A G E N D A

ORMOND BEACH PLANNING BOARD

Regular Meeting

December 8, 2011 **7:00 PM**

City Commission Chambers
22 South Beach Street
Ormond Beach, FL

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO `APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

THE PLANNING BOARD WILL NOT HEAR NEW ITEMS AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. APPROVAL OF THE MINUTES

A. November 10, 2011

VI. PLANNING DIRECTOR'S REPORT

VII. PUBLIC HEARINGS

A. <u>PBD 11-009: Garden Plaza Stor-It, Planned Business Development Rezoning, 99 Portland Street</u>

This is a request by Scott Vanacore, Vanacore Construction, Inc. for a rezoning from B-7 Highway Tourist Commercial to PBD (Planned Business Development). The Planned Business Development seeks to allow the development of a vehicular storage facility known as “Garden Plaza Stor-It”. As illustrated in Exhibit 1, the subject property is located in the 1400 block of North Highway US 1, approximately 700 feet north of the intersection of US 1 and Pine Tree Drive, west of US 1 and east of the F.E.C., along Portland Avenue, a street proposed for construction as part of this project.

B. <u>M 12-011: Brownfield Designation for the Granada Economic Opportunity Zone</u>

This is an administrative request to consider designating 398 acres involving 418 parcels as a brownfield area (a/k/a Granada Economic Opportunity Zone) pursuant to Florida Statute 376.

C. <u>LDC 12-003: Chapter 2: District and General Regulations, Article III - General Regulations, Section 2-50: Accessory Uses</u>

This is an administrative request to amend Chapter 2: District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses of the Land Development Code to modify Section E: Docks, Boathouses and Boat Lifts.

D. <u>LDC 12-014: Chapter 1, General Administration, Article III, Definitions and Acronyms and Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations: Automatic Amusement Center/Game Room</u>

This is an administrative request to amend Chapter 1, General Administration, Article III, Definitions and Acronyms and Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations of the Land Development Code regarding the definition and conditions for automatic amusement centers/game rooms.

VIII. OTHER BUSINESS

A. Approval of 2012 Planning Board calendar of meeting dates.

IX. MEMBER COMMENTS

X. ADJOURNMENT

M I N U T E S

ORMOND BEACH PLANNING BOARD

Regular Meeting

November 11, 2011 7:00 PM

City Commission Chambers
22 South Beach Street
Ormond Beach, FL 32174

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I. ROLL CALL

Members Present	Staff Present
Patricia Behnke	Randy Hayes, City Attorney
Harold Briley	Steven Spraker, AICP, Senior Planner
Doug Thomas	Laureen Kornel, AICP, Senior Planner
Doug Wigley	Becky Weedo, AICP, Senior Planner
Al Jorczak	Meggan Znorowski, Recording Technician
Rita Press	
Lewis Heaster	

II. INVOCATION

Mr. Briley led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

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V. APPROVAL OF THE MINUTES

A. September 8, 2011

Chair Thomas asked for approval of the meeting minutes from the September 8, 2011, Planning Board meeting.

Ms. Behnke requested that on Page 4, Paragraph 4, third line from the bottom be changed to read "limited to residents and their guests and ~~traffic~~ attractive nuisances."

Mr. Jorzack requested that the signature line be corrected to read "Vice Chair, Al Jorzack".

Mr. Heaster moved to approve the minutes as corrected. Mr. Briley seconded the motion. Hearing no objections, the minutes were approved as corrected.

VI. PLANNING DIRECTOR'S REPORT

Mr. Spraker stated there was no report.

VII. PUBLIC HEARINGS

A. M 12-011: Brownfield Designation for the Granada Economic Opportunity Zone

Mr. Spraker on behalf of Staff requested that this item be continued. Mr. Spraker explained that this item was advertised, but the advertisement was defective.

Ms. Behnke moved for this item to be tabled. Mr. Briley seconded the motion. Vote was called and the motion unanimously approved.

B. PBD 12-001: Ormond Beach's Andy Romano Beachfront Park, Planned Business Development Rezoning, 839 South Atlantic Avenue

Mr. Spraker stated that this is a Planned Business Development rezoning and the existing zoning is B-6 (Oceanfront Commercial). Mr. Spraker stated the property is located at 839 South Atlantic Avenue. Mr. Spraker continued that the project has been designed through multiple community meetings including meetings with the Leisure Services Advisory Board and Quality of Life Board. Mr. Spraker stated when the design team, Zev Cohen & Associates, put the public concept plan into a site plan it was quickly realized that there were issues with the site plan per Ormond Beach's Land Development Code.

Mr. Spraker explained the use in and of itself is a conditional use that can be approved by the Site Plan Review Committee, provided all LDC standards can be met. Mr. Spraker stated there are several conditions which have been outlined in the Staff Report, which the project cannot meet or would severely alter, in terms of the number of parking spaces and the functionality of the ideas that were

expressed in the public hearing. Mr. Spraker outlined the parts and contents of the park for the Board. Mr. Spraker explained that through the public hearing process the public had a desire to maintain the oceanfront views which is why the main building is split so that there is a view corridor. Mr. Spraker explained that there are a total of 202 spaces between the parking contained in the parking lot, on-street parking, and on the Milsap approach. There is a series of dune restorations along the oceanfront and a series of plantings, primarily of palm trees.

Mr. Spraker explained when the site plan went through the Site Plan Review Committee there were several areas of the project that did not comply with Land Development Code standards as follows:

1. **20 foot landscape buffer.** There are portions of the design which do not meet that buffer because of the lot configuration.

2. **Tree ratio minimum.** The City's Code requires palm trees to only count as 1/3 of a tree and the requirement would be approximately 1200 palm trees required. It was explained that the City was trying to ensure a balance between providing appropriate landscaping as well as maintaining oceanfront views.

3. **Landscape islands.** The project does not provide one landscape island every 10 spaces which is meant to separate parking lots. Approximately 10 spaces would be lost throughout the lot if the landscape islands were required. What has been proposed to separate the parking areas is to require palm trees only on the middle and diamond shape landscape features.

4. **Stormwater in front yard.** The project proposes a 3 to 4 foot sloped area for stormwater based on the property constraints of the Coastal Construction Control Line and the underground stormwater system.

5. **Architectural design.** The proposed building is a combination of the Florida Cracker and the Bermuda styles which requires approval through the rezoning process.

6. **Signage on towers.** The project seeks to allow signage on the two entrance towers.

Mr. Spraker explained that PBD rezonings are required to demonstrate public benefits, which there are many with this project. The major benefit was the provision of off-beach parking. Mr. Spraker stated this is a Volusia County and Ormond Beach effort to provide off-beach parking and recreational opportunities for the residents of Ormond Beach, Volusia County, and the greater area as well as the visitors who come to the hotels and use the beach. Mr. Spraker continued to explain the public benefits to include preservation of ocean views, the incorporation of the playgrounds, splash pads, building architecture, and site signage.

Mr. Spraker stated that Staff is recommending approval of the rezoning from the B-6 zoning district to the Planned Business Zoning District which would incorporate the uses of the B-6 zoning district. Mr. Spraker explained to the Board that earlier in the year the Planning Board had approved a setback adjustment to the B-6 zoning district which would be incorporated into the Planned Business Development with the underlying B-6 zoning district.

Mr. Thomas asked if the Board had any questions for Mr. Spraker.

Ms. Behnke asked if there had been any feedback from the neighbors adjacent to the subject property.

Mr. Spraker responded he knew specifically that the Georgian Inn had commented that they are anticipating approval of the proposed project. Mr. Spraker explained that the park is spurring redevelopment activity along the west side of the A1A corridor. He stated the property to the south expressed concern to City staff regarding the buffer, which is why there is more of a heavy planting and no parking up against their parking lot.

Ms. Behnke asked if they were satisfied with that.

Mr. Spraker responded yes, to the best of his knowledge.

Mr. Heaster asked if a private property owner were to approach the City with a similar request, how well would they be received asking for a Planned Business Development with the variances with the type of land use and zoning that is surrounding this property.

Mr. Spraker responded that the past two oceanfront developments have gone through Planned Business Development rezoning. Mr. Spraker explained the two projects were Royal Floridian went through the PBD and worked with the adjoining neighbor and Island One, a project that built transient lodging with waivers. Mr. Spraker concluded South Atlantic Avenue is a very unique corridor because of its limitations on building eastward of the Coastal Construction Line.

Mr. Heaster stated that this is not a unique situation.

Mr. Spraker agreed that all recent major developments have undergone Planned Business Developments on the east side of A1A.

Mr. Jorzack asked if parking spaces are typically marked off at 18 feet for the line stripes and only 9 feet wide. Mr. Jorzack stated he understands the parking design is in an effort to maximize beachside parking, but had concerns with the number of vehicles travelling in and out, many of which will be large trucks and SUVs. He then asked if the project got squeezed in terms of being able to get in and out of their vehicles.

Mr. Spraker responded that the City's typical space is 9 foot by 20 feet, and that 18 feet is permitted if there is a 6 foot sidewalk or a landscaped buffer. Mr.

Spraker continued it is not that the space has been shortened; rather the car overhangs the landscaped area. Mr. Spraker stated the full 20 feet still exists, but the front bumper of the car overhangs either the sidewalk or a landscaped buffer. Mr. Spraker stated the spaces in the middle are 20 feet because there is no landscape island or sidewalk there. Mr. Spraker further explained that this is not an atypical way to do parking.

Mr. Wigley asked if the City was maintaining the beach approach as part of the plan.

Mr. Spraker responded that the City is not maintaining the approach, only making improvements to the beach approach with the County's approval. The County has regulatory authority over all of the beach approaches. The County will be a reviewer, and issue use permits for the City to make improvements in its right-of-way.

Mr. Wigley asked if the City had any input in how often the beach approach will be open.

Mr. Spraker responded that other than in an advisory capacity, he did not believe so; that is an operation of Volusia County beach safety.

Ms. Press inquired as to when it will be completed.

Mr. Spraker responded that the timeline is January, 2013, including permitting and construction.

Mr. Paul Momberger, R.L.A., Zev Cohen & Associates, 300 Interchange Boulevard, explained that the 9 foot wide space is a standard space and if that was increased, a lot of parking spaces would be lost; most of the cities carry a 9 foot wide space. Mr. Momberger stated he did not feel that it would feel substandard or cramped.

Ms. Behnke inquired that if the curb-stop is being used as a stop, what will happen to the landscape that will be scraped by vehicle bumpers.

Mr. Momberger replied that there is a landscaping setback from that spot. There will be no plantings in that 2 foot area.

Mr. Wigley asked since the City is upgrading the Milsap approach does the City have any say so when the beach toll would be operational or at least put some pressure to have it open from Memorial Day to Labor Day.

Mr. Momberger responded that the only reason that the beach toll is closed is because it doesn't pay for itself; that if there aren't enough trips to pay for the employee to take the tickets, the County doesn't put a person there. Mr. Momberger added that if this park creates more access or if the County decided to close the section of the parking, which is a discussion that is underway; this may be a place where you enter the beach after exiting the beach by Harvard or

somewhere further south. If there is more activity here and it justifies manning that booth, it could be opened. As far as individual holidays, that is not something he knows that the County could be pressured into.

Mr. Jorzack referred to C6 Page 16 regarding the drain fields which are going to be buried under the parking lot which are approximately 50% of the parking area. Mr. Jorzack inquired if the City has experience with the many trips and oil which comes from leaking vehicles which will be washed into those drain fields; if there is a process to clean them; and how is that environmentally handled as that material collects in the drain field.

Mr. Dwight DuRant P.E., Zev Cohen & Associates, 300 Interchange Boulevard, responded that if it does, then it has done its job. That is what it is designed to do. There is a process which is tied to the permit that is obtained from the St. Johns River Water Management District which will require maintenance, but in response, they are basically pressure washed. There are access vents that are provided on each end and a machine can go through and pressure wash them.

Mr. Jorzack stated then it does percolate through to the ground.

Mr. DuRant responded that it does; that the water goes through, but the oil will not.

Mr. Jorzack inquired if there was a filtering membrane.

Mr. DuRant responded that all of the drainage could be done underground and not have the retention area, but the engineers believed it was opened up to an open retention area which is a mild swale which will be planted and look like a green area. That helps to reduce the underground storm drainage and creates the last spot before it heads offsite so some of the pollutants will be left there which is a lot easier to maintain.

Mr. Jorzack asked if the County maintains the drain field.

Mr. DuRant responded no.

Mr. Jorzack asked if it would be the City's responsibility.

Mr. DuRant responded that that is correct; that the park will be maintained by the City. Mr. DuRant stated there is an agreement that will occur between the City and the County which is independent of the design.

Ms. Press inquired about the irrigation, whether or not it would be reuse water.

Mr. Briley responded that he believed there is no reuse water on the peninsula.

Ms. Press stated that because there is a great deal of landscaping, and even though the landscaping is low and native; when landscaping is installed it needs to be

watered and she hopes we do not have that dilemma as has been seen in other places where plantings just died.

Mr. Momberger responded that it is an almost 100% native dune restoration planting; the hope being that it becomes wild to some degree and not fighting nature, but working with nature and once it is established the hope is that the irrigation can be basically turned off except in the instance of drought.

Mr. Wigley asked whether or not there is reuse water.

Mr. Momberger responded that it is not available.

Mr. Momberger then addressed the signage. Mr. Momberger explained that the center gateways are intended to make a statement of Ormond Beach. There are two signs on either side on the north and south entryways.

Mr. Thomas asked about the different amount of parking spaces contained on the different plans previously submitted, and if what has been approved has been the most parking attainable.

Mr. Momberger responded that the 202 parking spaces included off-street parking.

Mr. Wigley asked if there was an issue with the off-street parking given the speed limit.

Mr. Momberger responded that it is marked for parking now and that it is simply being maintained.

Mr. Momberger stated to finish up what he had begun regarding the towers; that the entryways at Milsap and the south side will be a ground mounted sign that says, "Welcome to Andy Romano Beach". It seemed that uniting the signs was too much wording. So therefore there will be the gateways in the middle that say this is Ormond Beach and a gateway.

Mr. Thomas then called for members of the audience to speak.

Mr. Charles Smike of Ormond Beach stated he was thrilled his friend of nearly fifty years, Andy Romano, is being honored by having a beachfront park named after him. Mr. Smike stated automobiles have cruised Ormond's beach historically, traditionally, and continuously for well over 100 years and the Florida legislature declared our beach to be a public road in 1959. Mr. Smike stated now only 17 miles of Volusia County's 48 miles of beach allows cars. Mr. Smike stated when the beach was put under the County control with the Beach Trust Agreement, the people voted yes because that agreement said tolls would be implemented on the beach "only as a last result".

Mr. Smike stated that he fought very hard against the County when they illegally stopped driving on the beach from Granada Boulevard north to the Ormond Pier

with no vote of the people and no vote of the Florida legislature in the 1980s. Mr. Smike stated that Mayor Kelley now tells him that now Ormond Beach has decided to take cars off the beach from the Milsap beach approach to the Harvard beach approach. Mr. Smike stated that in his opinion this is a very bad and shortsighted decision that will inevitably hasten the day when all of the cars are taken off the beach. Mr. Smike stated that if Ormond Beach wants to show true leadership, he believes it will take back its beach from County control, remove the tolls, and open up all of its beach approaches to cars. Mr. Smike stated the beach is unique here and is a God-given gift to the people not the lawyers and politicians, and if parents bring their children to Andy Romano park, let them supervise them properly both in the park and on the beach. Mr. Smike then thanked the Board.

Mr. Thomas thanked Mr. Smite for serving our country.

Mr. Briley commended the engineer on the site design given the constraints.

Mr. Thomas thanked the engineers for their time. Mr. Thomas responded to Mr. Heaster's inquiries regarding the exceptions being given to this project and that he feels there have been concessions made, but when it is for the good of the residents of Ormond Beach he feels it is commendable to do such, and it will be marvelous. Mr. Thomas commended everyone involved for a job well done.

Mr. Briley moved for approval of PBD 12-001.

Mr. Heaster seconded the motion. Vote was called and the motion unanimously approved.

C. <u>CPA 12-004: Comprehensive Plan Text Amendment, Capital Improvements Element (CIE) Annual Update</u>

Ms. Kornel stated that this is an amendment to the CIE schedules in the Comprehensive Plan. Ms. Kornel informed the Board that the city is required in accordance with State law to update its schedules every year and the purpose of the amendment is to identify capital improvements needed to implement the Comprehensive Plan as well as ensure that the City is meeting its adopted Level of Service standards. Ms. Kornel explained to the Board no goals, objectives, or policies are being proposed to be amended and the Board has been provided the previous year's schedules with strikethrough and the new tables are listed in underline.

Ms. Kornel informed the Board that the City is currently meeting its Level of Service standards except for solid waste. Finally, the school's work program, which is a requirement, is included in the update. Ms. Kornel informed the Board of a few minor changes to the tables since they were distributed: Page 18, Table C- Transportation Capital Improvement Schedule FY 12/13 and 15/15 will actually read 14/15 and 15/16; under item 4 under what will be FY 15/16- that one $50,000 notation will be deleted so it will actually equal $200,000 as it should; Page 20, the funding schedule, typographical errors- instead of $400,000

it will read $450,000 under FY 12/13 and under the second from the bottom note- the FY 15/16 will add up accordingly. Staff recommends approval of the CIE to the City Commission for adoption.

Ms. Behnke pointed out, under the solid waste paragraph on Page 2; a double negative was incorrectly used. It should state "not something the City can control".

Mr. Heaster stated that he learned that the recycling truck does not sort the recycling; rather it gets sorted at the plant. Therefore, he has been wasting time over the years by sorting paper from plastic from aluminum from glass.

Mr. Briley moved to approve CPA 12-004 as modified. Ms. Behnke seconded the motion. Vote was called and unanimously approved.

D. <u>LDC 12-003 Chapter 2: District and General Regulations, Article III-General Regulations, Sections 2-50: Accessory Uses</u>

Mr. Spraker explained that this is an amendment to the City's accessory use article of the Land Development Code. These have come about because of various issues over the last year to eighteen months. Staff has listed 8 items. Mr. Spraker explained that the item has been organized so the Board may vote individually on each amendment or as a whole and provided an overview as follows:

Item 1: Docks, Boathouses and Boat Lifts:

Mr. Spraker explained that Staff has consulted with dock contractors and residents as part of these amendments. Mr. Spraker continued there have been changes in some of the Florida Department of Environmental Protection (FDEP) standards which started this amendment process. Mr. Spraker detailed the following changes:

1. The setbacks for docks have been amended to align with FDEP. Property owners can still apply for variances, but this should eliminate some of the variances that have gone before the Board of Adjustment and Appeals.
2. The amendment would permit boathouses that are 500 square feet and previously it was 500 in some areas and 300 in other areas and it led to a lot of confusion. It would also allow an allowance for a roof overhang over each. This would also allow the covering of terminal platforms, which is also permitted by the State.
3. Included in this amendment is a figure which details the dock dimensions permitted. Walkways can be a maximum of 6' in width. Boathouses can be a maximum of 500 square feet. Terminal platforms 160 square feet around the Tomoka River and all other areas 180 square feet, and those numbers are based on state standards.

Item 2: Commercial Vehicle Storage/Parking:

Mr. Spraker explained that Neighborhood Improvement has noticed that trucks are getting bigger and they are recommending going from a ¾ ton to a 1 ton truck and requested this amendment.

Item 3: Fences and Wall:

Mr. Spraker explained that the changes to this section involve the maintenance of fencing and noise attenuation barriers. Mr. Spraker detailed there have been issues over the last year with replacing up to 50% of their fence without permits. Mr. Spraker explained that the amendment is recommending obtaining permits or a determination that no permit is required. Mr. Spraker explained the second change to this section is for noise attenuation barriers. Mr. Spraker stated that Staff has had interest along I-95 for the potential installation of noise barriers, such as the River Oaks subdivision.

Item 4: Greenhouses:

Mr. Spraker explained that there have been requests for greenhouses which are not something the City's code recognizes right now, except in REA zoning district. Mr. Spraker further explained that what Staff tried to do is to model the greenhouse regulations after the shed setbacks; if the structure is 150 square feet or less the setback is 7.5 feet. He continued if the structure is greater than that then the principal setbacks have to be met because now it is a major structure.

Item 5: Home Occupations:

Mr. Spraker explained that Staff has had requests for home occupations that want to teach, such as swimming or music lessons, which the current Land Development Code does not permit. Mr. Spraker explained that there have been some legislative changes that allow cottage foods which are foods that you make at your home and then you sell at the farmer's marker. Mr. Spraker stated the amendments do not change regulations that state no retail sales are allowed at residential homes.

Mr. Briley asked if there aren't state health regulations.

Mr. Spraker responded that there are a number of regulations with cottage foods, but the local jurisdiction still has to allow you to do it in order to get a home occupational license.

Item 6: Outdoor Storage, Parking or Use of Personal Property:

Mr. Spraker explained that the commercial and industrial sections are already handled through the Conditional and Special Exception criteria of the Land Development Code and therefore, these regulations should not be in this section.

Item 7: Sheds, Utility Structures and Gazebos:

Mr. Spraker explained these changes are to remove playhouses from this section and to clarify that sheds have a 7.5 foot side setback which is in the general regulations.

Item 8: Playhouses:

Mr. Spraker explained that playstructures have increasingly become an issue and Staff has seen two types of playstructures: one is typical swing sets, which do not require permits; two is the type of structure that has profile which would require a permit. The current Land Development Code does not provide clear regulations which can lead to a 15 foot to 18 foot tall play structure located at a 7.5 foot side and rear yard setback.

Mr. Spraker stated that the Board could review the amendments together or separately.

Mr. Thomas opened the item for discussion and stated that he had a long list of comments.

