



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, April 26, 2018

Time: 5:30 PM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Pledge of Allegiance
2. Silent Invocation
3. Roll Call

B. DISCUSSION/ACTION

4. Consideration of March 22, 2018 Minutes
5. Case No. 18-20000003
18-2 Large-Scale Comprehensive Plan Amendment

Proposed amendments to the City of Port Orange Comprehensive Plan, to remove references to 9J-5 Florida Administrative Code, which was repealed by House Bill 7207, add policies regarding sea level rise required by Senate Bill 1094, update the dates associated with various policies, add text to indicate task has been completed, and minor text changes to address agency name changes.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

C. OTHER BUSINESS

6. Commissioner Comments
7. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **PLANNING COMMISSION** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING

PLANNING COMMISSION MEETING MINUTES
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE
COUNCIL CHAMBERS
MARCH 22, 2018

THE REGULAR MEETING OF THE PLANNING COMMISSION of the City of Port Orange was called to order by Chairman Lance Green at 5:30 p.m.

Pledge of Allegiance

Silent Prayer

<u>ROLL CALL:</u>	Present:	Lance Green John Junco Newton White Thomas Jordan (arrived late) Maria Mills-Benat Bo Bofamy
	Absent:	Mike Arminio (Excused)
	Also Present:	Matthew Jones, Deputy City Attorney Deanna Massey, City Clerk's Office

Election of Officers

Vice Chairman Newton White was offered the Chair position and accepted.

Motion to nominate Commissioner Thomas Jordan as Vice Chairman was made by Commissioner Mills-Benat, seconded by Commissioner Bofamy. Mr. Jordan accepted. Motion carried unanimously by roll call vote.

B. DISCUSSION/ACTION

5. Consideration of Minutes

Motion to approve the December 14, 2017 Minutes as presented was made by Commissioner Green, and Seconded by Commissioner Mills-Benat. Motion carried unanimously by roll call vote.

6. Case No. 18-70000001

SPECIAL EXCEPTION/301 DUNLAWTON AVENUE

A request by the applicant to approve a Special Exception to allow off-site parking for the office use located at 301 Dunlawton Avenue. If the Special Exception request is approved, the

property owner of 301 Dunlawton Avenue is proposing to use the parking lot at the First United Methodist Church (708 Orange Avenue) as off-site parking to meet the parking requirements for the expanded office at 301 Dunlawton Avenue.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Penelope Cruz, Principal Planner, presented an overview of the proposed special exception for the 301 Dunlawton Avenue site.

Motion to approve case #18-70000001 was made by Commissioner Green, and Seconded by Commissioner Mills-Benat. Motion carried 5-0-1 by roll call vote with Vice Chairman Jordan abstaining.

7. Case No. 18-20000001

SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT/ANGLER'S COVE SUBDIVISION

3626 South Peninsula Drive

A request by the applicant to change the Comprehensive Plan Future Land Use (FLU) designation for ±1.3 acres from Urban High Density Residential (8-16 units/acre) to Suburban Residential (2-4 units/acre).

Staff Contact: Penelope Cruz (386) [506-5671/pcruz@port-orange.org](mailto:506-5671@pcruz@port-orange.org)

Ms. Cruz would like to open the next two items for discussion together. The Commission agreed. Items #7, 8, and 9 will be discussed together.

8. Case No. 18-65000001

PLANNED UNIT DEVELOPMENT (PUD) REZONING WITH MASTER DEVELOPMENT AGREEMENT (MDA) AND CONCEPTUAL DEVELOPMENT PLAN (CDP)/ANGLER'S COVE SUBDIVISION

3626 South Peninsula Drive

A request by the applicant to rezone a +/- 1.3-acre property from R-3H (multi-family) to Planned Unit Development (PUD), and approval of the Master Development Agreement (MDA) and Conceptual Development Plan (CDP) to establish the regulatory framework for a 5-lot single-family subdivision.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

9. Case No. 18-50000001

SUBDIVISION PLAT & PLANS/ANGLER'S COVE SUBDIVISION

3626 South Peninsula Drive

A request by the applicant to approve the Final Plat and Subdivision Plans for the Angler's Cove Subdivision to create five (5) single-family lots, along with associated subdivision improvements.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org Ms. Cruz provided an overview of the Small-scale Comprehensive Plan Future Land Use amendment, PUD Rezoning, and Final Plat and Plans for the Angler's Cove Subdivision.

Staff's recommendation is approval of the Future Land Use amendment, PUD rezoning, and the Subdivision Plat and Plans for the Angler's Cove Subdivision with the conditions identified in the Staff Reports. The rezoning and subdivision depend on the future land use amendment being approved.

Kathleen and Greg Jordan, 3629 S. Peninsula Drive, have concerns about the Angler's Cove Subdivision. Concerns about this affecting their quality of life due to the increased traffic and that there is nowhere for the traffic to turnaround.

Ms. Cruz spoke on the turnaround that has been designed in the subdivision plans which has been reviewed and approved by WastePro, Public Works and Fire.

Motion to approve case #18-50000001 was made by Commissioner Green, and Seconded by Commissioner Mills-Benat. Motion carried unanimously by roll call vote.

Motion to approve case #18-65000001 was made by Commissioner Green, and Seconded by Commissioner Junco. Motion carried unanimously by roll call vote.

Motion to approve case #18-20000001 was made by Commissioner Mills-Benat, and Seconded by Commissioner Junco. Motion carried unanimously by roll call vote.

10. Case No. 18-25000002
LDC TEXT AMENDMENT/PC-A WORKPLACE DISTRICT

A request by the applicant to amend Chapter 17, Section 29(e) of the Land Development Code (LDC) to increase the percentage of the Planned Community-Agriculture (PC-A) Workplace District allowed to be developed as multi-family, amend the landscape buffer requirement for a multi-family development abutting single-family residential zoned property, and change the minimum living area requirement for a multi-family dwelling unit.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Ms. Cruz provided an overview of LDC text amendment and PC-A workplace district.

Ms. Elizabeth Adler, Continental Development Properties, presented an overview of the project.

Rob Merrill, Developer, covered a couple more highlights on the concept of what they are bringing into the community.

Commissioner Junco questioned the percentage of PC-A workplace district allowed to be developed as multi-family from 7% to 13% increase, the vegetation buffer, and the location of the primary entrance

Commissioner Mills-Benat expressed her concerns about traffic issues due to this project.

Mathew West, LTG INC., discussed traffic and access points in more detail.

Chairman White, questioned the rental prices for the new development. The projected cost for the studios are about \$1,000 up to the three bedrooms for about \$1,700 a month.

Joy Drennan, 1374 Hyde Park Drive, spoke about her concerns with having a gated community in that area.

Mr. Jake Johansson, City Manager, stated the City is working with the County and Daytona to expand Williamson Blvd to four lanes, which should free up some of the traffic. He spoke on this project and how he believes this could lessen the traffic in the future, rather than having a commercial property at that location.

Commissioner Green wanted to discuss this project further. He agrees with Mr. Johansson's comments.

Teresa Wright, 1359 S. Wembley Circle, commented on the traffic and questioned the plans, if any for widening Summer Trees Road, and adding turning lights onto Taylor Road and would like the Commission to keep the traffic issues in mind.

Mr. Merrill advised the citizens and Commission that these concerns would be considered during the site plan traffic concurrency review.

Motion to approve case #18-25000002 was made by Vice Chairman Jordan and Seconded by Commissioner Green. Motion carried 5-1 by roll call vote. Commissioner Junco voted no.

