

RESOLUTION NO. 15-22

A RESOLUTION OF THE CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted the Growth Management Act (Act), which requires local governmental entities to adopt comprehensive plans to establish policies for the future growth within their jurisdiction; and

WHEREAS, furthermore it is the intent of the Act for counties and municipalities to cooperate and coordinate planning with each other, regional agencies, and the State, and specifically states:

It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

WHEREAS, in addition to the Act, in 1986 the Volusia County Charter (Charter) was amended to create the Volusia Growth Management Commission (VGMC) and the Charter amendment contained the following language:

There is hereby created the Volusia Growth Management Commission (hereafter commission). The commission shall have the power and the duty to determine the consistency of the municipalities' and the county's comprehensive plans and any amendments thereto with each other.

WHEREAS, the VGMC has not limited its role to resolving disputes among local government entities, but has become a forum that is used by opponents to growth and development to delay and frustrate the legislative growth policies adopted by local government entities; and

WHEREAS, the VGMC has interpreted its role to intervene in growth management policy decisions even if all local government entities are in agreement as to consistency; and

WHEREAS, the vast majority of the VGMC hearings have not been the result of disputes between local government entities, but objections filed by other parties; and

WHEREAS, the VGMC is a costly process funded by the taxpayers of Volusia County. The VGMC reviews every proposed comprehensive plan amendment in Volusia County and hearings are easily requested. Such a process has been used to delay and frustrate growth. The VGMC is not required by State law and Volusia County is the only county in the State with such an added layer of review. This puts Volusia County at a disadvantage when competing with other jurisdictions for new businesses who do not have such an added layer of bureaucracy; and

WHEREAS, each local government entity has the sovereign authority to adopt its own growth management policies thereby establishing how that community will grow; and

WHEREAS, it is the opinion of the City Council that the County Charter should be amended to eliminate the VGMC; and

WHEREAS, eliminating the VGMC will not adversely affect the public's right to participate in the adoption of the growth policies of the local governmental entities and to pursue the administrative review provided under State law.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF DEBARY, FLORIDA:

SECTION 1. The City Council of the City of DeBary hereby requests the Volusia Charter Review Commission recommend an amendment to the Volusia County Charter eliminating the VGMC.

SECTION 2. The City Manager is hereby directed to forward this Resolution to the Volusia Charter Review Commission.

SECTION 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of DeBary, Florida.

ADOPTED THIS _____ DAY OF _____, 2015.

ATTEST TO:

Dan Parrott, City Clerk

Authenticated this _____ day of _____, 2015.

Clint Johnson, Mayor