Mr. Briley stated under home occupations, page 4, item g, recommended "office use" should be changed to "home occupation use".

The Board elected to review each item individually.

1. <u>Section E: Docks, Boathouses, and Boat Lifts</u>

Mr. Thomas stated he would like a definition regarding the aquatic preserve regarding the coloration of the legend.

Ms. Weedo explained that the point of the map was to give the Board an idea of the different water bodies that the regulations would affect. There is a section of aquatic preserve in the Halifax River north by Ormond-by-the-Sea and there is a Tomoka aquatic preserve as well.

Mr. Thomas inquired as to where the Tomoka aquatic preserve is located.

Ms. Weedo replied that it is the tributary coming down to the west and north by Ormond-by-the-Sea in the Halifax River.

Mr. Heaster wanted to make a point because he recently built a dock and he become concerned when he made these changes, but he reached out to Custom Built Docks, Dean Legget, and he said the City was very receptive and worked with the local contractors and what Mr. Legget mentioned to Mr. Heaster was that a lot of the language from city to city is different regulations and the City is attempting to mirror other regulations that are existing, state and/or federal, and to make the process easier and that a lot of these changes are partly made because of input from people in our community that deal with this on a daily basis.

Ms. Weedo responded that Staff had a good partnership with dock contractors as well as with Chip and Janice Steel who do most of the permitting.

Mr. Thomas inquired on Item I on Page 4 of 8 regarding boathouses, docks and other similar structures extended into any water body shall not be enclosed to any degree except for necessary boathouse supports and roof; what the definition of enclosed was, such as a wall.

Ms. Weedo responded yes; that the boathouse is a cover for the boat.

Mr. Thomas asked that if someone lives on the east side of a body of water with a boathouse and the afternoon sun which is incredibly destructive; would this prohibit someone putting up a solar screen that would roll down that would afford shade.

Ms. Weedo responded no.

Mr. Thomas then stated he would like a clarification. Mr. Thomas stated he would like for that to say "shall not be permanently enclosed". Mr. Thomas stated he was concerned that there could be some room for interpretation from one building official to the next over the years.

Mr. Wigley inquired about screening in such a structure.

Mr. Thomas again stated allowing a solar screen or screen as long as it is not permanent would be more user friendly for people who have that western exposure.

Ms. Behnke stated that if one was to screen it in then it would become a permanent fixture.

Mr. Thomas responded that a screen is not a permanent structure; if it is done with aluminum, it is not considered permanent. Permanent is glass, wood, anything that is wind and weather resistant. Mr. Thomas asked if the Board could live with non-permanent.

Mr. Spraker asked that if a sentence was added to the end that said something such as "non-permanent shade structures shall be permitted" would be satisfactory.

Mr. Thomas stated no, that he would rather go with non-permanent because it is not only for shade it could be for weather, mosquitoes- it is being limited to not being enclosed with windows, glass, walls, wood, or things like that.

Ms. Press inquired as to how large the structure is.

Mr. Thomas responded that you are only allowed to have a dock that is 500 square feet; it is not that huge of an area. Mr. Thomas felt that the wording "permanent enclosure" is crucial. Mr. Thomas stated that he pulls permits all over the state and that permanent means enclosing with windows, against the weather, against the elements, and against hurricanes, the types of things that you could air condition.

Mr. Heaster requested a clarification of what it would be changed to.

Mr. Thomas responded "… shall not be permanently enclosed or enclosed with a permanent wall".

Mr. Wigley added, "… shall not be enclosed to any permanent degree".

Mr. Thomas stated adding "permanent" before "enclosed".

Mr. Wigley asked that since davits were not going to be regulated could davits still be used.

Ms. Weedo responded that they are not typically used.

Janice Steel, Coastal Waterway Services, stated that davits are not really used a whole lot. Ms. Steele stated that very few people use the sling style lifts anymore because they are not the best thing to keep a boat hanging on a permanent basis because it can eventually warp the boat over time whereas the cradle style lift is the best style and most people will go with that type of lift. Ms. Steel stated that for jet skis there are the floating docks as well as the up-and-over lifts which mount on a single piling that gets driven onto which is like a cradle lift, but it is up-and-over where it actually lifts up, swings around, and can hang over the platform on that cradle lift. Ms. Steel stated she could not remember the last time she had someone say they wanted to put davits in.

Mr. Wigley stated he knows there are cases where people have so little water at low tide that they cannot even get the boat out or if they come back, they cannot get their boat back on the lift.

Ms. Steel stated she saw no reason to say that davits are not permitted, but most people will install the cradle lifts. She also stated it depends on what type of boat they have, whether they have the eye rings in them to lift them from the top of the boat or where there is a bar system that comes down with stainless steel wires or sling style. People typically want to spend the money to get the cradle lift; they feel more comfortable with that- just being able to drive on and off of that type of lift.

Mr. Behnke inquired that if someone chose to use davits they are not regulated; they can use whatever they choose as far as davits.

Ms. Steel responded that they can use the davits, but the State's view point is that single family residential docks are allowed up to two boats for their dock structure, and that would include if they have a covered boathouse with a cradle lift and if they decide they want to put a set of davits on the side of their access pier or on the platform; that is considered the second.

Mr. Jorzack inquired as to how damage would be handled to these structures in terms of permitting; minor damage versus major damage.

Mr. Spraker replied that it depended on the level of damage. Mr. Spraker stated typically what would happen is that the dock contractor would come to talk to the building official, if it is minor it would just be done, but if it is major a permit would need to be obtained to show exactly what is being done and then inspected.

Mr. Jorzack gave the example of: if someone else's dock breaks up and smashes into yours and you have to do repairs.

Mr. Spraker responded stated you would have to pull a building permit in order to do the repairs.

Mr. Thomas asked what would be the case for replacing five or six boards.

Mr. Spraker stated you would need to discuss the issue with the Chief Building Official and if you are doing something structural to the dock it would need a permit. He continued if you were only replacing five or six boards you would probably never come to the City.

Mr. Thomas stated the reason he is bringing this up is, not that it is so important here, but when we get to fences, his interpretation is whatever is done with fences is done with dock boards, and he thinks the City is trying to get way too restrictive.

Mr. Spraker stated there is a point of maintenance and a point where you pass the maintenance line.

Mr. Thomas asked who makes that determination.

Mr. Spraker responded the Chief Building Official would make that decision.

Mr. Thomas asked that if he were to do maintenance he would have to call the Chief Building Official to see if a permit would have to be pulled.

Mr. Spraker replied that typically you are going to do it anyway and the only time the City will find out is when your neighbor calls because not only have you replaced the five, you've put in new pilings and this, that, and the other. Mr. Spraker stated that if the Board wants to include that you don't need a permit to replace "X" number of things, but there has to be a point where the Chief Building Official makes the determination whether or not you need a permit for

structural repairs or are you just replacing planks. Mr. Spraker stated that there is a difference.

Ms. Steel stated that the Florida Department of Environmental Protection (FDEP) recognizes when there is damage to a dock; if a dock becomes nonfunctional then you are required by the State to get a permit from the local governing agency. If only a couple of boards are being replaced, the State does not require any permitting to do maintenance. As long as the dock is being maintained in a functional status, you should not need any permit for that.

Mr. Thomas asked what a "couple" boards is.

Ms. Steel replied that the State does not distinguish; only that it has to be a functional status and she would have to get the definition of functional.

Mr. Briley asked that if someone has a functional dock, but yet their boards are starting to look warped and for general maintenance they decide they are going to replace all of their boards because they want to go to a composite material, would they be required to pull a permit then if all of the planks are being replaced.

Ms. Steel replied that she did not think the State would require that because the footprint is not changing and the dock was still functional and all you are doing is changing it from pressure treated wood to composite decking.

Ms. Thomas stated that what is happening is we're not talking about the State we're talking about Ormond Beach. Mr. Thomas continued that he has been doing what he does for many years and has seen many building officials come and go and the building official is the king of his kingdom. Mr. Thomas stated, you can get a building official who interprets it this way this year and another building official who interprets it a different way next year, which is why he is a stickler for this because he has seen that happen and he doesn't want to be a part of it.

Mr. Chip Steel, Coast Waterway Services, replied that there is a vehicle the County has and the City has one: if the structure requires more than 65% of the value of the structure. The problem with this is that if you paid $100,000 for the house and the house requires $65,000 worth of repair. Once you go over that $65,000, it is considered new structure and it has to be brought up to current code. If you stay at $64,000 you're fine. The problem with implementing this, and all cities do, they say your dock is only worth $3,000, and the reconstruction of the dock is $20,000. You may have paid $20,000 for that dock, but look at the property appraiser's statement. You're dock depreciates every year. Your house appreciates. You get 65% of the appreciated value of the house. You get 65% of the depreciated value of the dock, which is a very unfair system. Mr. Steel stated there is a never a dock listed by the property appraiser worth more than $5,000.

Mr. Thomas stated that is why he doesn't want the building official involved on repairs.

Mr. Steel stated that the value is always going down on a dock.

Mr. Thomas stated that the cost of material to maintain or repair is always going up.

Mr. Steel stated that he felt what Mr. Spraker was getting at is that if it is considered normal maintenance. If you start to put piles in, then you are into structural work.

Mr. Thomas agreed that structural is different, but that this is not the way that this could be interpreted.

Mr. Steel suggested that perhaps that is what it should say is that if it is structural, then it requires a permit.

Mr. Thomas stated he could see if you added the wording "structural improvement".

Mr. Heaster proposed a hypothetical situation: we have a hurricane, extreme tides, pilings get weak and you replace a couple pilings. Mr. Heaster asked if that would be considered a structural change.

Mr. Steel replied that the State would go tell you to go ahead and rebuild the same footprint if it is catastrophic.

Mr. Spraker replied that the City did the same thing in 2004 and the City enacted an ordinance that allowed repairs and permit fees were waived.

Mr. Steel stated that it doesn't mean you can just do it, the Governor issues an executive order instead of applying to the State for permits. You bring a copy of the executive order into the City along with set of sealed construction drawings.

Mr. Thomas added that you have to have a professional do it.

Mr. Heaster asked even if you are just replacing a couple of pilings.

Mr. Thomas replied that that isn't maintenance.

Mr. Steel responded that that is structural, but just because it is it is a storm you waive fees and some of the requirements, but you can't waive safety.

Mr. Briley asked if you do structural work, does it require a permit from the State.

Mr. Thomas responded that it is not require by the State, it is required from your local building official.

Mr. Steel replied that the State doesn't really look at structural things.

Mr. Briley asked if we could then craft something for maintenance and repairs the same as the State requirements for docks, but any structural work on the dock would require a City permit.

Mr. Steel responded that the easiest one to understand is the State's view, FDEP which is interested in the impact to the environment. They do not regulate structure. Mr. Steel stated that when he first started doing this he would submit a detailed drawing and send it to the State and it would call out all the fasteners, roofing materials. The State would then ask questions about it. It finally occurred to him that he could make a stick drawing, tell them what the footprint is, what the impact, the preempted area is over the water and get the permit. When he would go to the city he would tell the specifics of bolts and pieces and how to build it, which is the engineered drawing. Mr. Steel stated the State is interested in the impact to the environment and footprint only.

Mr. Steel wanted to address the enclosure of the boat. He stated that the way the State deals with the enclosure is that no structure is to be enclosed. Mr. Steel addressed the shade issue. He stated that if you can pull that shade down and roll it up it is temporary. Mr. Steel then stated if you enclose your deck with a screened room that becomes permanent.

Mr. Thomas stated that it is not considered permanent.

Mr. Steel responded that the State will consider it enclosed.

Ms. Press asked why enclosed boathouses are not permitted.

Mr. Steel responded that they do not want it converted to a residence.

Ms. Press asked that if it says not into a residence, if you screen it in will someone be able to sleep there.

Mr. Steel responded that to remember whoever has the most restrictive rules.

Mr. Thomas responded that the Board doesn't have much to say about the State, but the seven of them have something to say about the City. Mr. Thomas also stated that he does not want the City to be more restrictive than the State.

Mr. Steel responded that cities are often more restrictive than the State, and where they should be is when it comes to issues like this, but if the State trumps the City with regards to enclosures it doesn't matter what you do.

Mr. Wigley responded that the other side of the enclosure issue is that your neighbor doesn't want to look at a big plywood box 50 feet out into the river they want to see through your dock and enjoy the river.

Mr. Steel responded that there are three or four on the river that have been grandfathered in.

Mr. Wigley stated that if that was damaged beyond a certain percentage they probably would not be permitted to build it back.

Ms. Steel stated that the following is contained in FDEP single-family dock construction in their guidelines: "Structures built on the dock such as gazebos and boat-shelters that are not enclosed with walls and doors, are not used as living quarters, or for the storage of materials other than recreational supplies."

Mr. Thomas responded that they are not defining screen in there and he doesn't want the City to either and his point is that windows are walls, doors are walls, wood is walls, and brick is walls, and concrete is walls, screen under no definition is a wall. Mr. Thomas stated he is in the business and it is not considered a permanent structure.

Mr. Jorzack stated that the document before them does not address repairs in any way.

Mr. Thomas stated it leaves it vague.

Mr. Behnke stated that when you say repairs you could enter the question of: two of my pilings got knocked down, is that a repair?

Mr. Thomas replied that he felt anything structural would need a permit, which a piling is structural, and his opinion that would require a permit.

Ms. Steel responded that it would require a permit from the State if there was some damage to a couple of pilings. Piling replacement is what they consider an exemption, meaning no permit required. Ms. Steel stated that last year when they came to the City to get the LDC changed for the height restriction on boathouses, that was the other thing that was changed was that the City is now recognizing that Letter of Exemption. Ms. Steel continued if someone has two pilings that need to be replaced, and they know it meets the Letter of Exemption, they would come in with a survey and point out which pilings need to be replaced in order to get a permit.

Ms. Behnke stated that pilings aren't always attached to the dock.

Ms. Steel responded that it would still be the same situation.

Mr. Thomas stated that is his point, that is what the State says, but he could see that there could be an argument over the two documents. Mr. Thomas stated he is being a pain on this for safety's side.

Mr. Wigley asked what page he was on as far as the permitting and maintenance.

Mr. Jorzack responded that is not contained in what the Board was given.

Ms. Weedo stated that from Page 3 of 8 at E1-Permit Required, which governs new structures.

Mr. Wigley stated that that is all they are being asked to vote on.

Mr. Thomas stated that this is new.

Ms. Weedo responded that this is not new, but the Board wants to add language dealing with repairs.

Mr. Thomas responded yes, but only because the Board is going to get into that when it comes to fences and playhouses, and this document is open-ended. Mr. Thomas stated that when the document states no boathouses more than 20% width of the river, he knows there are docks on the south side of SR40 in the mouth of the Tomoka River where there are boathouses and docks that the whole river isn't 25'.

Mr. Spraker replied that this document was drafted after consulting with multiple dock builders and the people who do the permits.

Mr. Thomas inquired as to how many homeowners who have riverfront property have been consulted.

Mr. Spraker responded that if the Board wants more than a legal newspaper ad, Staff would be happy to do so, but they spoke with people actually constructing the docks. Mr. Spraker stated that if the Board gives him their concerns Staff can go back and redraft.

Mr. Thomas stated that what the document before them says is that if you have any repairs you have to pull a permit, and he cannot live with that.

Mr. Wigley replied that the document doesn't even speak to repairs.

Mr. Thomas agreed that this document doesn't, but when you get to the other items such as the fence.

Mr. Randy Hayes, Esquire, City Attorney, responded that that may be where you want to rely on the definition of functional and non-functional.

Mr. Thomas responded that in a storm event like we had in 2004 and more significant repairs are needed for non-structural items he doesn't need a building official to tell him what needs to be done.

Mr. Hayes responded that that was not what he said and further explained by example; if you have 2 or 3 boards or even 10 in a big dock, that may qualify as a repair because the dock is still functional, but if a majority (without pinning a number on it) are removed, and as a practical matter renders the dock non-functional, then maybe in that situation perhaps a permit should be required. Mr.

Hayes felt that a number could be placed on the number of slats on a particular dock. Mr. Hayes also pointed out a dilemma in that at some point someone is going to have to make a determination about what is functional and what is non-functional based on an observation by someone who does an inspection. More than likely some neighbor is going to call and report which will cause a City building inspector to take a look which is how that determination is going to be made. Mr. Hayes agreed that he doesn't think you can pin a number on it, and he doesn't think you would want to pin a number on it. He stated ultimately it is whether something is functional under FDEP standards.

Mr. Thomas stated he would rather use the word structural rather than functional because half of the boards on a dock can be lifted and be loose yet still have use of that dock.

Mr. Hayes responded that it would still be functional, and that there is a difference between structural and functional. It may be that a structural issue may render a dock non-functional, but have something that is less than structural that is still functional. Mr. Hayes stated that there is a distinction between the two that the Board may want to give consideration to.

Mr. Thomas stated that they have spent an hour on just the first item. Mr. Thomas stated that he thinks this document is too vague and too many questions.

Mr. Hayes suggested that the Board give Staff feedback on each individual item in order for Staff to address those issues and respond back to the Board. Mr. Hayes stated that the Board could vote on each individual item that they are comfortable with, but Staff will need some direction from you in terms of what needs to be addressed.

Mr. Thomas replied that he thought that was a great idea, and that the Board can express their concerns on the overall issues and continue this item.

Mr. Hayes posed the question to the Board if it was its desire that the City's standards essentially replicate the FDEP standards.

Mr. Thomas replied that that was his feelings; that he doesn't want to be more stringent.

Mr. Hayes responded that he thinks Staff needs direction from the rest of the Board.

Mr. Steel stated that FDEP's only standard is functionality with regards to repair; it is not a structural thing, only functionality. The intent of Staff's work was regarding the issuance of permit to construct a dock, not to repair a dock. Mr. Steel continued that a construction permit is an entirely different issue than repair permits.

Mr. Thomas responded that when you set something with any department and say you have to have a permit to repair your fence, it is very easy to continue over to other things.

Mr. Steel responded that there is already a vehicle to issue a permit for a new fence regardless and that is what is being discussed here, building a new structure not repairing it.

Mr. Thomas stated he would like to do what Mr. Hayes suggested.

Ms. Press stated she thought that was a good idea, but she felt that Mr. Steel was correct in that this is for new docks and there should be another part for repairs. She stated that building a dock was what was before the Board and that was what the Board should be concentrating on, and the other concerns are another topic.

Ms. Weedo stated that what was presented was a combination of FDEP requirements and the City's requirements.

Mr. Thomas asked if dredging is allowed due to the FDEP required depth requirements.

Ms. Weedo responded that that falls under the U.S. Army Corps of Engineers and FDEP.

Mr. Thomas stated he did not want the City to have a vehicle to be more restrictive.

Ms. Weedo stated that what has been proposed is consistent.

Mr. Thomas stated that even though the City may have a consensus with them, there is nothing in writing that says that the City has that consensus.

Ms. Weedo replied that she has statutes.

Mr. Thomas asked if the City had provided Staff with a document that they are going to abide by the U.S. Army Corps of Engineers and FDEP guidelines.

Mr. Jorzack restated Mr. Thomas's question: do these particular issues match exactly the FDEP requirements. In other words, the City has not changed anything from the FDEP requirements.

Mr. Thomas stated there is vagueness.

Mr. Spraker asked if it would be the preference of the Board to move exactly to FDEP standards and find out the differences. Mr. Spraker stated that his understanding of the only differences being that FDEP does not regulate the maximum square footage of the boathouse.

Ms. Steel stated FDEP regulates how much you can have over the water as far as coverage: you are allowed to have 10 square feet of coverage over the water for every linear foot of frontage of shoreline that you own. If you exceed that 10:1 rule then you have to enter into a sovereign submerged land lease with the State. You are still allowed to go over that 10:1 rule, but it becomes a different type of permit. If you have 70 feet of frontage along the shoreline, FDEP will let you have that 10:1 rule, 700 square feet of coverage or up to 1,000 square feet which is considered exemption criteria.

Mr. Heaster asked if there were exemptions if you get into navigable water.

Ms. Steel responded that it all depends on the location. The U.S. Army Corps of Engineers has its own regulations as well. The Corps prefers that you be 100 feet away from the edge of its channel. The Corps will allow you from the end of your structure to the edge of channel 62.5 feet of encroachment. If you need to go further to the edge of the channel, the Corps will only allow you to do that by soundings. Say you have a boat that requires a 6' draft and you are at 62.5 feet from the edge of the channel from where your dock exists and you don't have 6' for draft. If you go down to 37.5 feet which is the Corps limitation and you are able to prove with soundings that you are able to get that 6 feet of draft, the Corps will allow you to do that, but you have to sign a consent to easement agreement that says that you are in its right-of-way and at any time it wants to dredge or bring a big ship or barge and your dock is in the way, you tear it down at your expense. That is how they regulate as far as square footage over water. The State is also allowed to issue the Corps portion of the permit in most situations. When you get close to the intercoastal waterway edge is where FDEP will turn it over to the Corps for ruling.

Mr. Thomas requested that comparisons be done.

Mr. Spraker responded that Staff can give the Board the differences between FDEP and the City's regulations. Mr. Spraker stated that if it is the decision of this Board that the City shouldn't be in the dock regulating business and it should be deferred to the State, Staff is ok with that. Mr. Spraker concluded that staff can bring a report on what the differences are and a discussion about repairs.

Mr. Thomas stated he would like a meeting with Mr. Spraker to discuss his concerns in order to not take up the Board's time.

Mr. Steel stated that the City cannot be less restrictive than any other agency. Whoever is the most restrictive prevails.

Ms. Weedo addressed the increase from 300 square feet to 500 square feet. She stated that the increase was to make it more uniform within the city's own regulations.

Mr. Wigley asked how that compares to FDEP.