11. Case No. 18-25000003

LDC TEXT AMENDMENT/CHAPTER 17, SECTION 1

Amendment to Chapter 17, Section 1, of the Land Development Code (LDC), to codify the City's Policy to allow agriculture uses on property rezoned to a non-agriculture zoning district for future development.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Ms. Cruz provided an overview of LDC text amendment, Chapter 17, Section 1.

Motion to approve case #18-25000003 was made by Commissioner Mills-Benat, and Seconded by Commissioner Junco. Motion carried unanimously by roll call vote.

12. Case No. 18-40000001

SECOND AMENDMENT TO THE AMENDED AND RESTATED NOVA DEPOT PLANNED COMMERCIAL DEVELOPMENT (PCD) MASTER DEVELOPMENT AGREEMENT (MDA) AND CONCEPTUAL DEVELOPMENT PLAN (CDP)
3730 Nova Road

A request by the applicant to amend the Amended and Restated Nova Depot Planned Commercial Development (PCD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP) to establish the framework to subdivide a commercial lot into two (2) commercial lots.

Staff Contact: Gwen Perney (386) 506-5673/gperney@port-orange.org

Gwen Perney, Senior Planner, provided an overview of the two amendments to the Master Development Agreement and Conceptual Development Plan.

Vice Chairman Jordan asked about the Waffle House parcel the developer had agreed to extend the access drive to the South end for future connection to the property on the South side.

Ms. Perney replied that the developer was previously required to give a cross access easement and stub it out to that property line which is existing.

Motion to approve case #18-40000001 was made by Commissioner Junco and Seconded by Commissioner Mills-Benat. Motion carried 5-1 by roll call vote, with Commissioner Jordan voting no.

13. Case No. 18-20000002

ADMINISTRATIVE LARGE-SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT/WILLIAMSON BOULEVARD-WILLOW RUN BOULEVARD SITE
South side of Willow Run Boulevard, east of Williamson Boulevard

A proposed amendment to change the Comprehensive Plan Future Land Use (FLU) designation for ±34.5 acres from Urban High Density Residential (8-16 units/acre), Urban Medium Density Residential (4-8 units/acre), and Suburban Residential (2-4 units/acre) to Mixed-Use Center.

Staff Contact: Tim Burman (386) 506-5675/tburman@port-orange.org

Tim Burman, Director of Community Development, presented an overview of the proposed comprehensive plan future land use amendment for the Williamson Boulevard and Willow Run Boulevard Site.

Commissioner Green asked what the property is currently zoned for, what will it be changed to and if we are decreasing the proposed density available on this site.

Mr. Burman replied stating the current future land use for multifamily allows up to 326 multifamily units and is being changed to mixed use center, which allows for office, commercial and residential units. This allows more nonresidential uses than currently allowed there and it is about a 50-unit residential decrease.

Chairman White asked if there was any requirement for notification of the developments.

Mr. Burman stated there was yellow public notice sign posted on the subject property and there was also a public hearing ad in the newspaper.

Commissioner Green asked who the property owner is and if they are aware of the proposed changes for the land use and rezoning.

Mr. Burman stated that the property owner is aware and signed a document that they are okay with moving forward with the rezoning and land use changes.

Commissioner Junco asked if the property owner has approached with any interest in developing the property a certain way or if it is just on the market. Also, if they just want to get the property rezoned to resell to make more profit.

Mr. Burman stated this land use allows for multiple uses and adds more commercial uses to the property. The property owner will continue to market it with the new regulations.

Motion to approve case #18-20000002 was made by Commissioner Mills-Benat and Seconded by Commissioner Junco. Motion carried unanimously by roll call vote.

14. CASE NO. 18-60000001

ADMINISTRATIVE REZONING/WILLIAMSON BOULEVARD-WILLOW RUN BOULEVARD SITE

South side of Willow Run Boulevard, east of Williamson Boulevard

A proposed amendment to rezone +/- 34.5 acres from Planned Unit Development (PUD) to Mixed-Use Center (MXC) District, and +/- 5 acres from Planned Unit Development (PUD) to Community Commercial (CC).

Staff Contact: Tim Burman (386) 506-5675/tburman@port-orange.org

Mr. Burman presented an overview of the administrative rezoning of the Williamson Boulevard and Willow Run Boulevard site.

Motion to approve case #18-60000001 was made by Commissioner Junco and Seconded by Vice Chairman Jordan. Motion carried unanimously by roll call vote.

C. OTHER BUSINESS

15. Commissioner Comments

Commissioner Green asked Mr. Burman about the Sonny's business sign and when it can be expected to be fixed. Mr. Burman is working with code enforcement and Sonny's to fix this issue.

Commissioner Junco made an announcement reminding everyone about Port Orange Family Days this weekend.

16. Staff Comments- There were none.

D. PUBLIC COMMENTS – There were none.

E. ADJOURNMENT – 7:52

Chairman Newton White



STAFF REPORT

18-2 Large-Scale Comprehensive Plan Amendment/
CASE NO. 18-20000003

REQUEST:	Amend the Comprehensive Plan to remove references to 9J-5, update various policies, and add required policies regarding sea level rise.
APPLICANT:	City of Port Orange
STAFF CONTACT:	Penelope Cruz, Interim Planning Manager (386)506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	April 26, 2018
CITY COUNCIL DATE:	May 15, 2018

INTRODUCTION

Administrative text changes are proposed to the City of Port Orange Comprehensive Plan (the Plan) based on changes to Florida Statutes since the City's Comprehensive Plan was last updated (2010). The following are the primary changes proposed to the Comprehensive Plan:

- Remove all references to Rule 9J-5 Florida Administrative Code, which has been repealed by the Florida Legislature in House Bill (HB) 7207. HB 7207 changed Chapter 163, Florida Statutes and eliminated Florida Administrative Code 9J-5. Rule 9J-5 provided specific direction to meet the statutory requirements of growth management laws and is referenced throughout the Plan. Text amendments are proposed for nearly every chapter of the Plan in order to remove any reference to Rule 9J-5.
- Update the dates associated with various policies, add text to indicate task has been completed, and minor text changes to address agency name changes.
- Add new sea level rise policies to eliminate inappropriate and unsafe development in the City's coastal areas when opportunity arises, as required by Senate Bill (SB) 1094. SB 1094 included sea level rise as one of the causes of flood risk that must be addressed in the "redevelopment principles, strategies, and engineering solutions" to reduce flood risk. Florida Statutes requires all cities with a Coastal Zone Management Element (CZME) to adopt policies related to sea level rise. The City's Plan had policies pertaining to sea level rise and reducing flood risks, but additional policies have been added to comply with SB 1094.

The primary changes to each chapter are identified in bulleted format below and the specific amendments, in strike-through/underline format, are attached for review.

