



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, May 24, 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 April 26, 2018 Minutes
5. Case No. 18-20000004
SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE
AMENDMENT/1660 ANITA ST.

A request to change the Comprehensive Plan Future Land Use (FLU) designation for ±0.57 acres from Volusia County *Urban Low Intensity* (ULI) to City of Port Orange *Rural Transition* (0-2 units/acre).

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

6. Case No. 18-60000002
REZONING/1660 ANITA ST.

A request to rezone ±0.57-acres from Volusia County A-2 (Rural Agriculture) to R-20 SF (single-family residential).

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

C. OTHER BUSINESS

7. Commissioner Comments
8. 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 DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

PLANNING COMMISSION MEETING MINUTES
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE
COUNCIL CHAMBERS
APRIL 26, 2018

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

Pledge of Allegiance

Silent Prayer

ROLL CALL:

Present: Lance Green
John Junco
Newton White
Thomas Jordan
Maria Mills-Benat
Bo Bofamy
Mike Arminio

Also Present: Shannon Balmer, Assistant City Attorney
Deanna Massey, City Clerk's Office

B. DISCUSSION/ACTION

4. Consideration of March 22, 2018 Minutes

Chairman White read Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers into the record as Vice Chairman Jordan abstained from voting on the motion for case #18-70000001 on March 22, 2018.

Motion to approve the March 22, 2018 Minutes as presented was made by Commissioner Green, and Seconded by Commissioner Mills-Benat. Motion carried unanimously by roll call vote.

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 9J5 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

Ms. Cruz provided an overview of 18-2 Large-Scale Comprehensive Plan Amendment Proposed amendments to the City of Port Orange Comprehensive Plan.

Motion to approve Case No. 18-20000003 was made by Commissioner Arminio, and Seconded by Commissioner Junco. Motion carried unanimously by roll call vote.

C. OTHER BUSINESS

3. Commissioner Comments

Commissioner Arminio asked what the City's current status for Air B&B's are. He questioned if this is something they want in the City of Port Orange and is concerned that these Air B&B's might create a safety issue.

Tim Burman, Community Development Director, advised the City is currently following the state law requirements. The City of Port Orange doesn't have any specific regulations for short term rentals at this time.

Commissioner Junco spoke on Air B&B's renter's insurance.

Mr. Burman stated they will look at the regulations currently in place and make sure they are being enforced.

4. Staff Comments- There were none.

D. PUBLIC COMMENTS There were none.

E. ADJOURNMENT 5:48PM

Chairman Newton White



STAFF REPORT

Small-Scale Comprehensive Plan Future Land Use
Amendment/1660 Anita Street
CASE NO. 18-20000004

REQUEST:	Change the Comprehensive Plan Future Land Use (FLU) designation for ± 0.57 acres from Volusia County <i>Urban Low Intensity</i> (ULI) to City of Port Orange <i>Rural Transition</i> (0-2 units/acre).
LOCATION:	1660 Anita Street (Figure 1 - Location Map)
APPLICANTS/OWNERS:	Gary and Kathryn Bell
STAFF CONTACT:	Penelope Cruz, Interim Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 24, 2018

INTRODUCTION

The proposed amendment is to change the Future Land Use (FLU) designation for ± 0.57 -acres from Volusia County *Urban Low Intensity* (ULI) to City of Port Orange *Rural Transition* (0-2 units/acre). The subject property is located at 1660 Anita Street, an unpaved road, on the west side of Williamson Boulevard, north of Spruce Creek. If the proposed FLU Amendment is approved, the applicants intend to rezone the property from Volusia County A-2 (Rural Agriculture) to R-20 SF (single-family residential) and construct a single-family home. The proposed construction of a single-family home is consistent with the proposed *Rural Transition* FLU designation.



DISCUSSION

The following discussion will examine the proposed amendment and the impacts of the proposed amendment.

PROPERTY OVERVIEW

The subject property is currently vacant except for an existing concrete driveway and boat dock. There was previously a single-family home on the property that was demolished in 2008.

The subject property is surrounded by single-family homes to the north, east, and west, and the Spruce Creek to the south. The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Table 1. The current adopted and proposed FLU designation for the subject property and the current FLU designation of the adjacent properties is identified on Exhibit A. The current and proposed zoning classification of the subject property and adjacent properties are identified on Exhibit B.

Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Single-family home	Rural Transition	R-20 SF (single-family residential)
South	Spruce Creek	n/a	n/a
East	Single-family home	Rural Transition	R-20 SF (single-family residential)
West	Single-family home	Volusia County Urban Low Intensity	Volusia County Rural Residential

PROPOSED AMENDMENT

The proposed amendment is to change the FLU designation for ±0.57 acres from Volusia County *Urban Low Intensity* (ULI) to City of Port Orange *Rural Transition* (0-2 units/acre). The current and proposed FLU designations are consistent with regards to allowable uses; however, the proposed City FLU designation allows a lower maximum density than the current Volusia County FLU designation. The following tables identify the current adopted and proposed FLU designations by acreage (Table 2) and maximum allowable intensity (Table 3).

Table 2. Current & Proposed Future Land Uses – Acreage by Category

	Current FLU (acres)	Proposed FLU (acres)	Net Change in FLU (acres)
Volusia County Urban Low Intensity	0.57	0	- 0.57
Port Orange Rural Transition	0	0.57	+0.57
TOTAL ACREAGE	0.57	0.57	0

Table 3. Current & Proposed Future Land Uses – Maximum Density/Intensity by Category

	Current FLU	Proposed FLU	Net Change in FLU
	[Theoretical Maximum Dwelling Units]		
Volusia County Urban Low Intensity (0.2 – 4 units/acre)	2	0	-2
Port Orange Rural Transition (0 – 2 units/acre)	0	1	+1
TOTAL	2	1	-1

INFRASTRUCTURE IMPACT ASSESSMENT

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the theoretical maximum development potential under the currently adopted future land use designation versus the proposed designation. The following seven public facilities and services were examined (Table 4).

- | | |
|-------------------|------------------------|
| 1. Transportation | 5. Stormwater Drainage |
| 2. Sanitary Sewer | 6. Recreation |
| 3. Potable Water | 7. Schools |
| 4. Solid Waste | |

Table 4. Impact Analysis (Theoretical Max.)

Development Variable	Current Future Land Use	Proposed Future Land Use	Net Change
	Theoretical Maximum		
Dwelling Units	2	1	-1
P.M. Peak Hour Trips/Daily Trips ²	2/19	1/10	-1/-9
Sanitary Sewer (gallons/day) ³	320	160	-160
Potable Water (gallons/day) ⁴	360	180	-180
Solid Waste (lbs./day) ⁵	14	7	-7
Recreation/Open Space (acres/person) ⁷	0.03	0.02	-0.01

Notes:

- | | |
|-------------------------|---|
| 1. Population: | 2.25 persons per household (per 2010 Census) |
| 2. Transportation: | ITE Trip Generation Manual, 9th Edition: 1.02 PM peak hour trips per unit and 9.52 daily trips per unit, Single-family (210) |
| 3. Sanitary Sewer: | 160 gallons per day per Equivalent Residential Unit |
| 4. Potable Water: | 180 gallons per day per Equivalent Residential |
| 5. Solid Waste | 3.21 pounds per person per day |
| 6. Stormwater Drainage: | LOS standard = 25-year, 24-hour event. Drainage system is required to be designed to meet the requirements of the Land Development Code during subdivision or site plan review. |
| 7. Rec. & Open Space: | 7 acres/1,000 persons (0.007 acres/person) |

The proposed amendment results in decreased impacts to all public infrastructure and services based on the theoretical maximum impact analysis.

TRANSPORTATION

A decrease in the number of daily trips and P.M. peak hour trips is likely as a result of the proposed FLU amendment. Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition, the proposed *Rural Transition* FLU designation could generate ± 1 P.M. peak hour trips and ± 10 daily trips based on the theoretical maximum development of one single-family home.

SANITARY SEWER

The City has available sewer capacity to accommodate the proposed land use change. The City's adopted level-of-service (LOS) standard for sanitary sewer is 160 gallons per day per Equivalent Residential Unit. Using this standard, the proposed FLU designation would generate 160 gallons of waste water per day based on the theoretical maximum development analysis, which is a net decrease of 160 gallons per day. A sanitary sewer extension project is planned within the next two years to serve this property and the three lots east of this property. The proposed single-family home to be built on the

subject property cannot receive a Certificate of Occupancy until it is connected to the City's sanitary sewer system.