Ms. Weedo responded that FDEP limits up to 1,000 square feet. Ms. Weedo explained that that would allow a 20'x25' boathouse.

Mr. Wigley asked if that included the dock.

Mr. Thomas stated he didn't think it included the walkway, but it includes the dock.

Mr. Spraker directed the Board's attention to the illustration provided to them.

Ms. Behnke asked if this was strictly related to construction of a new dock and anything that had to do with repairs would have to be in addition to what is before the Board.

Mr. Spraker responded that that is correct.

Mr. Jorzack moved that this item be pulled for future discussion at the next Board meeting with the requested information from the Staff with regards to new construction and repairs. Mr. Heaster seconded the motion.

Ms. Press stated that the way this should be handled is that the Board should go through everything that should be included in the permitting. The other items regarding repairs should be a separate item.

Vote was called:

Behnke: **No**
Briley: **Yes**
Heaster: **Yes**
Jorzack: **Yes**
Press: **Yes**
Wigley: **No**
Thomas: **Yes**
Motion carried 5 to 2.

2. <u>Section G: Commercial Vehicle Storage/Parking</u>

Mr. Briley stated that what drove this is because one ton trucks don't even look larger than a ¾ ton truck. Mr. Briley stated some people desire them more, and he didn't think you would see a big difference in the size of the truck.

Ms. Press stated she had no idea the difference between a ¾ and one ton truck so she googled the truck, and she felt they looked the same. Ms. Press asked if the truck whether ¾ or 1 ton had to be in the driveway.

Mr. Spraker responded that typically it has to be in the driveway.

Ms. Press asked if the only thing the Board is voting on is whether to allow the one ton truck to be allowed.

Mr. Spraker responded yes; instead of a Ford F250 you can have a Ford F350.

Mr. Thomas asked if it included commercial vehicles which would include lettering or signage on them.

Mr. Spraker responded that the only thing changing is the size.

Mr. Briley asked if this would also apply to vans.

Mr. Spraker responded that that is correct.

Mr. Briley moved to approve the amendment. Mr. Jorzack seconded the motion. Vote was called and unanimously approved.

3. <u>Section N: Fences and Walls</u>

Ms. Press stated that she agrees with Mr. Thomas in that if someone has a fence up and he wants to replace the fence in the exact same place with another fence, she didn't see why that wouldn't be allowed.

Mr. Spraker responded that what if the fence was in the wrong location and on someone else's property.

Mr. Thomas stated that it's probably been there for twenty years. Mr. Thomas stated that he had this discussion with Mr. Richard Goss, Planning Director. If someone wanted to replace a portion of chain link fence it cannot be moved over a neighbor's property.

Mr. Spraker stated that staff has experienced a number of issues with fences.

Ms. Press stated the whole issue is about permits. She asked what the big deal is about a permit.

Mr. Thomas responded that it is a hassle.

Ms. Press replied she was asking Mr. Spraker.

Mr. Thomas stated it is a revenue builder.

Mr. Spraker stated that a fence permit requires a plot plan or survey that accurately reflects what is on the property. Mr. Spraker stated it can also be done off of an aerial photograph. Mr. Spraker stated you also have to state what type of fence is going to be installed: stockade, chain link, PVC, etc. Mr. Spraker continued, the application is submitted, reviewed and permitted. Mr. Spraker concluded, once the fence is built it is then inspected.

Ms. Press asked if there is a cost involved.

Mr. Spraker replied yes, $64 typically.

Mr. Thomas stated it is a revenue builder, and the State has now put on another $50 fee.

Mr. Spraker replied that after the cost of processing the application and the cost to go inspect it, he didn't know how much revenue is being made.

Ms. Press asked that for that $64 the City will give the person the area, even help figure it out, then the fence can be installed, and the City will come and inspect it. She stated that she is good with that.

Mr. Spraker stated that there is a one hour permitting for fences. If you come between 2:30 and 3:30 p.m. any weekday you can get a same day permit.

Mr. Heaster stated that the issue is not just the permitting fee, but the issue of overreaching and being overbearing.

Ms. Press asked if it is that big of a deal.

Mr. Heaster responded that it is.

Mr. Thomas stated that if you ever had to do it, yes it is because you have to come down to the City and if they don't have an aerial that you can use you do have to get a survey.

Mr. Wigley asked what would be the alternative to permitting, everyone just doing what they wanted.

Mr. Thomas stated no, there is no problem if you are going to put up a new fence you have to get a permit. He stated he is in total agreement with that, but what he is in disagreement with is if someone needs to replace one section he would have to go through the hassle and hoops and pay for a permit. Mr. Thomas stated that he deals with and gets permits. Mr. Thomas also stated that he deals with thirty municipalities in the State of Florida and Ormond Beach is one of the highest of permits of all of the municipalities. Mr. Thomas concluded it is a revenue maker and not necessary to repair fences.

Mr. Heaster stated the permit fees were unfair to the homeowner. Mr. Heaster stated his issue is the repair issue. Mr. Heaster continued that he has a problem if you get a storm, it knocks down a section; and you went to Home Depot and put a section back up and now have to pull a permit.

Ms. Press stated it's at 50%.

Mr. Heaster replied no it doesn't, it says or repair. Mr. Heaster stated that a building permit is required for fence replacement or repair.

Mr. Thomas stated that building permit is required for fence replacement or repair and that "any" and "of existing" was stricken.

Mr. Wigley stated that the proposed revision would require a fence permit unless waived by the chief building official as maintenance to the fence.

Mr. Thomas asked if he would come down to the City and spend your time, make an appointment, wait for someone from the Building Department to come to your house.

Mr. Wigley asked if Mr. Thomas does not want any permit requirements for anything.

Mr. Jorzack stated that Mr. Thomas is talking about repairs.

Mr. Wigley asked how many people are pulling permits to fix a section of fence.

Mr. Thomas stated that they are going to have to if your neighbor calls on you now.

Mr. Heaster asked if any one discussed this with fence contractors to get feedback.

Mr. Spraker responded no, and that most fence contractors aren't replacing a board or two.

Mr. Wigley asked what the reasoning was for changing it from the current provision.

Mr. Spraker responded that there have been multiple issues with people overextending the repairing of fences, including into the right-of-way.

Mr. Thomas stated that is what code enforcement is for, to catch them.

Mr. Spraker stated that if the Board thinks that it should remain at 50% replacement, Staff will take that as a policy direction and move forward. Mr. Spraker stated that he is not advocating one way or the other.

Mr. Thomas replied that when the packets are sent out that Staff is advocating it.

Mr. Spraker responded that Staff is only suggesting Land Development Code language which goes to the Planning Board and the City Commission and we do not advocate a position. Mr. Spraker concluded staff is providing the base document, which the Board and City Commission has the right to amend.

Mr. Behnke asked if someone replaces like with like and it is less than 50% you do not have to have a permit.

Mr. Spraker replied yes under the current code, but that is not what the proposed document says; the current document states that you have to come in, get a determination from the Building Department whether or not you need a permit.

Mr. Jorzack asked why not leave it the way it is written.

Mr. Wigley responded that it is complaint driven; Staff has been asked to react to this.

Mr. Heaster stated then code enforcement is not doing their job.

Mr. Thomas stated yes, it's about code enforcement.

Mr. Spraker stated that people don't always replace what exists.

Mr. Thomas stated that next we're going to be in their house.

Mr. Spraker replied that Staff is dealing with complaints that are being brought by citizens; if this is the policy direction of the Planning Board and City Commission, that's what Staff will say.

Mr. Thomas stated that is the way he thinks it should be.

Ms. Behnke stated that she thinks it is necessary to have a Code so that there are not purple, pink, or green fences; that there have to be standards and needs to be inspected before it is done rather than torn down afterwards.

Mr. Thomas replied that that is a new fence and he agrees, but if he had a chain link fence and its silver, he would not put up a green one up in a section.

Mr. Jorzack suggested making the provision "like fencing".

Mr. Briley concurred that he felt that 50% or less replacement with "like fencing".

Mr. Thomas stated he had no problem with 50%; that he is not willing to give the City the regulations over one board.

Mr. Briley asked if everyone was ok with the modification of up to 50% with like fencing; will that be an enforcement issue that Staff is facing.

Mr. Jorzack moved that the amendment be approved as to the noise attenuation barrier, and denied as to the fencing provision yet approving the original fencing provision be left at 50% or less, but adding the phase of "like fencing style material".

Mr. Heaster seconded the motion. Vote was called and the motion unanimously approved.

4. <u>Section R: Greenhouses</u>

Mr. Briley moved to approve the item as submitted. Mr. Jorzack seconded the motion.

Mr. Thomas called for discussion.

Mr. Spraker advised the Board that standards are the same standards for sheds.

Mr. Wigley inquired about hurricane resistant glass.

Mr. Spraker responded that it would have to meet whatever the building permit requirements are as per Florida Building Code.

Mr. Thomas stated that he thought it would have to meet the wind load requirements, but not impact requirements because sheds do not have to meet impact requirements.

Mr. Briley moved to approve the item. Mr. Jorzack seconded the motion. Vote was called and the motion unanimously approved.

5. <u>Section S: Home Occupations</u>

Mr. Briley asked for clarification on Page 4, No. 3, Item G, where it reads "office use" to be changed to "home occupation use".

Mr. Thomas, regarding swimming instructors having no more than one student per session, stated his concern was families not being able to have their children having lessons at the same time. If that situation occurred where there were two children from the same family would that be a violation.

Mr. Spraker responded that if someone complained and the proposed was in effect, yes it would be a violation.

Mr. Thomas suggested that it be changed to single-family.

Ms. Press stated she didn't think people complained unless they had a nasty neighbor or too many cars.

Mr. Thomas apologized for being so retentive on this, but he deals with building permits and regulations every day of the working week; and if it can be turned that way, it will be turned.

Mr. Heaster stated that he has heard from other citizens that the swimming lessons are an issue where they are having all kinds of kids and cars in and out, which is why it has come up.

Mr. Spraker stated that it is not permitted now, so if it's happening that is a code violation.

Mr. Thomas stated that by allowing only one student you are ruling out families with two young children.

Mr. Briley stated he believed the question also becomes if it creates a vehicle or traffic situation due to multiple appointments which could overlap in customers at the residence which may not normally happen.

Mr. Spraker stated the goal of the amendment is to make sure it stays as a single-family and does not impact surrounding properties. Mr. Spraker explained that the number of students can be amended by the Board.

Mr. Wigley stated the issue is how many per day.

Mr. Briley asked if it is in conflict with Item A- professional business office activity which does not involve clients, customers, or employees visiting the premises.

Mr. Spraker responded that there are four different permitted home occupations: office, cottage food sales, instructions, and hobby crafts.

Mr. Thomas suggested two students per session and two or three sessions per day.

Mr. Briley stated that it becomes a nightmare to enforce because unless someone calls and complains, and therefore the Board shouldn't even put a number on it.

Mr. Hayes offered an observation because what this does is applies a number to instruction per session, so it doesn't mean that you can't have more than one person there, it means only one person at a time can be offered per instructional session in the pool.

Mr. Thomas asked if that meant that the other child cannot be in the pool mimicking what a sibling is learning.

Mr. Hayes stated to look at it from a safety perspective. If there is one adult in the pool with a child, how many children do you want them to instruct at the same time. Mr. Hayes stated it doesn't mean that they cannot be there, it just means from an instructional, session point of view, it is a one for one situation.

Mr. Thomas stated he felt they could observe two students.

Mr. Hayes stated he didn't want the Board to get hung up on a number.

Mr. Thomas stated that if it was only one it could create problems with your neighbors if they don't like you.

Ms. Press asked what a normal neighbor would object to: cars coming and going with kids running in and out; a normal neighbor wouldn't object to lessons a couple of times a week with a couple of students. Ms. Press felt that it should be limited to the number of days that instruction can be given; this should not be a business.

Mr. Hayes expanded on Ms. Press's statement: if someone was going to hire someone to teach their child piano lessons, they need to come to the house and use the parents' piano and teach the children in their own home, or to teach the children to swim in their own pool; that home should not be open 24 hours a day for business for swimming, music, and dancing.

Mr. Thomas stated that a commission sat here years ago and his biggest thing was that he wanted to build a municipal pool for the City of Ormond Beach because people didn't have a place to get swimming lessons since we have the Atlantic Ocean, people would have to learn to swim. Mr. Thomas stated he disagreed with Mr. Hayes because everyone needs to learn how to swim if you live in Florida, but not everyone has a pool. Mr. Thomas stated he agreed with Ms. Press that you can teach five days a week, but you can only have three sessions.

Mr. Press asked if they had to get a permit for home occupation.

Mr. Spraker replied that they would have to register for a business tax receipt as a home occupation.

Mr. Briley stated that as a parent of a student beginning band, having two or three students taking trumpet, putting a number of the amount of students could cause an issue.

Mr. Thomas stated he assumed that they would not be practicing outside.

Ms. Press stated that a creative person would make a deal with a facility that has a pool. What the Board is discussing is maintaining residential areas, but felt that certain business that are going to bring traffic and kids making noise may not be what the citizens want.

Mr. Thomas stated that if there aren't reasonable regulations it will be done anyway.

Ms. Press suggested the Board make a reasonable regulation. She suggested twice a day.

Mr. Thomas stated it is hard for him to live with only two days a week because what if that doesn't fit a working mom's schedule; he stated he could live with twice a day.

Mr. Briley clarified for those types of services.

Mr. Thomas stated that it's tough in today's' time with the economy, telling people they cannot make money.

Mr. Jorzack suggested six hours a day for two people, five days a week.

Ms. Press stated that these are recommendations to go before the Commission and they can do what they want.

Mr. Jorzack made a motion to approve the item with the restrictions of two students per session, six hours per day, five days per week, and any musical instruction has to be indoors and the language "home office use" be replaced with "home occupation use". Ms. Press seconded the motion.

Mr. Thomas stated he had a clarification for Item I, there shall be no advertising listing the address of the use, so that means no advertising. Mr. Thomas asked if that mean there is no advertising in the paper and put the house address.

Mr. Spraker stated that that was correct; that you cannot run ads with your address, but you can place an ad with your phone number.

Ms. Press stated most people get around that because they get a post office box. Ms. Press gave some information on cottage foods; that during the 2011 legislative session, legislation was passed allowing cottage foods. Ms. Press explained that cottage foods are breads, biscuits, cakes, pastries, candies and confections, fruit pies, jams, jellies, preserves, dried fruits, dried herbs, homemade pasta, cereals, trail mixes, granola, coated or uncoated nuts, vinegar and flavored vinegars, popcorn, and popcorn balls.

Mr. Briley stated that he didn't think you could do that before.

Ms. Press responded that you could not; this is new 2011 legislation.

Ms. Behnke asked if you had to have a permit and facility inspected.

Ms. Press stated that it is important to understand this; this means that someone could be making this without being inspected and could be taken to the farmer's market.

A motion was made to amend the item as follows: to limit the lessons to five days a week, six hours a day, no more than two students per session, and any musical instrument lessons must be given indoors along with Mr. Briley's modification from "office use" to "home occupation use".

Mr. Jorzack moved to approve the item as modified. Ms. Press seconded the motion. Vote was called and the motion unanimously approved.

6. <u>Section V: Outdoor Storage, Parking, or Use of Personal Property</u>

Mr. Briley moved for approval of the item. Mr. Jorzack seconded the motion.

Mr. Wigley asked if the section was being deleted.

Mr. Spraker replied that it is being deleted from the Accessory Use, but it is still in the Conditional and Special Exception Uses. The standards are still there, they just don't belong in this section of the Code.

Mr. Jorzack moved for approval of the item. Mr. Briley seconded the motion. Vote was called and the motion unanimously approved.

7. <u>Section BB: Sheds, Utility Structures, Playhouses and Gazebos</u>

Mr. Briley stated that the playhouses were being taken out; some things were being changed for gazebos.

Mr. Spraker stated it also clarifies the side yard setback to 7.5'.

Mr. Briley moved for approval of the item. Mr. Jorzack seconded the motion. Vote was called and the motion unanimously approved.

8. <u>Add a section for Playstructures</u>

Mr. Thomas asked for clarification of the examples.

Mr. Spraker explained that the playstructure examples as outlined in the staff report.

Mr. Heaster asked if you would need a permit for a tree house and to follow the new setbacks.

Mr. Spraker stated that this item does not deal with treehouses; that is another issue. Mr. Spraker explained that currently both of the structures presented in the PowerPoint presentation are allowed 7.5' from the property line.

Ms. Press asked if they were allowed without a permit.

Mr. Spraker replied that there has been some discussion about whether or not it requires a permit.

Mr. Briley stated that he didn't want a portable unit to have to be permitted.

Mr. Spraker responded that the portable ones fall under the first category and don't have a height over 7'; once you get over 7 feet you are typically building something, using footers, making it a more permanent structure. Also, once you get over 7' you are over the fence line of your neighbor typically with a platform.

Ms. Press asked how people would know to get a permit for a structure.

Mr. Thomas stated you don't until your neighbor calls.

Mr. Spraker replied that how would they know any of the standards in Ormond Beach such as that you can't park on a grass portion of your yard.

Ms. Press stated that this is one of the problems; that people just don't know.

Mr. Spraker stated that 90% of the structures will be Type I, where you don't need a permit; that these are what you buy at Lowes and Toys R Us. The Type II are constructed out of old telephone poles, they are being constructed, not a kit.

Mr. Heaster stated he felt this section was being overbearing like the fence portion.

Mr. Spraker stated that Staff has had multiple neighbors who have complained to the City that how could these structures be allowed at a 7.5' setback, which is two stories and you can look directly into my pool, backyard, and disrupt their enjoyment.

Mr. Briley stated they found out about this the same way they found out about the temporary carports.

Mr. Thomas stated he didn't realize that there were so many people in Ormond who complained.

Mr. Spraker stated that he felt there were valid concerns about allowing a 20'in height structure at 7.5' from the property line.

Mr. Wigley moved for approval of the item. Mr. Jorzack seconded the motion. Vote was called: Behnke for; Briley for; Heaster against; Jorzack for; Press for; Wigley for; Thomas for. Motion carried.

E. <u>LDC 12-010 Chapter 2: District and General Regulations, Article III-General Regulations, Sections 2-50: Accessory Uses</u>

Mr. Spraker stated this is an amendment regarding definitions. Mr. Spraker stated there have been some issues regarding definitions over the past year; that they present them all at once so the article is only amended once.

Ms. Press asked regarding the 10,000 square feet and over, that she is concerned about this happening on SR 40 near Breakaway Trails and other developments;

how does anyone know about the developments being planned business developments and need to come before a board.

Mr. Spraker responded that planned developments are asking for some type of variance or flexibility. Mr. Spraker stated that if you're commercial versus residential, you automatically have to have a community meeting so everyone within 600' will know, even if it is a permitted use. You may not have to go to the Planning Board or Commission, but you have to have a community meeting, which is how the Code has read for the last two years. If you are along N US1 and there is no residential, you are a permitted use with Site Plan Review Committee approval.

Mr. Heaster stated he has a concern regarding the grade and building height with regards to properties that may be low-lying that may have to have fill dirt and other site work done to it to build on it. Mr. Heaster asked how the amendment would affect those properties negatively when the cost of developing a piece of property or the viability of the property to be on the market with these changes.

Mr. Spraker replied that you can still fill; wherever your finished grade is at a point 6' from the building that is your finished grade. What has happened is that people will berm up the front part of their yard so they can get their building height higher.

Mr. Wigley stated that he thought building height was measured from your finished floor grade.

Mr. Spraker replied that there is base floor elevation for your structure, but the grade from where you start measuring the house is at actually your property grade.

Mr. Wigley asked how one could be different than the other; based on your finished poured slab, how is that going to be allowed to be any different than the grade 6' away from the building.

Mr. Spraker replied that the way it reads now is that the final elevation of the ground surface after development; it doesn't say anywhere that it is related to the building. Mr. Spraker stated that you could artificially raise a portion of your property and gain additional building height.

Mr. Wigley stated he thinks that the building height needs to be dictated by the height of the building from the floor of the building up, not from the property.

Mr. Spraker stated that this is going from 6' from the building.

Mr. Wigley asked why you would do that.

Mr. Spraker stated that is what the Building Code says.

Mr. Thomas asked what happens when it works in reverse. For example, his house is on a slope down; so that when his house was built, the house is built below the berm of the road. That means that you would take the 6' from the house, but actually the road is up higher, which is lower than the berm.

Mr. Spraker stated that today you wouldn't be allowed to build below the crown of the road; so in with regards to new construction you would have to be 18" above the crown of the road so automatically the house is higher than the road; then you take wherever that finished grade is, you go 6' from the building and measure your height from there.

Mr. Thomas asked if it was reversed what would happen.

Mr. Spraker explained that it cannot be reversed; you have to be 18" above the crown of the road.

Mr. Thomas asked if this was complaint driven and for an example.

Mr. Spraker replied that it was. Mr. Spraker stated that the goal is that you don't artificially mound your property to gain the additional building height to then be higher than your neighbors. Mr. Spraker stated that this is something that needs to be more consistent with the Building Code which is where the 6' from the building comes from.

Mr. Thomas asked if this was complaint driven by the neighbors.

Mr. Spraker stated that he thought that Staff originally expressed concern too; basically you are artificially raising your property in order to get additional building height.

Mr. Heaster asked what was wrong with that.

Mr. Spraker responded that you are basically higher than your neighbors; you've gone out of scale, which is why there are building height limits and setbacks.

Mr. Briley stated that if you raise the elevation of the property you can negatively impact your neighbor with run-off.

Mr. Heaster stated that on the river he would want to build up as high as possible in case of flooding in the future.

Mr. Spraker replied you can grade. Mr. Spraker explained that they are not saying that you cannot properly grade your property; you can put the fill that you need to the elevation based on the crown of the road, but you cannot raise it artificially after you filled.

