



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, May 28, 2026

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
4. APPLICATION: LDC Amendment/ Chapter 17, Section 29
CASE NO.: DCAM-25-0005
APPLICANT: Jessica Gow, Esq., Cobb Cole
STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org

A request by applicant, Jessica Gow, Esq., to amend Chapter 17, Section 29 of the Land Development Code (LDC) for the Planned Commercial-Agriculture (PC-A) zoning district.

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

Thursday, May 28, 2026

Page 2 of 2

FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) 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 OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, 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 OR HEARING 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.

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
APRIL 23, 2026

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chair Scott Steger at 5:30 p.m.

CALL TO ORDER

1. Pledge of Allegiance

2. Roll Call

Present: Chair Scott Steger
Vice Chair Stan Schmidt
Commissioner Thomas Jordan
Commissioner Daniel Mallegol
Commissioner Angela LeDuc

Absent: Commissioner Bo Bofamy (excused)
Commissioner Maria Mills-Benat (excused)

Also Present: Shannon Balmer, City Attorney
Tim Burman, Community Development Director
Amanda Bonin, Deputy City Clerk

DISCUSSION/ACTION

3. Consideration of Minutes

Motion to approve the March 26, 2026 meeting minutes was made by Commissioner Thomas Jordan and Seconded by Vice Chair Stan Schmidt. Motion carried unanimously by roll call vote.

4. APPLICATION: VARIANCE/5968 Shady Creek Lane
CASE NO.: VARC-26-0002
APPLICANT: Peter Francis
STAFF CONTACT: Tim Burman, Community Development Director, (386) 5056-5675/tburman@port-orange.org

A request by the applicant for a variance from Chapter 16, Section 3(b)(2)(f) and Section 3(b)(3)(a) of the Land Development Code, to allow a 6-foot-tall fence to be located less than 5 feet from a right-of-way in lieu of being placed in line with the front plane of the house.

Motion to approve Variance/5968 Shady Creek Lane CASE NO.:VARC-26-0002 was made by Commissioner Thomas Jordan and Seconded by Vice Chair Stan Schmidt.

Jared Trent, Assistant City Attorney, read the guidelines when reviewing a variance.

Tim Burman, Community Development Director, introduced the item, provided details, and answered Commissioners' questions.

Peter Francis, representative of the applicant/property owner, provided further details on the variance request, and answered Commissioners' questions.

Al Rivera, HOA President, stated he does not believe there was HOA approval for the fence in question, and expressed his opposition regarding the variance.

Mike Anders, resident, expressed his concerns and opposition regarding the variance and commented on the installation of the rear fence on the property as well.

Tim, resident, commented on the rear fence of the property, noting there is litigation in process regarding this section of fencing, and expressed his concerns and opposition regarding the variance.

James Turnt, Vice President of the HOA, expressed his concerns and opposition regarding the variance.

Mr. Francis stated the fence was approved by the HOA and that there have been no complaints in the last ten years. He requested approval of the fence, noting the need for the safety of a family member.

Chair Scott Steger asked the applicant if there was evidence showing the HOA provided approval.

Mr. Francis said there is but he didn't have it with him.

Commissioner Stan Schmidt clarified what the variance request is asking for and asked Assistant City Attorney Trent if the HOA can override City code.

Assistant City Attorney Trent stated the City's code overrides the HOA's code. It was further clarified that the back fence is a separate issue and should not be in consideration of the vote.

Mr. Burman clarified that the Planning Commission members either need to approve or deny the variance request and further stated this item will not go to Council unless the vote is appealed.

Regular Planning Commission Meeting

April 23, 2026

Page 3 of 3

Commissioner Thomas Jordan asked if a 6-foot fence would be allowed in line with the setback of the home, to which Mr. Burman advised it would.

Commissioner Angela DeLuc stated she drove through the neighborhood yesterday and noted there is established landscaping. She further advised the area seemed safe as it does not impede any visibility.

Motion failed 1-4 by roll call vote with Commissioner Thomas Jordan, Commissioner Daniel Mallegol, Vice Chair Stan Schmidt, and Chair Scott Steger voting no.

OTHER BUSINESS

5. Commissioner Comments

The Commissioner's expressed their appreciation to staff for their hard work.

6. Staff Comments

There were none.

PUBLIC COMMENTS

Mr. Anders expressed his appreciation to the Commissioners for their vote and to Tim Burman for all of his hard work on this item.

ADJOURNMENT - 6:08 p.m.

Chair Scott Steger



STAFF REPORT

CASE NO. DCAM-25-0005

LDC Amendment/ Chapter 17, Section 29

REQUEST:	Amendments to Chapter 17, Section 29 of the Land Development Code (LDC) regarding the Planned Commercial-Agriculture (PC-A) zoning district.
APPLICANT:	Jessica Gow, Esq., Cobb Cole
STAFF CONTACT:	Tim Burman, Community Development Director (386) 506-5675
STAFF RECOMMENDATION:	Approval, subject to direction from the Planning Commission and City Council regarding the proposed reduction in minimum lot width to 40 feet from 50 feet in the Community District.
PLANNING COMMISSION:	May 28, 2026

INTRODUCTION

The applicant, Jessica Gow, Esq., on behalf of property owner FL P70 LLC, requests an amendment to Chapter 17, Section 29 of the Land Development Code (LDC) for the Planned Commercial-Agriculture (PC-A) zoning district. The 1,201-acre PC-A zoning district was established by City Council in 2002 to support the development of a mixed-use community on the west side of Port Orange. The PC-A zoning district is generally located between Interstate 95 and Tomoka Farms Road, north of Taylor Road (see Figure 1).

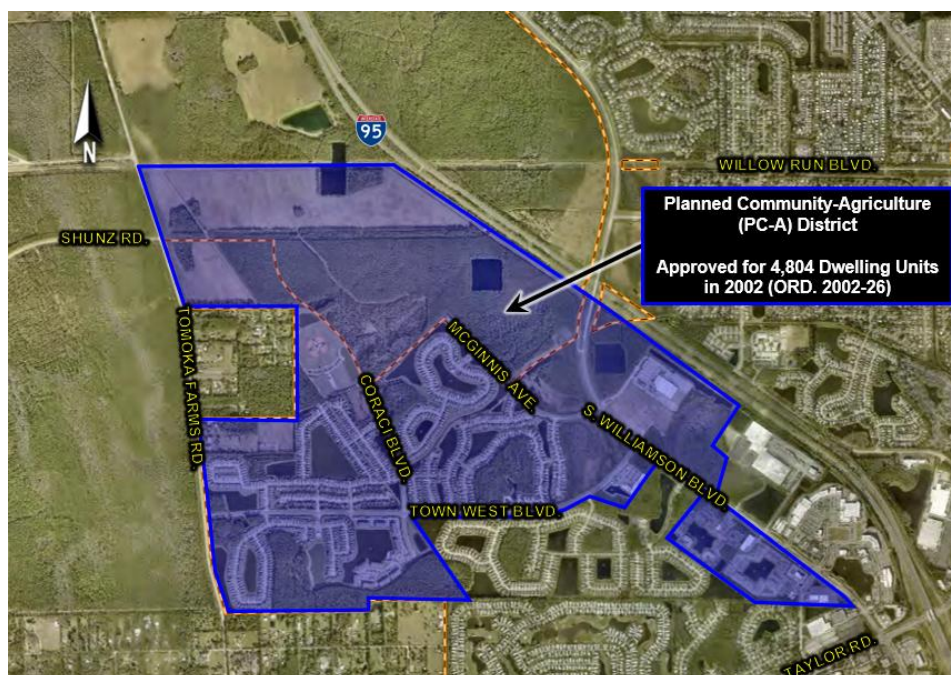


Figure 1 - Location Map of the PC-A zoning district area

The proposed amendments by the applicant are intended to update the PC-A zoning district regulations to support continued development of this mixed-use zoning district in response to existing market demand, by revising the location of where uses are allowed to be development within the PC-A while remaining consistent with the current Planned Community-Westside Future Land Use designation, along with minor clean-up revisions, and clarifications to Chapter 17, Section 29 of the LDC based on issues identified during the administration of the code and review of past development projects. These revisions are intended to improve consistency in the application of the code, provide clearer development standards, streamline the development review process, and support future development within the district.

BACKGROUND

The PC-A zoning district was adopted in 2002 to create a flexible framework for a large, master-planned mixed-use community on the west side of Interstate 95. The district covers about 1,201 acres and was designed to support a balanced mix of residential, commercial, industrial, and recreational uses within one integrated development area. The PC-A is currently divided into four districts:

- West Town Center District – A walkable, mixed-use core intended to serve as the main gathering and activity center for the community.
- Community District – A transitional area mainly for residential uses, with some supporting civic, recreational, and limited commercial uses.
- Neighborhood District – Residential neighborhoods with a range of housing types, along with small-scale neighborhood commercial and office uses.
- Workplace District – An employment-focused area intended for commercial and industrial development serving both local and regional markets.

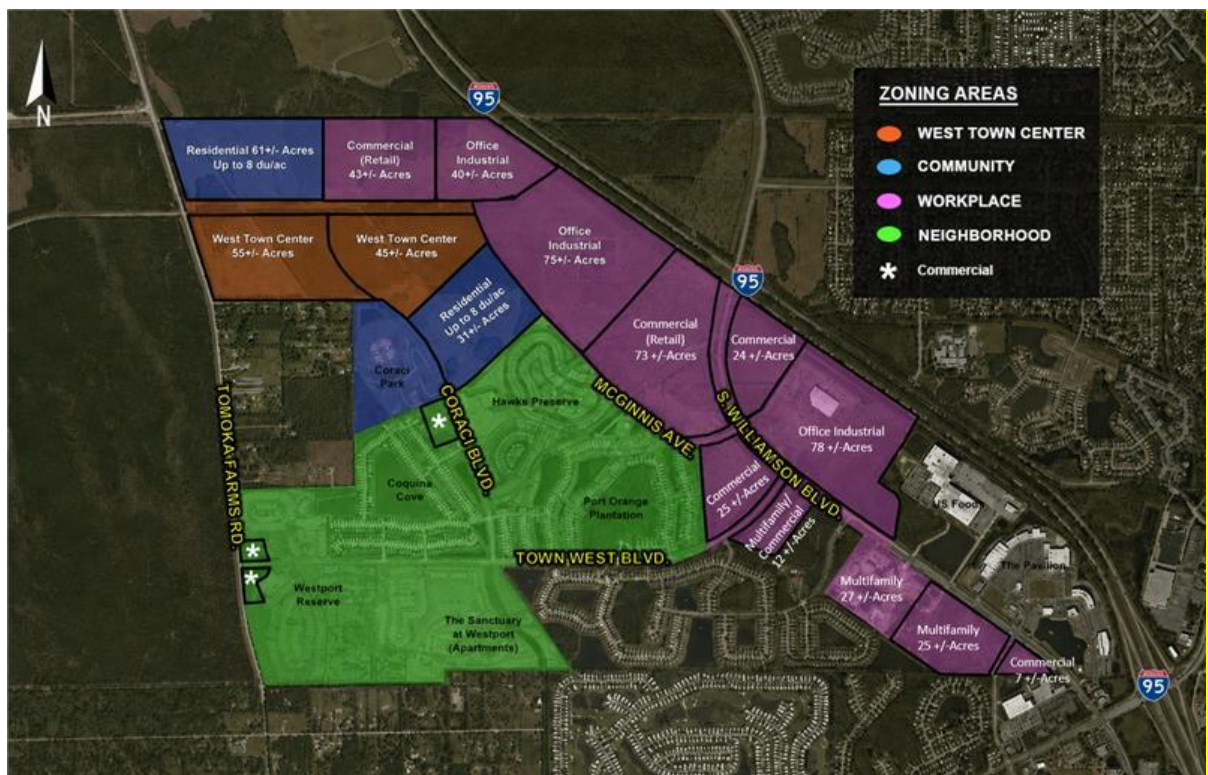


Figure 2 - Current Location of Districts within the PC-A Zoning District as adopted by City in 2002

The current development of the PC-A has mainly occurred in the Neighborhood District and southern portion of the Workplace District, which have generally developed more like traditional, single-use zoning areas rather than an integrated mixed-use pattern that was originally planned. Large portions of the Workplace, Community, and West Town Center districts currently remain undeveloped.

The PC-A zoning district is required to remain consistent with, the underlying Future Land Use (FLU) designation in the Comprehensive Plan for the 1,201-acre PC-A area known as Planned Community–Westside FLU designation. The Planned Community–Westside FLU designation was adopted in 2002 (previously referred to as Planned Community No. 1) along with the PC-A zoning district. The FLU designation establishes the overall development framework for the area, including the following limits and requirements:

- Maximum overall gross residential density of up to 4 dwelling units per acre (approximately 4,804 total units), with higher densities permitted in designated mixed-use areas provided the overall density cap of 4 dwelling units per acre is maintained.
- Required land use mix consisting of within the PC-A area shall be within the following range upon buildout:
 - Residential: 35% – 60%
 - Commercial: 10% – 25%
 - Industrial: 10% – 25%
 - Mixed-use town center: 10% – 25%
 - Conservation/recreation: minimum 10%
- Daily Trip cap of 62,600 average daily vehicle trips per day within the PC-A.
- Development pattern supporting a central town center, internal connectivity for vehicles and pedestrians, and a transition from higher-intensity uses near Interstate 95 to lower-intensity uses toward the outer areas of the site.

Any proposed changes to the PC-A zoning district must remain consistent with the underlying Future Land Use (FLU) designation. As part of this request, no changes are proposed to the FLU designation for this 1,201-acre property. During the development review process for any site within the PC-A, each proposal is evaluated and tracked to ensure compliance with the Planned Community–Westside FLU designation. This review includes analysis of land use, density or non-residential square footage, and daily traffic generation to confirm that proposed development does not exceed the established limits and requirements of the FLU designation.

Since 2002, development within the approximately 1,201-acre PC-A district has occurred primarily within the Neighborhood District and has been mostly residential in nature. To date, approximately 2,167 dwelling units (including both single-family and multifamily homes) have been built.