POTABLE WATER

The City has available well and Consumptive Use Permit (CUP) capacity to serve the proposed land use change (Exhibit C). The City's adopted LOS standard for potable water is 180 gallons per day per Equivalent Residential Unit. Using this standard, the proposed FLU designation would demand 180 gallons of potable water per day based on the theoretical maximum development analysis, which is a net decrease of 180 gallons per day.

SOLID WASTE COLLECTION

There is available capacity at the landfill to address the City's solid waste disposal needs. Solid waste generated within the City of Port Orange is delivered to the Volusia County landfill, a 3,000-acre Class I landfill with a projected life span to the year 2050. The City's adopted LOS standard for solid waste is 3.21 pounds per person per day. Using this standard, the proposed FLU designation would generate a net decrease of 7 pounds per day of solid waste based on the theoretical maximum development analysis.

STORMWATER DRAINAGE

There is no anticipated impact to the City's drainage system from the proposed land use change. Stormwater management in the City of Port Orange deals with both quality and quantity. The City's adopted LOS standard for stormwater is the 25-year, 24-hour storm event. More specifically, the stormwater facilities must be capable of treating and conveying the runoff from such a storm without causing flooding of adjacent properties or polluting any receiving water bodies. In addition, the Comprehensive Plan and Land Development Code require that there be no net loss of stormwater retention function as a result of development. In other words, a given parcel must have the same ability to store and discharge water after development as it does before development occurs. Any future development of the subject property will be required to be constructed in accordance with the LDC.

RECREATION AND OPEN SPACE

According to the City's 2017 Concurrency Management Report, the City has an excess of 68 acres of parkland beyond the currently adopted level-of-service requirement for parkland. There is available capacity at existing park facilities to accommodate the proposed land use change.

SCHOOLS

The Volusia County School District determined that the proposed development of one single-family home is exempt from School Concurrency and that capacity exists in the schools for the estimated students anticipated to be generated by the proposed FLU amendment.

REVIEW CRITERIA AND STAFF FINDINGS

1. *Consistency with the City's Comprehensive Plan.*

Staff finding: The proposed FLU amendment is generally consistent with the pertinent Goals, Objectives, and Policies of the City's Comprehensive Plan. The proposed FLU category is compatible with adjacent parcels and reduces the allowable density of the property. All public facilities have adequate capacity to accommodate the proposed amendment.

2. *Compatibility with land use designations for adjacent parcels and neighborhoods.*

Staff finding: The proposed FLU amendment is compatible with the adjacent properties. Compatibility is defined in the Comprehensive Plan 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. The subject property is surrounded by single-family homes to the north, east, and west, and the Spruce Creek to the south. (see Table 1 – page 2).

3. *Impacts on public facilities/infrastructure/services.*

Staff finding: The proposed amendment results in decreased impacts to all public infrastructure and is not anticipated to have any negative impacts on public infrastructure, facilities or services.

4. *Whether the amendment increases the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above twelve hours.*

Staff finding: The subject property is not located within the Hurricane Vulnerability Zone.

5. *Whether the amendment discourages the proliferation of urban sprawl.*

Staff finding: The proposed amendment will not encourage sprawl. The amendment area is adjacent to existing development, with access to existing infrastructure.

PUBLIC NOTICE

In May 2018, staff posted the property notifying the public of the proposed amendment. The proposed amendment has also been advertised in the *New-Journal* pursuant to Florida Statutes.

STAFF RECOMMENDATION

Staff recommends **approval** of the request to change the FLU designation of ±0.57 acres from Volusia County *Urban Low Intensity* (ULI) to City of Port Orange *Rural Transition* (0-2 units/acre), and authorization for staff to send the amendment to the required review agencies.