Mr. Wigley asked if it could be changed to finished floor.

Mr. Wigley moved to approve with Item 2 to the grade point being "finished floor level". Mr. Jorzack seconded the motion.

Ms. Press asked if there was a reason it was written that way by the Building Department, was there a reason for that language.

Mr. Spraker said he will confirm it, but he didn't think so.

Vote was called and the motion unanimously approved.

VIII. OTHER BUSINESS

IX. MEMBER COMMENTS

Ms. Press stated she believed that the Board received an email from Mr. Goss regarding needing a new representative from the Board to attend the meetings for the Board of Education. It was mandated that the Board have a representative, and she has done that for a number of years, is resigning from that position, and handing it over to someone else who might like to do that.

Mr. Briley asked when they met.

Ms. Press responded that they meet off of Olsen Drive at 5:00 pm twice a year.

Mr. Briley volunteered.

Ms. Press asked what is being built next to Dr. Parks' office, and is it a Chase Bank.

Mr. Spraker replied that it is a Chase Bank; they bought two properties that they are going to demolish and make one Chase Bank.

Ms. Behnke stated that she will not be at the Board meeting next month and wanted to wish everyone a happy holiday and good holiday season.

Mr. Thomas stated he had a question which was more "tongue and cheek" than anything just to make a point. Is it possible to have an ordinance that says when a new resident moves in that they have to get to know their neighbors and have a party with them because it seems like out of the three hours of the meeting, two and a half hours of it was stuff generated because of neighbor complaints. Mr. Thomas stated he was now serious, but wanted to know if there is something the City can do to try to encourage good neighborship.

Ms. Press stated that she plays at the Trails tennis court and there was a new neighbor that moved in, and the police were there every single day because neighbors were fighting. Ms. Press stated that she thinks when that happens they have to go to mediation.

Mr. Hayes responded that there are different venues for that; through the Clerk's office and Sandy Upchurch's office. Mr. Hayes stated that a move-in orientation

ordinance could be drafted to require the neighborhood to go through an orientation meet and greet. (I think this should be stricken, Randy was joking.)

Mr. Thomas stated his question was "tongue and cheek", but when you think about what the Board has done tonight and it is because neighbors are not getting along. Mr. Thomas stated that the City takes the brunt of it because neighbors' only recourse is to call the government agency and complain. Mr. Thomas stated that is why he doesn't want to make too many laws that force the City to respond to arguments between neighbors.

Mr. Jorzack stated that he drives US1 up to Airport Road everyday and the place looks like a garbage dump; the guys that cut the grass and take care of the medians try to pick up the trash, but there are more cups, paper bags, and plastic bags washed into the swampy area and it not only looks like it's a mess, it is an ecological problem for the wildlife. Mr. Jorzack asked if there was something the City could do about putting up some signs for no littering with a fine which would make a person think twice before tossing the stuff out the window. This would help since this is a gateway entrance. We are supposed to have a beautiful entrance to the City off of I-95. Something should be done to try to improve that with signage or articles, perhaps even volunteer organizations.

X. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Steven Spraker, AICP, Senior Planner

ATTEST:

Doug Thomas, Chair

Minutes transcribed by Meggan Znorowski

STAFF REPORT

City of Ormond Beach
Department of Planning

DATE: December 1, 2011

SUBJECT: Garden Plaza – Stor-It

APPLICANT: Scott Vanacore, Vanacore Construction, Inc

ADDRESS: 99 Portland Street

NUMBER: 11-09

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is a request by Scott Vanacore, Vanacore Construction, Inc. for a rezoning from B-7 Highway Tourist Commercial to PBD (Planned Business Development). The Planned Business Development seeks to allow the development of a vehicular storage facility known as "Garden Plaza Stor-It". As illustrated in Exhibit 1, the subject property is located in the 1400 block of North Highway US 1, approximately 700 feet north of the intersection of US 1 and Pine Tree Drive, west of US 1 and east of the F.E.C. railroad, along Portland Avenue, a street proposed for construction as part of this project.

Zoning and Adjacent Land Uses

The adjacent land uses and zoning classifications are illustrated below in the following table:

	Current Land Uses	Future Land Use Designation	Zoning
North	Vacant	"Tourist Commercial"	"Highway Tourist Commercial"
South	Vacant	"Tourist Commercial"	"Highway Tourist Commercial"
East	Professional Office	"Tourist Commercial"	"Highway Tourist Commercial"
West	Vacant	"Activity Center"	Volusia County A-2

BACKGROUND:

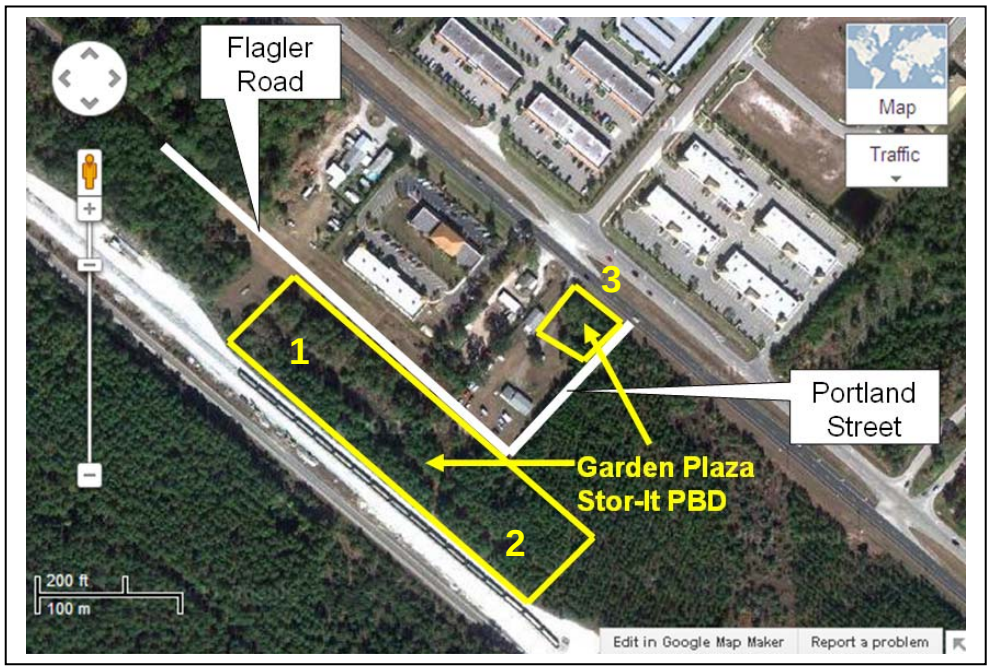
The subject property is currently vacant and was annexed in 2004 from Volusia County and was assigned a Future Land Use designation of "Highway Tourist Commercial" on February 16, 2010 with Ordinance 2010-06. In 2009, a series of plat vacations occurred in this area of the City as part of the property owned by

Tomoka Holdings. As part of the plat vacations, Portland Street, a 50' right-of-way, was relocated north and intersected with Flagler Road. The zoning designation of B-7 (Highway Tourist Commercial) was adopted on December 21, 2010 with Ordinance 2010-60.

The project is bounded by two rights-of-way, Portland Street and Flagler Road. As stated above, Portland Street is a 50' right-of-way that intersects with North US Highway 1. The applicant is proposing to construct Portland Street to obtain access to the subject property. The second right-of-way is Flagler Road. Flagler Road is unimproved abutting the subject property and there are no plans to pave the street as part of this project.

The Planned Business Development includes three parcels as follows:

1. **Storage facility parcel at 99 Portland Street.** This parcel is located along Flagler Road and west of where Portland Street will terminate. The property is located to the east of the F.E.C. Railroad.
2. **US 1 and Portland Street parcel.** This property is located at the northwest intersection of US 1 and Portland Street and owned by Tomoka Holdings. The property is currently vacant and is planned to include the monument sign for the storage facility. When first proposed, the PBD sought to allow the sign without incorporating this parcel into the development boundaries which caused the sign to be off-site and not permitted under the Land Development Code. The US1 and Portland Street parcel is now included in the Planned Business Development rezoning to allow the signage along US1 through a sign easement. The corner property can be developed in the future as any use permitted in the B-7 zoning district.
3. **Stormwater retention parcel.** This property is designed to provide the stormwater management for Portland Street and the storage facility. This parcel is owned by Tomoka Holdings and a drainage easement exists.



PROJECT DESCRIPTION:

The project proposes 91 storage bays for vehicles that include boats, automobiles, trailers, and recreation vehicles.

The project proposes the following improvements/actions:

1. Construction of 91 storage bays (48 spaces 14' wide and 43 spaces 11' wide) with a canopy roof. The canopies next to the F.E.C. right-of-way are proposed to have a reduced setback. There will be four parking spaces for visitor parking.
2. Construction of Portland Street, a 50' right-of-way, which intersects North Highway US 1.
3. A 5' right-of-way vacation to Flagler Road which will result in a 50' right-of-way.
4. Installation and extension of a water line along Portland Road and Flagler Road.
5. Fifteen foot landscape buffer along Flagler Road.
6. Vinyl coated chain link perimeter fencing around the property to assist in the security of the storage facility.
7. Incorporation of a monument sign at the intersection of Portland Street and US 1 as part of the PBD rezoning.
8. Incorporation of the B-7 zoning district uses and dimensional standards into the Planned Business Development. If the vehicle storage use was abandoned or if there was a development plan for the parcel at Portland Street and US1, the B-7 zoning district regulations would be applicable.
9. Pay into a sidewalk fund rather than construct a sidewalk along Portland Avenue. There are currently no sidewalks along US 1.

During the Site Plan Review Committee review of the project, staff has been in contact with the property owner of the properties at 1428 and 1438 North US 1 that abut the proposed Portland Street and Flagler Road. The property owner has expressed concern regarding the stormwater management of properties in the North US 1 corridor in general and the impacts to 1428 and 1438 North US 1 from this project.

The project has obtained stormwater permits from St. Johns River Water Management District. Members of the Site Plan Review Committee have reviewed the project stormwater management plan and have focused on the following issues:

1. The elevation of Portland Street has been a key issue. The structure at 1428 North US Highway 1 is 8' to the Portland Street right-of-way and 25' to the proposed pavement of Portland Street. The 1428 North US Highway 1 property has a finished floor elevation of 31.5' and the Portland Street right-of-way will have an approximate elevation of 32.75'. The elevation of Portland Street was established through an analysis of the existing water table and proposed stormwater detention system.

2. The property at 1452 North US1 (Garden Plaza) was completed in 2010 and as part of their stormwater system installed an overflow swale across Flagler Road to follow the historic drainage of the area. This overflow is now incorporated into the Stor-It project.
3. Staff has requested additional information that the overflow of the stormwater system will flow in its historic pattern.

ANALYSIS:

According to Chapter 2, Article II, Section 2-36 of the Land Development Code the purpose of the Planned Business Development zoning district:

> "is to establish regulatory standards for controlling the location of comprehensively planned business centers accessible to arterial roadways. The PBD is intended to incorporate a flexible management policy which incorporates urban design amenities, including streetscape improvements, and fosters innovative master planning in the design and development of commercial centers. The PBD district provides a diversified mix of permitted, conditional, and special land uses and higher standards of land planning and site design than are available under conventional zoning categories."

One goal of the Planned Business Development is to "provide for a coherent and visually attractive physical environment through the creation of focal points and vistas, as well as coordination and consistency of architectural styles, landscaping designs and other elements of the building environment."

Planned Business Development Requests:

Vehicle Storage: The B-7 zoning district does not allow vehicle storage as a use in the zoning district. The PBD rezoning seeks to allow the vehicle storage use on 99 Portland Street parcel only (not at the intersection of Portland and US 1). The applicant has stated that the 99 Portland Street property is ideal because it is located 400' from US 1 and behind two office buildings and will not be visible from US 1. The applicant has stated that the location would provide a convenient location for storage that is not located on a major roadway.

Planned Business Development Public Benefits:

The Planned Business Development rezoning process requires the demonstration of public benefits for a development project rezoning. In the project summary letter (see EXHIBIT 2) the applicant lists the following public benefits:

1. Construction of Portland Street, a 350 linear foot right-of-way;
2. 890 linear feet of 8" water line extensions in Portland Street and Flagler Road;
3. Installation of three public fire hydrants within Portland Street and Flagler

Road; and

4. No proposed wall signage.

In staff's review, the project provides the following public benefits:

1. Vehicle storage facility that is not located on a major roadway. The selected site is close to US 1 and I-95 and will provide a convenient location for large vehicle storage. The design offers a paved surface and covered canopies to protect the vehicles. This project will provide Ormond Beach residents with a location to safely store large vehicles.

2. The proposed Flagler Road landscape buffer is 15' where 10' is required. This constitutes a 50% increase in landscape buffer.

3. The method of installation of the water lines provides a public benefit for future development instead of solely providing water service for this one use.

4. The construction of Portland Avenue is necessary to access the vehicle storage property. However, it does provide future redevelopment opportunity for the properties at 1428, 1438, and 1444 North US Highway 1. Portland Street could also reduce curb cuts onto US 1 and provide a better Level-of-Service.

CONCLUSION:

In considering an application for a Planned Business Development, the Planning Board may recommend to approve, approve with conditions, or disapprove on the extent to which the development offers site amenities above that normally found for permitted uses in the district with regard to the following:

a) Building form, architecture and appropriateness of materials with regard to long-term maintenance, relation to the surrounding neighborhood, and aesthetics. Architectural drawings shall be approved as part of the Development Order and adhered to in all development phases.

This project is unique in that there is no principal building. The site is well situated for a vehicle storage use behind existing office buildings and east of the F.E.C. railroad tracks.

b) Landscaping and related site amenities.

The project perimeter is heavily landscaped and the stormwater retention pond is proposed to include a fountain.

c) Mitigation of off-site impacts.

It is not anticipated that the proposed use will generate off-site impacts. The use is a low trip generator and access is limited to owners of the vehicles stored on property. The stormwater design has been reviewed and will not compound the existing drainage issues in the area.

d) Overall lighting plan, particularly in relation to aesthetics and glare.

The proposed lights are internal to the site and will not create spillover glare.

e) Overall signage plan, particularly related to aesthetics and readability.

There is one project sign that is proposed at the intersection of US 1 and Portland Street. The monument sign is consistent with the City's design standards.

CRITERIA FOR APPROVAL: There are certain criteria that must be evaluated before a Planned Business Development rezoning can be approved. According to Chapter 1, Article I, Section 1-15.C.3 of the Land Development Code, the Planning Board shall consider the following when making its decision:

1. **The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

   The proposed development conforms to the standards of the Land Development Code and is requesting to add vehicle storage as a permitted use under the Planned Business Development process. The flexibility requested will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

2. **The proposed development is consistent with the Comprehensive Plan.**

   The property is designated as "Tourist Commercial" on the City's Future Land Use Map (FLUM). The directive text of the Comprehensive Plan states,

   > "A multi-use land use category to provide uses along the Atlantic Ocean, SR A1A and highway interchanges, that include transit availability, retail services, tourist attractions, restaurants, multi-family and lodging to visitors to the City. For projects that propose a mixture of residential and nonresidential uses, the minimum FAR should be 0.2."

   The proposed site development and rezoning are consistent with the City's adopted Comprehensive Plan.

3. **The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to water bodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

   The proposed development will not adversely impact environmentally sensitive lands, wetlands, wildlife habitats or species of special concern.

4. **The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed rezoning use will not substantially or permanently depreciate the value of surrounding property.

5. **There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

   There are adequate public facilities to serve the proposed development, including water, roads, public safety, and stormwater.

6. **Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

   The proposed rezoning to allow vehicle storage will have a low trip generation and has been designed to allow the easy movement of large vehicles.

7. **The proposed development is functional in the use of space and aesthetically acceptable.**

   The proposed site plan is functional.

8. **The proposed development provides for the safety of occupants and visitors.**

   The proposed development provides for the safety of its occupants and visitors.

9. **The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

   The proposed use does not propose any principal buildings.

10. **The testimony provided at public hearings**.

    This application has not been heard and no public testimony has been provided.

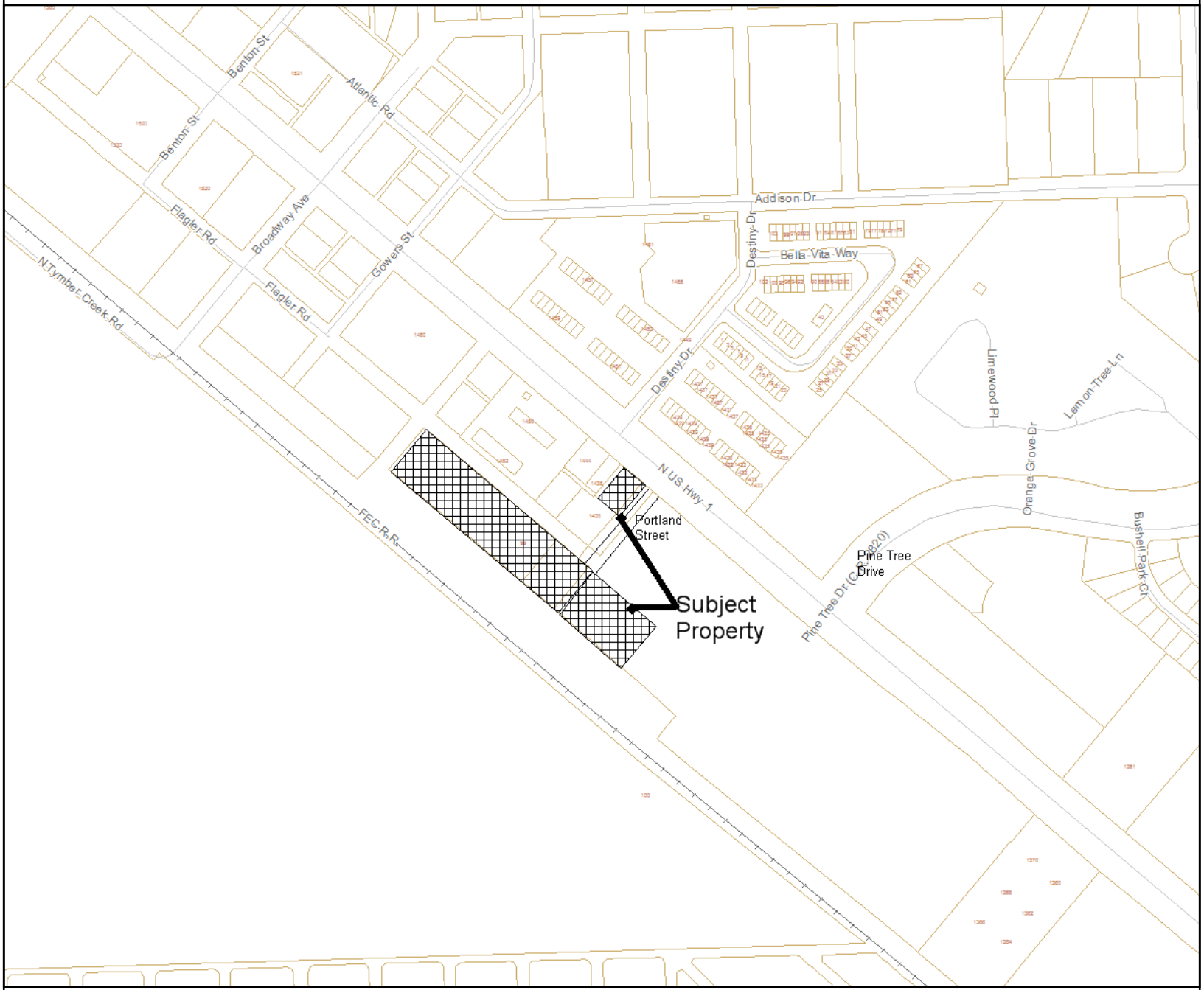
RECOMMENDATION:

It is expected that the application will be reviewed by the City Commission on January 17, 2012 (1st reading) and February 7, 2012 (2nd reading). It is recommended that the Planning Board recommend **APPROVAL** of a rezoning of a 5.13± acre property at 99 Portland Avenue from B-7 (Highway Tourist Commercial) to Planned Business Development, incorporating the site plan exhibits for the Garden Plaza Stor-It, specifically allowing vehicle storage and incorporating the uses and dimensional standards of the B-7 zoning district.

