG, Inc. Governing Board urging tobacco retailers to stop the sale and marketing of flavored tobacco products within Volusia County.**

*At the April 23, 2012 VCOG Governing Board meeting Dr. Bonita Sorenson, Director of Volusia County Health Department made a presentation explaining the dangers involved with flavored tobacco products and had asked VCOG to do a resolution.*

*At the May 21, 2012 VCOG Governing Board meeting, Resolution No. 2012-01 was unanimously approved which urges all its member governments to do a resolution urging all the local retailers who sell tobacco products within their jurisdiction to cease the sale and marketing of all flavored tobacco products.*

**The Commission voted unanimously to adopt Resolution No. 2012-10.**

**11. CITY COMMISSION COMMENTS:**

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER COMMENTS:**

**14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such 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 (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 878-8100.