ATTACHMENTS

- Exhibit A – Current and Proposed Future Land Use Map
- Exhibit B – Current and Proposed Zoning Map
- Exhibit C – SJRWMD Potable Water Availability Worksheet

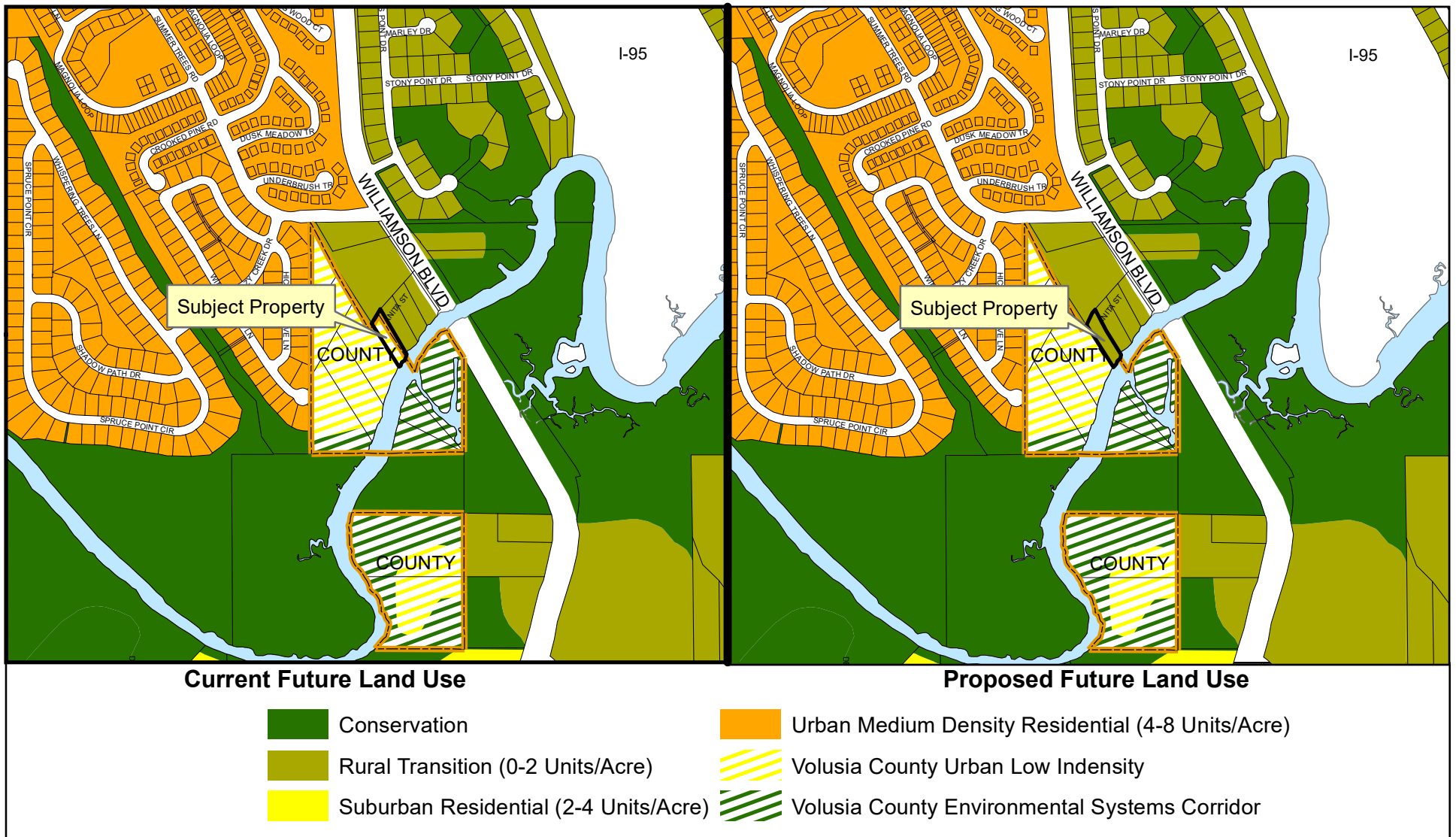


EXHIBIT A

CASE NO. 18-20000004 and 18-60000002

DEPARTMENT OF COMMUNITY DEVELOPMENT



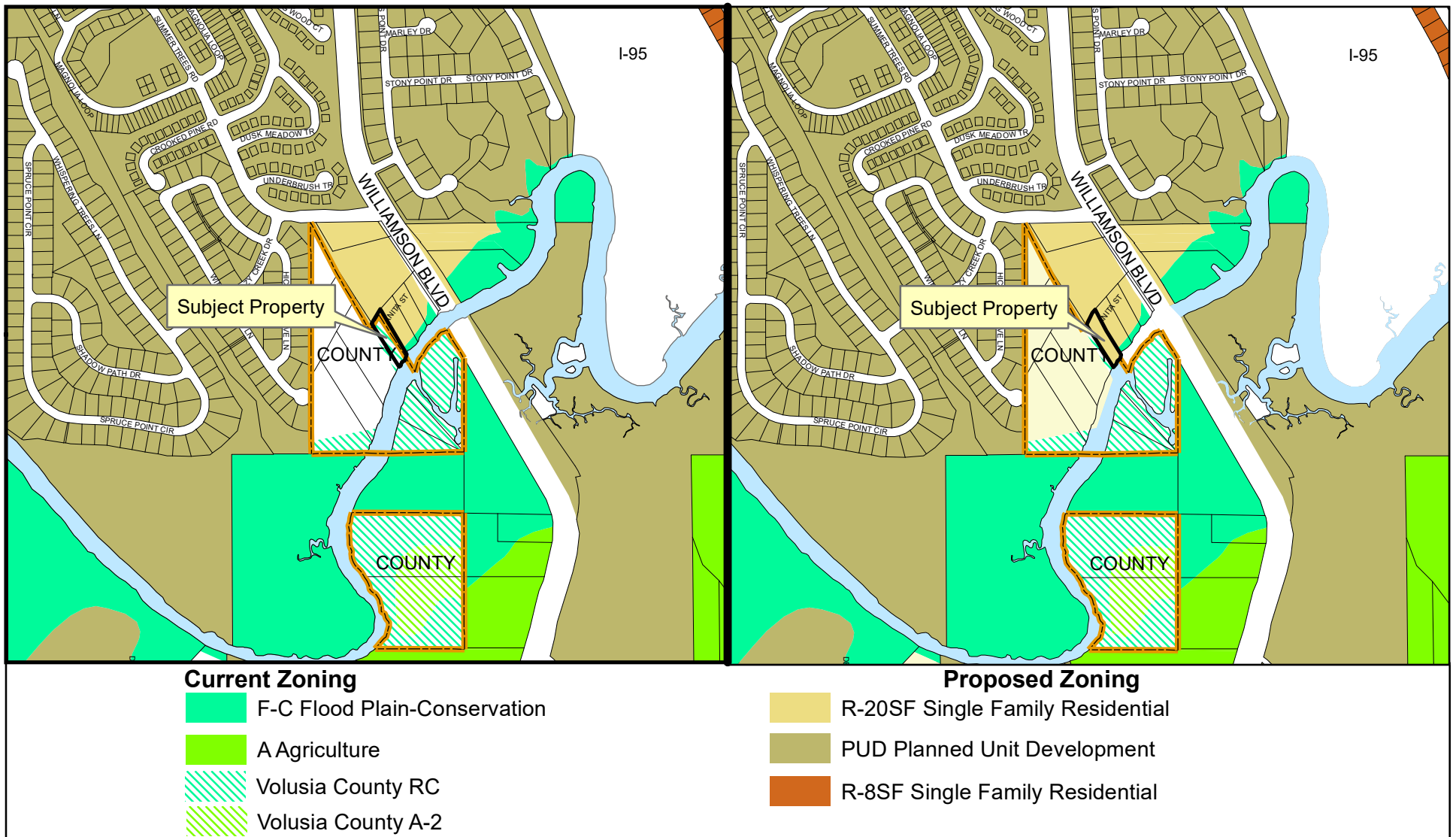


EXHIBIT B

CASE NO. 18-20000004 and 18-60000002

DEPARTMENT OF COMMUNITY DEVELOPMENT





St. Johns River Water Management District Potable Water Availability Worksheet

This worksheet is for use by local governments submitting comprehensive plan amendments to determine the availability of potable water resources to serve proposed development. Instructions and St. Johns River Water Management District (SJRWMD) staff contact information are attached.