EXHIBIT 1

SITE MAPS

Garden Plaza Stor-It



Golf Courses

Airport and Railroad

AIRPORT

RAILROAD

City Streets

DIRT

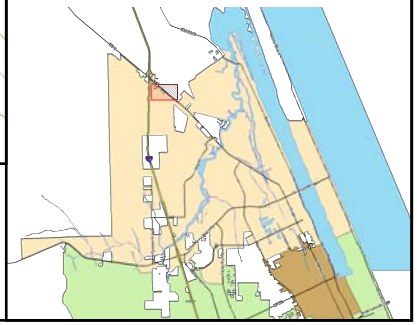
MAJOR

PAVED

Water Features

Property Lines

506 ft



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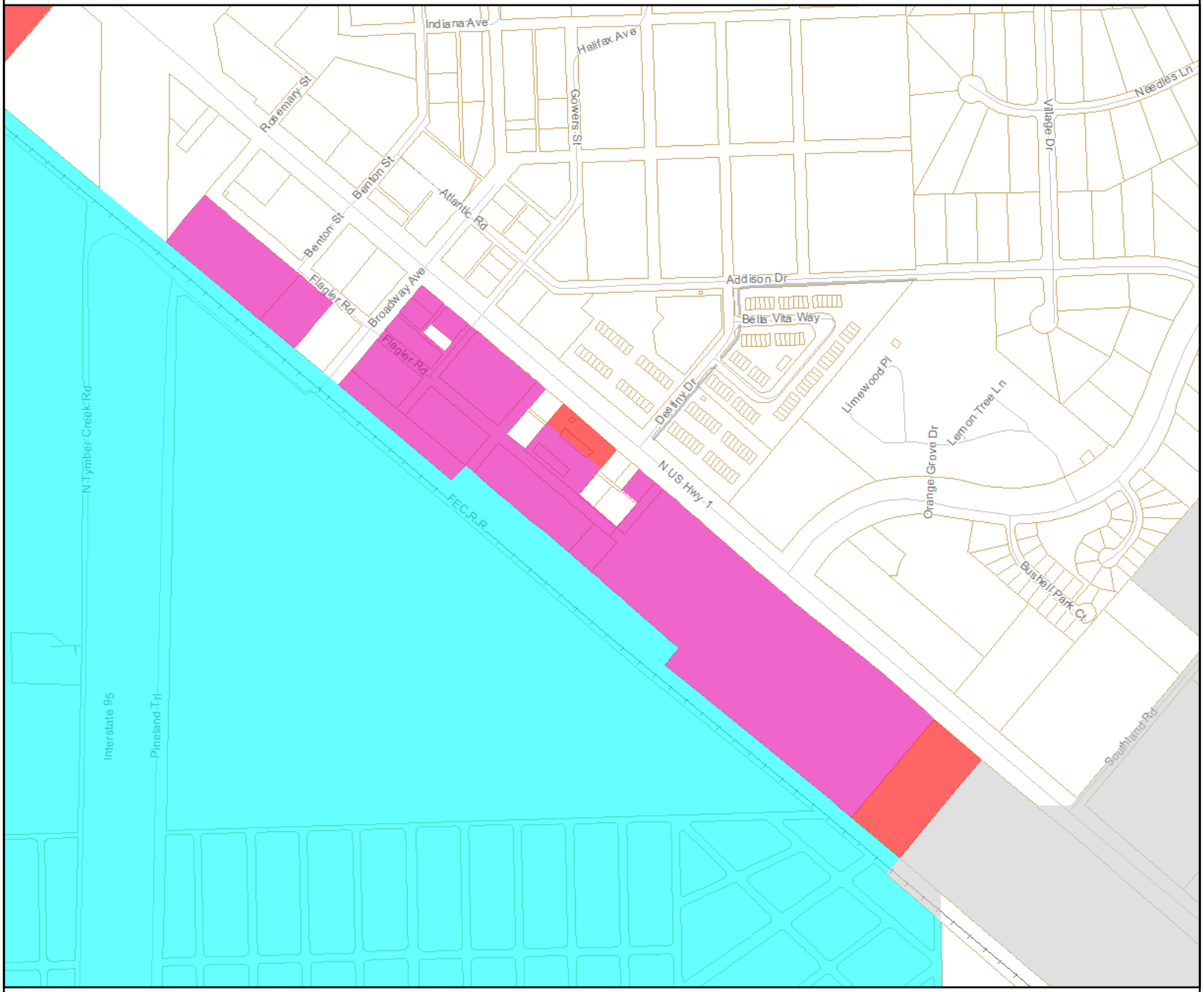
Garden Plaza Stor-It Land Use Map



Sidewalks

Golf Courses

Future Landuse

- Rural Estate/Agriculture (REA)
- Rural Residential (RR)
- Suburban Low Density Residential (SLDR)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Office/Professional (O/P)
- Tourist Commercial (TC)
- General Commercial (GC)
- Heavy Commercial (HC)
- Public/Institutional (P/I)
- Activity Center (AC)
- Industrial/Utilities (I/U)
- Recreation/Open Space (R/OS)
- Open Space/Conservation (OS/C)

Airport and Railroad

- AIRPORT
- RAILROAD

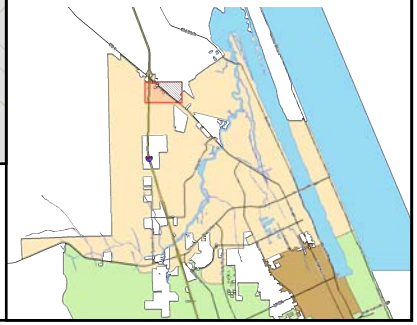
City Streets

- DIRT
- MAJOR
- PAVED

Water Features

Property Lines

708 ft



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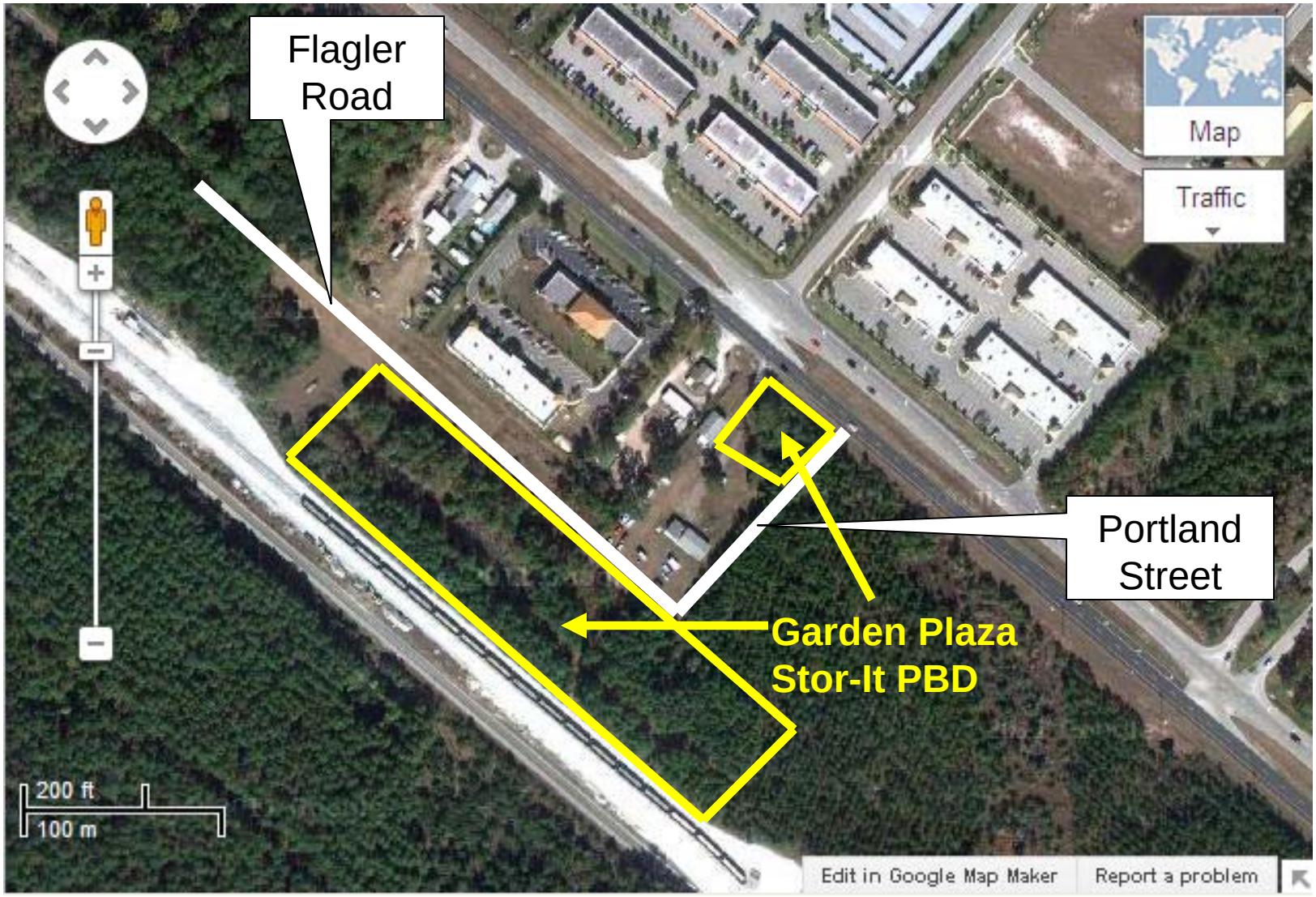
Flagler Road
Portland Street
Garden Plaza
Stor-It PBD
Map
Traffic
200 ft
100 m
Edit in Google Map Maker
Report a problem

EXHIBIT 2

- Project Summary Letter
- Site Plan

ZEV COHEN
& ASSOCIATES, INC.
Main Office: Ormond Beach
St. Augustine • Amelia Island • Edgewater

300 Interchange Blvd
Ormond Beach, FL 32174
386-677-2482 • Fax: 386-677-2505
Website: www.ZevCohen.com

Garden Plaza Stor-It PBD
Summary Letter
November 22, 2011

Project Description and Proposed Use:

The Garden Plaza Stor-it application will consist of 91 covered RV, automobile and boat storage bays along with associated infrastructure typically found with this type of development. The project site is located on a 5.13 acre parcel of land between Flagler Road and the Florida East Coast Railway. The proposed location is ideal for a storage facility because it removes this type of use from the US 1 corridor and places it in an area out of the public eye but still allows for easy access to a major roadway. The proposed storage facility will be a secured facility whereby access is regulated by an automated system accessible by clientele and emergency personnel only. This system includes the installation of a 6' chain link fence that will encompass the facility. The fencing installed adjacent to Flagler Road and Portland Street will be opaque thereby providing additional screening from the adjacent property owners.

The Developer will construct approximately 350 linear feet of public roadway located within the un-developed Portland Street right-of-way to access the site. Stormwater runoff generated by the roadway as well as the project site will be directed to a privately owned and maintained wet retention pond located to the south of the storage facility. Potable water service will be provided via a connection to the existing City owned water main located within the US-1 right-of-way. This connection will extend an 8" public water main and install three (3) public fire hydrants within the Portland Street and Flagler Road right-of-ways.

The proposed Vehicle Storage facility will incorporate the use and dimensional standards currently indicated in the B-7 Zoning District. A PBD is being requested at this time in order to allow the proposed use. Currently, the City's Zoning District's do not accommodate this use. The proposed Vehicular Storage use within the B-7 Zoning District is the only waiver requested at this time.

Developer Experience:

Vanacore Construction is the owner and developer of the proposed project. They have developed and currently own similar projects such as the Stor-it Self Storage facilities located on US 1 and on Granada Blvd. They have extensive experience developing successful, high quality projects within the City of Ormond Beach such as the Gardens Plaza office and retail center located east of the proposed Vehicle Storage facility, Creekside residential subdivision and Ormond Commerce Park. Currently, Vanacore Construction is preparing to begin construction on the Village Business Centre, a 5.28 acre retail development located on the east side of US 1, north of Pine Tree Drive.

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Waiver Requests:

The applicant requests the development be rezoned as a Planned Business Development (PBD) incorporating the use and dimensional standards currently indicated in the B-7 Zoning District. The addition of the Vehicular Storage use within the City's B-7 Zoning District is the only waiver being requested at this time.

Proposed Public Benefits:

The owner/developer will provide a number of public benefits with the construction of the proposed facility.

- 350 linear feet of roadway meeting City Standard Specification will be constructed within the Portland Street Right-of-way.
- 890 linear feet of 8" water main will be constructed with the Portland Street and Flagler Road right-of-ways.
- Install three (3) public fire hydrants within the Portland Street and Flagler Road right-of-ways.
- Proposed wall signage has been eliminated.
- Commercial garbage cans will be used internally to the site, thereby eliminating the need for a dumpster enclosure and reducing the amount of waste generated by the facility.

Section 2-36.H.4 LDC Review Criteria:

Criteria a. Building form, architecture and appropriateness of materials with regard to long-term maintenance, relation to the surrounding neighborhood and aesthetics...

No permanent buildings are proposed. A metal canopy will be constructed over the proposed storage bays.

Criteria b. Landscaping and related site amenities including fountains.

The landscaping for the site consists of mostly native species with additional Florida friendly plants. The trees are intended to provide shade for the property and also screen the development from the adjacent properties. The proposed fountain in the stormwater pond will provide an aesthetic benefit as well as help to reduce unsightly algae.

Criteria c. Mitigation of off-site impacts.

No mitigation of off-site impacts were required with the project.

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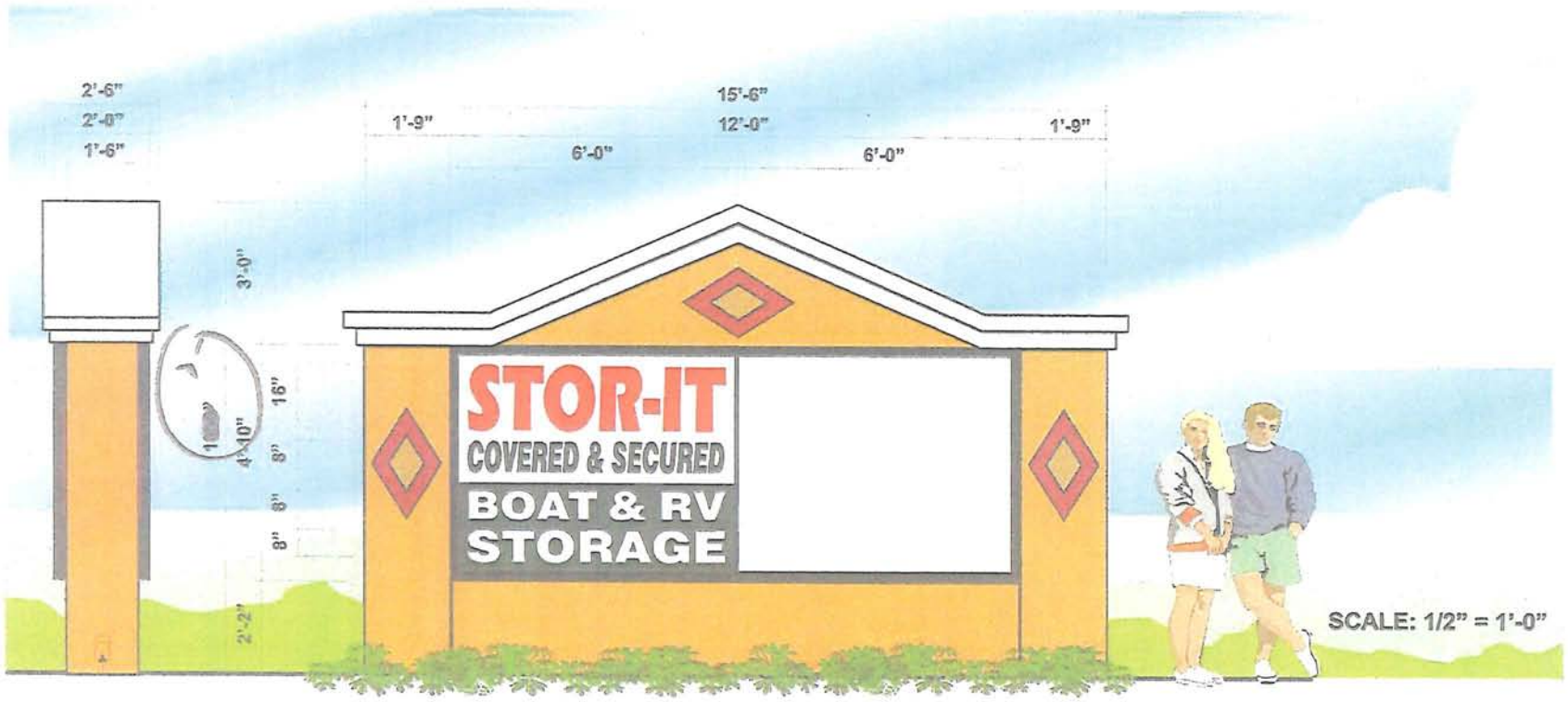
Criteria d. Overall lighting plan, particularly in relation to aesthetics and glare reduction.

The Lighting Plan has been designed to provide appropriate light levels on the property for security and safety while not creating excess light pollution for the surrounding properties. The full cutoff fixtures will provide light to the property and diminish in intensity towards the property lines. The proposed fixture style will be consistent with the Garden Plaza retail and office development located to the north.

Criteria e. Overall signage plans, particularly in relation to aesthetics and readability.
The proposed signage consist of a single double illuminated monument sign located to the north of Portland Street and adjacent to US 1 within a easement granted by Tomoka Holdings, LLC. The monument sign's size, colors and shape will be consistent with the signage of the Garden Plaza retail and office development located to the north. It shall be aluminum construction over steel frame with the base, pylons and top sections painted with textured paint.



DISCONNECT SWITCH

SPECIFICATIONS:

MANUFACTURE & INSTALL (1) ONE NEW DOUBLE FACE ILLUMINATED MONUMENT SIGN.

ALL ALUMINUM CONSTRUCTION OVER STEEL ANGLE FRAME.

ALUMINUM CABINET TO HAVE BLEED FACE RETAINER SYSTEM W/ PANAFLEX FLEXIBLE FACES & VINYL COPY APPLIED FIRST SURFACE.

BASE, PYLONS & TOP SECTION TO HAVE TEXTURED PAINTED FINISH.

INTERNAL ILLUMINATION BY CW/HO FLUORESCENT LAMPS.

ALL COLORS AS PER CUSTOMER CHOICE.

4'10" X 12'-0" = 57.96 SQUARE FEET

ENGINEER INFORMATION	
STANLEY HOELLE	• CONTRACTOR- KENCO SIGNS
AR 0009033	• 2007 FBC WITH 2009 SUPPLEMENT
3550 RODEO ACRES DR.	• 130 MPH WIND SPEED (ASCE 7-05)
ORMOND BEACH, FL 32174	• CF = 1.2
386-672-2261	

UNDERWRITERS LABORATORIES LISTED

KENCO CERTIFICATION NO. E121303

Signs are intended to be installed in accordance with the installation instructions provided with the sign sections and the NEC. Authorities having jurisdiction are responsible for the ultimate decision to approve an installation.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

www.kenco2000inc.com

DATE: 02/17/10

DESIGNER: RICK Z

CHECKED BY:

REVISIONS / DATE

1)
2)
3)

SHEET 1 OF 1

STOR-IT SELF STORAGE

ORMOND BEACH FL

5358 NOTED

RAYMOND WEBB

COREL9

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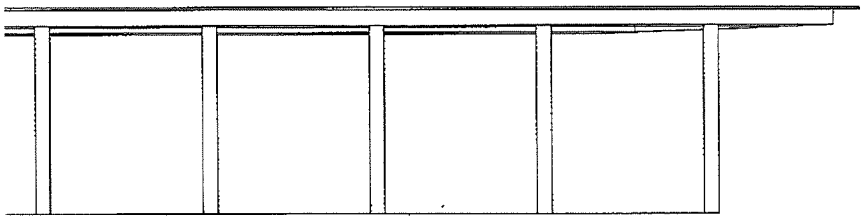
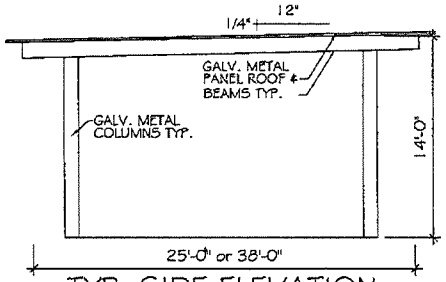
KENCO 2000, INC.
SIGN & AWNING
1539 GARDEN AVENUE
HOLLY HILL, FLORIDA 32117
PHONE (386) 672-1590
1 800 528-3291 FAX (386) 671-2910

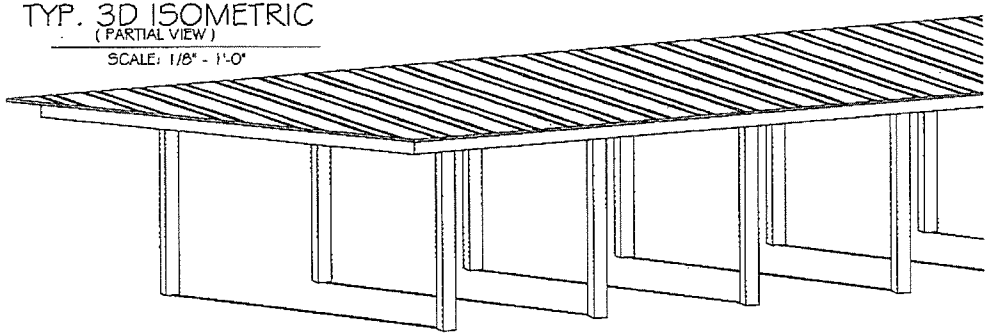


TYP. FRONT ELEVATION
(PARTIAL VIEW)
SCALE: 1/8" - 1'-0"

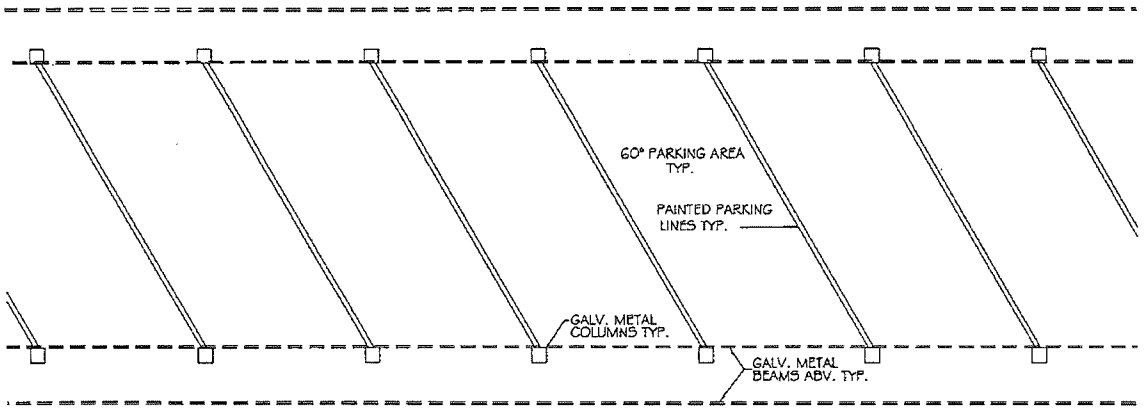


TYP. SIDE ELEVATION
SCALE: 1/8" - 1'-0"

TYP. 3D ISOMETRIC
(PARTIAL VIEW)
SCALE: 1/8" - 1'-0"



GARDEN PLAZA STOR-IT
ORMOND BEACH, FL.