PROPOSED AMENDMENTS

1. Chapter 1 - Future Land Use Element:
 - a. Remove references to repealed 9J-5 Florida Administrative Code in the Introduction, Policy 2.1.3, and Policy 3.6.5
 - b. Update agency names in the text of the Planned Community-Westside Future Land Use designation description and in Policy 1.3.4.
 - c. Update Policy 2.5.2 to clarify that the policy is an on-going effort
 - d. Update Objective 2.6 to clarify that the objective is an on-going effort
 - e. Update Objective 2.7 to clarify that the objective is an on-going effort
 - f. Update Objective 3.6 to clarify that the objective is an on-going effort
 - g. Update Policy 4.2.4 to remove the reference to State Housing Initiatives Partnership (SHIP) program funds (The City Council terminated the City's SHIP Program in January 2011.)
 - h. Update Goal 5 and subsequent policies delete a policy that has been addressed, clarify a policy is an on-going effort, and correct typographical errors.
2. Chapter 5 – Public School Facilities Element:
 - a. Delete Policy 2.1.3 that has been addressed and is no longer needed, and renumber the policies that follow.
 - b. Remove reference to a policy 2.1.4, that is being renumbered to 2.1.3 (see above).
3. Chapter 7 – Coastal Zone Management Element:
 - a. Remove references to repealed 9J-5 Florida Administrative Code in the Introduction
 - b. Update Policies 4.3.10, 4.3.11, 4.3.12, and add new Policies 4.3.14 through 4.3.16 regarding sea level rise as required by Section 163.3178, F.S.
 - c. Update Objective 4.4 to extend the timeframe regarding a Post Disaster Redevelopment Plan
4. Chapter 8 – Conservation Element:
 - a. Remove references to repealed 9J-5 Florida Administrative Code in the Introduction
 - b. Update Objective 3.1 to extend the timeframe regarding Low-Impact Development code amendments
5. Chapter 10 – Capital improvements Element:
 - a. Remove references to repealed 9J-5 Florida Administrative Code in the Introduction and Policy 1.4.3
 - b. Update agency names in Policy 1.3.11, Table 5 and Table 9.
 - c. Delete Policy 2.1.3 that has been addressed and is no longer needed

RECOMMENDATION

Staff recommends approval of the requested amendments to the City's Comprehensive Plan.

ATTACHMENTS

Exhibit A - Text Amendments to Comprehensive Plan

Exhibit A

Text Amendments to Comprehensive Plan

Words with underlined (underlined) type shall constitute additions to the original text and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text.

The pages included are excerpts from the amended chapters of the Comprehensive Plan. Only the pages with amendment text are included.

COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

Policy Document

INTRODUCTION

The Future Land Use Element is the central element of the Comprehensive Plan. It functions as the blueprint for the City of Port Orange, the design for its future. It is used to ensure that future development is planned harmoniously with existing development and natural systems in a sustainable manner. It provides policy direction and guidelines for orderly growth, infrastructure, and public services. It relates the policies of the other elements in the Plan to the future use of land. It sets the land use Goals to which the City aspires, the Objectives used to measure progress, and the Policies employed to achieve them.

This Element describes the City's past efforts to become the progressive, high-quality community it is today, and its vision for evolving gradually over the next 20 years into a sustainable, "life-long" community. For the next 20 years, this new vision can ensure that the City's quality will be maintained and the City can continue to build on its success. Twenty years from now, Port Orange will be a city that is able to meet its needs in the present without compromising its ability to meet those needs in the future. The community will shift focus from growth to sustainability. Port Orange will be a city of places and spaces, of neighborhoods and marketplaces, of parks and civic space. It will be a place designed for human interaction— the cultural amenity great cities offer known as "civic life."

The Future Land Use Element was prepared to be consistent with the standards established in Chapter 9J-5.006, Florida Administrative Code, as well as relevant sections of Chapter 163, Part II, Florida Statutes, the State Comprehensive Plan, and the Strategic Regional Policy Plan. The Existing and Future Land Use Maps are included in this element. The Existing Land Use Map shows the location and distribution of land uses that have developed as of September 30, 2009. The Future Land Use Map indicates the proposed location and distribution of land uses to the year 2025. All policies contained in the Comprehensive Plan are consistent with the Future Land Use Map. All land development regulations contained in the City's Land Development Code must also be consistent with this element and with this Plan.

Planned Community-Westside and shall report its findings to **DCADEO**, FDOT District 5, **Volusia County River To Sea** TPO, Volusia County, and the City of Daytona Beach as described in the Transportation Element, Policy 3.2.2.

General Design Standards

Planned Community-Westside shall meet the following general design standards:

- A primary “town center” shall be created for the overall project that includes a mixture of uses (residential, commercial, institutional, and recreation), and a variety of housing types. The location of the town center shall be shown on the CDP for the Macro Region. The town center shall be relatively compact in design, and may be developed at the maximum density/intensity. High-density residential units should be clustered into the town center in order to support convenience/service uses, local employment, or mass transit use. A portion of overall project conservation/recreation area shall be in the form of a “town square” or public park.
- Internal connectivity should be provided for pedestrian, bicycle, and automobile modes so as to reduce the number of external trips and provide transit service options.
- Single-family housing may be constructed on a variety of lot sizes that are intermixed throughout each Micro Region.
- Projects should be designed with special consideration given to compatibility with the surrounding uses and any adjacent developments. Compatibility is defined as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other. In general, density and intensity shall decrease toward the south and west. This will ensure that the higher intensity uses will be located where the infrastructure exists to serve them (adjacent to I-95), and where they will not impact lower intensity uses (adjacent to Tomoka Farms Road). In addition, buffering between areas of different intensity will be accomplished through a variety of mechanisms permitted by the City’s Land Development Code.

Planned Community-Riverwalk

This land use designation implements the Riverwalk component of the Port Orange Town Center Redevelopment Plan.

Planned Community-Riverwalk is 35.4 acres and is composed of several land uses including mixed-use, recreational, commercial, office, residential, and civic land uses, among others. These land uses shall be integrated into a walkable community on the Halifax riverbank.

Community Standards

The following standards apply to Planned Community –Riverwalk.

Density/Intensity

The Riverwalk District shall allow a maximum gross residential density of 25 units/acre.

Distribution of Uses

The following table identifies the land uses allowed in Planned Community –Riverwalk, expressed as number of dwelling units or gross square footage.

density/intensity to support more economical and efficient public bus transit service.

Policy 1.2.8: Promote environmental protection, reduced natural resource consumption and energy management in the design and construction of buildings.

Objective 1.3: Coordinating Land Use and Transportation. The City will ensure that existing and proposed land uses are consistent with the transportation modes and services proposed to serve these areas.

Policy 1.3.1: Any required transportation improvements shall be implemented with minimal land use, social, and environmental disruption.

Policy 1.3.2: The City shall, through enforcement of its Land Development Code regulations, continue to ensure that the transportation facilities function safely and effectively in furtherance of the City's Mobility Improvement policies by:

- A. Limiting curb cuts on arterial roads, providing for common access points, and ensuring safe and convenient on-site and inter-parcel circulation.
- B. Concentrating proposed commercial developments around major roadway intersections, and discouraging proposals that would increase the frontage of existing commercial strips.
- C. Locating higher-intensity uses where transportation facilities can provide the most efficient access.
- D. Incorporating "pedestrian-friendly" design principles in new development projects, as described in the Transportation Element.
- E. Implementing the objective and policies of the Transportation Concurrency Exception Area and Mobility Improvement Zones in the Transportation Mobility Element.

Policy 1.3.3: The land use pattern shall serve to minimize travel requirements, and shall encourage the increased use of public transit and an increase in walking and bicycling to support the City's multimodal transportation system.

Policy 1.3.4: The City shall monitor the roadway conditions and transportation network in and adjacent to Planned Community-Westside, and shall report its findings to the City of Daytona Beach, Volusia County, Volusia County River To Sea TPO, DCADEO, and FDOT District 5 on an annual basis.

Policy 1.3.5: The City shall limit trips from the City wellfield properties so as not to cause any part of the Volusia County thoroughfare network to operate below the adopted level of service.