1. General Information

Date: April 2018 Case No. 18-20000004 (1660 Anita Street)
 Contact name: Penelelope Cruz/ Kenny Ho, P.E. Phone: 386-506-5671 E-mail: pcruz@port-orange.org
 Local government: City of Port Orange
 Potable water supplier: City of Port Orange

2. Infrastructure Information

Water treatment plant permit number: 3641044 Permitting agency: FDEP
 Permitted capacity of the water treatment plant(s): 15 million gallons a day (mgd)
 Total design capacity of the water treatment plant(s): 15 mgd
 Are distribution lines available to serve the property? Yes ☒ No ☐
 If not, indicate how and when the lines will be provided: _____
 Are reuse distribution lines available to serve the property? Yes ☒ No ☐
 If not, indicate if, how and when the lines will be provided: _____

3. SJRWMD Consumptive Use Permit (CUP) Information

CUP number: 8595 Expiration date: 6/1/22
 Total CUP duration (years): 20
 CUP allocation in last year of permit: 8.97 MGD (annual average)
 Current status of CUP: In compliance ☒ Not in compliance ☐
 Allocations to other local governments: Ponce Inlet as a whole sale customer; Daytona Beach Shores & Volusia County are partially served as retail customers; No specific water usage amount has been recorded or agreed for these local goverments
 Reserved capacity: 0.12 MGD (Based on a estimated 666 ELUs that are permitted but unbuilt at 180 GPD/ELU.) Total committed capacity built and unbuilt is 7.24 MGD - based on 40,239 ELUs at 180 GPD/ELU.

4. Consumptive Use Analysis

Designate mgd ☒ or mgy ☐

A. Current year CUP allocation:	<u>8.74</u>
B. Consumption in the previous calendar year:	<u>6.01</u>
C. Reserved capacity ☐ or growth projection ☒ (check the one used):	<u>0.18</u>
D. Projected consumption by proposed comprehensive plan amendment areas	<u>0.00</u>
E. Amount available for all other future uses (A - B - C - D = E):	<u>2.55</u>

If the amount in E is zero or a negative number, explain how potable water will be made available for future uses: Please note for "C" - the growth projection is based a historical growth rate of 0.15 MGD - 0.18 MGD calculated from monthly operating reports data (MORs, DEP form 17.1.122 (40)) of the City's Garnsey Water Plant.

This worksheet is available electronically at http://www.sjrwmd.com/programs/outreach/local_gov/



STAFF REPORT

Rezoning/1660 Anita Street
CASE NO. 18-60000002

REQUEST:	Rezone ± 0.57 acres from Volusia County A-2 (Rural Agriculture) to City of Port Orange R-20 SF (single-family residential).
LOCATION:	1660 Anita Street (Figure 1 - Location Map)
APPLICANTS/OWNERS:	Gary and Kathryn Bell
STAFF CONTACT:	Penelope Cruz, Interim Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	May 24, 2018

INTRODUCTION

The Applicants request to rezone ± 0.57 -acres from Volusia County A-2 (Rural Agriculture) to R-20 SF (single-family residential). The subject property is located at 1660 Anita Street, on the west side of Williamson Boulevard, north of Spruce Creek. If approved, the applicants intend to construct a single-family home according to the requirements of the Land Development Code.



DISCUSSION

The subject property is currently vacant except for an existing concrete driveway and boat dock. There was previously a single-family home on the property that was demolished in 2008.

The rezoning request was reviewed according to the criteria established in Chapter 3, Section 5 of the LDC in terms of consistency with the Comprehensive Plan and the surrounding land uses and zoning.

Consistency with Comprehensive Plan

The subject property is currently designated Volusia County *Urban Low Intensity* (ULI), but the applicants have applied to change the Future Land Use (FLU) designation to City of Port Orange *Rural Transition* (0-2 units/acre) (see Exhibit A). The proposed rezoning to R-20SF is consistent with the type of residential use and density allowed by the *Rural Transition* FLU designation.

Compatibility with Surrounding Uses and Zoning

The requested City zoning is consistent with the current Volusia County zoning and the surrounding properties that are zoned for low-density residential uses. The subject property is surrounded by single-family homes to the north, east, and west, and the Spruce Creek to the south. The current adopted and proposed FLU designation for the subject property and the current FLU designation of the adjacent properties is identified on Exhibit A. The current and proposed zoning classification of the subject property and adjacent properties are identified on Exhibit B.

Table 1. Surrounding Land Uses and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Single-family home	Rural Transition	R-20 SF (single-family residential)
South	Spruce Creek	n/a	n/a
East	Single-family home	Rural Transition	R-20 SF (single-family residential)
West	Single-family home	Volusia County Urban Low Intensity	Volusia County Rural Residential

PUBLIC NOTICE

In May 2018, staff posted the property notifying the public of the proposed amendment.