OPEN BOAT & R.V. BUILDING
7.2°, 26 GAUGE SCREW DOWN METAL ROOF
GALVANIZED METAL COLUMNS & BEAMS
PRE-PAINTED METAL HEAD & EAVE TRIM

TYP. PLAN VIEW
(PARTIAL VIEW)
SCALE: 1/8" - 1'-0"

GARDEN PLAZA STOR-IT

CITY OF ORMOND BEACH - VOLUSIA COUNTY, FLORIDA
99 PORTLAND STREET

SITE PLAN

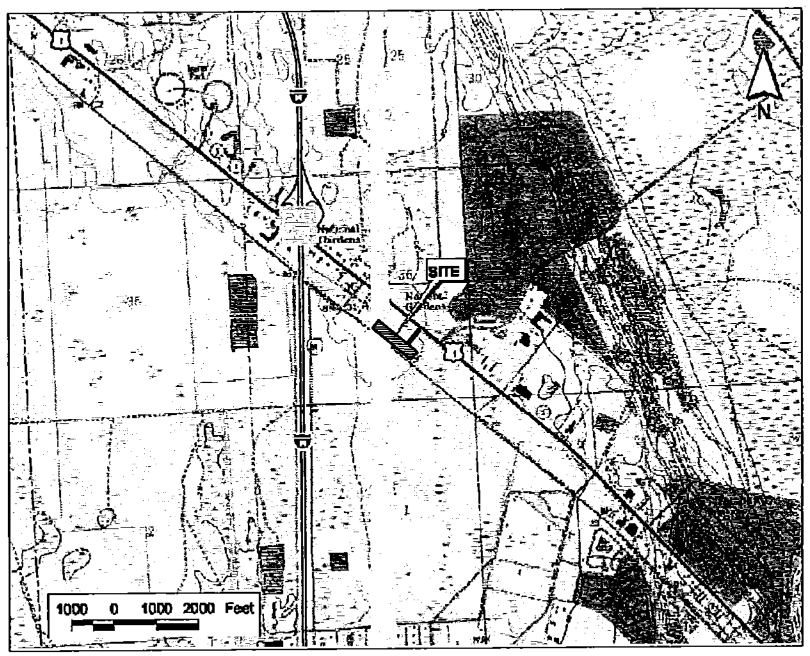
OWNER: VANACORE CONSTRUCTION
1293 N. U.S. HWY 1, SUITE 3
ORMOND BEACH, FL 32174
(386) 672-8285
(386) 677-8074 (FAX)
CONTACT: SCOTT VANACORE

SURVEYOR: J.J. MATEJKA & ASSOCIATES, INC.
408 HARVEY AVENUE
DAYTONA BEACH, FL 32118
(386) 252-7371
(386) 252-7371 (FAX)
CONTACT: JOHN MATEJKA, P.S.M.

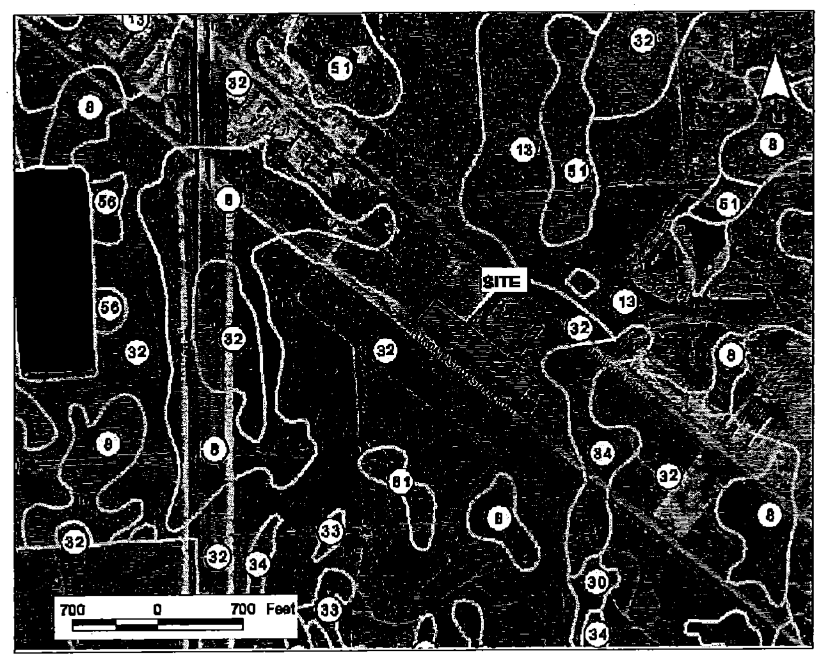
ENGINEER: ZEV COHEN & ASSOC., INC.
300 INTERCHANGE BLVD.
ORMOND BEACH, FL 32174
(386) 677-2482
(386) 677-2505 (FAX)
CONTACT: RANDY HUDAK, P.E.

LANDSCAPE ARCHITECT: ZEV COHEN & ASSOC., INC.
300 INTERCHANGE BLVD.
ORMOND BEACH, FL 32174
(386) 677-2482
(386) 677-2505 (FAX)
CONTACT: PAUL MOMBERGER, R.L.A.

ENVIRONMENTAL ENGINEER: NATURAL RESOURCE CONSULTANTS, LLC
88 RIBERIA STREET, SUITE 400
ST. AUGUSTINE, FL 32084
(904) 429-0278
(904) 824-0726 (FAX)
CONTACT: RYAN CARTER



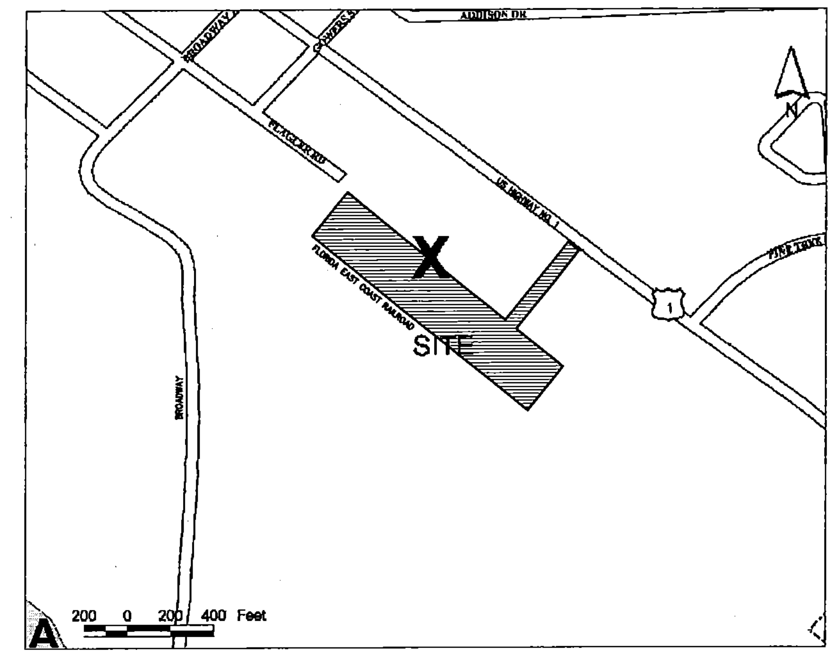
VICINITY MAP
SCALE: 1" = 1000'



SOILS MAP
SCALE: 1" = 700'

32 MYAKKA FINE SAND

ENTIRE SITE LIES WITHIN SOIL TYPE 32-MYAKKA FINE SAND PER VOLUSIA COUNTY SOILS MAP.



FLOOD MAP
SCALE: 1" = 200'

ZONE X AREA OUTSIDE 500 YEAR FLOODPLAIN

PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 12127C0200H, & 12127C0203H SITE LIES IN ZONE "X", AREA OUTSIDE 500 YEAR FLOODPLAIN.(LAST REVISED ON FEBRUARY 19,2003)

LEGAL DESCRIPTION:

A TRIANGULAR PARCEL OF LAND IN SECTION 36, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF LOT 21, BLOCK 58, REVISED PLAT OF NATIONAL GARDENS, OF RECORD IN MAP BOOK 10, PAGES 250 THROUGH 253, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1, A 160 FOOT RIGHT OF WAY AS NOW LAID OUT AND USED (9-6-10); THENCE S 49°51'31" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 83.86 FEET TO THE POINT OF BEGINNING OF THIS PARCEL; THENCE CONTINUE S 49°51'31" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 16.00 FEET, TO THE MOST NORTHERLY CORNER OF THAT PROPERTY DESCRIBED IN THAT RIGHT OF WAY DEED IN OFFICIAL RECORDS BOOK 6406, PAGES 2133 TO 2135 INCLUSIVE; THENCE S 40°09'37" W, ALONG THE NORTHWESTERLY LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 6406, PAGES 2133 TO 2135 INCLUSIVE, 16.00 FEET TO A POINT THEREIN; THENCE N 04°50'58" W, 22.62 FEET TO THE POINT OF BEGINNING. CONTAINING 128 SQUARE FEET (0.0029 ACRES) MORE OR LESS.

TOGETHER WITH

A PARCEL OF LAND IN SECTION 36, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF LOT 21, BLOCK 58, REVISED PLAT OF NATIONAL GARDENS, OF RECORD IN MAP BOOK 10, PAGES 250 THROUGH 253, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 1, A 160 FOOT RIGHT OF WAY AS NOW LAID OUT AND USED (9-6-10); THENCE S 49°51'31" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 99.86 FEET TO A POINT THEREIN, SAID POINT BEING ALSO THE MOST NORTHERLY CORNER OF THAT PROPERTY DESCRIBED IN THAT RIGHT OF WAY DEED IN OFFICIAL RECORDS BOOK 6406, PAGES 2133 TO 2135 INCLUSIVE; THENCE S 40°09'37" W, ALONG THE NORTHWESTERLY LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 6406, PAGES 2133 TO 2135 INCLUSIVE, 145.42 FEET TO THE MOST EASTERLY CORNER OF LOT 46 OF SAID BLOCK 58; THENCE N 49°54'04" W ALONG THE NORTHEASTERLY LINE OF LOTS 46 AND 47 OF SAID BLOCK 58, 99.84 FEET; THENCE N 40°09'11" E ACROSS THAT PLATTED 15 FOOT ALLEY WITHIN SAID BLOCK 58 AND ALONG THE SOUTHEASTERLY LINE OF SAID LOT 21, 145.49 FEET TO THE POINT OF BEGINNING. CONTAINING 14,524 SQUARE FEET (0.334 ACRES) MORE OR LESS.

TOGETHER WITH

A PARCEL OF LAND IN SECTION 36, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN (POINT OF BEGINNING) AT THE MOST EASTERLY CORNER OF LOT 14, BLOCK 72, REVISED PLAT OF NATIONAL GARDENS, OF RECORD IN MAP BOOK 10, PAGES 250 THROUGH 253, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S 49°54'04" E ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF FLAGLER ROAD, A PLATTED 60 FOOT RIGHT OF WAY PER SAID REVISED PLAT OF NATIONAL GARDENS AND ALONG THE SOUTHEASTERLY EXTENSION THEREOF, 149.74 FEET, SAID POINT BEING ALSO THE MOST SOUTHERLY CORNER OF THAT PROPERTY DESCRIBED IN THAT RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 6406, PAGES 2133 THROUGH 2135 INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S 40°10'00" W, 200.00 FEET TO A POINT IN THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOTS 14 TO 25 OF SAID BLOCK 72; THENCE N 49°54'04" W ALONG SAID LINE, 149.69 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 14; THENCE N 40°09'11" E ALONG THE SOUTHEASTERLY LINE OF SAID LOT 14, 200.00 FEET TO THE POINT OF BEGINNING. CONTAINING 29,942 SQUARE FEET (0.6874 ACRES) MORE OR LESS.

TOGETHER WITH

A PARCEL OF LAND IN SECTION 36, TOWNSHIP 13 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE (POINT OF COMMENCEMENT) AT THE MOST EASTERLY CORNER OF LOT 14, BLOCK 72, REVISED PLAT OF NATIONAL GARDENS, OF RECORD IN MAP BOOK 10, PAGES 250 THROUGH 253, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S 49°54'04" E ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF FLAGLER ROAD, A PLATTED 60 FOOT RIGHT OF WAY PER SAID REVISED PLAT OF NATIONAL GARDENS AND ALONG THE SOUTHEASTERLY EXTENSION THEREOF, 149.74 FEET, SAID POINT BEING ALSO THE MOST SOUTHERLY CORNER OF THAT PROPERTY DESCRIBED IN THAT RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 6406, PAGES 2133 THROUGH 2135 INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING OF THIS PARCEL; THENCE S 49°54'04" E ALONG THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF FLAGLER ROAD, AFORESAID, 199.65 FEET; THENCE S 40°11'05" W, 200.00 FEET TO A POINT IN THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOTS 14 TO 25 OF SAID BLOCK 72; THENCE N 49°54'04" W ALONG SAID LINE, 199.58 FEET, SAID POINT BEING S 49°54'04" E AND 149.69 FEET DISTANT FROM THE MOST SOUTHERLY CORNER OF SAID LOT 14; THENCE N 40°10'00" E, 200.00 FEET TO THE POINT OF BEGINNING. CONTAINING 39,923 SQUARE FEET (0.9165 ACRES) MORE OR LESS.

GENERAL NOTES:

1. ALL DISTURBED AREAS SHALL BE SODDED OR SEEDED AND MULCHED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND VERIFYING ALL ELEVATIONS OF EXISTING UTILITIES SHOWN OR NOT SHOWN PRIOR TO CONSTRUCTION AND FOR NOTIFYING THE VARIOUS UTILITY COMPANIES TO MAKE THE NECESSARY ARRANGEMENTS FOR ANY RELOCATION, DISRUPTION OF SERVICE OR CLARIFICATION OF ACTIVITY REGARDING SAID UTILITY. THE CONTRACTOR SHALL EXCERCISE EXTREME CAUTION WHEN CROSSING AN UNDERGROUND UTILITY, WHETHER SHOWN ON THESE PLANS OR FIELD LOCATED. UTILITIES WHICH INTERFERE WITH THE PROPOSED CONSTRUCTION SHALL BE RELOCATED BY THE RESPECTIVE UTILITY DURING RELOCATION OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGES TO EXISTING UTILIES.
3. ALL DRAINAGE STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MOST RECENT EDITION OF THE FLORIDA DEPARTMENT OF TRANSPORTATION ROADWAY AND TRAFFIC DESIGN STANDARDS.
4. THE LENGTH OF ALL DRAINAGE PIPES AND LOCATION OF ALL DRAINAGE STRUCTURES ARE APPROXIMATE. THE LOCATION OF THE DRAINAGE STRUCTURES SHALL DETERMINE THE LENGTH OF PIPE.
5. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE AN "AS-BUILT" SURVEY OF THE COMPLETED CONSTRUCTION. THE "AS-BUILT" SURVEY SHALL BE PREPARED IN ACCORDANCE WITH APPROPRIATE GOVERNMENTAL REGULATIONS AND SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED PROFESSIONAL LAND SURVEYOR.
6. THE CONTRACTOR SHALL MAINTAIN, AT THE JOB SITE, A RECORD COPY OF ALL CONSTRUCTION DRAWINGS AND SPECIFICATIONS ON WHICH ALL FIELD CHANGES ARE TO BE SHOWN. THESE CHANGES ARE TO BE INCORPORATED IN THE "AS-BUILT" SURVEY FURNISHED TO THE ENGINEER.
7. CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL REQUIRED PERMITS. THE CONTRACTOR SHALL MAINTAIN COPIES OF ALL RELEVANT PERMITS AVAILABLE ON THE JOB SITE AT ALL TIMES.
8. PRIOR TO COMMENCEMENT OF CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE ELECTRIC, TELEPHONE, GAS AND CABLE TELEVISION COMPANIES TO DETERMINE THE TYPE AND LOCATION OF ALL UNDERGROUND FACILITIES IN THE AREA OF CONSTRUCTION.
9. ELECTRIC AND TELEPHONE SERVICES TO BE UNDERGROUND PER CITY OF ORMOND BEACH LAND DEVELOPMENT CODE.
10. OPERATION AND MAINTENANCE OF THE STORMWATER SYSTEM WILL BE PROVIDED BY THE OWNER OF PROPERTY.
11. MAINTENANCE IS TO INCLUDE:
    A. BI-WEEKLY MOWING OF SIDESLOPES FOR VEGETATION CONTROL.
    B. QUARTERLY INSPECTION AND/OR CLEANING OF CATCH BASINS TO KEEP FREE OF SAND AND DEBRIS.
12. ALL DISTURBED AREAS SHALL HAVE GRASS/ VEGETATION ESTABLISHED PRIOR TO THE INSPECTION FOR THE CERTIFICATE OF OCCUPANCY.
13. CONTACT THE TECHNICAL SERVICES BUREAU TO DETERMINE THE INSPECTIONS NEEDED FOR THIS FACILITY.
14. ALL REQUIRED FIRE LINES AND FIRE HYDRANTS SHALL BE INSTALLED AND OPERATIONAL PRIOR TO THE START OF CONSTRUCTION.
15. DURING CONSTRUCTION, AN ALL-WEATHER ACCESSIBLE ROADWAY SHALL BE MAINTAINED AT ALL TIMES FOR FIRE APPARATUS.
16. NOTIFY COUNTY OF VOLUSIA 48 HOURS PRIOR TO THE START OF CONSTRUCTION. PLEASE SEND COPIES OF ALL TESTING REPORTS EXCEPT STRUCTURAL TO THE ENGINEERING DIVISION.
17. WATER AND SEWER SERVICE TO BE PROVIDED BY THE CITY OF ORMOND BEACH.
18. THERE ARE NO KNOWN WILDLIFE CORRIDORS FOR FEDERAL AND STATE ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN ON SITE.
19. THERE ARE NO KNOWN PLANTS AND ANIMALS WHICH INHABIT THE SITE THAT ARE LISTED AS FEDERAL AND STATE ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN.
20. THERE ARE NO KNOWN HISTORIC OR ARCHAELOGICAL SITES.
21. THE DEVELOPMENT IS FOR STORAGE ONLY. NO OCCUPANCY PERMITTED.
22. NO VEHICLE SALES, REPAIR OR SERVICE IS PERMITTED WITHIN THE DEVELOPMENT.
23. THE STORAGE FACILITY WILL BE OPEN 24 HOURS PER DAY, SEVEN DAYS A WEEK.
24. THE PBD WILL INCORPORATE THE USE AND DIMENSIONAL STANDARDS OF THE B-7 ZONING DISTRICT.
25. THE ADDITIONAL USE OF VEHICLE STORAGE IS A PERMITTED USE OF THE PBD.

STATEMENT OF INTENT

IT IS THE INTENT OF THE PROPERTY OWNER TO DEVELOP THE PROJECT SITE AS A VEHICULAR STORAGE FACILITY CATERING MAINLY TO RV STORAGE.