Policy 1.3.6: The City shall limit trips from Cracker Creek [parcel numbers 6330-00-00-0160; 6330-00-00-0180; 6330-00-00-0170; 6225-03-00-0070] so as to not create a significant impact on the Volusia County thoroughfare network and State roadway facilities.

Objective 2.1: Future Land Use Map. The City's continued growth shall be based upon the Future Land Use Map, which shall specify the desired development pattern for Port Orange through a land use category system that provides for the location, type, density, and intensity of development.

Policy 2.1.1: The Future Land Use Map shall contain the following categories, as described in this Element:

- A. Public/Institutional
- B. Conservation
- C. Recreation
- D. Agricultural Preservation (maximum 1 unit/10 acres)
- E. Rural Transition (0-2 units/acre)
- F. Suburban Residential (2-4 units/acre)
- G. Urban Medium-Density Residential (4-8 units/acre)
- H. Urban High-Density Residential (8-16 units/acre)
- I. Office/Residential Transition
- J. Commercial
- K. Mixed-Use Center
- L. Planned Community
- M. Warehouse/Industrial

Policy 2.1.2: The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of appropriate physical and natural separators. Compatibility is defined as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other.

Policy 2.1.3: In addition to requirements within Florida Statutes and the Florida Administrative Code, the evaluation of amendments to the Future Land Use Map shall be guided by the following criteria and the Goals, Objectives, and Policies of this Plan. The criteria below are a general policy guide. Each amendment shall be reviewed on a case by case basis. Amendments are expected to be consistent with several, but not necessarily all, criteria and result in an overall positive impact.

- a) The changes in uses, density, and intensity;
- b) Furtherance of the City's Vision;
- c) Furtherance of the City's Sustainability Strategies;
- d) The locational criteria for the proposed category and the adjacent categories;
- e) The environmental suitability of the uses, densities, and intensities proposed;
- f) The impact of the proposed land use on water quality and quantity, and the potential for flooding;
- g) Furtherance of energy-efficient land use patterns and a reduction in vehicle miles traveled;

- h) The impact on the City's transportation network, and the City's Transportation Concurrency Exception Area (TCEA) and mobility strategies;
- i) The accessibility to necessary infrastructure and public services and an analysis of the availability of adequate public facilities based on the adopted level-of-service standards;
- j) The availability of water supply, Consumptive Use Permit capacity, and production facilities capacity based on the adopted level-of-service standards
- k) Whether the change reduces evacuation times beyond 12 hours; and
- l) The discouragement of urban sprawl, ~~measured against the indicators identified in 9J-5 F.A.C.~~

Policy 2.1.4: It is recognized that Public/Institutional uses are acceptable in a wide range of land use environments and, therefore, small and/or isolated properties of this type may be designated under any land use category where appropriate, as determined by the Administrative Official.

Policy 2.1.5: When there are disputes to land use category boundaries on the Future Land Use Map, interpretations of these boundaries shall be made by the Administrative Official. The Administrative Official may adjust said boundaries within 660 feet, to accommodate property lines, rights-of-way, or easements, and to allow extension to major physical or man made boundaries. Boundaries shall not be expanded in such a manner that they encroach into established residential areas. Appeals from the decision of any interpretations made by the Administrative Official shall be made through the Local Planning Agency, which shall determine consistency with the Plan.

Policy 2.1.6: Development of parcels 6214-01-03-0010 and 6214-01-03-0020 shall be limited to a density of one unit per one acre.

Objective 2.2: *Land Development Code.* Future growth and development will be managed through the use of the Land Development Code, in a manner consistent with the Future Land Use Map and Comprehensive Plan.

Policy 2.2.1: The City's Land Development Code and Official Zoning Map shall be maintained to permit the use and development of land in accordance with the Future Land Use Map and the Comprehensive Plan.

Policy 2.2.2: The City shall keep on file a zoning matrix which links zoning districts to corresponding to future land use categories. It shall be used as a guide when determining appropriate zoning for land and reviewing rezoning requests.

Policy 2.2.3: The City shall refine and improve its regulatory techniques so that they allow and encourage the type of development that furthers the City's sustainability goals.

Policy 2.4.6: The City shall allow low-intensity public schools, such as elementary and middle schools, in the Public/Institutional, Rural Transition, Suburban Residential, Urban Medium-Density Residential, Urban High-Density Residential, Office/Residential Transition, and Planned Community-Westside land use categories subject to the rezoning of Government/Public Use (GPU), if applicable. Elementary schools should be located predominately in areas with the housing types and densities to meet the school's enrollment capacity with students that are predominantly within walking distance of the school. Middle schools may be located in areas with a mix of residential and commercial uses.

Policy 2.4.7: The City shall allow high-intensity public schools, such as high schools and colleges, in the Public/Institutional, Urban High-Density Residential, Commercial, and Office/Residential Transition land use categories subject to the rezoning of Government/Public Use (GPU), if applicable. High-intensity schools should be buffered from residential areas as much as possible.

Policy 2.4.8: The Land Development Code shall allow public educational facilities as permitted uses with special development criteria in appropriate zoning districts subject to the interlocal agreement with the Volusia County School Board.

Policy 2.4.9: The City may administratively rezone public school sites to Government/Public Use (GPU).

Objective 2.5: *Compatibility with Adjoining Jurisdictions.* Require that land uses are compatible with that of adjoining jurisdictions, as defined by this Plan.

Policy 2.5.1: Consider adjoining existing land use and future land use plans when reviewing development proposals within the City that are adjacent neighboring jurisdictional boundaries.

Policy 2.5.2: ~~By 2015, enter into joint land use planning with~~Continue to work with Volusia County, and adjacent cities, as applicable, to effectively plan for the location, timing, and form of anticipated urban expansion areas.

Policy 2.5.3: The City shall work with adjacent jurisdictions and intergovernmental coordination committees in siting locally unpopular public and private land uses, with consideration to the area of population served, the impact on land development patterns or important natural resources, and the cost-effectiveness of service delivery.

Objective 2.6: *Non-conformities.* Existing land uses that are inconsistent or incompatible with the City's Land Use Plan shall be eliminated ~~by the year 2020~~as development and redevelopment occurs.

Policy 2.6.1: Continue to prohibit the proliferation of incompatible uses through the use of the Future Land Use Plan and Land Development Code.

Policy 2.6.2: All non-conforming structures and uses of land shall be discontinued or otherwise made to conform with the provisions of the City's Comprehensive Plan, Land Development Code, and the Local Mitigation Strategy, through the use of rezonings, the development review process, the Commercial Property Maintenance Program, and other appropriate mechanisms.

Objective 2.7: Historic Resources. In cooperation with the Florida Department of State, Division of Historic Resources, continue the use of land development regulations to amend the Land Development Code so as to create standards for the protection, preservation, and rehabilitation of identified or potential significant historic and archaeological resources by July, 2015. Until then, however, the following interim Policies shall be utilized:

Policy 2.7.1: Include historic and archaeological resources in land acquisition programs for open space, recreation, preservation, or conservation.

Policy 2.7.2: Continue the use of land development regulations to protect identified archaeological sites by incorporating them into open space areas.

Policy 2.7.3: Where the preservation of historic structures per *Policies 2.7.1* and *2.7.2* above is not possible, the City shall permit the relocation of such structures so long as they can be moved without noticeable damage to a location of similar historic character.

Policy 2.7.4: Maintain a common database to include survey information, a complete set of Florida Master Site file forms for all recorded sites and archival materials.