STAFF RECOMMENDATION

Staff recommends **approval** of the request to rezone ±0.57 acres from Volusia County A-2 (Rural Agriculture) to R-20 SF (single-family residential).

ATTACHMENTS

- Exhibit A – Current and Proposed Future Land Use Map
- Exhibit B – Current and Proposed Zoning Map

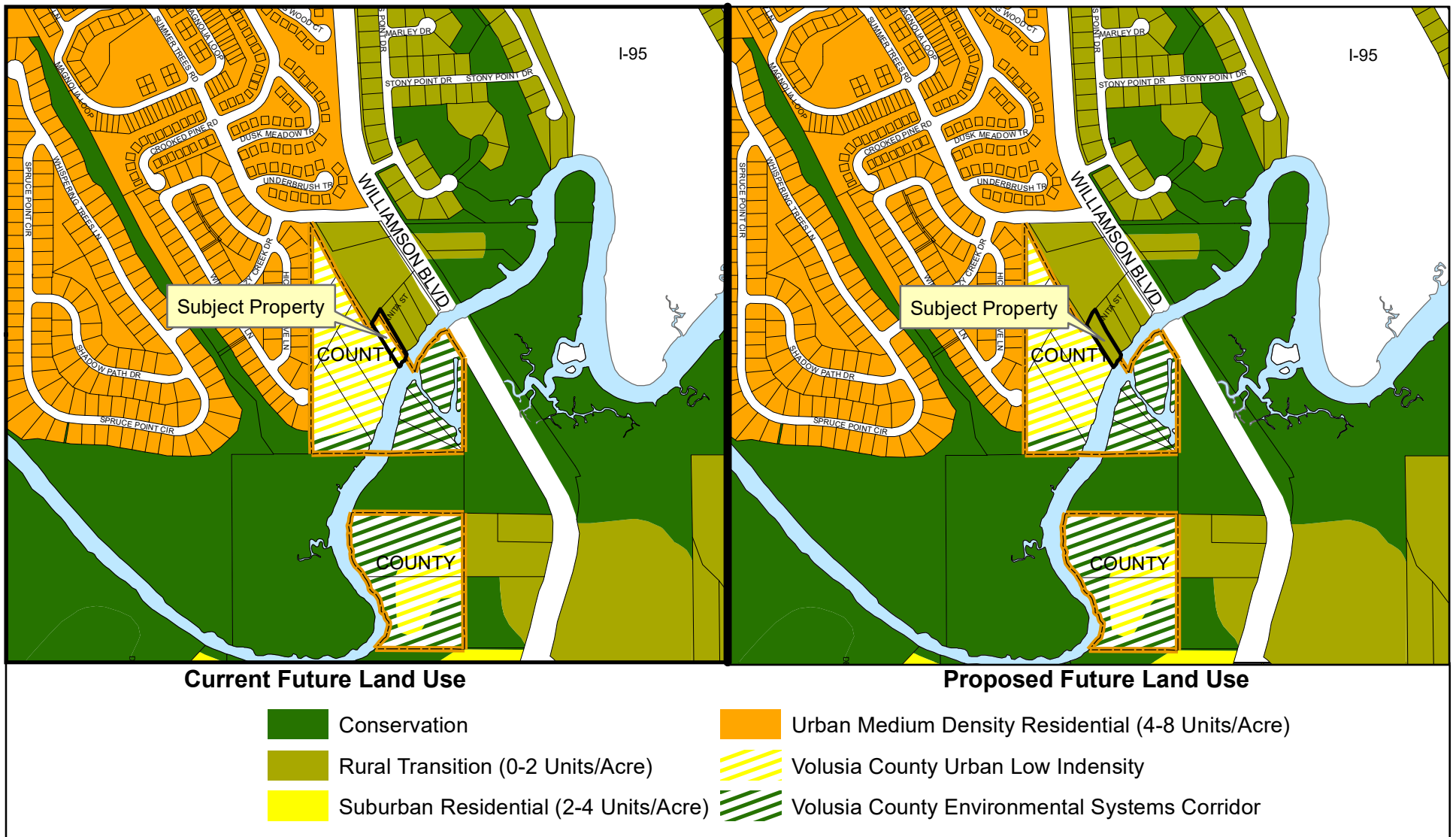


EXHIBIT A

CASE NO. 18-20000004 and 18-60000002

DEPARTMENT OF COMMUNITY DEVELOPMENT



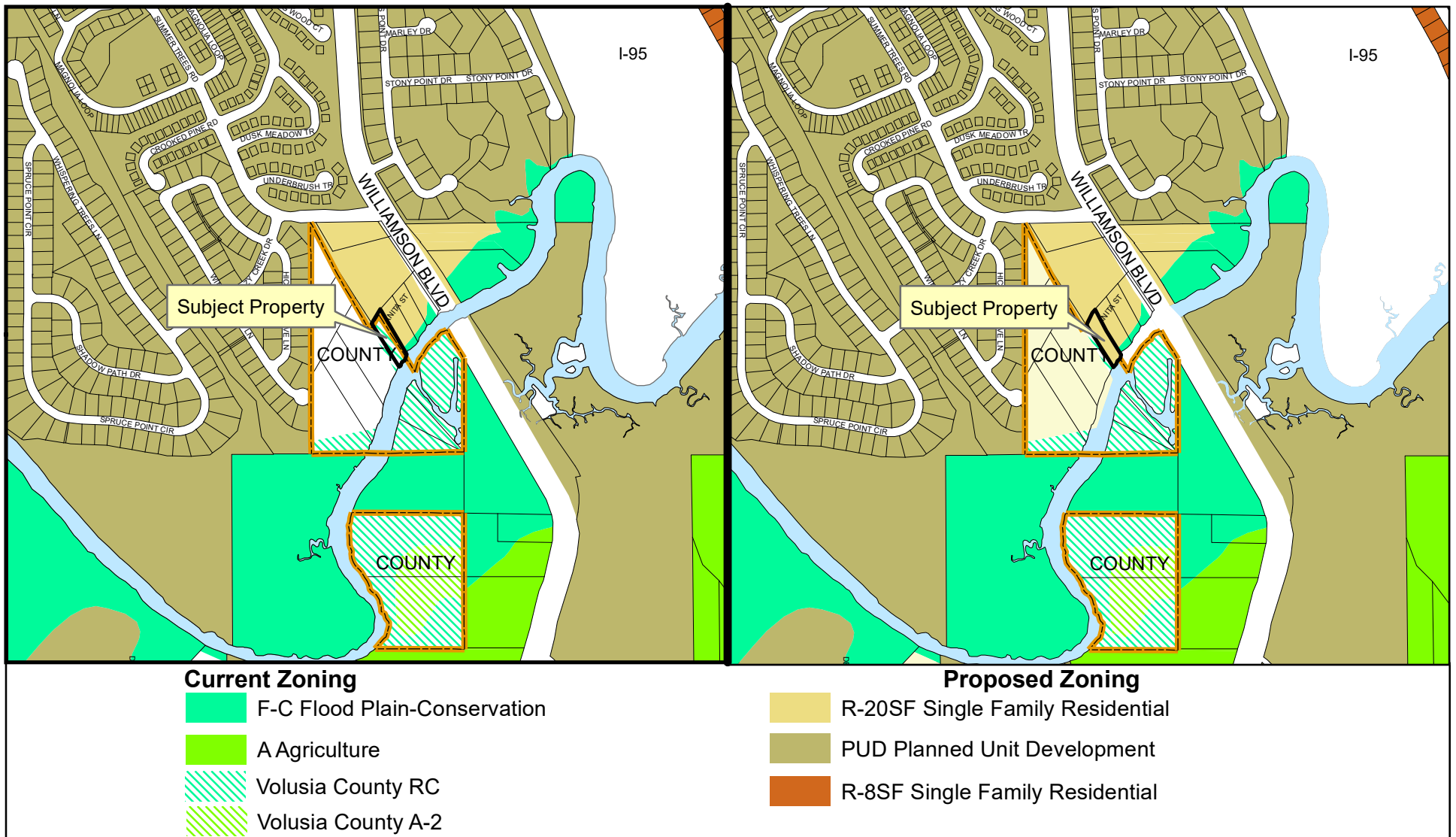


EXHIBIT B

CASE NO. 18-20000004 and 18-60000002

DEPARTMENT OF COMMUNITY DEVELOPMENT