Early development activity from 2004 through 2008 consisted mainly of traditional single-family neighborhoods, including Port Orange Plantation and Coquina Cove. Beginning around 2013 and continuing through 2022, development gradually expanded to include a broader range of housing types, including multifamily projects such as Whitepalm Apartments, Springs Apartments, Sanctuary at Westport, and Town West Senior Apartments. During the same period, larger master-planned single-family communities such

as Westport Reserve and Hawks Preserve were also developed, resulting in a mix of residential options over time.

Non-residential development within the district, while more limited compared to residential uses, totals approximately 345,035 square feet. These uses are primarily made up of retail, medical, office, and storage facilities, including Halifax Health, Extra Space Storage, ByLight, and Shoppes at Summer Trees (Aldi). A large portion of the non-residential development consists of ByLight and Extra Space Storage. Overall, both residential and non-residential development have been built in accordance with the underlying land development regulations.

According to the applicant, regional development patterns in Volusia County, particularly in the Port Orange and Daytona Beach area, have changed significantly since the PC-A district was originally established in 2002. At that time, the district was intended to accommodate a broader mix of employment-based and industrial uses; however, many traditional manufacturing uses have since declined or transitioned toward logistics and distribution-based operations.

Modern industrial and commercial development is increasingly driven by e-commerce growth, same-day and next-day delivery demands, and direct access to interstate corridors. Over the past several years, the I-4 and I-95 interchange area in Daytona Beach have become the primary location for large-scale warehouse and distribution centers, e-commerce fulfillment facilities, and industrial parks due to their regional connectivity and transportation advantages. In contrast, the PC-A has become less competitive for these types of uses due to its relative lack of direct interstate access.

As a result, the applicant is proposing amendments to the PC-A to adjust the distribution of land uses within the PC-A in response to evolving market conditions, while maintaining the overall mixed-use framework. Specifically, the applicant is requesting to reallocate approximately +/- 241 acres from the Workplace District an employment-focused area intended for commercial and industrial development serving both local and regional markets to the Community District, a transitional area primarily intended for residential uses, with supporting civic, recreational, and limited commercial uses.

PROPOSED AMENDMENT

The proposed amendments to Chapter 17, Section 29 of the Land Development Code (LDC) include adjustments to the location and boundaries of certain districts within the PC-A, minor clean-up revisions, corrections to address issues identified during application of the code, and updates to improve and clarify existing regulations. The amendment is part of an ongoing effort to maintain and refine the code to support development of the remaining vacant land within the PC-A. The proposed amendment maintains all existing density, intensity (non-residential square-footage) limits for the PC-A and **does not increase** the total allowable residential or non-residential development beyond what was approved in 2002 with the adoption of the Planned Community–Westside FLU designation.

- Figures 17.1 and 17.2 are revised to update the PC-A conceptual development plan in the northern area where vacant land remains. The primary change includes the change of approximately 241 acres from Workplace District to Community District and 1 acre from the Workplace District to West Town Center District and increases the West Town Center District by 2 acres. There are no changes to the size of the Neighborhood District.

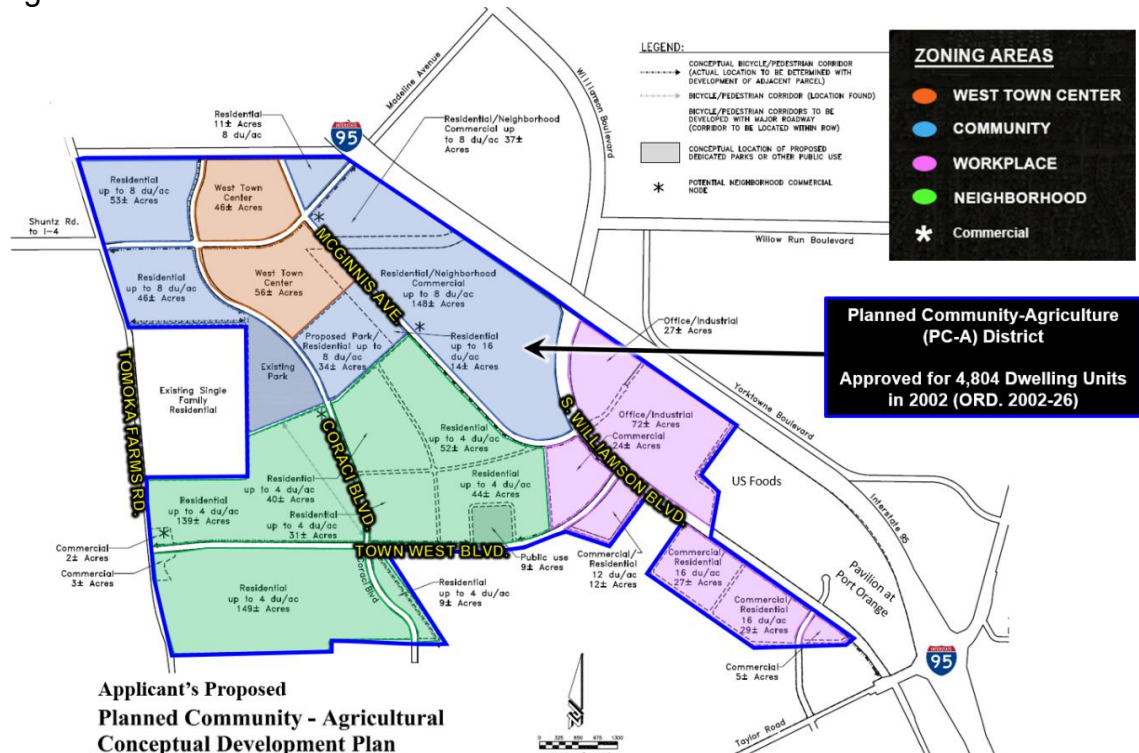


Figure 3 – Proposed Location of Districts within the PC-A Zoning District according to the applicant's LDC Text Amendment Application

- Within the West Town Center District, permitted uses are updated to align with the City's conventional Mixed-Use Center zoning provisions. Outdated and duplicate regulatory text (including standards already addressed in other chapters of the LDC such as signage, landscaping, and architecture) is removed. Requirements specific to the West Town Center District are consolidated into a single section, compared to the current code where requirements are located throughout the +25-page zoning document.
- Additional language is added to provide greater design flexibility to allow the West Town Center District to function as a true mixed-use environment and respond to changing market conditions, such as allowing administrative approval of alternative block lengths, sidewalk layouts, driveway setback modifications, and building orientation standards through site plan review when supported by adequate design, access, pedestrian connectivity, emergency access, and visual screening elements. This flexibility supports the integration of residential, commercial, and civic uses in a design while allowing variation in building placement, form, and intensity over time.
- Within the Community District, the maximum height standard is corrected to match the referenced zoning districts. "Building Coverage" is updated to "Impervious Coverage" for consistency and design flexibility.

- Within the Neighborhood District, outdated and duplicate regulatory language is removed. Correct references have been added to the appropriate chapters of the Land Development Code (LDC) where regulatory requirements are located for items such as signage, parking, landscaping, building design, etc.
- Within the Workplace District, outdated and duplicate regulatory language is removed. Correct references have been added to the appropriate chapters of the Land Development Code (LDC) where regulatory requirements are located for items such as signage, parking, landscaping, building design, etc. Restrictions on multi-family uses are updated by removing percentage limitations that are no longer applicable due to the reduced size of the Workplace District.
- Duplicate procedures for submittal, review, and approval of master development agreements and conceptual development plans are removed and replaced with a cross-reference to Chapter 17, Section 17 of the LDC, where these requirements are already established.
- Code requirements related to roadway design for roads not under City jurisdiction are removed because they are not enforceable.
- Outdated provisions related to recreation impacts, established prior to current recreation concurrency and impact fee standards, are removed.
- The ability to use land outside of a specific development project area, but within the PC-A, to meet the required subdivision open space requirement for any development located in the Community District, subject to an agreement with the City of Port Orange is added.

The applicant is also requesting to modify the minimum lot width requirement for a single-family lot Community District from 50 feet to 40 feet. No changes are proposed to the minimum lot area standard (5,000 square feet) or other dimensional requirements (open space and setbacks) in this district.

According to the applicant, the proposed amendment is intended to provide greater flexibility in residential lot design and allow for a wider range of housing types and site layouts in this district. The applicant further indicates that the request is consistent with the intent of the Community District as described in the LDC as a transitional residential area located between the West Town Center District and the surrounding Neighborhood and Workplace Districts to support residential development with strong street frontage interaction, pedestrian connectivity, and integrated circulation networks, including sidewalks, bikeways, alleyways, and on-street parking.

According to the applicant, a 50-foot by 100-foot lot typically results in reduced architectural variation. Standard residential designs on 50-foot-wide lots often rely on similar configurations with front-loaded garages occupying a significant portion of the front of the house. This can reduce opportunities for varied front designs and architectural diversity between homes.

A 40-foot by 125-foot lot provides additional depth that can improve flexibility in the layout compared to a 50-foot by 100-foot lot. The added depth allows for more usable rear yard space, greater flexibility in building placement, and can accommodate rear-loaded garages, resulting in a different development pattern and street-facing design along the frontage.

Because the overall minimum lot area remains unchanged, and the PC-A is subject to both a maximum residential dwelling unit cap and site-specific density limitations, the proposed change will not increase the overall residential density or development intensity within the district.

Recently, the Madeline Commons project, now known as Campbell Crossing, was approved to be built with 40-foot-wide lots. Homes have been constructed on these 40-foot lots, and the homes designed and permitted within this subdivision have been able to meet all applicable site design requirements of the Land Development Code (LDC), including setbacks for structures and mechanical equipment, impervious lot coverage, driveway, fences, drainage, parking, and landscaping.

If approved, the development limits approved with the Planned Community–Westside Future Land Use (FLU) designation in 2002 for the 1,201-acre area will remain in effect and will continue to be verified prior to approval of any future development within the PC-A.

- Maximum overall gross residential density of up to 4 dwelling units per acre (approximately 4,804 total units), with higher densities permitted in designated mixed-use areas provided the overall density cap of 4 dwelling units per acre is maintained. To date, approximately 2,167 dwelling units have been constructed. Based on the total residential entitlement of approximately 4,804 units, this represents approximately 45 percent of approved residential development, leaving approximately 2,637 units remaining.
- The required land use mix within the PC-A is to be within the following range upon buildout. To date, approximately 442 acres are developed for residential use, representing approximately 38 percent of the total PC-A. Therefore, +/- 268 acres remain available for residential development:

Residential: 35% – 60%
Commercial: 10% – 25%
Industrial: 10% – 25%
Mixed-use town center: 10% – 25%
Conservation/Recreation: minimum 10%

- Daily trip cap of 62,600 average daily vehicle trips within the PC-A. To date, approximately 50 percent of the 1,201-acre PC-A has been developed, and the district has generated approximately 20,950 average daily trips, representing roughly 33 percent of the approved 62,600 daily trip cap.
- A development pattern that supports a central town center, internal connectivity for vehicles and pedestrians, and a transition from higher-intensity uses near Interstate 95 to lower-intensity uses toward the outer areas of the site.

According to the applicant, the proposed amendment maintains the overall entitlements while organizing the allowed land uses to better reflect current market conditions and support a centralized town center development pattern.

RECOMMENDATION

Staff recommends approval of the amendments to Chapter 17, Section 29 of the Land Development Code (LDC), as the proposed changes **do not exceed** the overall development limits and requirements established in the City's Comprehensive Plan, subject to input from the Planning Commission and City Council regarding the proposed reduction in minimum lot width to 40 feet from 50 feet, and review by the City Attorney as to legal form and content.

ATTACHMENT

- Exhibit 1 - Proposed LDC Amendments to Chapter 17, Section 29

EXHIBIT 1

Section 29: Planned community—Agricultural (PC-A) district.

The following regulations are specifically intended to provide the zoning and development framework for the planned community-agricultural (PC-A) zoning district. This area is identified on the city's future land use map as ~~p~~Planned e~~C~~Community No. 1 Westside. The PC-A zoning district meets the locational criteria identified in section 28(b) above as well as in the future land use element of the city's comprehensive plan. The approved macro CDP for the PC-A zoning district is shown on Figure 17:1.

The entire PC-A zoning district ~~is currently~~when established was in agricultural use, and said agricultural use shall be allowed to continue as provided herein on an interim basis. The agricultural uses and restrictions are set forth in section 29(f) of this chapter.

(a) *Districts.* Given the size of the subject property, and the goals of the city and the landowner, it is necessary to have reasonable flexibility in the zoning regulations for the PC-A zoning district. In order to facilitate flexibility while maintaining reasonable zoning control of the development, the property is divided into four districts with four sets of development guidelines to reflect the unique character and intent of a given area. The four districts are: West Town Center District, Community District, Neighborhood District, and Workplace District.

~~(1) West Town Center District—Located in the northwest quadrant of the PC-A zoning district, immediately east of Tomoka Farms Road.~~

~~(2) Community District—Located to the north and south of the West Town Center District and west of the Workplace District.~~

~~(3) Neighborhood District—Located south of the Community District and west of the Workplace District.~~

~~(4) Workplace District—Located on the west side of I-95, east of the Neighborhood District, Community District, and West Town Center District.~~

The District boundaries are shown on Figure 17:2.