Policy 2.7.5: Nominate eligible historic and archaeological resources to the National Register of Historic Places.

Policy 2.7.6: Solicit input from various local, regional, state, agencies and interest groups for ways to better protect, preserve, and rehabilitate historic and archaeological resources.

Policy 2.7.7: Encourage the City's Building Official to use the Florida Building Code to facilitate and encourage the protection, preservation, and rehabilitation of historic properties.

Policy 2.7.8: Code Enforcement staff shall be trained to identify and cite historic properties that suffer from decline.

Policy 2.7.9: Assist preservation interest groups in identifying existing and potential local historic preservation problems and in addressing solutions to those problems.

designated public transportation corridors, with priority given to those projects that will bring the greatest increase in transit ridership.

Objective 3.5: *Williamson Business Park.* The City shall continue to the market and develop the business/industrial park west of I-95.

Policy 3.5.1: The City shall pursue a public/private agreement for the completion of the Williamson Business Park to attract high quality businesses and industries to the City.

Policy 3.5.2: The City shall work with the Volusia County Economic Development Department, the Port Orange-South Daytona Chamber of Commerce and other interested groups to promote the completion of the park.

Policy 3.5.3: The City shall continue to explore financial and other incentives to help attract businesses to locate in the park, including programs developed in conjunction with local lending institutions.

Objective 3.6: *Commercial Reinvestment Strategy.* By 2012, ~~the~~ City shall continue to develop and implement a reinvestment strategy-strategies for older commercial properties in the City to ensure that over time these properties remain viable and important contributors to the City's non-residential tax base.

Policy 3.6.1: Work with economic development organizations to develop a database of available redevelopment properties and market information to promote investment in redevelopment.

Policy 3.6.2: The City shall continue to develop and implement specialized zoning and development regulations for designated reinvestment areas.

Policy 3.6.3: The City shall monitor the impacts of development regulations on small businesses to ensure that the special needs of small business operators are taken into account in the formulation of any new or revised City Codes or policies.

Policy 3.6.4: The City shall continue to work closely with the Port Orange-South Daytona Chamber of Commerce to maintain communication with local business owners about City Code.

Policy 3.6.5: The City's urban redevelopment area (URA) and Transportation Concurrency Exception Area (TCEA) for the Port Orange Town Center redevelopment area is depicted in the figure below. The area is built-up with available public facilities and services such as sanitary sewer, potable water, roads, and recreation areas and does not contain more than 40 percent vacant, developable land. This area is also hereby designated as an Existing Urban Service Area for the purpose of compliance with Rule 9J-5.0055(6)(a)2. The TCEA is intended to support the redevelopment objectives of the Redevelopment

Policy 4.2.4: The City will use CDBG and SHIP funds, when available, and explore opportunities to establish other financial incentives, for investment in older, declining neighborhoods as part of an overall reinvestment strategy.

Policy 4.2.5: The City will utilize public works and public utility projects as opportunities to improve the condition and appearance of older, declining neighborhoods through sensitive and appropriate design and retrofit.

GOAL 5: MIXED-USE DEVELOPMENT

~~AND~~ PROVIDE FOR MIXED-USE DEVELOPMENT THAT CREATES AN ATTRACTIVE AND FUNCTIONAL MIX OF LIVING, WORKING, SHOPPING, AND RECREATIONAL ACTIVITIES, PROVIDES FOR ENERGY-EFFICIENT LAND USE PATTERNS, COMPACT DEVELOPMENT, URBAN INFILL AND REDEVELOPMENT, AND SUPPORTS A MULTI-MODAL TRANSPORTATION SYSTEM.

Objective 5.1: Mixed-use Centers. Establish mixed-use centers, that are designed to be convenient, promote personal interaction, reduce travel distance, and conserve energy, to serve as an alternative to the single-use, community-level commercial node in certain areas, such as at intersections of collector or higher-classified roads.

Policy 5.1.1: Mixed-use centers should include compact, mixed-use development, facilities and amenities for multi-modal transportation, and high-quality, pedestrian-scale building and site design.

~~*Policy 5.1.2:* By the end of 2011, hold community input meetings with neighborhood residents and business owners near the Ridgewood Avenue Corridor regarding the possibility of establishing mixed-use centers around certain intersections.~~

Policy 5.1.32: Based on a detailed analysis of physical and economic factors, as well as community input, the City should amend the Future Land Use Map and Zoning Map to establish mixed-use centers in the most appropriate locations along the Ridgewood Avenue Corridor throughout the City.

Policy 5.1.43: In future years, the City should consider establishing additional mixed-use centers elsewhere using a similar community input process described above.

Objective 5.2: Port Orange Town Center Redevelopment Plan - Implementation. The City of Port Orange shall implement the Port Orange Town Center Redevelopment Plan, which is made up of five special character districts: Riverwalk, Dunlawton Village, Down Under, Causeway, and Ridgewood. Each district will be redeveloped based upon policies

COMPREHENSIVE PLAN

PUBLIC SCHOOL FACILITIES ELEMENT

Policy Document

GOAL 2: IMPLEMENT PUBLIC SCHOOL CONCURRENCY

THE CITY OF PORT ORANGE SHALL ASSURE THE FUTURE AVAILABILITY OF PUBLIC SCHOOL FACILITIES TO SERVE NEW DEVELOPMENT CONSISTENT WITH THE ADOPTED LEVEL OF SERVICE STANDARDS. THIS GOAL WILL BE ACCOMPLISHED RECOGNIZING THE SCHOOL DISTRICT'S STATUTORY AND CONSTITUTIONAL RESPONSIBILITY TO PROVIDE A UNIFORM SYSTEM OF FREE AND ADEQUATE PUBLIC SCHOOLS AND THE CITY'S AUTHORITY TO GOVERN THE USE OF LAND, INCLUDING THE AUTHORITY TO APPROVE OR DENY COMPREHENSIVE PLAN AMENDMENTS, RE-ZONINGS OR OTHER DEVELOPMENT ORDERS THAT GENERATE STUDENTS AND IMPACT THE PUBLIC SCHOOL SYSTEM. THE CITY OF PORT ORANGE SHALL OPERATE AND MAINTAIN IN A TIMELY AND EFFICIENT MANNER ADEQUATE PUBLIC FACILITIES FOR BOTH EXISTING AND FUTURE POPULATIONS CONSISTENT WITH THE AVAILABLE FINANCIAL RESOURCES.

Objective 2.1: The City of Port Orange, through coordinated planning with the School District and implementation of its concurrency management system, shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level-of-service standard within the period covered by the five-year schedule of capital improvements. These standards and the concurrency management system shall be consistent with the interlocal agreement approved by the School Board and the local governments in Volusia County.

Policy 2.1.1: The level-of-service standards for schools shall be applied consistently by all the local governments in Volusia County and by the School Board district-wide to all schools of the same type.

Policy 2.1.2: Consistent with the interlocal agreement, the uniform, district-wide level-of-service standards are set as follows using FISH capacity based on the traditional school calendar:

1. Elementary Schools: 115% of permanent FISH capacity for the concurrency service area
2. K-8 Schools: 115% of permanent FISH capacity for the concurrency service area.
3. Middle Schools: 115% of permanent FISH capacity for the concurrency service area
4. High Schools: 120% of permanent FISH capacity for the concurrency service area
5. Special Purpose Schools: 100% of permanent FISH capacity

Policy 2.1.3: The following schools shall achieve the adopted level of service no later than the identified date. The level of service presented in the following table is the tiered level of service that shall apply to that school unit the dated noted in

the table.

