



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Monday, March 18, 2024

Time: 5:30 PM

Location: Council Chambers, City Hall
1000 City Center Circle
Port Orange

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call

B. DISCUSSION/ACTION

3. Consideration of Minutes - February 22, 2024
4. APPLICATION: Comprehensive Plan Amendment/City of Port Orange
Comprehensive Plan 2022-2045
CASE NO.: CPAM-24-0001
APPLICANT: City of Port Orange
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request by the City of Port Orange to approve the City of Port Orange Comprehensive Plan 2022-2045. If approved, the amendments will update the Comprehensive Plan for the new 2045 planning horizon.

C. OTHER BUSINESS

5. Commissioner Comments
6. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



Planning Commission Meeting

Monday, March 18, 2024

Page 2 of 2

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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.

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
FEBRUARY 22, 2024

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chair Maria Mills-Benat at 5:30 p.m.

Pledge of Allegiance

Roll Call

Present:

Stan Schmidt
Scott Steger
Mark Bowling
Maria Mills-Benat, Chair
Darrel “Bo” Bofamy
Lance Green
Thomas Jordan, Vice Chair

Also Present:

Shannon Balmer, Assistant City Attorney
Tracee Cody, Deputy City Clerk

DISCUSSION/ACTION

3. Consideration of Minutes - January 25, 2024

Motion to approve the January 25, 2024 meeting minutes as presented was made by Vice Chair Tom Jordan and seconded by Commissioner Bo Bofamy.

Commissioner Lance Green made a correction to his comment "Commissioner Lance Green stated the concept of the project is a good idea but hoping that *Madeline Road* will be expanded in the future" that Madeline should be Williamson Blvd.

Motion to approve the minutes with Commissioner Green's change was made by Vice Chair Tom Jordan and seconded by Commissioner Bo Bofamy. Motion carried unanimously by roll call vote.

4. APPLICATION: CONDITIONAL USE EXTENSION/Christ the King Community Church

CASE NO.: CUSE-24-0001

APPLICANT: Scott Kirschner, Christ the King Community Church

STAFF CONTACT: Suzette Cameron, Senior Planner (386) 506-5676

A request by the Applicant to extend a Conditional Use for Christ the King Community

Church to hold outdoor church services and other church-related programs for an additional two years or until July 2026.

Motion to approve Case No. CUSE-24-0001 as presented was made by Commissioner Lance Green and seconded by Commissioner Scott Steger.

Suzette Cameron, Senior Planner, provided details of the request and answered Commissioner Green's question regarding plans and permits. Ms. Cameron confirmed a site plan was submitted today but no building permits yet.

Pastor Scott Kirschner, Applicant, spoke further about the request and answered questions from the Commissioners.

Commissioner Green expressed concern that the requested timeframe and extension might not be enough since permits take time to process. Other Commissioners agreed and didn't think a two year extension would be enough time and were in consideration of a three year extension instead.

Motion to amend the main motion to approve a three year extension rather than a two year extension was made by Commissioner Stan Schmidt and seconded by Commissioner Scott Steger. Motion carried 6-1 by roll call vote with Commissioner Thomas Jordan voting no.

Phillip Reynolds, neighbor across the street from the Church, commented that the music gets too loud and hopes the building gets created sooner rather than later.

Mike Raeburn, member of the church, commented that the church has approval from a lender and believes the church is in good progress

Commissioner Green would like certain criteria involved including deadlines to submit permits because he doesn't think they will be ready to start building yet.

Penelope Cruz, Planning Manager, reiterated the church has a site plan approved and they already have a development order (which is good for a year). She believes the Site Plan Modification should not take long to review and approve, and that site work can be started by Summer, and the permits shouldn't take too long for the type of construction being built.

Motion as amended carried unanimously by roll call vote.

5. APPLICATION: Harbor Landings Subdivision Plat and Plans

CASE NO.: SUBD-23-0002

APPLICANT: Cody Bogart, P.E., Newkirk Engineering, Inc.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671

A request by the applicant for approval of the Harbor Landings Subdivision Plat and Plans.

Motion to approve Case No. SUBD-23-0002 was made by Commissioner Thomas Jordan and seconded by Commissioner Scott Steger.