Figure 17:1

Planned Community-Agricultural
Macro Conceptual Development Plan

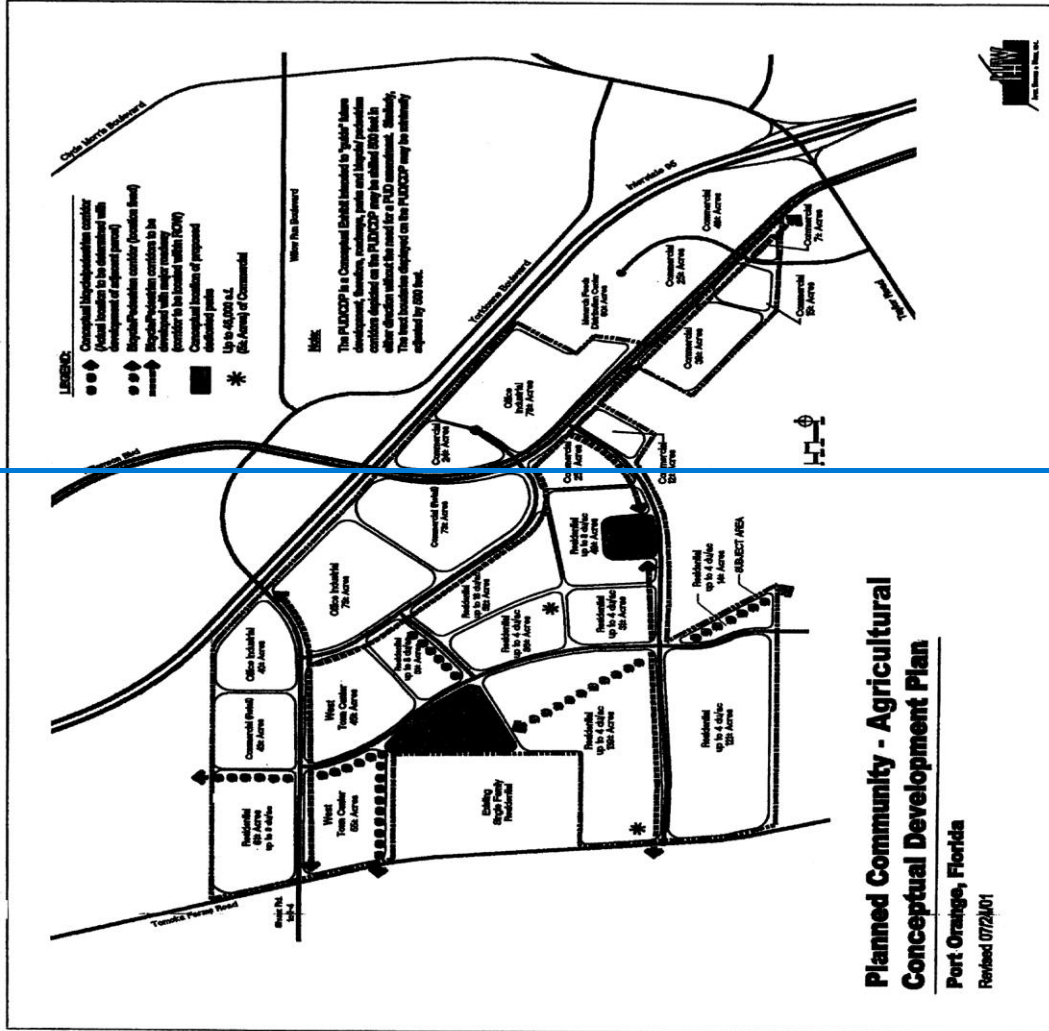


Figure 17:2

Planned Community-Agricultural
District Map

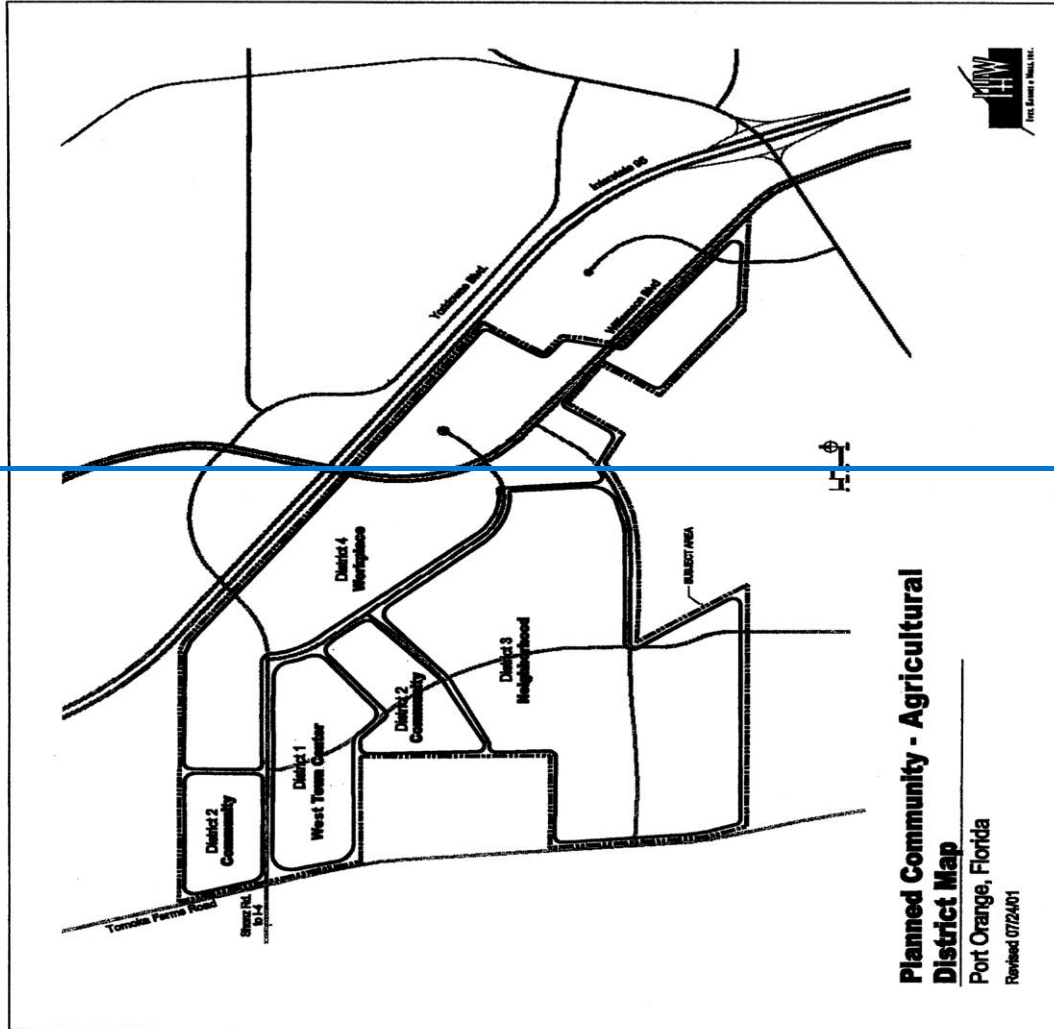
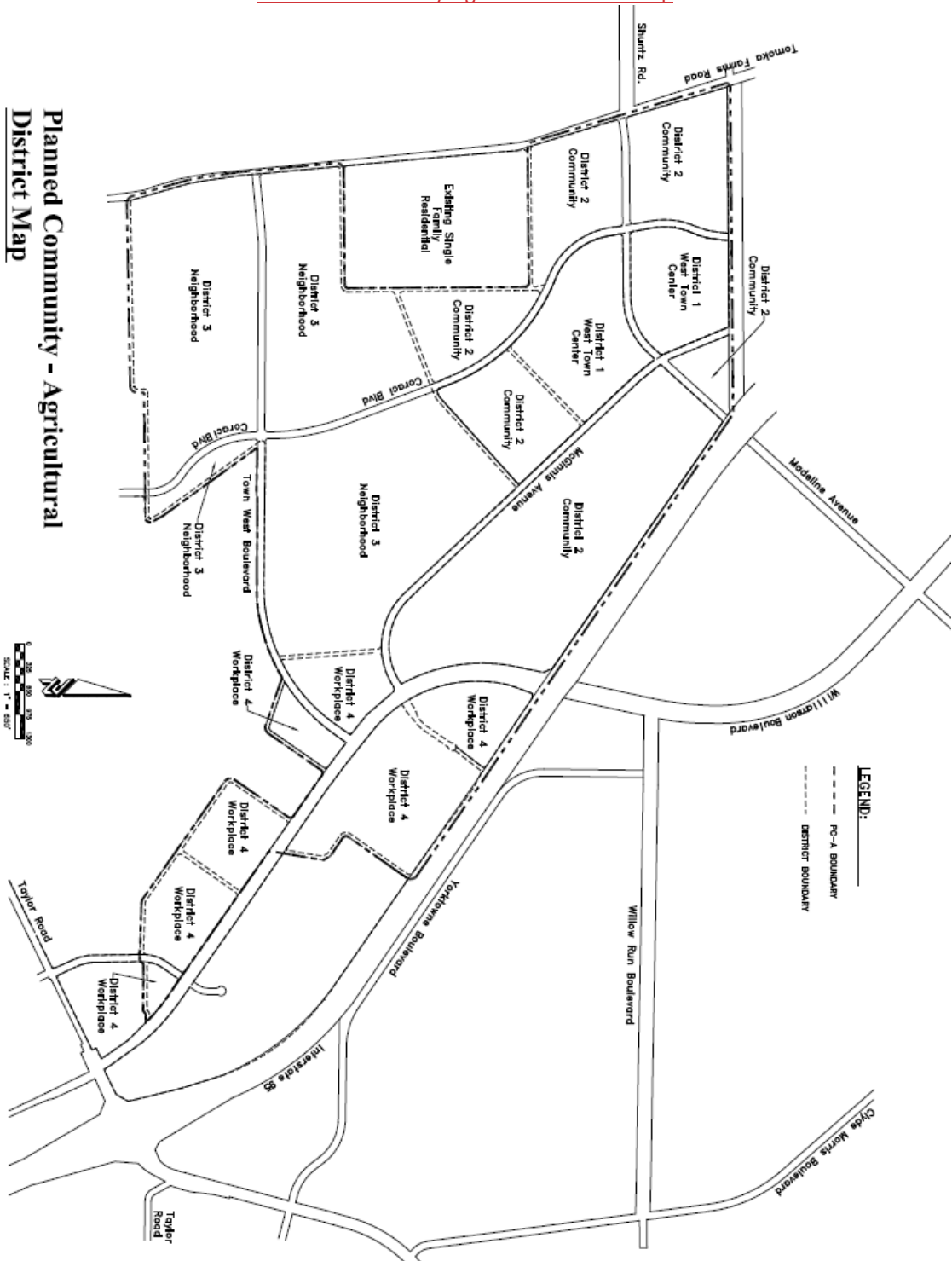


Figure17-2

Planned Community-Agriculture District Map



Planned Community - Agricultural District Map

(b) West Town Center District.

- (1) *Purpose and intent.* This district is established to create a compatible mixture of commercial, cultural, educational, governmental uses in a pedestrian-oriented town center. This district will be a focal point for the community and will draw all elements of the project together to form a cohesive mixed-use environment. The West Town Center is dedicated to collective social activity, education, and recreation in a traditional commercial and residential environment which nurtures a unified sense of community.

It is the goal of this district to provide for "traditional town development," bringing together a variety of housing types, offices, shopping and professional services, and public facilities to support a heterogeneous resident population. Planning, design, and development objectives of this district include:

- (a) A strong sense of community identity, based upon a shared, coherent, and functionally efficient mixed-use environment.
 - (b) Building, open spaces, and other visual features that act as landmarks, symbols, and activity centers to establish community identity.
 - (c) On-street parking and centralized parking facilities to collectively support principal uses in the district.
 - (d) A coordinated transportation system with a hierarchy of facilities designed for pedestrians, bicycles, public transit, and the automobile.
 - (e) A built environment that is pedestrian-friendly and handicapped-accessible.
 - (f) Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character, landscaping, and architectural style to establish a diverse, livable and harmonious urban form.
- (2) *Permitted uses.*
- (a) Those uses permitted in the GPU zoning district, ~~as described in section 26 of this chapter, including public schools, post offices, and municipal buildings.~~
 - (b) Agricultural uses as defined by section 29(f).
 - (c) Those uses permitted in ~~R-3H, PO, and CC~~ the Mixed Use Center (MXC) zoning districts along with residential town-homes, unless specifically prohibited herein.
 - ~~(d) Multi-use buildings (provided that the individual uses are approved herein).~~
 - ~~(e) Bed and breakfast inns of less than 10,000 s.f.~~
 - ~~(d) Parking garages.~~
 - ~~(e) Community recreational facilities.~~
- ~~(3) Permitted uses with special development requirements. Except for those uses prohibited below, permitted uses with special development requirements shall include those in the R-3H, CC, and PO zoning districts. The administrative official shall have the authority to waive any special development requirements for the permitted uses above, as normally required by chapter 18 of this code.~~
- ~~(4) Special exception uses. Except for those uses prohibited below, special exception uses for the R3 H, PO, and CC zoning districts are also special exception uses in the West Town Center District.~~
- ~~(5) Prohibited uses.~~
- ~~(a) Camouflaged and monopole communication towers.~~

- ~~(b) Cemeteries.~~
- ~~(c) Drive-through facilities on any building.~~
- ~~(d) Fleet-based services.~~
- ~~(e) Guyed and lattice communication towers.~~
- ~~(f) Kennels or outdoor animal boarding facilities.~~
- ~~(g) Motor vehicle and boat storage facilities.~~
- ~~(h) Motor vehicle service stations.~~
- ~~(i) Single-family detached dwellings.~~
- ~~(j) Stand-alone convenience stores with fuel operations.~~
- ~~(k) Warehousing, to include mini-warehousing and office/warehouse facilities.~~
- ~~(l) Wastewater or water treatment plants.~~

(63) Dimensional requirements

Max. building height ¹	48 ft.
Min. building height	24 ft.
Min. lot size	2,000 s.f.
Min. lot width	25 ft.
Min. living area	600 s.f.
Building coverage	90% ²
Max. Setbacks (build-to lines)	
Front yard ³	10 ft. for ground floor
	0 ft. for arcades and upper floors
Side yard	0 ft.
Rear yard	10 ft.
Open Space	30% of district as a whole
Common Open Space	⅓ of min. open space required

1. Towers, widow's walks, parapet walls and rooftop equipment screening may extend a maximum of five feet above the maximum building height.

2. If required landscaping can be met through provision of landscape planters, street trees, etc., then the building coverage may equal 100 percent.

3. Residential developments with parking in front of structure must comply with parking design requirements in Chapter 12, Section 6.