School	LOS	DATE
Orange City Elementary	117%	July 1, 2012
Horizon Elementary	158%	July 1, 2012
Freedom Elementary	126%	July 1, 2012
Oseeola Elementary	117%	July 1, 2012
Ortona Elementary	150%	July 1, 2012
Ormond Beach Elementary	116%	July 1, 2012
Southwestern Middle	120%	July 1, 2013
New Smyrna Beach Middle	122%	July 1, 2014

(Note: This policy designates a tiered LOS for those schools that exceed the desired levels at the end of the first five year capital improvements program)

Policy 2.1.43: The following schools shall be considered constrained schools at the designated LOS due to the inability to add capacity at the site and the nature of the communities they serve. Concurrency will be reviewed in the adjacent concurrency service areas and requests to increase residential densities in the constrained concurrency service areas will need to be accompanied by a plan to address school capacity.

School	LOS
Burns-Oak Hill Elementary	115%
Coronado Elementary	115%
Samsula Elementary	165%

Source: Volusia County Interlocal Agreement

Policy 2.1.54: The City of Port Orange and School Board recognize and agree that short-term changes in enrollment unrelated to new development approvals can and do occur, and that students enrolling in their assigned school will be accepted consistent with the School District's constitutional obligations regardless of the utilization levels at the assigned school.

Policy 2.1.65: If there is a consensus to amend any level-of-service, the amendment shall be accomplished by execution of an amendment to the interlocal agreement by all parties and the adoption of amendments to each local government's comprehensive plan. The amended level-of-service standard shall not be effective until all plan amendments are effective and the amended interlocal agreement is fully executed. No level-of-service standard shall be amended without showing that the new standard is financially feasible and can be achieved and maintained within the five-year timeframe of the capital facilities plan.

Objective 2.2: The City of Port Orange shall establish School Concurrency Service Areas, as determined district-wide, within which an evaluation is made of whether adequate school capacity is available, based on the adopted level-of-service standard.

planning. The comprehensive plan amendment shall demonstrate how school capacity will be met consistent with the terms of the First Amendment to the Interlocal Agreement for Public School Facility Planning effective July 2007 and Section 206 of the Volusia County Charter. If the project area is to be annexed by a municipality, the comprehensive plan amendment shall include an amendment of the central concurrency service area boundary by Volusia County to exclude the subject parcel.

Policy 2.2.9: Amendments to the School Concurrency Service Areas shall be completed according to the procedures specified in the Volusia County Interlocal Agreement for School Facilities Planning. Amendments to concurrency service areas shall consider the following criteria:

1. Adopted level-of-service standards shall not be exceeded within the initial five-year planning period, except as identified in Policies 2.1.3 and 2.1.4 of this Element.
2. The utilization of school capacity is maximized to the greatest extent possible taking into account transportation costs, ethnic and socio-economic diversity, proximity to schools, subdivisions and neighborhoods, demographic changes, future land development patterns, crossing guard availability and other relevant factors.

Objective 2.3: In coordination with the School Board, the City of Port Orange will establish a process for implementing school concurrency, which includes applicability and capacity determination, availability standards and school capacity methods. The City of Port Orange shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with the adopted level of service standards for public schools.

Policy 2.3.1: School concurrency applies to residential development not otherwise exempt as specified by Policy 2.3.3.

Policy 2.3.2: Development orders may be issued for residential development where:

1. Adequate school capacity, as determined by the School Board, exists or will be under construction for each level of school in the affected concurrency service area within three years after the issuance of the development order allowing the residential development.
2. Adequate school facilities, as determined by the School Board, are available within an adjacent concurrency service area subject to the limitations of Policy 2.3.7. Where capacity from an adjacent concurrency service area or areas is utilized, the impacts of development (i.e. students) shall be shifted to that area. If capacity exists in more than one concurrency service area or school within a concurrency service area, the School District shall determine where the impacts of development shall be allocated based on the School District policies for student assignment.

COMPREHENSIVE PLAN

COASTAL ZONE MANAGEMENT ELEMENT

Policy Document

INTRODUCTION

The Coastal Zone Management Element is a part of the Comprehensive Plan that coastal communities must prepare in accordance with State legislation. The purpose of the Element is to "plan for and where appropriate restrict development activities where such activities would damage or destroy coastal resources, and protect human life and limit public expenditures in areas that are subject to destruction by natural disaster." (F.A.C. 9J-5.012)

Within the context of the Comprehensive Plan, the Coastal Zone Management Element has a special status. Although it must be integrated into and be consistent with all the other Elements of the Plan, the Coastal Zone Management Element not only addresses the protection of coastal resources, but also addresses other related issues of land use, transportation, public access, and public services, facilities and infrastructure.

Volusia County and the coastal municipalities cooperated in the preparation of the original Element in 1989. Early on, the County and coastal communities recognized that coastal issues and resources should be coordinated from a systems approach. Environmental systems such as estuaries, watershed basins, or wildlife habitat, and man-made systems like traffic circulation or drainage structures, do not start or stop at political boundaries. The original Coastal Zone Management Element was written for the County's Comprehensive Plan, with the inventory, the analysis, and the goals, objectives and policies drafted in a broad-based structure so that each community could choose to adopt all or part of the element into their individual Comprehensive Plans. The City modified the goals, objectives, and policies of the plan to suit its own specific needs.

The central concept of the Element is to promote consensus among and between coastal communities so that common problems can be identified and common solutions proposed and implemented. Where the goals, objectives and policies specifically reference the County and cities, the intent is to emphasize cooperation in implementing and achieving the goals, objectives and policies.

COASTAL ZONE MANAGEMENT ELEMENT

Policy 4.3.4: City utility infrastructure shall be designed to withstand floods and wind damage associated with major storms and hurricanes. Furthermore, the City shall require, where necessary and appropriate, that electric, telephone, television cable, and other private utility infrastructure be designed to withstand flood and storm damage. Specifically, except as provided below, all utility lines and services shall be installed underground at the owner's, developer's, or builder's expense, consistent with the Land Development Code Requirements.

Policy 4.3.5: All residential development of more than 100 units in the Hurricane Vulnerability Zone shall be required to provide information to residents concerning hurricane evacuation and shelters during hurricane season.

Policy 4.3.6: All new residential development of more than 100 units in the Hurricane Vulnerability Zone shall be required to formulate an emergency hurricane preparedness plan for that development.

Policy 4.3.7: All development in the Coastal High Hazard Area shall be consistent with the federal flood hazard requirements.

Policy 4.3.8: The City will incorporate the recommendations of the Comprehensive Emergency Management Plan and the Local Mitigation Strategy (LMS), and other relevant interagency reports and agreements into the Comprehensive Plan and Land Development Code, as appropriate.

Policy 4.3.9: The City shall continue to participate in the county-wide Local Mitigation Strategy (LMS) program and implement the LMS, as necessary and appropriate, through capital improvements programming.

Policy 4.3.10: The City shall continue to participate in and comply with the National Flood Insurance Program (NFIP) regulations.

Policy 4.3.11: The City shall continue to participate in and pursue the improvement of Port Orange's insurance rating under the NFIP Community Rating System (CRS) to achieve flood insurance premium discounts for residents.

Policy 4.3.12: Locate future school facilities outside of areas susceptible to hurricane storm damage or areas prone to flooding, or as consistent with F.S. 1013 and F.A.C. Rule 6A-2, as amended, regarding flood plain and school building requirements.