Penelope Cruz, Planning Manager, provided details of the request and answered questions from the Commissioners regarding private streets, traffic patterns, parking for guests, trees and school concurrency.

Cody Bogart, Engineer with Newkirk Engineering representing the applicant, answered questions from the Commissioners regarding drainage. Mr. Bogart explained the stormwater design.

Multiple residents expressed their concerns with drainage and flooding along Riverside Drive and increases to traffic.

Robert Reinhausen, resident, was concerned with the wall foundation and structures sinking.

Bob Thomas, Vice President of Harbor Point Homeowners Association, asked for clarification about the riparian rights. Ms. Cruz explained that there hasn't been sufficient documentation provided by the owner at this time proving they have riparian rights.

Motion carried unanimously by roll call vote.

OTHER BUSINESS

6. Commissioner Comments

There were none.

7. Staff Comments

There were none.

PUBLIC COMMENTS

There were none.

ADJOURNMENT – 6:48 p.m.

Chair Maria Mills-Benat



STAFF REPORT

Comprehensive Plan Update (24-1 Cycle)
CASE NO. CPAM-24-0001

REQUEST:	Approval of the Comprehensive Plan Update for the 2045 Planning Horizon.
APPLICANT:	City of Port Orange
STAFF CONTACT:	Penelope Cruz, Planning Manager, (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	March 18, 2024

For the past two years, staff has been working with Kimley Horn and Associates, Inc. to update the City's Comprehensive Plan for the 2045 Planning Horizon. Approximately every ten years, cities and counties undertake a Comprehensive Plan update that forecasts future land use and growth patterns. The City of Port Orange's Comprehensive Plan was last updated in 2010. Florida growth management legislation requires local governments to maintain a comprehensive plan that provides the policy foundation for local planning and land use decisions. The proposed amendment would replace the City of Port Orange Comprehensive Plan 2010-2025, adopted in October 2010, with the new City of Port Orange Comprehensive Plan 2022-2045.

The primary purpose of the Comprehensive Plan is to provide a guide for growth and development while also preserving environmental features and community character of the area through the City's goals, objectives, and policy guidelines that describe how land-use decisions should be made on a day-to-day basis, along with a future land use map to show what type of land use is desirable within the City's current boundary. The Comprehensive Plan is a blueprint for future commercial and residential land uses, housing, conservation, and cultural and recreational amenities. An essential component of the comprehensive Plan is to identify the new infrastructure and growth demands needed to support the community's future physical and economic development.

As part of the Comprehensive Plan Update, staff assessed the successes, deficiencies, and modifications of the various goals, objectives, policies, and programs in the Plan and provided an opportunity to identify community issues and evaluate how effective the Comprehensive Plan has been in addressing those issues. This Comprehensive Plan update is also a critical transitional document as the City moves from its current Plan that guides traditional green field development to one that provides goals, objectives, and policy guidelines for infill and redevelopment in the upcoming planning horizon.

DISCUSSION

The assessment of the Comprehensive Plan revealed that overall, the 2010 Plan was effective. Therefore, significant changes to the Plan were not recommended.

The primary changes for each Element/Chapter to the Comprehensive Plan are listed below:

1. All Elements

- Consolidated and reorganized each element by moving specific policies to more appropriate elements within the Plan, removing regulatory details in the Plan that are also in the Land Development Code and more appropriate to be in the LDC, and combining or removing repetitive objectives and policies.
- Made formatting changes to make the Plan more user-friendly for residents, staff, and developers.
- Removed outdated objectives and policies.
- Updated all data and analysis that is required to support each element, such as population projections, vacant land analysis, housing inventory, infrastructure capacity and level of service analyses.
- Updated all maps to reflect current conditions and for the 2045 planning horizon.

2. Introduction Chapter

- Added an Introduction Chapter to provide information on how the Plan is organized, legal status, interpretation of the Plan, and a list of acronyms and definitions of terms used.