(74) Residential densities. Residential development shall occur at a maximum density of 16 units per acre. ~~However, the maximum density may be increased to 24 units per acre provided that the developer/applicant can demonstrate to the satisfaction of the administrative official that at least 20 percent of the units will qualify as affordable to low-income families for a period of 15 years.~~

(85) Parking. Given the compact, urban, pedestrian-friendly nature of the West Town Center District, a greater percentage of trips are accomplished through non-motorized means than would normally be the case in a pure suburban environment. Therefore, special parking requirements are warranted for the various types of uses in this district. These minimum requirements shall be as follows:

Office—1 space/500 square feet of gross leasable area

Commercial—1 space/400 square feet of gross leasable area

Institutional—1 space/400 square feet of gross finished floor area

Residential—1.5 spaces/unit

Bicycle parking shall be provided as per chapter 12 of this code.

Parking requirements for buildings in this district may be met by demonstrating that parking spaces are available on-street, in shared parking facilities ~~noted on the micro CDP,~~ or in private off-street parking lots.

~~(9) Signage. Within this district, signage shall be as provided in chapter 15 of this code.~~

~~(610)~~ *Design guidelines.* Because of its more urban, rather than suburban nature, the West Town Center District requires specific architectural guidelines in addition to those found in chapter 14 of this code.

- (a) *Mix of uses.* Development is intended to be mixed-use, in which multiple permitted uses are allowed to take place in a single building. However, in no event shall non-residential uses be allowed over residential uses.
- (b) *Urban densities.* This district is intended to be developed at an urban scale. Building coverage may equal 100 percent. Infrastructure shall be master-planned for each development to include stormwater management, water and sewer service, parking facilities, and parks/open space.
- (c) *Street and block layout.* Minor collectors and local streets shall generally be arranged in a linear, gridded network. All streets within this district shall be public streets, except where landscaping or street trees are proposed within the right-of-way. In such cases, the street shall be designated as a private right-of-way, and the property owner or developer shall be responsible for maintenance of all improvements within the right-of-way. The maximum length of blocks shall be 1,000 feet. Alternative block lengths may be approved by the Administrative Official through the site plan review process, provided that adequate design elements are incorporated to visually and functionally break up the block and that sufficient provisions for emergency access are maintained. Alleys may run through the center of each block to provide access to detached garages located at the rear of each residential lot. Alleys ~~may be public or may be~~ shall be privately owned and maintained by a property association.

~~(d) Roadway design. The administrative official shall allow for alternative roadway designs within the West Town Center district and community district in order to: Establish a pedestrian, urban, streetscape, with patterns of streets and blocks arranged to provide comprehensible and interesting routes of travel; Provide for landscaping and street art within the right-of-way for a boulevard like appearance and/or; Allow for multiple uses within the right-of-way that are consistent with the overall urban setting of the West Town Center district.~~

~~(e)~~ *Pedestrian friendly.* To ensure that the West Town Center District is pedestrian-friendly, the following requirements shall be implemented:

- (1) *Landscaping.* The West Town Center District shall be landscaped with materials containing a minimum 70 percent native vegetation. The quality and size of all plant materials used shall be as provided in chapter 13 of this code. Landscaping along streets shall include no less than three shade trees every 100 feet. ~~Palm trees, as defined in chapter 13 of this code may be substituted for shade trees, provided that at least two palms are substituted for each shade tree.~~ In either case, the tree type shall be consistent on both sides of the street within each block. ~~Such Street trees or landscape shall not may be placed in the a public right-of-way through an agreement with the city.~~

~~(2) *Water features.* Water features, such as fountains, reflecting pools, and aquatic gardens, may be used on site. Lakes smaller than 1,500 s.f. (measured at normal water level) are prohibited unless a decorative fountain is also provided or unless the lake is located at the base of a "waterfall" design feature.~~

(3) *Street furniture.* The use of street furniture is encouraged. Street furniture shall include outdoor seating, kiosks, sculptures, bicycle racks, tree grids, trash receptacles, and fountains ~~and telephone booths~~. Street furniture should be consistent with architectural theme for the balance of the project.

(4) *Lighting.* Lighting should be compatible with traditional, architectural styling to include decorative bases, poles, brackets and finials. ~~Poles should be mounted in at-grade concrete footings. Lighting lamps shall be either high-pressure sodium or metal halide.~~ Lighting shall provide security for the residents, visitors, and workers at the West Town Center but shall not create glare to the surrounding neighborhoods. ~~Illumination shall be provided downward vs. outward. Light pole height should not exceed 15 feet. Lighting shall be provided at no more than 50-foot intervals.~~

(5) *Sidewalks.*

(a) All streets within the West Town Center shall have sidewalks on both sides.

(b) Sidewalks shall be a minimum of ten feet in width along ~~the north-south collector road, the west side of the north-south arterial road, the south side of the east-west arterial road~~ Coraci Boulevard, McGinnis Avenue, and Madeline Avenue, and around the town square. Sidewalks shall be a minimum of eight feet in width in all other locations in this district.

(c) The first four feet of the sidewalk, measured from the face of curb, shall be used for fire hydrants, benches, trash receptacles, ~~newspaper stands~~, traffic signs, bike racks and light poles.

(d) ~~Sidewalks at street intersections shall be sloped in such a manner as to accommodate handicapped access with the use of two curb cuts and/or ramps at each street intersection.~~ The Administrative Official may approve alternative sidewalk layout, width, and placement of site furnishings through the site plan review process when it is demonstrated that the proposed sidewalk layout, width, and placement of site furnishings provides adequate pedestrian connectivity and access within the development and to adjoining areas.

(ef) *Parking/access.*

~~(1) Off-street surface parking lots shall be separated from the street by buildings or by decorative brick or stucco walls that are at least three feet in height, measured from the highest finished grade elevation adjacent to the nearest parking space.~~

~~(21)~~ Parking garages shall include architectural treatments compatible with buildings or structures that occupy the same street. Parking garages shall have pedestrian access to the street. Street-front stores and offices on the first floor of parking areas shall be permitted and encouraged.

~~(32)~~ On-street parallel or diagonal parking is permitted throughout the West Town Center District. ~~A License Agreement or other mechanism may be required to address maintenance of on-street parking.~~

(43) To encourage bicycle use, each parking lot or garage shall include at least one bike rack, which will accommodate at least one bicycle per ten required automobile spaces. The bicycle racks shall be located outside of the public right of way. Deferral of required bicycle parking facilities shall be allowed as per chapter 12, section 4(d)(2).

(54) ~~Driveways on adjacent properties shall be allowed to abut one another.~~ Alternately, Driveway setbacks in chapter 12 may be waived by the administrative official for adjacent properties shall be allowed to that share one or more common driveways, so long as access easements allowing this to occur are submitted to the city for review or are recorded on the subdivision plat for said property.

(fg) *Focal point for passive recreation/community involvement.*

(1) The focal point of the West Town Center District shall be a town square. The town square shall measure at least 100 feet by 100 feet, and shall include a community icon such as a fountain, statuary, or large tree.

~~(2) There shall be a commons generally running east to west through the district, from the principal north/south arterial road to Tomoka Farms Road. The commons shall intersect the district focal point.~~

(32) To promote community cohesiveness, the West Town Center District shall be located near a community park and ~~a series of community~~ pathways to move pedestrians from surrounding areas into the West Town Center District and park.

(gh) *Design cohesiveness.* Design cohesiveness is required. Certain design elements shall be regulated to achieve cohesiveness, including streetscape transitions, walls, roofs, exterior color and materials, windows and doors, awnings, balconies and signage. The city may authorize alternative design standards through the site plan review process so long as adequate design elements are included to meet the intent and purpose of this section.

(1) *Streetscape transitions.* Height and scale shall be compatible with that of surrounding development. In order to accomplish appropriate facade transitions, and to maximize city streetscape aesthetics, the following transitional techniques shall be applied to new development and redevelopment when within 300 feet of an existing building:

- (a) Buildings shall be designed to provide transitional elements and architectural features (architectural style, scale, design details, construction materials and the like) that are architecturally compatible with adjacent structures. Buildings that are twice the height, or greater, than an adjacent structure shall also provide transitional elements that serve to minimize significant differences in building heights.
- (b) The pattern of placement, proportions and materials of windows and doors shall be harmonious with surrounding structures.
- (c) The ratio of wall surface to openings and the ratio of width and height of windows and doors shall be consistent and compatible with surrounding structures.

The requirements contained in items (a), (b), and (c) above may be waived where the administrative official determines that city aesthetics would be enhanced by a change in the pattern of development that has been previously established by adjacent structures. In such a case, the city shall determine the appropriate style and exterior materials for the new development or redevelopment.

(2) *Walls.* Facades in excess of 60 feet in length shall incorporate design features including, but not limited to staggering the facade walls; interrupting the building plane with either "offsets" or protruding columns of at least three feet in depth, or overhangs, balconies, awnings, or arcades. The intent is to avoid the adverse visual impact of a "canyon" effect, which may be unintentionally produced by an uninterrupted series of flat walls. In addition, the first floor of all buildings shall be distinguished from the upper floors through the appropriate use of a different material or color, awnings, balconies, arcades, cornices, etc. Together, these requirements will create a development pattern that is pedestrian in scale, and which draws the attention of the pedestrian to the street level.

~~(3) *Roofs.* Roofs shall be of gable, hip or flat styles. If gable or hip, then barrel tile, slate, concrete or standing seam metal roofs shall be used. The minimum slope of pitched roofs shall be 4:12. Decorative cornices with significant three-dimensional relief shall be required on all flat roofs.~~

~~(4) *Exterior color and materials.*~~

~~(a) Generally accepted exterior facing materials shall include, on all facades that are or will be exposed to the general public, brick, tinted and textured or split-faced concrete masonry blocks, exposed aggregate, stone, architectural concrete and cellulose fiber reinforced cement building boards.~~

~~(b) Stucco shall be permitted so long as, horizontally, the exposed exterior stucco surface does not exceed 50 percent of any facade, unless deemed to be integral to a recognized architectural style, such as "Mediterranean."~~

~~(c) Colors shall be earth tones and pastels, as defined in this code. Other colors, excluding fluorescents, maybe permitted as accent colors, not to exceed 20 percent of the surface area of any one elevation.~~

(53) *Windows and doors.* Windows and doors in commercial structures shall comprise no less than 60 percent of a building's front wall. For corner buildings, both corner walls shall comply with this criteria. Windows and doors shall be architecturally compatible with the balance of the project. In commercial buildings, doors which would be used by the public or which face a public right of way shall be at least 30 percent transparent or translucent. Use of reflective glass shall be prohibited on exterior windows and doors.

~~(6) *Awnings.* Fabric awnings shall be permitted. Metallic and plastic awnings shall be prohibited. Awnings shall not be illuminated internally.~~

~~(7) *Balconies.* Balconies shall be permitted provided that they fall within the vertical roofline of the building.~~

~~(8) *Signage.* Signs, as permitted by this code, shall be designed to be compatible and integral with the structure to be identified. Sign boards, canopies, fascias and other architectural features shall be designed to incorporate signage or a uniform sign program as applicable. The base treatment of all freestanding signs shall be compatible with the principal structure with regards to style, color and finish. No sign base or sign face shall use any color not permitted by this section.~~

(94) *Dumpsters.* Dumpsters shall be located in areas which are generally not visible to the public. ~~Dumpsters which are otherwise exposed to the public and~~ shall be screened ~~through landscaping or structural means as required in chapter 14.~~

(hi) *Commercial development within the West Town Center District.* The following requirements shall apply to commercial uses throughout the West Town Center District:

-
- (1) The maximum ground-floor footprint of any commercial building shall be 50,000 square feet. The maximum total square footage per building shall be 150,000 square feet.
 - ~~(2) The maximum linear footage for a continuous, single tenant of a building shall be 100 feet. However, a single tenant of a building may design, construct, and "sign" a building in such a way that the intent of this regulation is achieved by having different facade, signage and entries for different product lines. For example, a store offering groceries and drugs could have a 200-foot front facade if the pharmacy has a separate entry, with unique signage and facade treatments from the main grocery entry.~~
 - (23) The rear of a building shall not face the principal roadway. [This standard may be modified during site plan review where the Administrative Official finds that sufficient architectural, landscape or similar aesthetically acceptable screening is incorporated into the design such that the façade does not have the appearance of a rear façade of a structure.](#)

(c) Community district.

(1) *Purpose and intent.* This district is ~~located to the north and south of the West Town Center District. It is~~ intended function as a transition area between the West Town Center District and the Neighborhood and Workplace Districts. The primary land use of this district is residential. Recreational, institutional, commercial, and conservation/open space uses are also allowed in this district, provided that the location and intensity of such uses are approved by the City of Port Orange during the micro region review process. Strong interaction with the street front is encouraged by minimization of front yard setbacks. A network of sidewalks and bikeways shall connect this district to the West Town Center. Alleyways are allowed and encouraged. On-street parking is also allowed.

(2) *Permitted uses.*

(a) Those uses permitted in the R3-L and R-3M zoning districts, ~~as described in sections 11 and 12 of this chapter.~~

(b) Town homes/row homes.

(c) Single-family detached dwellings.

(d) Duplex units.

(e) All permitted uses under the NC and PO zoning districts, but only in areas specifically designated on the macro ~~and micro~~-CDPs.

(f) Agricultural uses as defined by subsection (f) below.

(g) Those uses permitted in the GPU zoning district.

(3) *Permitted uses with special development requirements.* Permitted uses with special development requirements shall include those in the R-3L, R-3M, NC, and PO zoning districts. In addition, the following uses shall be included:

(a) Garage apartments (chapter 18, section 4(b)5.2).

(b) Live-work units (chapter 18, section 4(b)9.5).

The administrative official shall have the authority to waive any special development requirements for the permitted uses above, as normally required by chapter 18 of this code.

(4) *Special exception uses.* Except those uses prohibited below, special exception uses for the R3-L, R3-M, NC and PO zoning districts are also special exception uses in the community district.

~~(5) Prohibited uses.~~

~~(a) Camouflaged and monopole communication towers.~~

~~(b) Guyed and lattice communication towers.~~

~~(c) Fleet-based services.~~

~~(d) Mobile home and manufactured home units.~~

~~(6) Dimensional requirements.~~

STANDARD	RESIDENTIAL	NON-RESIDENTIAL
Max. building height ¹	36-45 ft.	36 ft.
Min. lot size	Townhouse — 2,000 s.f.	10,000 s.f.