Policy 4.3.13: Locate new fire and law enforcement facilities outside of the areas susceptible to hurricane storm damage or flooding, unless service levels cannot be maintained without such locations.

Policy 4.3.14: New development and redevelopment in areas at high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise shall be required to utilize building design specifications, engineering solutions, site development techniques, and management practices (i.e. requiring higher minimum floor elevations, retrofitting buildings for increased flood risk, design

COASTAL ZONE MANAGEMENT ELEMENT

infrastructure that can withstand higher water levels such as raising seawalls and installing tidal valves, implementing natural drainage features such as bioswales, and other similar techniques and best practices); and is encouraged to use these building design specifications, engineering solutions, site development techniques, and management practices to remove real property from flood zone designations established by the Federal Emergency management Agency.

Policy 4.3.15: New development and redevelopment in areas at high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise shall meet or exceed the flood-resistant construction requirements of the Florida Building Code (i.e. requiring higher minimum floor elevations, retrofitting buildings, requiring the use of flood damage-resistant materials).

Policy 4.3.16: New development and redevelopment shall be consistent with flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R., part 60, as amended.

Objective 4.4: Post-Disaster Redevelopment. By 20152025, the City shall undertake an evaluation of the long-term problems related to post-disaster redevelopment, and based upon those findings, will prepare a Post-Disaster Redevelopment Plan. If necessary, amendments shall be made to the Comprehensive Plan based upon the Post-Disaster Redevelopment Plan.

Policy 4.4.1: The Post-Disaster Redevelopment Plan shall include: the identification of land areas that should not be reconstructed; the abandonment and/or relocation of buildings; and the rebuilding of public facilities, abandonment of public facilities, or reconstruction of public facilities with structural modification.

Policy 4.4.2: The Post-Disaster Redevelopment Plan shall also identify structures in the Coastal High Hazard Area that might be of some utility for public access, and make recommendations for acquisition when post-disaster opportunities arise. It shall establish guidelines for determining priorities for the acquisition of storm-damaged property in the Coastal High Hazard Area.

Policy 4.4.3: The Post-Disaster Redevelopment Plan shall establish principles for repairing, replacing, modifying, or relocating public facilities in the Coastal High Hazard Area.

Policy 4.4.4: The City shall utilize the build-back policies in its Post-Disaster Redevelopment Plan after a hurricane or other natural and man-made disasters.

Policy 4.4.5: The City shall plan for the immediate relief of the adverse effects of natural and man-made disasters. The primary concern shall be to protect the public health, safety, and welfare.

Policy 4.4.6: The Post-Disaster Redevelopment Plan shall contain objectives and policies that distinguish between immediate repair and cleanup and long-term repair and redevelopment.

COMPREHENSIVE PLAN

CONSERVATION ELEMENT

Policy Document

INTRODUCTION

The City of Port Orange has played an important role in environmental protection and conservation in the Halifax area and intends to continue to remain active in these areas into the future.

The City's commitment to conservation and environmental protection has been reflected in its willingness to 1) protect floodplains through the Conservation land use designation and Floodplain-Conservation (F-C) Zoning District; 2) regulate tree and vegetation removal; 3) safeguard the purity of the air, water, and soil; 4) avoid the disturbance of wetlands; 5) identify and protect natural communities and endangered species; and 6) take a leadership role in the implementation of wastewater effluent reuse.

The purpose of the Element is to provide guidance for the conservation and protection of natural resources which are important to the local quality of life. The intent of the element is to protect the public health, safety and welfare through the retention and protection of "environmentally sensitive lands." Chapter 9J-24.002 F.A.C. defines environmentally sensitive lands are defined as...

"...areas of land or water designated in the plan as being needed to serve the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as protection of soils, protection of quality or quantity of groundwater or surface water, shorelines, fisheries and wildlife management, protection of vegetative communities or protection of wildlife habitats."

There is an on-going need to protect the natural resources and environmental quality that attracted people to the area. This Element will help maintain and improve areas that are suited for development and guide new development away from areas that are not.

DEVELOPMENT (LID) TECHNIQUES, AND PURSUE COMMITMENTS TO REDUCE STORMWATER RUNOFF VOLUMES AND PEAK FLOWS, TO INCREASE GROUNDWATER RECHARGE, AND TO INCREASE PRESERVATION OF UNDISTURBED AREAS.

Objective 3.1: By ~~2015~~2025, the City shall amend the Land Development Code to eliminate impediments to LID techniques.

Policy 3.1.1: Integrate into the Land Development Code the source control concept that places a greater importance on managing smaller, cost-effective landscape features located on each lot rather than through costly pipe and pond stormwater management design.

Policy 3.1.2: Maintain or improve infiltration, frequency and volume of discharges, and groundwater recharge by placing greater emphasis on reducing pervious surfaces, functional grading, open channel sections, and increasing the use of bioretention/filtration landscape areas.

Policy 3.1.3: Integrate alternative stormwater management practices such as on-lot microstorage, functional landscaping, open drainage swales, reduced imperviousness, flatter grades, increased runoff travel time, and depression storage into a multifunctional site design.

Policy 3.1.4: Encourage integrated stormwater management practices (IMPs), which distribute stormwater in small portions of a lot or parcel, near the source of impacts.

Policy 3.1.5: Amend the Land Development Code and Construction Details to permit LID designs that can significantly reduce development costs by:

- Reducing impervious surfaces (roadways), curb, and gutters;
- Decreasing the use of storm drain piping, inlet structures; and
- Eliminating or decreasing the size of large stormwater ponds.

COMPREHENSIVE PLAN

CAPITAL IMPROVEMENTS ELEMENT

Policy Document

INTRODUCTION

Under the 1985 Growth Management Act, local governments are mandated to plan for the availability of public facilities and services to support development and the impacts of such development. The purpose of the Capital Improvements Element (CIE) and the Capital Improvements Schedule (Schedule) is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that the adopted Level of Service (LOS) Standards are achieved and maintained for concurrency related facilities.

The 2005 Growth Management Act requires the Schedule to be financially feasible. As defined by Chapter 163.3164(32) F.S., in order for a Schedule to be financially feasible it must demonstrate that sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5. These revenues must be adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted LOS standards are achieved and maintained within the period covered by the 5-year Schedule. The requirement that LOS standards be achieved and maintained does not apply if the proportionate-share process set forth in Chapter 163.3180(12) and (16), F.S., is used.

This Element, intended to demonstrate the financial feasibility of the City of Port Orange's Comprehensive Plan, commences in the fiscal year 207/18 and identifies potential projects for the initial five-year planning period. Individual Capital Improvement needs identified in this Element are, for the most part, those improvements which cost \$25,000 or more and are generally non-recurring purchase items. The capital improvements identified in the other Elements of this Comprehensive Plan are listed with a brief description in Table 1 along with their estimated cost, funding source, and projected year of expenditure. The improvements are listed by type of service, related to the various Elements of the Comprehensive Plan. As required by Section 9J-5.016, F.A.C., the Capital Improvements Element addresses existing and future capital improvements needed for at least the first five fiscal years after the adoption of the comprehensive plan. Therefore, Table 1 lists improvements identified for the years 2018-2023.

The capital improvements projects listed in Table 1 are not inclusive of all anticipated capital expenditures by the City during the designated time period. For the most part, the list of improvements has been limited to the capital projects required to meet or maintain adopted LOS standards or implement the Goals, Objectives, and Policies of the Comprehensive Plan. Improvements on a smaller scale (generally under \$25,000 in cost) are outlined in the City's five-year Capital Improvement Program and annual budget as they are needed over time.