SITE DATA:

TOTAL SITE AREA	=5.134 AC.
TOTAL IMPERVIOUS AREA	=3.872 AC. (75%)
TOTAL PERVIOUS AREA	=1.262 AC. (25%)
EXISTING ZONING	= B-7
PROPOSED ZONING	= PBD
EXISTING LAND USE	= TC
PROPOSED LAND USE	= COMMERCIAL

TAX PARCEL ID#: 36133101720140
36133101570010
36133101580240

OUTSIDE AGENCY PERMIT CHECK LIST

1 [ ] SJRWMD ENVIRONMENTAL RESOURCE PERMIT (ERP)
2 [N/A] DEP WASTEWATER CONSTRUCTION/CONNECTION PERMIT
3 [ ] DEH WATER CONSTRUCTION/CONNECTION PERMIT
4 [ ] FDOT UTILITY PERMIT
5 [ ] FDOT DRIVEWAY CONNECTION PERMIT
6 [N/A] COUNTY USE PERMIT
7 [ ] FDOT DRAINAGE CONNECTION PERMIT
8 [ ] DEP NPDES NOI
9 [ ] OTHER (PLEASE SPECIFY)

SHEET INDEX:

C1 COVER SHEET
C2 CONSTRUCTION NOTES
C3 DEMOLITION AND EROSION CONTROL PLAN
C4 SITE LAYOUT & UTILITY PLAN
C5 PAVING, GRADING & DRAINAGE PLAN
C6 OFF-SITE IMPROVEMENT PLAN
C7 CONSTRUCTION DETAILS
C8 CONSTRUCTION DETAILS
C9 CONSTRUCTION DETAILS
C10 CONSTRUCTION DETAILS
C11 CONSTRUCTION DETAILS
C12 CONSTRUCTION DETAILS

TP1 TREE PROTECTION PLAN & DETAILS
LA1 LANDSCAPE PLAN & DETAILS
LA2 LANDSCAPE PLAN & DETAILS

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1	8-18-11	REVISED PER CITY COMMENTS DATED 12/21/10	EGS/RMH
2	10-13-11	REVISED PER SJ COMMENTS DATED 1-3-11	EGS/RMH
3	11-1-11	REVISED PER CITY COMMENTS DATED 12-21-10	EGS/RMH
4	11-17-11	REVISED PER CITY COMMENTS DATED 11-18-11	EGS/RMH

GARDEN PLAZA STOR-IT
SITE PLAN
COVER SHEET
CITY OF ORMOND BEACH
COUNTY OF VOLUSIA

ZEV COHEN & ASSOCIATES, INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS (EB 4516) (LC 62)
PLANNERS • TRANSPORTATION • ENVIRONMENTAL
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PROJECT NO: 08171	DRAFTED BY: CM
ISSUE DATE: 09-13-10	CHECKED BY: RH
DESIGNED BY: RH	DRAWING FILE: 08171C0V XREFS: 08171TB

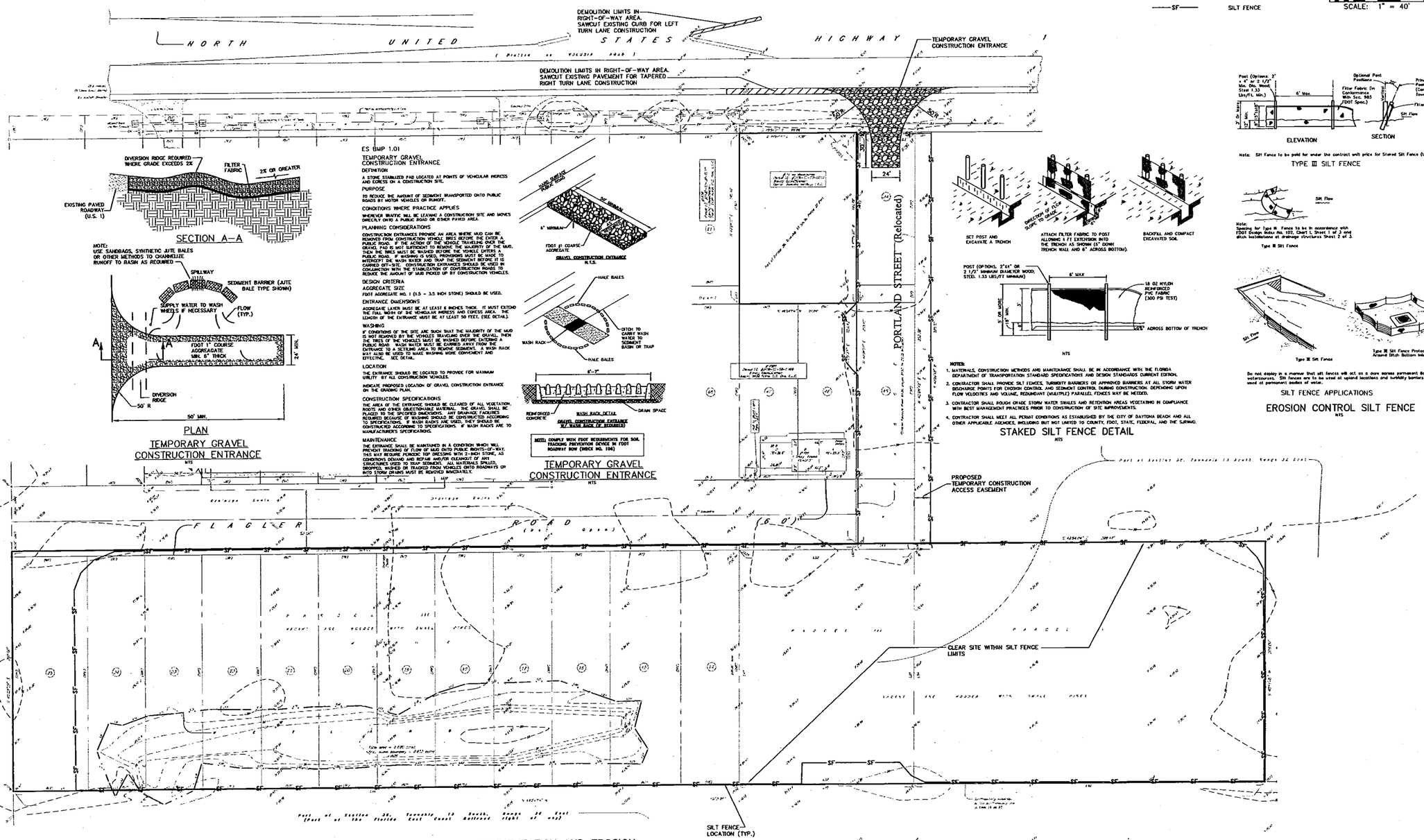
FILE LOCATION -

SEAL

NOT VALID WITHOUT EMBOSSED SEAL

SCALE: AS NOTED

SHEET C1 OF 12



LEGEND:

- EXISTING SPOT GRADE
- EXISTING CONTOUR
- EXISTING WETLAND
- —SF— SILT FENCE

SCALE: 1" = 40'

PLAN

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

NTS

ES BMP 1.01

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

DEFINITION

A STONE STABILIZED PAD LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON A CONSTRUCTION SITE.

PURPOSE

TO REDUCE THE AMOUNT OF SEDIMENT TRANSPORTED ONTO PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF.

CONDITIONS WHERE PRACTICE APPLIES

WHENEVER TRAFFIC WILL BE LEAVING A CONSTRUCTION SITE AND MOVES DIRECTLY ONTO A PUBLIC ROAD OR OTHER PAVED AREA.

PLANNING CONSIDERATIONS

CONSTRUCTION ENTRANCES PROVIDE AN AREA WHERE MUD CAN BE REMOVED FROM CONSTRUCTION VEHICLE TIRES BEFORE THE ENTER A PUBLIC ROAD. IF THE ACTION OF THE VEHICLE TRAVELING OVER THE GRAVEL PAD IS NOT SUFFICIENT TO REMOVE THE MAJORITY OF MUD, THE TIRES MUST BE WASHED TO REMOVE THE MUD BEFORE THE VEHICLE ENTERS A PUBLIC ROAD. IF WASHING IS USED, PROVISIONS MUST BE MADE TO INTERCEPT THE WASH WATER AND TRAP THE SEDIMENT BEFORE IT IS CARRIED OFF-SITE. CONSTRUCTION ENTRANCES SHOULD BE USED IN CONJUNCTION WITH THE STABILIZATION OF CONSTRUCTION ROADS TO REDUCE THE AMOUNT OF MUD PICKED UP BY CONSTRUCTION VEHICLES.

DESIGN CRITERIA

AGGREGATE SIZE

FDOT AGGREGATE NO. 1 (1.5 - 3.5 INCH STONE) SHOULD BE USED.

ENTRANCE DIMENSIONS

AGGREGATE LAYER MUST BE AT LEAST 6 INCHES THICK. IT MUST EXTEND THE FULL WIDTH OF THE VEHICULAR INGRESS AND EGRESS AREA. THE LENGTH OF THE ENTRANCE MUST BE AT LEAST 50 FEET. (SEE DETAIL).

WASHING

IF CONDITIONS OF THE SITE ARE SUCH THAT THE MAJORITY OF THE MUD IS NOT REMOVED BY THE VEHICLES TRAVELING OVER THE GRAVEL, THEN THE TIRES OF THE VEHICLES MUST BE WASHED BEFORE ENTERING A PUBLIC ROAD. WASH WATER MUST BE CARRIED WAY FROM THE ENTRANCE TO A SETTLING AREA TO REMOVE SEDIMENT. A WASH RACK MAY ALSO BE USED TO MAKE WASHING MORE CONVENIENT AND EFFECTIVE. SEE DETAIL.

LOCATION

THE ENTRANCE SHOULD BE LOCATED TO PROVIDE FOR MAXIMUM UTILITY BY ALL CONSTRUCTION VEHICLES.

INDICATE PROPOSED LOCATION OF GRAVEL CONSTRUCTION ENTRANCE ON THE GRADING PLAN.

CONSTRUCTION SPECIFICATIONS

THE AREA OF THE ENTRANCE SHOULD BE CLEARED OF ALL VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL. THE GRAVEL SHALL BE PLACED TO THE SPECIFIED DIMENSIONS. ANY DRAINAGE FACILITIES REQUIRED BECAUSE OF WASHING SHOULD BE CONSTRUCTED ACCORDING TO SPECIFICATIONS. IF WASH RACKS ARE USED, THEY SHOULD BE CONSTRUCTED ACCORDING TO SPECIFICATIONS. IF WASH RACKS ARE TO MANUFACTURER'S SPECIFICATIONS.

MAINTENANCE

THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OF FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH 2-INCH STONE, AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY STRUCTURES USED TO TRAP SEDIMENT. ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY.

GRAVEL CONSTRUCTION ENTRANCE

N.T.S.

WASH RACK DETAIL

GRAVEL CONSTRUCTION ENTRANCE W/ WASH RACK (IF REQUIRED)

NOTE: COMPLY WITH FDOT REQUIREMENTS FOR SOIL TRACKING PREVENTION DEVICE IN FDOT ROADWAY ROW (INDEX NO. 106)

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

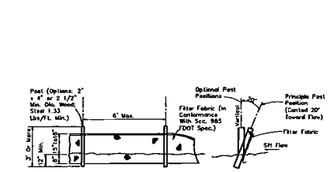
NTS

NOTES:

1. MATERIALS, CONSTRUCTION METHODS AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS AND DESIGN STANDARDS CURRENT EDITION.
2. CONTRACTOR SHALL PROVIDE SILT FENCES, TURBIDITY BARRIERS OR APPROVED BARRIERS AT ALL STORM WATER DISCHARGE POINTS FOR EROSION CONTROL AND SEDIMENT CONTROL DURING CONSTRUCTION. DEPENDING UPON FLOW VELOCITIES AND VOLUME, REDUNDANT (MULTIPLE) PARALLEL FENCES MAY BE NEEDED.
3. CONTRACTOR SHALL ROUGH GRADE STORM WATER SWALES AND RETENTION AREAS VEGETATING IN COMPLIANCE WITH BEST MANAGEMENT PRACTICES PRIOR TO CONSTRUCTION OF SITE IMPROVEMENTS.
4. CONTRACTOR SHALL MEET ALL PERMIT CONDITIONS AS ESTABLISHED BY THE CITY OF DAYTONA BEACH AND ALL OTHER APPLICABLE AGENCIES, INCLUDING BUT NOT LIMITED TO COUNTY, FDOT, STATE, FEDERAL, AND THE SJRWMD.

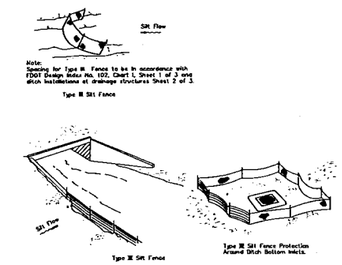
STAKED SILT FENCE DETAIL

NTS



Note: Silt Fence to be paid for under the contract unit price for Staked Silt Fence (LF).

TYPE III SILT FENCE



Note:
Spacing for Type III Fence to be in accordance with FDOT Design Index No. 102, Sheet 1, Sheet 1 of 3 and ditch installations at drainage structures Sheet 2 of 3.

Type III Silt Fence

Do not display in a manner that silt fences will act as a dam across permanent flowing watercourses. Silt fences are to be used at upland locations and turbidity barriers used at permanent bodies of water.

SILT FENCE APPLICATIONS

EROSION CONTROL SILT FENCE

NTS

SEDIMENTATION AND EROSION CONTROL GENERAL NOTES

SEDIMENTATION AND EROSION WILL BE RETAINED ON SITE WITH THE FOLLOWING SEDIMENTATION CONTROL PLAN AND CONSTRUCTION SEQUENCING:

1. PLACE SEDIMENT FENCE ALONG SITE BOUNDARY.
2. EXCAVATE STORMWATER MANAGEMENT POND TO SERVE AS TEMPORARY COLLECTOR FOR CONSTRUCTION EROSION.
3. PLACE POND DRAINAGE INLET STRUCTURE AND CONNECT OUTFALL PIPE TO STORM SYSTEM FOR SITE OUTFALL DURING CONSTRUCTION.
4. PLACE PINE STRAW BALES AROUND POND OUTFALL STRUCTURE TO RETAIN SEDIMENT IN POND DURING CONSTRUCTION PERIOD.
5. ESTABLISH DRAINAGE SWALES IN CONFORMANCE WITH FINAL PLAN.
6. CONSTRUCT INFRASTRUCTURE. PERIODICALLY CLEAN SEDIMENT FROM POND AREA.
7. PERFORM FINAL GRADING AND SODDING/GRASSING.
8. CLEAN SEDIMENT FROM POND, PLACE ALL SOD AND OTHER LANDSCAPE MATERIALS WITHIN POND AREA.

NOTE:

1. CONTRACTOR TO FIELD VERIFY UNDERGROUND UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION AND NOTIFY OWNER/ ENGINEER OF ANY CONFLICTS.
2. ELEVATIONS ARE ON NATIONAL GEODETIC VERTICAL DATUM (1929) BASED ON NATIONAL GEODETIC SURVEY MONUMENT "X 226" HAVING A PUBLISHED ELEVATION OF 30.58 FEET.

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1	4-26-10	REVISED PER CITY COMMENTS DATED 3-12-10	CDS/Rsm
2	10-5-11	REVISED PER S.J. COMMENTS DATED 1-24-11	CDS/Rsm
3	11-1-11	REVISED PER CITY COMMENTS DATED 12-2-11	CDS/Rsm
4	11-11-11	REVISED PER CITY COMMENTS DATED 11-11-11	CDS/Rsm
5	3-1-12	REVISED PER CITY COMMENTS DATED 2-27-12	CDS/Rsm

REVISIONS:

GARDEN PLAZA STOR-IT

SITE PLAN

DEMOLITION AND EROSION CONTROL PLAN

COUNTY OF VOLUSIA

ZEV COHEN & ASSOCIATES, INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
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ISSUE DATE: 08-13-10 | CHECKED BY: RH
DESIGNED BY: RH | DRAWING FILE: 08171SP XREFS: 08171Bse 08171Tb

FILE LOCATION

SEAL

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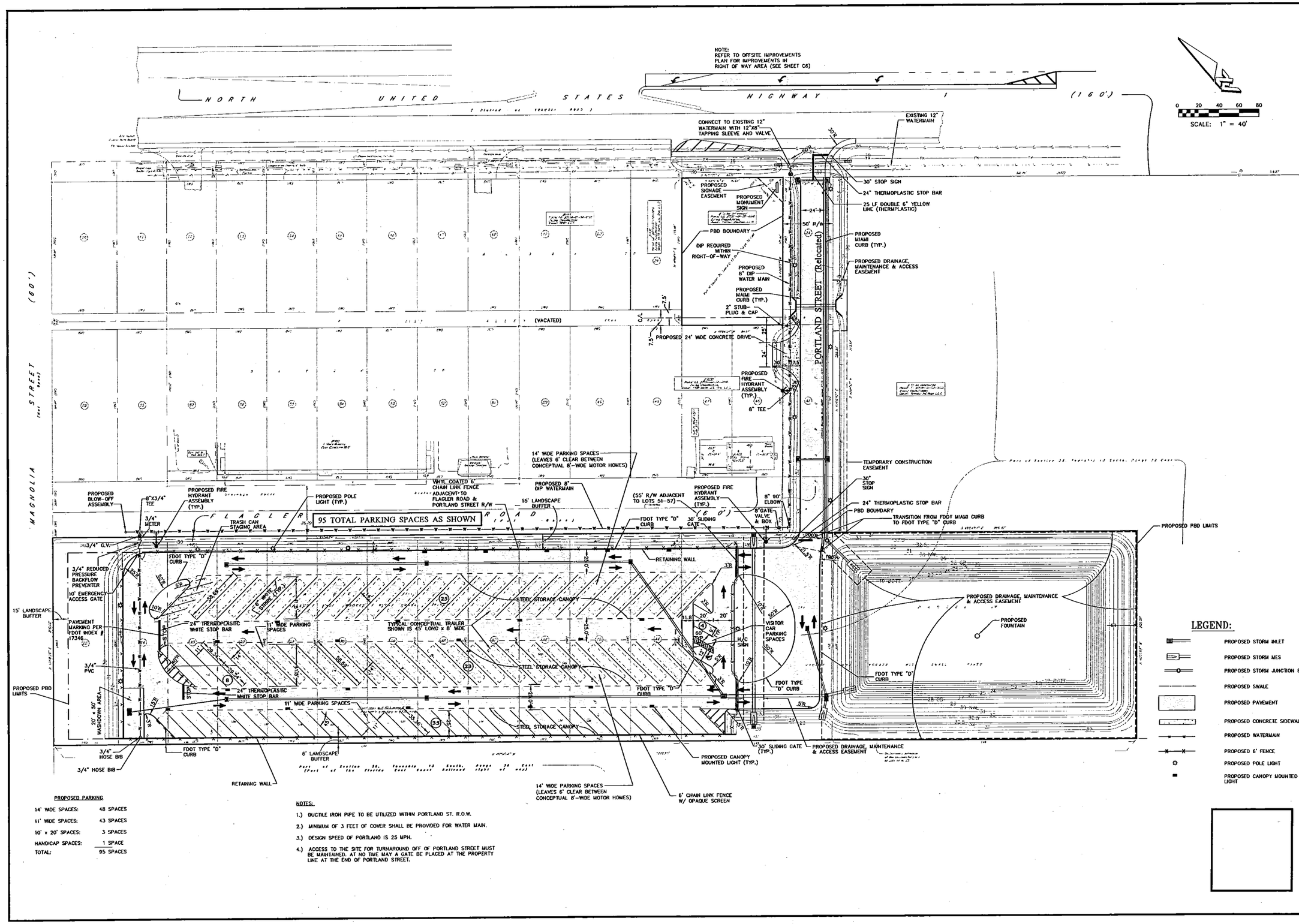
SCALE: 1"=40'

SHEET C3 OF 12



PROPOSED PARKING

14' WIDE SPACES:	48 SPACES
11' WIDE SPACES:	43 SPACES
10' x 20' SPACES:	3 SPACES
HANDICAP SPACES:	1 SPACE
TOTAL:	95 SPACES

NOTES:

1.) DUCTILE IRON PIPE TO BE UTILIZED WITHIN PORTLAND ST. R.O.W.

2.) MINIMUM OF 3 FEET OF COVER SHALL BE PROVIDED FOR WATER MAIN.

3.) DESIGN SPEED OF PORTLAND IS 25 MPH.

4.) ACCESS TO THE SITE FOR TURNAROUND OFF OF PORTLAND STREET MUST BE MAINTAINED. AT NO TIME MAY A GATE BE PLACED AT THE PROPERTY LINE AT THE END OF PORTLAND STREET.

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NO.	DATE	DESCRIPTION	BY
1	1-4-11	REVISED PER CITY COMMENTS DATED 12-27-10	EGS/RWH
2	10-4-2-11	REVISED PER S.J. COMMENTS DATED 1-3-11	EGS/RWH
3	11-1-11	REVISED PER CITY COMMENTS DATED 12-21-10	EGS/RWH
4	11-21-11	REVISED PER CITY COMMENTS DATED 11-15-11	EGS/RWH

REVISIONS:

GARDEN PLAZA STOR-IT

SITE PLAN

SITE LAYOUT & UTILITY PLAN

CITY OF ORMOND BEACH — COUNTY OF VOLUSIA

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ISSUE DATE: 09-13-10 — CHECKED BY: RH
DESIGNED BY: RH — DRAWING FILE: 08171BP.DWG; 08171AP.DWG; 08171TB.DWG

FILE LOCATION

SEAL

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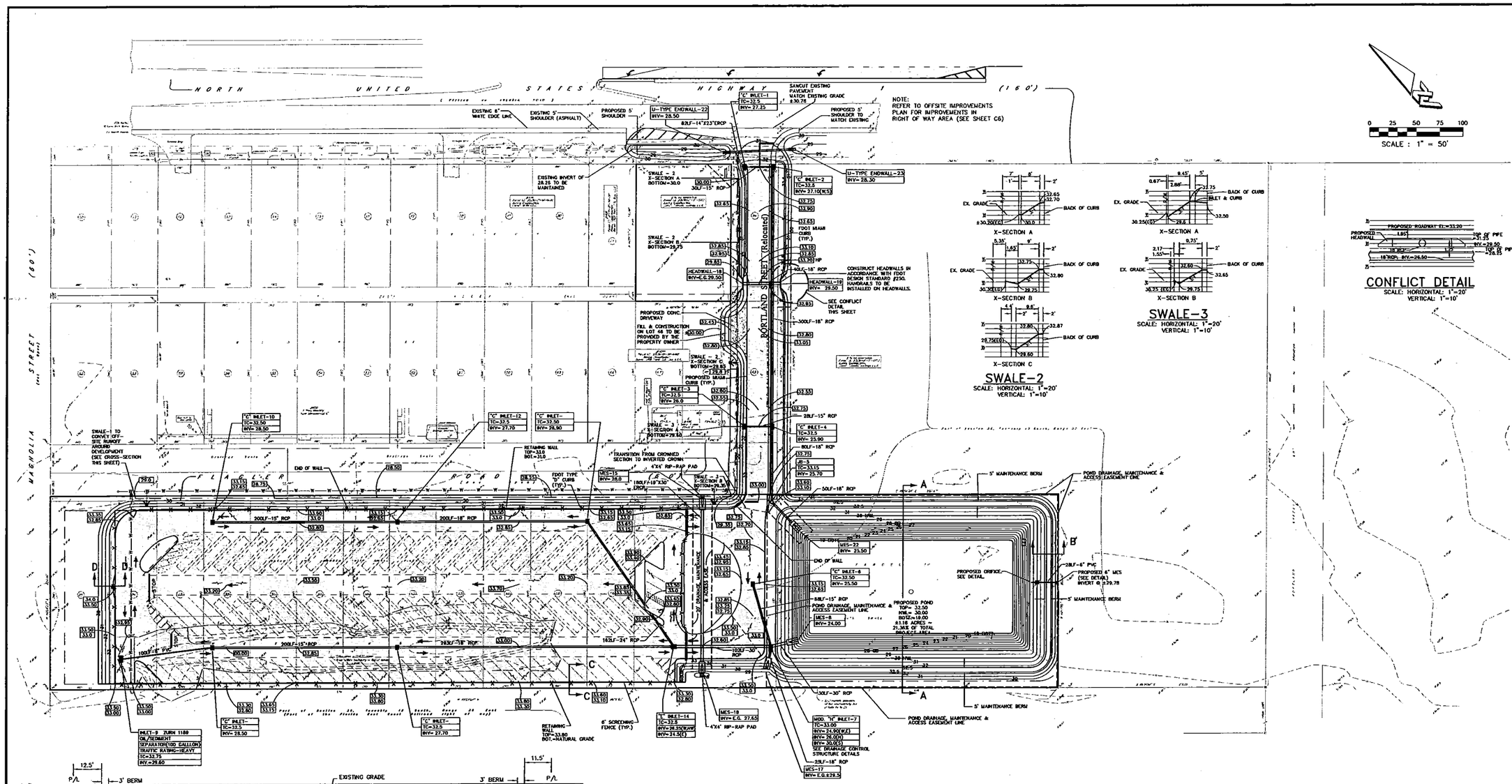
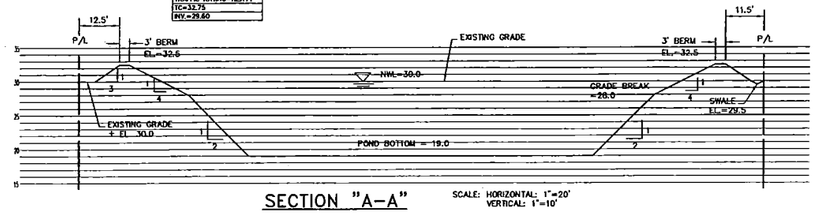
SCALE: 1"=40'

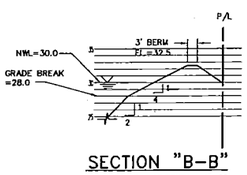
SHEET C4 OF 12





SECTION "A-A"

SCALE: HORIZONTAL: 1"=20'
VERTICAL: 1"=10'



SECTION "B-B"

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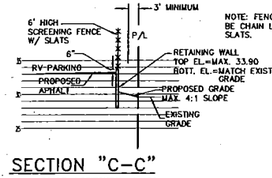
VERTICAL: 1"=10'



SECTION "C-C"

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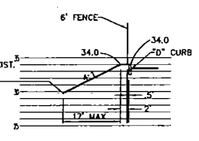
VERTICAL: 1"=10'



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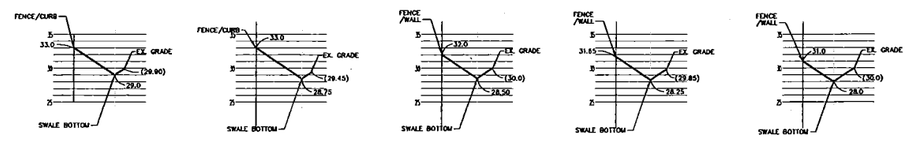

SWALE -1 SECTIONS

TOTAL LENGTH 600 FT.