	Single-family and Duplex — 5,000 s.f.	
Min. lot width	Townhouse — 20 ft.	100 ft.
	Single-family and Duplex — 50 40 ft.	
Min. living area	900 s.f.	N/A
<u>Building Impervious coverage for Individual Lot</u>	46 0%	46 0%
Setbacks		
Front yard	10 ft. min. ²	10 ft. min.
Side yard	0 ft. for attached units.	10 ft. min.
	5 ft. for detached units and rear-yard accessory structures, including detached garages.	
Rear yard	For lots with garages accessed from the street, 15 ft. min. for the principal structure and 5 ft. for the garage. For lots with detached garages accessed from rear alleys, 25 ft. min. for the principal structure and 10 ft. for the garage.	25 ft. min.
Open Space <u>for Individual Lot</u>	40% ³	40%
<u>Open Space for a Subdivision</u>	40 % ⁴	40 %
Common Open Space	½ of min. open space required	½ of min. open space required. N/A

1. Towers, widow's walks, parapet walls and rooftop equipment screening may extend a maximum of five feet above the maximum building height.

2. ~~Front porch steps may encroach into the setback. Residential developments with parking in front of structure must comply with parking design requirements in Chapter 12, Section 6.~~

3. For individual single-family residential lots, open space = 35%

4. ~~The overall subdivision open space of 40% may be met through conveyed open space outside of a specific property, subject to an agreement with the City of Port Orange.~~

~~(76) Residential densities. As shown on the macro CDP (Figure 17.1). Residential development shall occur at a maximum density of eight units per acre. However, the maximum density may be increased to 12 units per acre provided that the developer/applicant demonstrate to the satisfaction of the administrative official that the four additional units per acre will qualify as affordable to low-income families for a period of 15 years.~~

~~(87) Parking. Minimum parking requirements for this district shall comply with Chapter 12, except for the following uses be as follows:~~

~~Office—One space/300 square feet of gross leasable area~~

~~Commercial—One space/300 square feet of gross leasable area~~

~~Residential—Two spaces/unit~~

For non-residential development, bicycle parking shall be provided as per chapter 12 of this code.

~~Parking requirements for buildings in the this district may be met by demonstrating that parking space are available on street, in shared parking facilities noted on the micro CDP, or in private off street~~

parking lots. Abutting users may share parking as provided in chapter 12 of this code. All off-street parking areas for exclusively non-residential uses shall be located to the rear of the building.

~~(9) — Signage.~~ Signage requirements within this district shall be as provided in chapter 15 of this code.

~~(10) — Design Guidelines~~

~~(a) — Architectural design.~~ Unless otherwise noted, the architectural design requirements for non-residential buildings in this district is contained in chapter 14 of this code. In addition, the proposed architectural treatment shall be generally similar to surrounding development with regard to building height and bulk, elevation design, colors and exterior finish materials.

Special provisions for gas station pump island canopies associated with convenience stores with fuel operations are as follows:

~~(1) — Architectural design shall be consistent with the principal structure in terms of colors, materials, finishes, and style.~~

~~(2) — Decorative rooftop design embellishments shall be provided, such as dormers, cupolas, clerestory windows, and weathervanes, if such are used on the principal structure.~~

~~(3) — The supporting columns shall be of sufficient width so as to appear "structural" in proportion to the canopy, as consistent with the architectural style of the principal structure.~~

~~(4) — Bollards shall be painted to match or be compatible with the color of the canopy and principal structure.~~

~~(5) — The fascia beneath the pump island canopy roof shall incorporate a decorative molded cornice, if such is used as part of the design of the principal structure. The cornice must incorporate "significant" three-dimensional relief to be considered decorative.~~

~~(6) — The maximum height of the pump island canopy fascia shall be 6 inches. The height of the fascia shall be proportional to the sloped roof of the canopy and principal structure, and not exaggerated to allow room for signage. The height of the fascia can only be increased if a roof overhang is provided, such that the appearance of the fascia height increase is minimized. The overhang must extend 2 inches beyond the fascia for every inch the height of the fascia is increased.~~

~~(7) — Lighting fixtures underneath the canopy shall be recessed so as to minimize off-site glare and light intrusion. No part of the light fixtures shall project downward beyond the bottom of the canopy.~~

~~(8) — The maximum clearance between the pavement and the canopy ceiling shall be 14.5 feet.~~

~~(9) — The maximum height of the canopy shall be no greater than that of the principal structure.~~

~~(b) — Street and block layout.~~ Minor collector and local streets shall generally be arranged in a linear, gridded network. All streets in this district shall be public streets. Therefore, gated communities shall be prohibited. The maximum length of blocks shall be 1,000 feet. Alleys may run through the center of each block to provide access to detached garages located at the rear of each residential lot. Alleys may be public or may be privately owned and maintained by a homeowners association.

~~(c) — Residential lot design.~~ Residential buildings shall be raised a minimum of 18 inches above the grade of adjacent sidewalks to afford a measure of privacy in lieu of a greater front yard setback. Garages may be accessed from the street or from rear alleys. Front-loaded garages accessed from the street shall be prohibited.

(d) Neighborhood district

- (1) *Purpose and intent.* This district is intended to accommodate a variety of standard suburban housing types at varying densities. Single-family, two-family, and multi-family housing shall be permitted. Other types of housing developments not specifically stated in this code shall be allowed at densities equal to those shown on the macro CDP for this district. Neighborhood-scale office and commercial developments are appropriate for this district. Such non-residential developments are intended to be pedestrian-friendly, and are therefore located relatively close to the street.
- (2) *Permitted uses.*
 - (a) Those uses permitted in the R3-L, R-3M, and R-3H zoning districts, ~~as described in sections 11, 12, and 13 of this chapter.~~
 - (b) Town homes/row homes.
 - (c) Single-family detached dwellings.
 - (d) Duplex units.
 - (e) Other types of residential dwellings not specifically referenced in this code, such as triplexes and quadplexes.
 - (f) Within those areas specifically designated on the macro CDP for neighborhood commercial, those uses in the NC and PO zoning districts are permitted.
 - (g) Agricultural uses are permitted as defined by subsection (f) below.
- (3) *Permitted uses with special development requirements.* Permitted uses with special development requirements shall include those in the R-3L, R-3M, R-3H, NC, and PO zoning districts. Such uses shall meet all applicable special development criteria as outlined in chapter 18, section 4 of this code. In addition, the following use shall be included:
 - (a) Garage apartments (chapter 18, section 4(b)5.5).
- (4) *Special exception uses.* Those noted in the R-3L, R-3M, R-3H, NC, and PO zoning districts are also special exception uses in the neighborhood district, and shall meet all applicable special development criteria as outlined in chapter 18, section 3 of this code.
- ~~(5) *Prohibited uses.* Mobile home and manufactured home units shall be prohibited in this district.~~
- ~~(6) *Dimensional requirements.*~~

[THIS SPACE INTENTIONALLY LEFT BLANK]

STANDARD	DETACHED RESIDENTIAL	ATTACHED RESIDENTIAL	NONRESIDENTIAL
Max. building height ¹	36 ft.	36 ft.	36 ft.
Min. lot size	5,000 s.f.	1,800 s.f. per unit	10,000 s.f.
Min. lot width	40' 50 ft.	18 ft. per unit	100 ft.
Min. living area	1,000 s.f.	600 s.f.	N/A
Building coverage	35% ²	40%	35%
Setbacks			
Front yard	25 ft.	15 ft.	Equal to width of right-of-way landscape buffer
Side yard	5 ft. for lots ≤ 65 ft. wide ³ 7.5 ft. for lots > 65 ft. wide	0 ft. for attached units, 15 ft. between buildings	7.5 ft.
Side corner	20 ft.	Equal to front setback	Equal to front setback
Rear yard	20 ft.	25 ft.	30 ft.
Open Space ⁵	40%	40%	40%
Common Open Space ⁵	½ of min. open space required ⁴	½ of min. open space required	½ of min. open space required

¹ Towers, widow's walks, parapet walls and rooftop equipment screening may extend a maximum of five feet above the maximum building height.

² Maximum building coverage for detached single-family residential lots may be increased up to 50 percent of the total lot area provided the development requirements for the subdivision as a whole, as listed in chapter 17, subsections ~~29(d)(9)~~, ~~29(d)(10)~~, ~~29(d)(12)~~ and 29(m)(4) are met and provided that the lot does not extend into a St. Johns River Water Management District Conservation and maintenance easements.

³ The following appurtenances shall be allowed to encroach three feet into the side-yard setback; air conditioning equipment, pool pumps and related equipment, other equipment appurtenant to the residential use where otherwise permitted to be located outside, concrete pads associated with air conditioning equipment, and garage stoops.

⁴ For lots with a maximum building coverage of 50 percent, the amount of common open space required in chapter 17, subsection 29(d)(6) shall be based on the smallest lot size in the subdivision. The common open space shall be 100 percent of the requirement for lot size 5,000—5,999 SF, 75 percent of the requirement for lot size 6,000—6,999 SF or 50 percent of the requirement for lot size greater than or equal to 7,000 SF.

~~(76)~~ *Residential densities.* As shown on the macro CDP (Figure 17.1) this district includes six micro regions. Of the six, four are to be developed at a density of up to four units per acre; one is to be developed at up to eight units per acre; and one is to be developed at up to 16 units per acre.

~~(87)~~ *Parking.* Minimum parking requirements for this district shall be as follows:

Office—One space/500 square feet of gross leasable area

Commercial—One space/400 square feet of gross leasable area

Institutional—One space/400 square feet of gross leasable area

Industrial—One space/500 square feet

Bicycle parking shall be provided as per chapter 12 of this code.

~~(9)~~ *Signage.*

~~(a)~~ *Signage requirements shall be as provided in chapter 15 of this code.*

~~(b)~~ *Signage for detached residential development with a building coverage greater than 35 percent per lot and less than or equal to 50 percent per lot shall be as provided below.*

-
- ~~(1) Each residential subdivision or residential development shall be required to design and construct a subdivision entry sign and entry features along all abutting major collector roads within Planned Community No. 1.~~
 - ~~(2) Size (ground area) of the entry features and associated subdivision entry sign shall be required at the rate of 150 square feet per residential lot or unit within a development. Total square footage of the entry feature will be based upon the total number of lots within all phases in the subdivision.~~
 - ~~(3) The design of the entry feature enhancements proposed by the developer shall be subject to review by staff, the planning commission, and subject to final approval of the city council.~~
 - ~~(4) Entry features that meet the definition of common open space that are incorporated into the entry feature will count toward both the common open space calculation and the entry feature calculation.~~

(108) Play area requirements. A residential subdivision or residential development with a building coverage greater than 35 percent and less than or equal to 50 percent shall be required to provide 20,000 square feet of open contiguous common area for every 250 or fewer residential lots, within the subdivision or development or phase thereof. Such areas shall consist of the following, at a minimum:

- (a) A graded, well-drained lawn, sodded with Bahia grass, and regularly mowed. The grade of the lot shall be consistent with the graded height of adjacent lots, so as not to allow excess run-off to drain onto adjacent residential properties.
- (b) A minimum of four benches provided around the perimeter of the lawn, one on each side. Benches shall at least six feet long.
- (c) A decorative fence at least four feet in height constructed around the play area and include openings for access.
- (d) Landscaping to meet the requirements of a design type 2 buffer outlined in chapter 13, section 5(b) of this code shall be installed around the perimeter fencing. Trees may be placed on either side of the fence, provided a majority are located along the outside. Required shrubs shall be located along the outside perimeter of the fence. This landscaping shall be irrigated per the requirements of chapter 13 of this code.
- (e) The size of the required play area may be reduced by 5,000 square feet if playground equipment is installed. Play equipment shall consist of the following:
 - (1) Modular play equipment - minimum 1,400 square feet.
 - (2) Swingset - minimum 12 feet long, four seats.
 - (3) Tot play equipment - minimum 150 square feet.
 - (4) All playground equipment shall be placed in an area that is mulched, or which has a bed of sand, recycled tires, or similar impact-cushioning material.
- (f) The play area shall be connected to a public street and sidewalk, so that it is accessible to all residents.
- (g) One paved handicapped parking space shall be provided on-site. The handicapped parking shall comply with all ADA requirements. No other on-site parking shall be required.
- (h) In cases where the size of a residential subdivision or residential development shall require more than one play area, the play areas shall not be amalgamated, but shall be dispersed throughout

the residential subdivision or residential development, so as to be within walking distance for the majority of nearby residents.

- (i) All open areas shall be maintained by the owners association of the residential subdivision or residential development or specific phase thereof.

~~(11) *Design guidelines.* The architectural design requirements for this district are contained in chapter 14 of this code. In addition, the proposed architectural treatment shall be generally similar to surrounding development with regard to building height and bulk, elevation design, colors and exterior finish materials. The design requirements for gas station pump island canopies shall be the same as for the community district, as described above.~~

~~(129) *Restriction disclosure notice requirement.* The property owner shall disclose the lots eligible for the increased lot coverage restriction on the subdivision plat in the form of a plat note. The city shall require the property owner to sign, notarize and record a restriction disclosure notice in the Public Records of Volusia County, Florida, instantly after the recording of the plat.~~

(e) *Workplace district.*

(1) *Purposes and intent.* The primary use of this district shall be for commercial and industrial purposes; however, some multifamily residential and senior independent living community uses may be permitted nearby employment centers and commercial development that serves the general and specialized shopping needs and services of the residents, pursuant to the conditions provided by subsection 2(c) below. Although development in this district is expected to provide a regional employment base and cater to the local and regional market, there shall also be a link between the various uses within the district and other districts, ~~especially the west town center district and the community district~~, and the adjacent regional commercial node.

(2) *Permitted uses.* The macro CDP recognizes two primary categories of uses in the workplace district: commercial and office/industrial; however, multifamily residential and senior independent living community uses may be incorporated into the workplace district as detailed in subsection (c) below.