CAPITAL IMPROVEMENTS ELEMENT

TABLE 3
SUMMARY OF CAPITAL IMPROVEMENTS

Facility Type	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	Total
Water	875,000	1,250,000	1,275,000	1,070,000	1,100,000	725,000	6,295,000
Sanitary Sewer	1,300,000	2,410,000	4,875,000	4,900,000	1,925,000	1,950,000	17,360,000
Water & Sewer	100,000	100,000	100,000	100,000	100,000	100,000	600,000
Drainage	2,510,000	679,000	-	-	-	-	3,189,000
Transportation	862,000	3,409,000	1,190,000	814,000	1,643,000	4,350,000	12,268,000
Recreation	100,000	1,500,000	-	-	-	-	1,600,000
Total Capital Improvements	5,747,000	9,348,000	7,440,000	6,884,000	4,768,000	7,125,000	41,312,000

TABLE 4
SUMMARY SCHEDULE OF COMMITTED AND PLANNED FUNDS

Fund	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	Total
Capital Projects (301)	804,000	885,000	228,000	99,000	225,000	-	2,241,000
General Capital Rplmmt Fund (317)	100,000	260,000	-	-	-	-	360,000
Water/Sewer Operating (401)	550,000	1,450,000	1,450,000	1,400,000	1,200,000	1,200,000	7,250,000
Water/Sewer R&R(403)	900,000	1,385,000	1,400,000	1,370,000	1,375,000	1,425,000	7,855,000
Water/Sewer Impact (405)	825,000	925,000	2,400,000	2,300,000	550,000	150,000	7,150,000
Drainage Cnstr/Oprtnng (412)	797,000	329,000	-	-	-	-	1,126,000
Proportionate Fair Share/Other/Grant	1,713,000	2,525,000	1,000,000	1,000,000	-	-	6,238,000
TPO Funds	58,000	389,000	962,000	495,000	900,000	-	2,804,000
Developer Fairshare Contr. (Planned)	-	1,200,000	-	220,000	518,000	4,350,000	6,288,000
Total Committed and Planned Funds	5,747,000	9,348,000	7,440,000	6,884,000	4,768,000	7,125,000	41,312,000

SOURCE (For Tables 3 and 4): City of Port Orange, Department of Finance, 2017

Table 5 identifies transportation improvements included in the first five years of the applicable Transportation Planning Organization's (TPO) adopted Transportation Improvement Program (TIP), to the extent that such improvements are relied upon to ensure concurrency and financial feasibility.

TABLE 5
VOLUSIA COUNTY TPO TRANSPORTATION IMPROVEMENT PLAN*

There are no concurrency-related improvements in the 2017/18 – 2021/22 TPO TIP.

SOURCE: VCTPO TIP FY 2017/18-2021/22; City of Port Orange, Department of Community Development, 2017

Table 6 identifies public school facilities improvements included in the first five years of the 2016/17 – 2020/21 Volusia County School District Work Program.

CAPITAL IMPROVEMENTS ELEMENT

TABLE 9
FACILITY SPECIFIC RULES FOR CONCURRENCY ASSESSMENT

TRANSPORTATION

Traffic impact analysis studies are required for development projects to determine the project impacts, maintain information on roadway conditions, and develop appropriate mobility mitigation strategies. Such studies must be consistent with the adopted Volusia County TPO Guidelines. The studies shall calculate the number of trips generated by the proposed development, show the distribution and assignment of the projected trips, and project the level of service of impacted road links. Traffic studies shall still be required for projects within the Town Center Transportation Concurrency Exception Area (TCEA) to provide a measure of the projects impacts and to maintain information on the roadway conditions within the TownCenter TCEA to develop, monitor, and adjust mobility strategies.

Prior to the issuance of a Certificate of Occupancy, all facility improvements necessary to accommodate the impacts of the development shall be in place or planned for construction within the first three years of the adopted FDOT Work Program, County Road Program, and/or City CIP. If the necessary facility improvements will not be in place or under construction within three years of the time of the development approval, the development's approval will be subject to the signing of an enforceable development agreement, such as a Concurrency and Fair-Share Agreement, as outlined in the City's Proportionate Fair Share Ordinance. Completed improvements may be required prior to the issuance of a building permit if deemed necessary for public safety purposes. Outside the boundaries of the Transportation Concurrency Exception Area, the City may grant *de minimus* exceptions up to a cumulative 10% degradation of the adopted peak-hour LOS standard volume, as long as the facility is not an evacuation route or part of the State's SIS.

SANITARY SEWER

The City's Land Development Code provides sanitary sewer use standards for residential development based on equivalent residential units and for non-residential development based on gross leasable area. The City may also require commercial and industrial developments to provide a description and estimate of wastewater generations for any commercial or industrial processes which create wastewater that will be discharged into the City's system.

Prior to the issuance of a Certificate of Occupancy, all facility improvements necessary to accommodate the impacts of that portion of the development receiving a Certificate of Occupancy shall be in place, as required by the Development Order.

POTABLE WATER

The City's Land Development Code provides potable water use standards for residential development based on equivalent residential units and for non-residential development based on gross leasable area. The City may also require commercial and industrial developments to provide a description and estimate of water use needs for any commercial or industrial processes involving potable water.

Prior to the issuance of a Certificate of Occupancy, groundwater or alternative water supplies and all facility improvements necessary to accommodate the impacts of that portion of the development receiving a Certificate of Occupancy shall be in place, as required by the Development Order and the City Consumptive Use Permit.

Policy 1.3.5: The City shall allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.

Policy 1.3.6: The City shall identify and use stable revenue sources which are also responsive to growth for financing public facilities.

Policy 1.3.7: The City shall continue to strive for financial self-sufficiency in the provision of public facilities.

Policy 1.3.8: A capital improvement scheduled to be funded through grants and/or funding that requires a referendum will not be undertaken if the grants are not secured or the referendum is not passed; however, if the improvement is needed to maintain a LOS standard, then all new development will be required to contribute its fair share towards the improvement.

Policy 1.3.9: The City shall identify funding sources for the mobility strategies in the Town Center Transportation Concurrency Exception Area (TCEA) annually during the update to the Capital Improvements Plan. Mitigation shall be satisfied through a combination of physical infrastructure improvements, as listed in the Transportation Mobility Element, or payment of impact fees, and proportionate fair-share contributions, or other future identified sources.

Policy 1.3.10: The City may create a special assessment district to secure funding for TCEA strategies and identified improvements within the Port Orange Town Center Redevelopment District. The City shall amend the Capital Improvements Schedule annually to incorporate funding from the special assessment district for capital improvements to enhance mobility within the TCEA.

Policy 1.3.11: The City will pursue and secure funding from other revenue sources including, but not limited to:

- Florida Inland Navigation Department (FIND) grants
- Volusia County ECHO grants
- Community Development Block Grant (CDBG) funds
- Ponce de Leon Port District
- Special Assessment District
- Florida Department of ~~Community Affairs~~ Economic Opportunity (DCADEO)
- Florida Department of Transportation (FDOT)
- ~~Volusia~~ Transportation Planning Organization (TPO)
- Transportation impact fees
- Utility projects (drainage, water, wastewater)
- Parking credits
- Gas tax

Objective 1.4: The City will utilize a Concurrency Management System so that decisions regarding the issuance of development orders and permits will be based upon coordination of the development requirements included in this Plan, the land development regulations, and