3. Future Land Use Element

- Maintained the list of current Future Land Use designations.
- Added a new Future Land Use designation, the Residential Estate Future Land Use (FLU) Designation (1 unit/acre). This designation provides a lower-density option for areas annexed into the city. Revised the Office/Residential Transition (ORT) designation to allow a density limit as previously allowed before the State placed a statutory ten units/acre density limitation on small-scale amendments. The ORT destination allows twenty-five percent of the site to be developed as residential. As part of the 2010 Comprehensive Plan Update, the density for the residential component of the ORT designation was reduced from 16 units/acre to 10 units/acre. The State has removed the statutory ten units/acre density limitations on small-scale amendments, allowing the ORT designation to return to its original density.
- Added policies to support applications or requests for federal, State, regional, and local funding sources, or grants for land acquisition.

4. Transportation Element

- Added policies to support future applications for federal, State, regional, and local funding sources or grants for roadway and pedestrian safety and capacity-enhancing roadway projects.

- Added policies to support the statewide initiative, Vision Zero, to create safer roadways for motorists, pedestrians, and bicyclists to reduce the number of transportation-related severe injuries and deaths across Florida to zero.
- Added statutorily required text to comply with Florida Statutes, Section 163.3177(6)(b), to promote land use compatibility around airports.
- Updated the list of long-term roadway or pedestrian projects that may be needed to improve the transportation network through 2045.
- Added policies to support a multi-modal transportation system that provides infrastructure for walking, bicycling, transit, and vehicles including electric vehicles.

5. Housing Element

- Added the framework for Accessory Dwelling Units to be implemented into the Land Development at a later date, if directed by the City Council, as an affordable housing option.
- Updated policies that encourage sustainable construction methods and energy efficiency in the development and rehabilitation of housing.

6. Recreation and Open Space Element

- Updated the Level of Service (LOS) standards by removing the facility-specific level-of-service (LOS) standards for tennis courts, basketball courts, multi-purpose fields, etc. Florida Statutes no longer require facility-specific level-of-service (LOS). Removing the facility-specific LOS standards will provide the city more flexibility to be more responsive to community needs and changes in recreation trends. The existing Parkland LOS standard of 7 acres / 1,000 persons will remain.
- Added policies to explore opportunities to enhance or create trails within the city and assist in securing federal, State, regional, or local funding sources for acquisition, design, and construction.
- Created a Master Recreation Plan as a separate stand-alone document that is referenced in this element, that can use as a tool to identify and plan for the maintenance of existing facilities, and criteria for the prioritization of funding for the acquisition, development, and enhancement of future public parks based on community needs.

7. Public Facilities Element

- Updated policies and objectives to be consistent with the Water Supply Plan adopted in July 2023.
- Added policies to support applications or requests for federal, State, regional, and local funding sources or grants for capital improvements.

8. Public School Facilities Element, Conservation Element, Coastal Zone Management Element, Intergovernmental Coordination Element, and Property Rights Element

- Updated policies and objectives to comply with current Florida Statutes.

9. Capital Improvements Element

- Updated this element to include projects from the City's approved FY 24 Capital Improvements Program (CIP) and other statutorily required information, such as excerpts from the Transportation Planning Organization's (TPO) Transportation Improvements Program (TIP) and the Volusia County School District Five-Year Work Program.

10. Map Series

- Updated all maps to be based on current data, future projections, and to comply with current Florida Statutes and Federal, State, and County regulatory agencies.

PUBLIC OUTREACH AND INPUT

The proposed Comprehensive Plan update process included various public involvement opportunities, ranging from a 204-participant survey to various public meetings and workshops held over the last 18 months, including Comprehensive Plan Update specific workshops, as well as public outreach during Port Orange University, Town Halls, and the Youth Civic Leadership program.

Example: Link to November 15, 2022, City Council Workshop on the Comprehensive Plan Update (starts at 42:00 through 1:09):

<https://www.youtube.com/watch?v=bVkm4OntxMQ&list=PLSWPI2RWqtzH85C7zzlBjqLmq3jSpfe9T&index=38>

RECOMMENDATION

Staff recommends **approval** of the amendments to the Comprehensive Plan, inclusive of all associated data and analysis, replacing in its entirety the City's Comprehensive Plan, and transmittal to the Volusia Growth Management Commission, Florida State Land Planning Agency, and other required review agencies for review.

Link to Proposed Amendments for the City of Port Orange Comprehensive Plan 2022-2045: <https://www.port-orange.org/1018/2022-2045-Comprehensive-Plan-Update>