(a) *Commercial.*

- (1) *Permitted uses.* Permitted uses shall be the same as for the HC and ICD zoning districts, as described in this chapter. Agricultural uses shall be permitted as provided by subsection (f) below. Residential uses shall be permitted as provided by subsection (c) below.
- (2) *Permitted uses with special development requirements.* Permitted uses with special development requirements, shall be the same as for the HC and ICD zoning districts, and shall meet all applicable special development criteria as outlined in chapter 18, section 4 of this code.
- (3) *Special exception uses.* Except those uses prohibited below, special exception uses noted in HC and ICD zoning districts are also special exception uses in the commercial sub-district, and shall meet all applicable special development criteria as outlined in chapter 18, section 3 of this code.
- (4) *Prohibited uses.* Adult entertainment uses shall be prohibited.
- (5) *Dimensional requirements.*

STANDARD	COMMERCIAL
Max. building height	60 ft.
Min. lot size	30,000 sq. ft.
Min. lot width	150 ft.
Building coverage	35%
Setbacks:	
Front yard:	Equal to right-of-way landscape buffer width
Side yard:	20 ft.
Rear yard:	25 ft.
Open Space	30%
Common Open Space	0%

(b) *Office/industrial.*

- (1) *Permitted uses.* Permitted uses shall be the same as for the CI and LI zoning districts. Agricultural uses shall be permitted as provided by subsection (f) of this chapter [section]. Residential uses shall be permitted as provided by subsection (c) below.
- (2) *Permitted uses with special development requirements.* Permitted uses with special development requirements shall be the same as for the CI and LI zoning districts, and shall meet all applicable special development criteria as outlined in chapter 18 of this code.
- (3) *Special exception uses.* Those noted in CI and LI zoning districts are also special exception uses in the office/industrial sub-district, and shall meet all applicable special development criteria as outlined in chapter 18, section 3 of this code.

~~(4) *Parking.* The minimum number of required parking spaces for the workplace district shall be as per chapter 12, section 4 of this code. Bicycle parking shall also be provided as per chapter 12 of this code. For lots fronting on Williamson Blvd. and the east side of the North-South arterial road, special parking provisions shall apply. For buildings that are 20,000 square feet or less, no more than 50 spaces, or 60 percent of the required number of spaces, whichever is less, shall be located in front of the building. For buildings greater than 20,000 square feet, no more than 50 spaces, or 40 percent of the required number of spaces, whichever is less, shall be located in front of the building.~~

~~(5) *Signage.* Signage requirements shall be as provided in chapter 15 of this code.~~

~~(6) *Design guidelines.* The architectural design requirements for this district are contained in chapter 14 of this code. In addition, the proposed architectural treatment shall be generally similar to surrounding development with regard to elevation design, colors and exterior finish materials.~~

~~(7)~~ *Dimensional requirements.*

STANDARD	OFFICE/INDUSTRIAL
Max. building height	60 ft.
Min. lot size	20,000 sq. ft.
Min. lot width	150 ft.
Building coverage	50%
Setbacks:	
Front yard:	Equal to right-of-way landscape buffer width

Side yard:	20 ft.
Rear yard:	25 ft.
Open Space	30%
Common Open Space	0%

(c) *Residential.*

(1) *Permitted uses.*

- (a) Multifamily dwelling (16 units per gross acre maximum allowable density).
- (b) Senior independent living community (12 units per gross acre maximum allowable density).

(2) *Prohibited uses.*

- (a) Camouflaged and monopole communications towers.
- (b) Guyed and lattice communication towers.
- (c) Mobile home and manufactured home units.
- (d) Single-family dwellings.
- (e) Duplex units.
- (f) Triplex units.

- (3) *Special restrictions.* ~~In order to ensure a mix of uses consistent with the purposes and intent of the workplace district, multifamily residential uses shall be limited to 13 percent of the overall workplace district land area, when such r~~ Residential development ~~is shall be~~ located within a ½ mile of commercial development (measured along right-of-way centerlines between the development entrance drives or other pedestrian access points) that will cater to the residential development and provide an efficient link between the commercial and residential uses. The location of residential uses in close proximity to commercial uses will reduce vehicle miles traveled, thereby reducing the energy consumption within the district. ~~Senior independent living communities shall be limited to 4 percent of the overall Workplace District land area.~~

(4) *Dimensional requirements.*

STANDARD	ATTACHED RESIDENTIAL
Max. building height ¹	50 ft.
Min. lot size ²	1,800 s.f. per unit
Min. lot width ²	18 ft. per unit
Min. living area	500 s.f.
Building coverage	50%
Setbacks	
Front	20 ft.
Side	0 ft. for attached units, 15 ft. between buildings 20 ft. for perimeter
Rear ³	25 ft.
Open space	40%
Common open space	⅓ of min. open space required

Min. landscape buffer abutting single family residential zoned property	20 ft. (including a berm at least 3' high with a 6' vinyl shadowbox fence on top of the berm except where accessory structures abut the buffer or where the property abuts an existing conservation easement area); if the buffer provided is a minimum of 50' wide, then a berm and opaque fence is not required.
---	--

¹ Additional height for architectural appurtenances and other structures (including cupolas) may extend a maximum of ten feet above the maximum building height.

² Applies to units with individual lots under fee simple ownership.

³ Multifamily buildings of greater than 25 feet in height shall have a building setback equal to or greater than the building height, except where adjoining property is zoned single family residential where such setback shall be equal to or greater than twice the building height (not including architectural appurtenances as permitted above).

STANDARD	SENIOR INDEPENDENT LIVING COMMUNITY
Max. building height	50 ft.
Min. lot size	4 acres
Min. lot width	200 ft.
Min. living area	500 s.f.
Max. building coverage	30%
Min. open space	60%
Setbacks	
Front	30 ft.
Side	25 ft. or equal to building height, 25 ft. between buildings
Rear	50 ft.

- (3) *Application for conceptual plan and master development agreement.* [Property owners within the PC-A district may apply to establish a master development agreement and conceptual development plan.](#)

The conceptual plan and master development agreement allows unique and innovative land development proposals for property, by establishing development parameters, conditions, and requirements. Where the conceptual plan and master development agreement are silent on a particular subject or requirement, the requirements of the city's land development code shall control.

[The requirements for unified ownership, application submittal and review process, requirements and standards how a conceptual development plan and master development agreement shall be prepared, approval process, execution of the master development agreement, expiration of the master development agreement, and amendments to the master development agreement and/or conceptual development plan, shall be pursuant to the regulations established in chapter 17, section 17.](#)

~~(a) *Unified ownership.* All land within the area to be developed pursuant to a master development agreement shall be under the ownership or control of the applicant at the time of execution of the master development agreement, whether the applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations.~~

~~(b) *Application shall be made to the department utilizing the form provided by the department for that purpose and accompanied by the appropriate review fee.*~~

-
- (c) ~~Review of application materials.~~ Within two working days of the receipt of an application, the department shall determine whether the submittal is complete. Incomplete submittals shall be returned to the applicant with the deficiencies noted in writing. Re-application shall be accompanied by a re-application fee as adopted by resolution of the city council.
- (d) ~~Initiation of development review.~~ When an application is determined to be complete or substantially complete, it shall be reviewed by the staff development review committee (SDRC).
- (e) ~~Conceptual development plan.~~ The applicant shall provide a conceptual development plan, drawn at a scale of no smaller than one inch equal to 100 feet. The plan shall show the development potential of the site including natural and manmade conditions, constraints, and opportunities, and contain the following information, when applicable. An asterisk (*) denotes information which may be waived by the applicant for purposes of approval of the conceptual plan exhibit of the master development agreement. If any of the denoted information is not provided, the conceptual plan exhibit shall not be considered to satisfy the requirements for a site plan or subdivision plan submittal, and full compliance with the procedure for approval of the latter shall be required. The conceptual plan shall be prepared according to the following standards:
- (1) ~~Project name, date, north arrow, and the legal description, boundary dimensions and area in acreage of the property;~~
 - (2) ~~Name and address of owner, surveyor, engineer, and any other professional consultants involved with the generation of the plan information. If the property is owned by a corporation, company or partnership, the name and address of the president and secretary, and the state of incorporation shall be provided;~~
 - (3) ~~A vicinity map drawn to scale showing the zoning of the area and the relationship of the subject property to surrounding development;~~
 - (4) ~~Proposed common areas, drainage areas, conservation areas, lot lines (*) and lot dimensions (*);~~
 - (5) ~~Proposed street names and lot numbers (*);~~
 - (6) ~~Acreage in lots, drainage areas, common areas, streets and other uses, and the minimum lot size, average lot size (*) and total number of lots (*);~~
 - (7) ~~Existing topography shown in one-foot contours and delineation of flood insurance rate map flood zones;~~
 - (8) ~~Environmental assessment providing delineation of all wetlands, wooded areas, vegetative communities and listed species habitats: general description of the character of such wetlands, wooded areas, vegetative communities and listed species habitats: and a tree survey in accordance with requirements of this code (*);~~
 - (9) ~~The location of existing and proposed buildings, utilities, roads, easements or other improvements on the property, and all roads, lot lines, and abutting property owners within 150 feet of the subject property;~~
 - (10) ~~A soils report including one percolation test per ten acres with one or more eight-foot deep soil boring(s) at each percolation test site (*);~~
 - (11) ~~Statement that compliance with the land development code may necessitate modification of the conceptual plan;~~
 - (12) ~~Soil types, drainage basins and natural drainage patterns;~~

-
- ~~(13) General character, size and location of buildings, parking and loading areas, bufferyards and landscaped areas for each proposed land use;~~
 - ~~(14) Site data for each land use and parcel to verify that requirements of the master development agreement have been satisfied;~~
 - ~~(15) General location, size and function of open space areas to verify that requirements of the master development agreement and this section have been satisfied;~~
 - ~~(16) One copy of the computer disk(s) depicting the proposed development layout, including the streets and lots, for projects prepared on an appropriate computer-aided drafting (CAD) system; and~~
 - ~~(17) Any other information deemed pertinent by the department, planning commission or city council.~~
- ~~(f) *Master development agreement.* The agreement shall contain and/or address the following information, when applicable. The master development agreement shall be prepared according to the following standards.~~
- ~~(1) Permitted uses and special exceptions.~~
 - ~~(2) Minimum dimensional requirements. Such requirements shall include lot area and width, setbacks, building height, minimum floor area, spacing between buildings, maximum building coverage, minimum landscaped area and any other dimensional information pertinent to the project.~~
 - ~~(3) Landscaping, parking and signage requirements when unique or different from those described in this development code.~~
 - ~~(4) Architectural controls. Such controls shall provide for a common architectural theme to be applied to all structures.~~
 - ~~(5) Project phasing.~~
 - ~~(6) Landowners association. An association or unified collective of individual associations shall be established to provide for maintenance of common area facilities and to enforce the specific restrictions established by the association.~~
 - ~~(7) Maximum number of building lots if applicable.~~
 - ~~(8) Improvements to infrastructure which may be required in addition to those specified by this code or at an earlier time than would otherwise be determined by this code.~~
 - ~~(9) Statement that compliance with the environmental preservation code may necessitate modification of the conceptual plan.~~
 - ~~(10) Expiration date.~~
 - ~~(11) Statement of ownership and legal description.~~
 - ~~(12) Any other information deemed pertinent by the department, planning commission or city council.~~
- ~~(g) *Application review process.*~~
- ~~(1) Staff development review committee (SDRC). All applications shall be reviewed by the SDRC, and members' comments shall be delivered and discussed at a SDRC meeting. Formal comments of the SDRC shall be transmitted in writing to the applicant no later than three working days after the meeting.~~

-
- ~~(2) Resubmittal of the revised conceptual plan and master development agreement. The revised conceptual plan and master development agreement shall be submitted no later than 60 days after the original SDRC meeting review. The revised conceptual plan and master development agreement shall be reviewed by the SDRC members, with findings reported by the department to the planning commission for their consideration.~~
- ~~(h) Approval of application for conceptual plan and master development agreement.~~
- ~~(1) Planning commission action. The planning commission shall consider the conceptual plan and master development agreement at a regularly scheduled meeting to determine if the application meets the requirements of this code. Upon consideration of the comments of the SDRC and public, the commission shall take one of the following actions;~~
- ~~(a) Table the consideration of the application until their next regularly scheduled meeting to allow for the resolution of outstanding issues. No application shall be tabled more than one time in the presence of the applicant by the planning commission.~~
 - ~~(b) Recommend that the application be denied.~~
 - ~~(c) Recommend that the application be approved.~~
 - ~~(d) Recommend that the application be approved with conditions.~~
- ~~(2) City council approval. The city council shall consider the conceptual plan and master development agreement at a regularly scheduled meeting, and determine if the application meets the requirements of this code. Upon consideration of the comments of the department, the public, and the recommendation of the planning commission, the city council shall take one of the following actions:~~
- ~~(a) Table the consideration of the application to allow for the resolution of outstanding issues.~~
 - ~~(b) Deny the application.~~
 - ~~(c) Remand the application back to the planning commission.~~
 - ~~(d) Approve the application.~~
 - ~~(e) Approve the application with conditions.~~
- ~~(i) Execution of master development agreement. The second reading of the ordinance for the conceptual plan and master development agreement shall not take place until the developer has provided an executed copy of the master development agreement to the city clerk. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised conceptual plan exhibits. If there are no additional requirements, corrections or conditions attached by the city council at the second reading, the executed document shall be signed by the city clerk and mayor and forwarded to the county clerk for recording. If there are additional requirements, corrections or conditions attached by the city council at the second reading, the applicant shall revise the agreement and conceptual plan and return the documents to the department within 30 days for execution and recording. The requirement to return the document within 30 days shall be specified by the city council as a condition for approval of the conceptual plan and master development agreement.~~
- ~~(j) Failure to provide timely resubmission. Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees.~~

-
- ~~(j) Extension of resubmittal deadlines. The administrative official may extend the deadlines cited above, when warranted by unforeseeable events. A request for extension shall be filed in writing with the department explaining the circumstances justifying the extension.~~
- ~~(k) Final development plan approval. Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PC-A shall be required in accordance with the general procedures established by this code. Conceptual plan exhibits of the master development agreement which fully satisfy the requirements for site plan or subdivision plan submittal shall be considered as such.~~
- ~~(l) Expiration of master development agreement. Any master development agreement executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, the installation of physical improvements, and any other factors pertinent to the specific proposal. If the city should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall be considered null and void, and approval of any additional final development plans for the PC-A shall not be permitted without resubmission and approval of a new development agreement in accordance with the procedures established in this development code.~~
- ~~(m) Amendments to the master development agreement and/or conceptual development plan. Subsequent to execution and recording, the master development agreement and/or conceptual development plan may be amended at any time upon mutual agreement of both the city and the appropriate amending party, unless otherwise provided in the agreement. Application for amendment of the master development agreement and/or conceptual development plan shall be made to the department utilizing the form provided by the department for that purpose and accompanied by the appropriate review fee. Amendment shall completely restate the original agreement along with the language for the requested amendment. Upon receipt of the application by the department, the amendment shall be placed on the next available SDRC agenda. Subsequent to action by the planning commission, final review and approval shall be required by the city council.~~

(f) **Agricultural uses.** The entire planned community-agricultural area ~~is currently~~when established was in agricultural use. Said agricultural use shall be allowed to continue as an interim use on all lands throughout the PC-A area which have not received final site plan or subdivision approval. Agricultural uses on any portion of a micro region that has received final site plan and/or subdivision approval shall cease within 90 days after such approval.

- (1) *Permitted uses.* Permitted uses shall be the same as for the "A" zoning district.
- (2) *Special exception uses.* Special exception uses shall be limited to the following uses, unless otherwise specified under the requirements for each district. Such uses shall be consistent with the permitted uses in each district.
 - (a) Houses of worship.
 - (b) Private schools.
 - (c) Retail nurseries and garden supplies.
 - (d) Veterinary clinics.

Such uses shall meet all of the applicable special development criteria as outlined in chapter 18, section 3 of this code.

- (3) *Special restrictions.* The following uses are prohibited within 1,000 feet of proposed or existing development within any ~~micro region~~district:
 - (a) Livestock feeding pens.
 - (b) Livestock feed lots.
 - (c) Poultry operations to include any feathered animals...e.g. chickens, emus, ducks, ostriches, etc.
- (4) *Prohibited uses.*
 - (a) Cemeteries.
 - (b) Commercial stables.
 - (c) Farmers/flea markets.

~~(g) *Traffic circulation.* The macro CDP identifies the conceptual traffic circulation plan of the PC-A zoning district. Each micro CDP submittal must show an intent to interface with this system. Each micro CDP must demonstrate that it will encourage the efficient movement of traffic within the balance of the PC-A area by identifying how pedestrian, bicycle, and motorized vehicle "trips" will be accommodated between micro regions and districts. Lots within the West Town Center district may have direct access to collectors. Parking lots may have direct access to arterials and collectors.~~

~~Except where otherwise noted, each subdivision within the PC-A zoning district shall have a minimum of two permanent access points onto an adjacent public street. Where adjoining existing development or code requirements preclude the development of two public street access points, the secondary access point may consist of a stabilized unobstructed temporary driveway for emergency purposes.~~

~~(hg) **Special roadway corridor provisions.**~~

- ~~(1) *The I-95 corridor.* The I-95 corridor travels through one of the more visible and significant commercial districts within the city. The I-95 corridor is recognized as a gateway to the City of Port Orange. For this reason, the corridor shall benefit from design requirements that enhance its aesthetic appearance and preserve the existing vegetation and natural features along its boundaries. Buildings and structures visible from I-95 will benefit from architectural requirements that meet or exceed the architectural~~

~~standards of chapter 14 of this code. A landscape buffer of 50 feet in width shall be required along the I-95 corridor. Stormwater management facilities are allowed within this buffer. The landscaping materials within the landscape buffer shall be consistent with the requirements of a right-of-way buffer of this width, as per chapter 13, section 3(d)(3) of this code. In locations where existing utility easements overlap this buffer, then the installation of landscape materials shall be coordinated with the utility.~~

~~(21) **Williamson Boulevard.** Given Williamson Boulevard's significant role as a major thoroughfare in the city's transportation network and its aesthetic and development opportunities, all aspects of development including infrastructure, landscaping and buffering, traffic management, signage, architecture and urban design, shall be coordinated. The following shall be the corridor plan for Williamson Boulevard.~~

~~(a) There shall be a 50-foot wide landscape buffer measured perpendicular from the edge of right-of-way.~~

~~(ba) Generally, vehicular access points along Williamson Boulevard shall be limited to a minimum spacing distance of 660 feet. The city may approve exceptions to this requirement of up to 75 feet in either direction, provided that the developer obtain and submit to the city a letter from the Volusia County traffic engineer stating that public safety will not be unreasonably compromised by the exception.~~

~~(c) Cross-access easements between commercial and industrial properties shall be required to facilitate trip movement between parcels without the need to access Williamson Boulevard. For properties fronting on Williamson Blvd., a system of private feeder roads or drive aisles running parallel to Williamson Blvd. shall provide the primary means of inter-parcel access. Parking spaces shall not be placed on these facilities. The administrative official shall have the authority to waive this requirement if existing site conditions, such as wetlands, preclude the construction of such inter-parcel connections.~~

~~(d) Signage requirements shall be as provided in chapter 15 of this code.~~

~~(eb) At the time of subdivision or site plan approval, the developer shall install walklights at 100-foot centers in the right of way adjacent to the developer's lands along the west side of Williamson Boulevard from McGinnis Avenue south within the PC-A district. Installation shall begin from the closest walklight installed in the right way in front of the adjacent property, or, if no light exists within 100 feet of the property boundary, then at the property boundary. The required walklights will be consistent with the walklight detail noted in the city's standard construction details.~~

~~(3) **Tomoka Farms Road.** In recognition of the "rural" nature of the Tomoka Farms Road corridor, all development within PC-A located adjacent to this corridor shall be required to install a 35-foot wide landscape bufferyard along the roadway frontage of the property. The bufferyard shall contain the following materials per every 100 linear feet: 6 shade trees, 7 understory trees, and 55 shrubs.~~

~~(i) **Streets and streetscape.**~~

~~(1) Except where otherwise noted, streets and roadways (public or private) shall be designed and developed in accordance with this code.~~

~~(2) The city may allow for street tree plantings within the right-of-way, subject to the following provisions:~~

~~(a) The placement of street trees within the public right-of-way shall be coordinated with the public utilities department, and approved by the city council through a license agreement with the city.~~

~~(b) It is preferable for utilities to be located in rear yard alleys in developments for which street trees are planned.~~

~~(c) If utility mains and service laterals are located within the right-of-way, then street trees shall not be planted in close proximity to them unless it can be demonstrated on the development plans and in the field that the trees will not cause damage. The above-noted license agreement shall require the licensee to pay for damage caused to city utilities by trees and their root systems.~~

~~(3) Shade trees planted within the right-of-way abutting a given lot or site shall be credited towards the fulfillment of the front yard and overall requirements for tree plantings on that lot or site.~~

~~(4) The administrative official shall allow for alternative roadway designs within the West Town Center district and community district in order to:~~

~~(a) Establish a pedestrian, urban, streetscape, with patterns of streets and blocks arranged to provide comprehensible and interesting routes of travel.~~

~~(b) Provide for landscaping and street art within the right-of-way for a boulevard-like appearance and/or;~~

~~(c) Allow for multiple uses within the right-of-way that are consistent with the overall urban setting of the West Town Center district.~~

(jh) Bike and pedestrian paths. One of the goals of the PC-A zoning district is to achieve a high degree of vehicle trip internalization. This goal shall be implemented in part by designating a bike and pedestrian path system ~~on the macro CDP~~. The bike and pedestrian system ~~depicted on the macro CDP~~ is intended to promote bike and pedestrian movement within and between Districts ~~and micro regions~~.

~~The location and dimensions of bikepaths between future subdivisions and improvements may deviate from that conceptually shown on the macro CDP. The actual locations and dimensions shall be approved at the time of site plan/subdivision approval.~~ Sidewalks adjacent to industrial-use property shall be single loaded, provided that an eight-foot wide bikepath is installed in lieu of two 5-foot wide sidewalks. Bikepaths shall be allowed to meander in and out of the right-of-way if bikepath easements are placed immediately outside the right-of-way for this purpose.

(ki) Conservation/recreation. As noted in the city's comprehensive plan, at least ten percent of lands within the PC-A zoning district must be preserved as conservation or designated as recreation. It is anticipated that a significant portion of these lands will be comprised of wetlands. Lands set aside as conservation will be counted towards the overall open space requirements of the planned community.

(lj) Recreation/parks.

(1) *Community-wide requirements.* The macro CDP identifies the proposed location of the parks serving the PC-A zoning district area. The actual location of any particular park or connection to a park is subject to change or reconfiguration as long as the area encompassed within the overall parks system does not decrease in size and the utility of any portion of the park system subject to such change is not diminished. Additional lands may be added to this system as provided for in subsection ~~(n)~~, below, as long as these additional lands are either adjacent to lands comprising the proposed park system or consist of at least five contiguous acres which abut a public right-of-way. ~~Any lands within this system which have not been acquired by the city for the recreational requirements of the PC-A zoning district shall revert to the land use of the lands adjacent to them by January 1, 2021.~~

~~(2) Satisfaction of impacts for residential developments. Satisfaction of recreational impacts requirements for proposed residential developments may be accomplished by the following:~~

~~(a) Deeding to the city an amount of property within the lands designated as parks or bike paths on the macro CDP, of value equal to the amount of the impact fees which would be assessed for that development; or~~

~~(b) Payment of the city's recreational/open space impact fee in effect, at the time of development approval. The city shall use at least one half of impact fee monies so paid to purchase the lands designated as parks or bike paths on the macro CDP; or~~

~~(c) A combination of either of the above, at the city's election, provided that until all park lands are purchased, the city shall use at least one half of impact fee monies so paid to purchase the lands designated as parks or bike paths on the macro CDP.~~

(mk) Open space.

- (1) *Definition.* Open space, for purposes of the PC-A zoning district, shall be defined as the land area which is retained in its natural condition or improved in a manner for the enjoyment of all persons owning property within the PC-A zoning district or any subdivision in the PC-A zoning district. Open space shall include, but shall not be limited to, common open space, trees and environmental preservation areas, water bodies, landscape buffers, undevelopable yard setbacks, and common area parcels, and shall not be developed with impervious surface unless it is common open space. Open space shall also include those portions of the right-of-way that are pervious.
- (2) *Common open space.* In determining whether an area qualifies as common open space, the following criteria shall apply:
 - (a) Common open space shall be dedicated to and useable by all the residents of the PC-A zoning district or a specific subdivision therein.
 - (b) Common open space may include that land which has been set aside for aesthetic, amenity, buffering or recreational purposes, community gardens, or for the preservation of natural resources, natural features or listed species habitats.
 - (c) Common open space set aside for the preservation of natural features or listed species habitats, or for buffering purposes shall remain undisturbed and shall be protected by conservation easements dedicated to the city or through city ownership.
 - (d) The location, shape, size and character of common open space shall be depicted in site plan/subdivision submittals.
 - (e) Common open space shall not be used for construction of any structures other than recreational facilities, its supporting infrastructure, and incidental maintenance buildings.
 - (f) Common open space shall be maintained by the owner's association of a subdivision or by the city if under city ownership.
- (3) *Location requirements.* All open and common open space required for the PC-A zoning district as a whole or any subdivision thereof shall be located within the boundaries of the PC-A zoning district.
- (4) *Open space qualifications.* For residential subdivisions or residential developments within the Neighborhood District with a building coverage greater than 35 percent per lot or less than or equal to 50 percent per lot, the following determines whether an area qualifies as common open space:
 - (a) Common open space shall only include that land which has been amenitized and/or set aside for recreational purposes.
 - (b) Stormwater retention ponds may be counted as common open space, provided that they are made accessible to all residents and subdivision property owners, and are designed according to the following criteria:
 - (1) The pond and area sufficient to accommodate the features listed below shall be located in common open space as depicted on the subdivision plat.

- (2) A walking path shall be provided around the perimeter of stormwater retention areas, and constructed in accordance with the city's standard construction detail for sidewalks.
- (3) Walking paths shall be located a minimum of 20 feet from the nearest lot. However, this distance may be reduced to 15 feet if a four-foot tall white, PVC fence is installed between the residential lots and the walking paths.
- (4) Landscaping shall be required along the edge of the pedestrian path. Landscaping materials may be placed on either side of the path, provided the majority of materials are located along the outside edge. Where the path lies adjacent to residential lots, or a street, landscaping for a Type 1 buffer yard shall be required. Where the path lies adjacent to wetlands or forested areas, no additional landscaping shall be required. Where the path lies adjacent to common area, or other areas not otherwise landscaped, two shade trees and three understory trees shall be provided per 100 lineal feet. This landscaping shall be irrigated as required by chapter 13 of this code.
- (5) The pedestrian walking paths shall connect to a public sidewalk within the subdivision so that the walkway will be accessible to all residents.
- (6) Benches shall be provided every 500 feet and anchored in cement. Benches shall be a minimum of six feet long.
- (7) Reserved.

(A) Community planning incentives.

- (1) *Purpose.* To further the community planning objectives of the planned community-agricultural zoning district, open space, common open space, and maximum building coverage required within any subdivision as depicted on the macro CPD may be relaxed, in accordance with this section, in order to facilitate more efficient use of land, encourage integration of uses, and to provide for the creation of larger, contiguous and highly functional open space areas and parks.
- (2) *Efficient development incentives.* To facilitate the purpose of this subsection, the city may elect to relax the open space and common open space requirements and increase the maximum building coverage for certain developments. In exchange, developments shall deed acceptable replacement lands to the city, lying within the boundary of the ~~district~~ *the develop is located in macro CDP* but outside of the development or subdivision boundary. This dedication shall be according to the applicable ratio from the table below: (Replacement lands may be parklands, bike paths, or high quality wetlands as shown on the macro CDP, or other lands acceptable to the city).

*On-Site/Off-Site Replacement Ratio
For Open And Common Open Space Requirements*

	<i>First 30% Required</i>	31% to 60% of Requirement	61% to 100% of Requirement
<i>Open space</i>			
Residential	1:1	1:1.5	1:2
Commercial	1:1	1:2	1:3
Institutional	1:1	1:1.25	1:1.5
Industrial	1:1	1:1.25	1:1.5
<i>Common open space</i>			
Residential	1:1	1:1.5	1:2
Commercial	1:1	1:2	1:3
Institutional	1:1	1:1.25	1:1.5
Industrial	1:1	1:1.25	1:1.5

*On-Site/Off-Site Replacement Ratio
For Increases in Maximum Building Coverage*

	<i>For 1% to 10% increase</i>	<i>For 11% to 25% increase</i>	<i>For 26% to 40% increase</i>
<i>Maximum building coverage</i>			
Commercial	1:1	1:2	1:3
Institutional	1:1	1:1.25	1:1.5
Industrial	1:1	1:1.25	1:1.5

Any wetlands mitigation credit which might also result merely from the purchase of such lands shall be retained by the purchaser.

- (3) Building coverage incentives. The maximum building coverage for single-family and duplex lots can be increased up to 50 percent by providing a financial contribution to the City to achieve specific community planning objectives within the PC-A zoning district and by providing storm water management facilities large enough to treat and attenuate the runoff from 50% building coverage when combined with normal & customary homesite and public (or private) right-of-way impervious improvements.
- (a) The building coverage increase is applicable in increments of 25 lots. The payment amount is based on each group of 25 lots, regardless of the actual number of lots (one to 25) that take advantage of this provision.
 - (b) The financial contribution must be paid to the city prior to the first building permit being issued for the lots subject to the increased building coverage.
 - (c) The building coverage increase provision only applies to vacant residential lots.
 - (d) The lots eligible for the increased lot coverage restriction shall be placed on the new plat or the replat in the form of a plat note. For purposes of replatting to provide for the increased lot coverage restriction only, the city council hereby delegates its authority for approval of the replat to the administrative official, and said replat shall be executed as required by general law and recorded in the public records.
 - (e) The financial contribution and allowed building coverage increase are determined according to the table below:

Contribution Table for Building Coverage Requirements

	Increase Building Coverage from 35% to 40%	Increase Building Coverage from 41% to 45%	Increase Building Coverage from 46% to 50%
1—25 Single-Family Lots	\$12,500.00	\$25,000.00	\$37,500.00
1-25 Duplex Lots	\$12,500.00	\$25,000.00	N/A

Example One

47 single-family lots with a 10 percent increase in building coverage above 35 percent.

Lots 1—25 = \$25,000.00

Lots 26—47 = \$25,000.00

Total = \$50,000.00

Example Two

40 single-family lots with a 10 percent increase in building coverage, 30 single-family lots with a 5 percent increase in building coverage, and 15 single-family lots with a 15 percent increase in building coverage.

40 single-family lots with 10 percent increase above 35 percent.

Lots 1—25 = \$25,000.00

Lots 26—40 = \$25,000.00

Subtotal = \$50,000.00

30 single-family lots with 5 percent increase above 35 percent.

Lots 1—25 = \$12,500.00

Lots 26—30 = \$12,500.00

Subtotal = \$25,000.00

15 single-family lots with 15 percent increase above 35 percent.

Lots 1—15 = \$37,500.00

Subtotal = \$37,500.00

Total: 85 = \$112,500.00 (\$50,000.00 + \$25,000.00 + \$37,500.00)

(em) Compliance with city regulations. Due to the physical characteristics of the property, such as topography, groundwater elevation, surface drainage, and wetland orientation, chapter 10, section 11(a)(13)(b) of this code regarding lowering of the water table shall not apply to the PC-A zoning district. However, this does not relieve the developer from the responsibility of obtaining permits from any federal, state, and/or local agencies asserting concurrent jurisdiction over any proposed development in this zoning district.

Throughout the West Town Center district, the applicant may deviate from city code requirements for minimum drainage easement width along the top of retention ponds in order to allow construction of building structures in drainage easements around retention areas, provided the applicant can demonstrate to the satisfaction of the administrative official that the purpose/function of the easement can still be achieved.

The installation of required utilities as part of any site development shall be prohibited within natural areas protected by conservation easements.

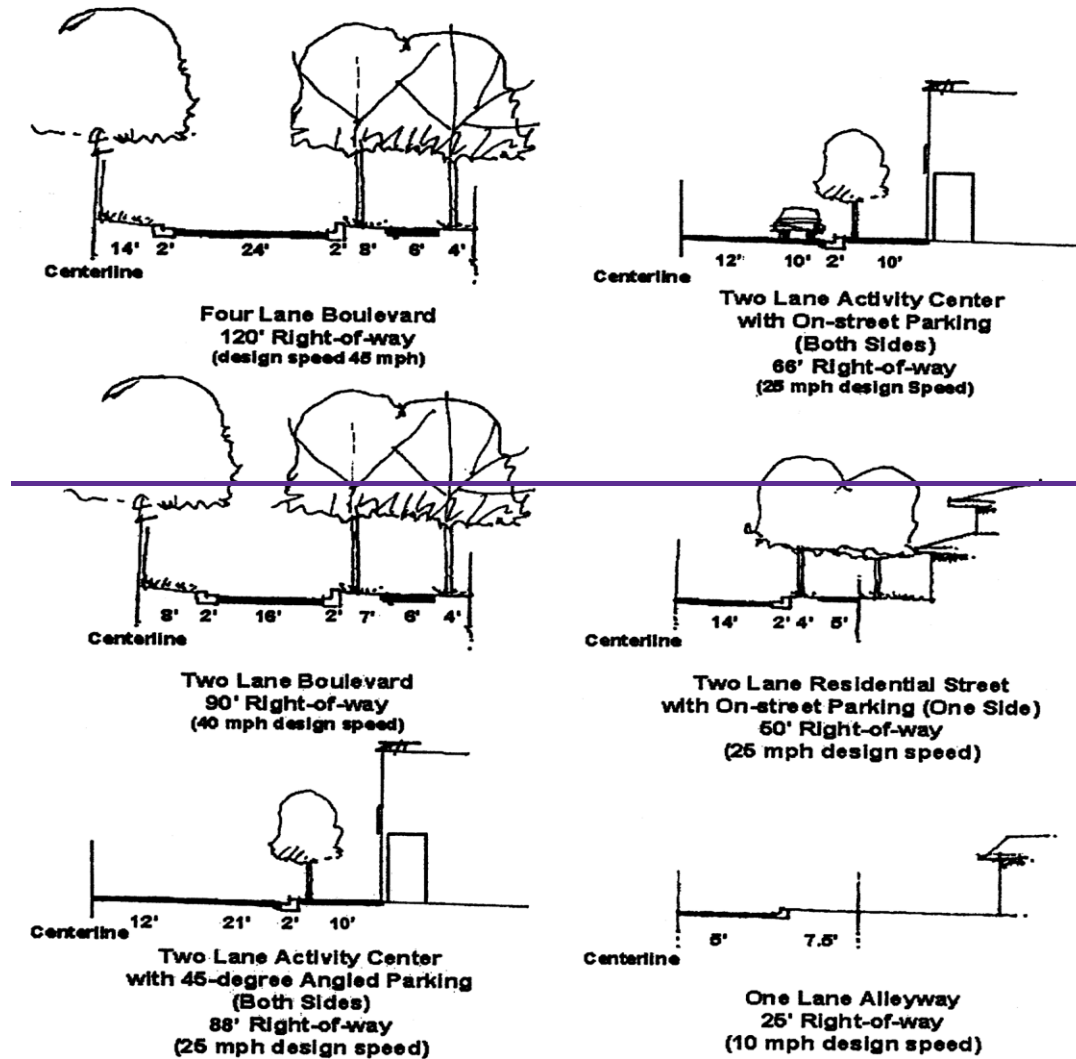
(pn) Road construction. Arterial and collector roadways ([e.g. McGinnis Avenue, Coraci Boulevard, and Madeline Avenue](#)) depicted on the macro CDP are not required to be constructed along their entire length prior to incremental development. It is anticipated that the development community will construct the arterial, collector roads and internal subdivision roads, incrementally as development occurs. The city may join in construction of the north/south arterial road and the northerly east/west arterial road as shown on the macro CDP, to stimulate development of the West Town Center. Similarly, it is anticipated that the development community will construct utility lines to service lands being developed and abutting micro regions. Land development permits shall require that sufficient infrastructure (roads and utilities) be in place concurrent with development. The city intends to construct major utility lines along the east/west arterial road in order to serve the PC-A zoning district and the county's proposed industrial park.

Except where otherwise noted, each subdivision within the PC-A zoning district shall have a minimum of two permanent access points onto an adjacent public street. Where adjoining existing development or code

requirements preclude the development of two public street access points, the secondary access point may consist of a stabilized unobstructed temporary driveway for emergency purposes.

The following typical roadway sections are intended to depict the various types of rights-of-way permitted within the PC-A zoning district.

**Figure 17:3
Typical Roadway Sections**



(e) Monitoring and notification. The city shall monitor development within the PC-A zoning district and provide notification to the appropriate jurisdictions and agencies of any changes, as provided below:

- (1) The number of external trips generated as a result of development shall not exceed 62,600 trips per day, except as provided below. This number is equal to that which would be generated by the land uses shown on the adopted future land use map and the current and programmed roadway network conditions as of June 25, 2001. Any proposed intensification of these uses shall require the developer of this property to demonstrate, by a professionally acceptable traffic impact analysis, that the

additional traffic will not result in a degradation to the adopted level-of-service standards for the roadways within the area where the project traffic exceeds ten percent of the level of service "C" volumes, unless appropriate measures are identified and implemented in concert with additional traffic impacts. Additionally, the city shall ensure only through the development approval process that traffic impacts on surrounding property from development within the PC-A zoning district will not result in a degradation to the adopted level-of-service standard, unless appropriate measures are identified and implemented in concert with additional traffic impacts. The results of this determination shall be provided to the City of Daytona Beach.

- (2) Before any development occurs, the city shall provide the City of Daytona Beach, the Volusia County MPO, the Volusia County Traffic Engineering Department, and FDOT District 5 with a future traffic impact analysis of the property using the recently refined VCUATS 2020 Long Range model or best engineering practices. This analysis will be based upon the future land use map designation of the property as of June 25, 2001. The city shall also provide an analysis utilizing the anticipated land use impacts and planned roadway network resulting from the proposed development of this property.
- (3) Starting on January 1, 2003, the city shall provide a report to the City of Daytona Beach, Volusia County, Volusia County MPO, DCA, and FDOT District 5, on an annual basis at the end of each calendar year. The report shall utilize background traffic data from FDOT, Volusia County and the City of Port Orange. The assessment shall include a traffic distribution and assignment based on either the VCUATS 2020 Long-Range model or best professional practices resulting from local knowledge. The limits of the study area shall be where the project traffic exceeds ten percent of the level of service "C" volumes on collector or higher-classified roadways. The study shall include the following road segments and intersections when traffic volumes generated by the PC-A zoning district create impacts on those segments and intersections in excess of ten percent of the level-of-service "C" volumes:

Existing Segments:

- Beville Rd. (I-95 to Clyde Morris Blvd.)
- Williamson Blvd. (Beville Rd. to Airport Rd.)
- Taylor Rd. (Clyde Morris Blvd. to CR 415)
- Clyde Morris Blvd. (Madeline Ave. to Taylor Rd.)
- Madeline Ave. (Williamson Blvd. to Nova Rd.)
- CR 415 (Pioneer Tr. to Beville Rd.)
- Willow Run Blvd. (Williamson Blvd. to Clyde Morris Blvd.)
- Dunlawton Ave. (I-95 to Nova Rd.)

Future (Proposed) Segments:

- Yorktowne Blvd. extension (Taylor Rd. to Willow Run Blvd.)
- Madeline Ave. (LPGA Blvd. extension to U.S. 1)
- LPGA Blvd. extension (C.R. 415 to U.S. 92)

Existing Intersections:

- Beville Rd./Williamson Blvd.
- Clyde Morris Blvd./Dunlawton Ave.
- Clyde Morris Blvd./Madeline Ave.
- Willow Run Blvd./Clyde Morris Blvd.

Willow Run Blvd./Williamson Blvd.

Taylor Branch Rd./Dunlawton Ave.

Taylor Rd./Williamson Blvd.

Taylor Rd./C.R. 415

Williamson Blvd./Madeline Ave.

C.R. 415/Pioneer Tr.

Yorktowne Blvd./Dunlawton Ave.

Dunlawton Ave./Nova Rd.

Future (Proposed) Intersections:

U.S. 92/C.R. 415

Madeline Ave./LPGA Blvd.

Madeline Ave./C.R. 415

Yorktowne Blvd./Willow Run Blvd.

The report shall contain the following information:

- (a) Development status of the property indicating the location and intensity of development, and list of proposed developments currently under city review, for which a development order has not yet been issued;
 - (b) Summary of traffic impacts (AADT, peak hour trips, segment LOS, etc.) generated by all development projects within planned community No. 1 that received a certificate of occupancy during the previous year, as well as by projects that are expected to be completed in the coming year;
 - (c) Identification of potential external impacts on local, county and state roads outside PC-A; and
 - (d) Copies of the current and proposed capital improvements element of the city's comprehensive plan, capital improvements budget and five-year work programs of Port Orange, Volusia County, and FDOT.
- (4) The above-mentioned analysis shall be used for the planning and development of financial feasible capital improvements. This monitoring program shall be done on an annual basis and shall continue until PC-A is built out.
 - (5) The city shall further notify Volusia County of future zoning changes to the macro CDP, pursuant to the interlocal planning agreement between the city and the county.

(Ord. No. 2002-21, § 8, 5-21-02; Ord. No. 2006-36, §§ 1, 2, 9-26-06; Ord. No. 2007-27, § 1, 7-17-07; Ord. No. 2010-8, §§ 8, 9, 5-4-10; Ord. No. 2010-17, § 3, 7-20-10; Ord. No. 2012-25, § 1, 12-4-2012; Ord. No. 2016-10, § 2, 8-2-16; Ord. No. 2017-16, § 7, 5-16-17; Ord. No. 2018-5, § 1, 5-1-2018; Ord. No. 2018-21, § 1(Exh. A), 9-4-2018; Ord. No. 2019-5, § 28, 2-5-19; Ord. No. 2020-7, § 3, 6-16-20; Ord. No. 2021-13, § 4, 10-19-21)