LEGEND:

- EXISTING SPOT GRADE
- EXISTING CONTOUR
- EXISTING WETLAND
- PROPOSED STORM INLET
- PROPOSED STORM MES
- PROPOSED STORM JUNCTION BOX
- PROPOSED CONTOUR
- PROPOSED SWALE
- DIRECTION OF OVERLAND FLOW
- 33.10 / 32.60 PROPOSED GRADE
- PROPOSED PAVEMENT
- PROPOSED CONCRETE SIDEWALK

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ISSUE DATE: 06-13-10	CHECKED BY: JJ
DESIGNED BY: RH	DRAWING FILE: WTPRO 2009 B - WETLAND - BETTER

FILE LOCATION -

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SCALE: 1"=50'

SHEET C5 OF 12

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2	11-15-11	REVISED PER CITY COMMENTS DATED 10-21-11	CCG/RMH
3	11-17-11	REVISED PER CITY COMMENTS DATED 10-21-10	CCG/RMH
4	11-18-11	REVISED PER CITY COMMENTS DATED 11-16-11	CCG/RMH

REVISIONS:

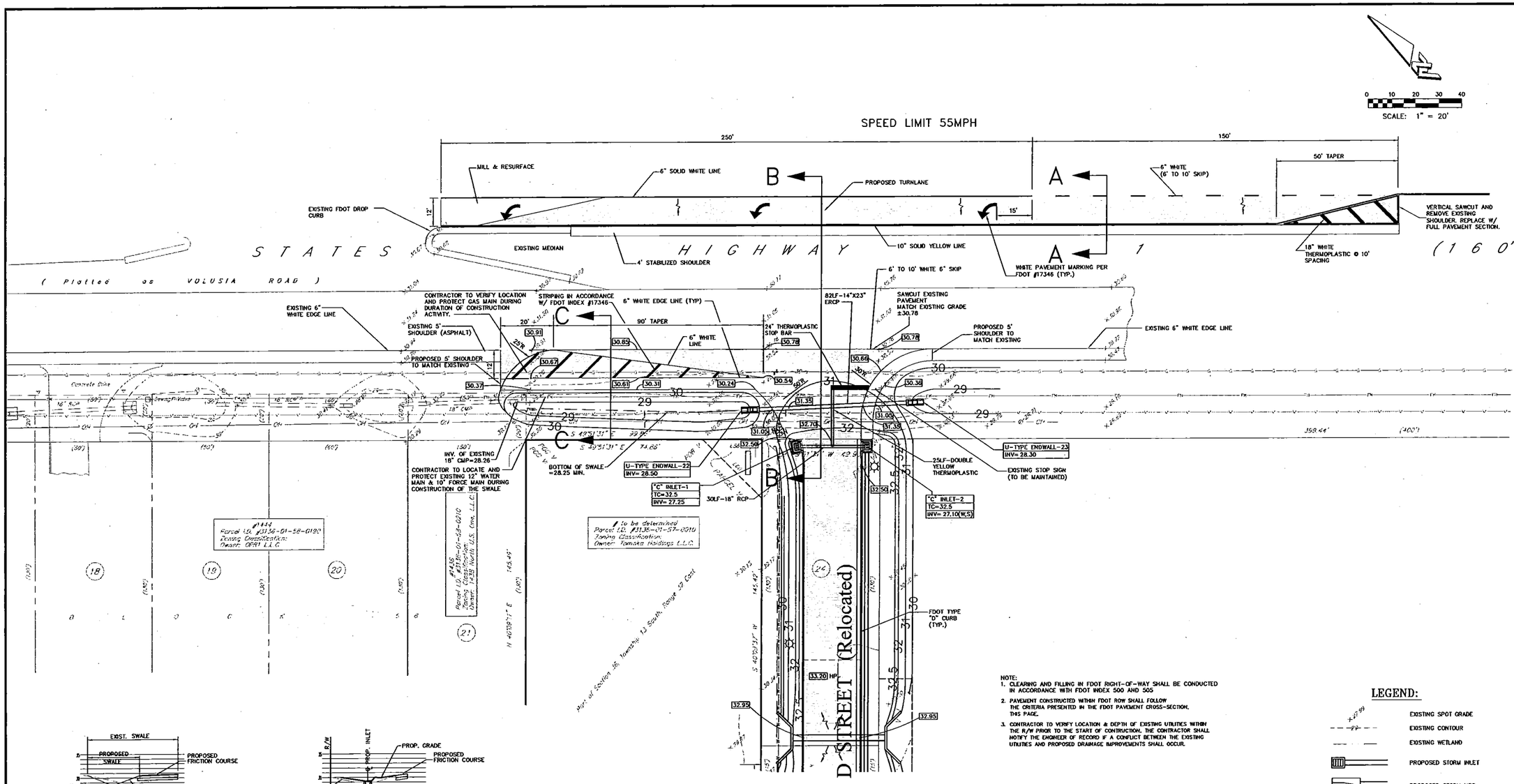
GARDEN PLAZA STOR-IT

SITE PLAN

PAVING, GRADING & DRAINAGE PLAN

COUNTY OF VOLUSIA

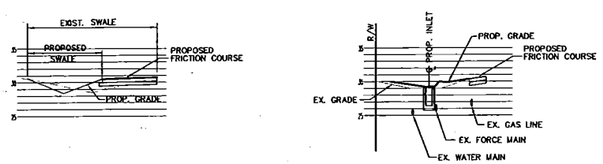
CITY OF ORMOND BEACH



NOTE:
1. CLEARING AND FILLING IN FDOT RIGHT-OF-WAY SHALL BE CONDUCTED IN ACCORDANCE WITH FDOT INDEX 500 AND 505
2. PAVEMENT CONSTRUCTED WITHIN FDOT ROW SHALL FOLLOW THE CRITERIA PRESENTED IN THE FDOT PAVEMENT CROSS-SECTION, THIS PAGE.
3. CONTRACTOR TO VERIFY LOCATION & DEPTH OF EXISTING UTILITIES WITHIN THE R/W PRIOR TO THE START OF CONTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD IF A CONFLICT BETWEEN THE EXISTING UTILITIES AND PROPOSED DRAINAGE IMPROVEMENTS SHALL OCCUR.

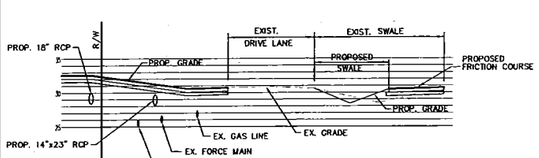
LEGEND:

- EXISTING SPOT GRADE
- EXISTING CONTOUR
- EXISTING WETLAND
- PROPOSED STORM INLET
- PROPOSED STORM MES
- PROPOSED STORM JUNCTION BOX
- PROPOSED CONTOUR
- DIRECTION OF OVERLAND FLOW
- PROPOSED GRADE (33.10 / 32.60)
- PROPOSED PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED WATERMAIN

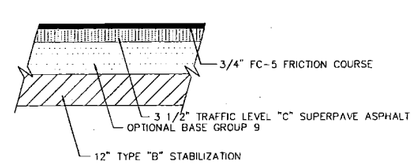


SECTION A-A
SCALE: HORIZONTAL: 1"=20'
VERTICLE: 1"=10'

SECTION C-C
SCALE: HORIZONTAL: 1"=20'
VERTICLE: 1"=10'



SECTION B-B
SCALE: HORIZONTAL: 1"=20'
VERTICLE: 1"=10'



TURNLANE PAVEMENT SECTION
N.T.S.

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NO.	DATE	DESCRIPTION	BY
1	3-24-11	REVISED PER CITY COMMENTS DATED 1-10-11	CDS/Plan
2	10-3-11	REVISED PER SJ COMMENTS DATED 1-3-11	CDS/Plan
3	11-1-11	REVISED PER CITY COMMENTS DATED 12-21-10	CDS/Plan
4	11-11-11	REVISED PER CITY COMMENTS DATED 11-1-11	CDS/Plan

REVISIONS:

GARDEN PLAZA STOR-IT

SITE PLAN

OFF-SITE IMPROVEMENTS PLAN

CITY OF ORMOND BEACH — COUNTY OF VOLUSIA

PROJECT NO: 08171 | DRAFTED BY: CM
ISSUE DATE: 08-13-10 | CHECKED BY: JJ
DESIGNED BY: JJ | DRAWING FILE: 8171SP XREF'S: 8171BASE 8171TB

FILE LOCATION

SEAL

NOT VALID WITHOUT EMBOSSED SEAL

SCALE: 1"=20'

SHEET C6 OF 12

PLANT LIST

SYM.	QTY.	SPECIES	COMMON NAME	SPECIFICATIONS
TREES				
GL	15	GORDONIA LASIANTHUS	LOBLOLLY BAY	30 GAL., 3 1/2" CAL., 12' HT.
LI	19	LAGERSTROEMIA INDICA NATCHEZ	WHITE CRAPE MYRTLE	15 GAL., 3 1/2" CAL., 10' HT. MIN. 3 CANES
TD	33	TAXODIUM DISTICHUM	BALD CYPRESS	30 GAL., 3 1/2" CAL., 10' HT.
UP	16	ULMUS PARVIFOLIA 'EMER II'	ALLEE LACEBARK ELM	65 GAL., 4 1/2" CAL., 12' HT.
PALMS				
SP	33	SABAL PALMETTO	CABBAGE PALM	VARY CLEAR TRUNK HEIGHTS 12'-18'
SHRUBS & GROUNDCOVERS				
DTV	61	DIANELLA TASMANICA 'VARIEGATA'	VARIEGATED FLAX LILY	1 GAL., 12" HT. x 12" SPRD., 24" O.C.
JP	268	JUNIPERUS PARSONII	PARSON'S JUNIPER	3 GAL., 18" HT. X 18" SPRD., FULL, 30" O.C.
MUC	120	MUHLENBERGIA CAPILLARIS	MUHLY GRASS	1 GAL., 18" HT. X 10" SPRD., 36" O.C.
MC	426	MYRICA CERIFERA	WAX MYRTLE	3 GAL., 24" HT. X 18" SPRD., 5' O.C.
RI	137	RAPHIOLEPIS INDICA 'ALBA'	WHITE INDIAN HAWTHORN	3 GAL., 15" HT. X 15" SPRD., 24" O.C.
SB	269	SPARTINA BAKERI	SAND CORDGRASS	1 GAL., 24" HT. X 18" SPRD., FULL
TAN	427	TRACHELOSPERUM ASIATICUM 'NANA'	DWARF ASIATIC JASMINE	1 GAL., 12" SPRD., 18" O.C.
VS	173	VIBURNUM SUSPENSUM	SANDANKWA VIBURNUM	3 GAL., 24" HT. X 18" SPRD., 36" O.C.

LANDSCAPE BUFFER REQUIREMENTS

		REQUIRED	PROVIDED
NORTH EAST	1,022 L.F.		
	MINIMUM WIDTH	10'	10'
	3 TREES PER 100 L.F.	31	36
	30 SHRUBS PER 100 L.F.	307	307
	30 GROUNDCOVER PER 100 L.F.	307	307
NORTH WEST	205 L.F.		
	MINIMUM WIDTH	6'	6'
	2 TREES PER 100 L.F.	4	*
	20 SHRUBS 100 L.F.	40	*
	20 GROUNDCOVER PER 100 L.F.	40	*
SOUTH EAST	205 L.F.		
	MINIMUM WIDTH	6'	6'
	2 TREES PER 100 L.F.	4	6
	20 SHRUBS 100 L.F.	40	40
	20 GROUNDCOVER PER 100 L.F.	40	49
SOUTH WEST	1,073 L.F.		
	MINIMUM WIDTH	6'	6'
	2 TREES PER 100 L.F.	22	22
	20 SHRUBS 100 L.F.	215	215
	20 GROUNDCOVER PER 100 L.F.	215	215

* NATURAL PRESERVATION AREA SHALL PROVIDE REQUIRED BUFFER MATERIAL IN LIEU OF PLANTED MATERIAL. IF SUFFICIENT QUANTITIES DO NOT EXIST THEN LANDSCAPE CONTRACTOR SHALL PLANT THE REQUIRED MATERIAL. SEE CHART FOR REQUIRED QUANTITIES.

LANDSCAPE NOTES

1. FLORIDA #1: ALL PLANT MATERIAL SHALL BE GRADE FLORIDA NO. 1 OR BETTER IN QUALITY AS DESIGNATED IN THE MOST RECENT PUBLICATION OF "GRADES AND STANDARDS FOR NURSERY PLANTS", PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

2. EXISTING PLANTS: IF PROPOSED PLANTINGS SHOWN ON PLAN INTERFERE WITH EXISTING LANDSCAPING, THE EXISTING LANDSCAPING IS TO BE REMOVED IN FAVOR OF THE NEW PLANTINGS.

3. MULCH: ALL PLANTING BEDS SHALL BE TOP DRESSED WITH 3" SHREDDED CYPRESS BARK MULCH, GRADE "B" OR BETTER. ALL TREES NOT IN BEDS SHALL HAVE A 5' DIAMETER MULCH RING.

4. SOD: SOD SHALL BE ARGENTINE BAHIA UNLESS OTHERWISE SPECIFIED ON THE PLANS AS ST. AUGUSTINE 'FLORITAM'. ALL SOD SHALL BE ROLLED.

5. QUANTITIES: IN THE EVENT OF A VARIATION BETWEEN THE QUANTITIES SHOWN ON THE PLANT LISTS AND THE ACTUAL QUANTITY OF PLANTS SHOWN ON THE PLANS, THE PLANS SHALL CONTROL. SOD QUANTITY TAKEOFFS ARE THE RESPONSIBILITY OF THE CONTRACTOR.

6. UNFORESEEN CONFLICTS: CONTRACTOR SHALL NOT WILLFULLY INSTALL ANY PORTION OF THE LANDSCAPE PLAN AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT UNFORESEEN OBSTRUCTIONS, GRADE DIFFERENCES, STANDING WATER, SOIL CONDITIONS OR OTHER CONFLICTS EXIST. SUCH UNFORESEEN CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

7. SUBSTITUTIONS: NO SUBSTITUTIONS OR VARIATIONS OF ANY PLANT MATERIAL OR ITS INSTALLED LOCATION WILL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT AND APPROVAL FROM THE LANDSCAPE ARCHITECT.

8. CONTAINERS: IF GALLONAGE FOR PLANTS OR TREES IS SHOWN THEY SHALL BE CONTAINER GROWN AND THE SIZE SHOWN SHALL REPRESENT THE MINIMUM ALLOWABLE GALLONAGE ACCEPTED. IN ALL CASES THE PLANT SPECIFIED SIZE SHALL GOVERN OVER THE GALLONAGE INDICATED.

9. SOIL: CONTRACTOR SHALL VERIFY THAT SOIL CONDITIONS ARE SUITABLE TO THE PLANT SPECIES SPECIFIED. IF SOIL CONDITIONS ARE DEEMED UNSUITABLE FOR PROPER PLANT HEALTH, CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT AND PROPER SUBSTITUTIONS SHALL BE SPECIFIED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. ADDITIONALLY, IF PRESENT, THE CONTRACTOR SHALL REMOVE LIME ROCK, CONCRETE AND OTHER DELETERIOUS DEBRIS FROM PLANTING BEDS. IF DEBRIS IS INTEGRATED IN THE SOIL, THE SOIL MUST BE EXCAVATED AND REPLACED WITH ACCEPTABLE SOIL. LASTLY, ALL FILL TO BE PLACED IN LANDSCAPE AREAS MUST HAVE A pH RANGE BETWEEN 5.8 AND 7.5, BE ORGANIC IN NATURE, AND BE FREE OF ROCKS AND DEBRIS.

10. TOPSOIL: TOPSOIL MATERIAL, IF REQUIRED, SHALL BE FREE FROM ALL HARD CLODS, WEEDS, STONES OVER 1" IN DIAMETER, CLAY, HARD PAN, NOXIOUS PLANTS, SOD, INSECTS, OR OTHER UNDESIRABLE PLANTS, SEEDS, OR MATERIAL WHICH MAY BE HARMFUL FOR GROWTH AND SHALL BE CERTIFIED AS STERILE.

11. WEEDS: IF PRESENT, THE CONTRACTOR SHALL BE RESPONSIBLE TO REMOVE ANY WEEDS FROM PLANTING AREAS PRIOR TO THE INSTALLATION OF PROPOSED PLANT MATERIAL AND MULCH COVER. CONTRACTOR SHALL BE RESPONSIBLE TO KEEP BEDS FREE OF WEEDS FOR THE DURATION OF THE 90 DAY MAINTENANCE PERIOD.

12. GRADING: UNLESS OTHERWISE STATED ON THESE PLANS, THE LANDSCAPE CONTRACTOR SHALL FINE GRADE ALL AREAS TO BE PLANTED AND SODDED IN ORDER TO ELIMINATE BUMPS AND DEPRESSIONS. FINE GRADING SHALL BE DEFINED AS THE FINAL 2" OF GRADE TO BE ACHIEVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING AND REGRADING WASHOUT AREAS CAUSED BY EROSION UNTIL FINAL ACCEPTANCE OF THE PROJECT.

13. STAKING: ALL TREES, SHRUBS AND GROUND COVERS ARE TO BE PLANTED ACCORDING TO THE DETAILS IN THESE PLANS. IF THE CONTRACTOR PREFERS TO USE OTHER STAKING METHODS THAN SHOWN IN THE DETAILS, HE OR SHE MUST SUBMIT PROPOSED STAKING DETAILS TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION. THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN, REPAIR, AND/OR REPLACE ANY PLANTS DAMAGED BY FAILURE TO PROPERLY STAKE OR GUY ANY TREES IN SITE, AT THEIR OWN EXPENSE.

14. CURVILINEAR: CURVILINEAR LANDSCAPED BEDS ARE TO BE EDGED WITH SMOOTH FLOWING CURVES. STRAIGHT-LINE LANDSCAPE BEDS ARE TO BE EDGED IN A STRAIGHT LINE PARALLEL TO PARKING LOTS AND STRUCTURES UNLESS DESIGNED OTHERWISE.

15. FERTILIZER: OSMOCOTE SLOW RELEASE FERTILIZER OR EQUIVALENT SHALL BE APPLIED TO ALL TREE, SHRUB, AND GROUNDCOVER PLANTING AREAS AT THE RATE OF THREE (3) TABLESPOONS PER 2 SF. OF PLANTING AREA.

16. DRAINAGE: THE LANDSCAPE CONTRACTOR SHALL ASSURE THAT THIS WORK DOES NOT INTERRUPT EXISTING OR PROPOSED DRAINAGE PATTERNS AND SHALL NOTIFY THE OWNERS REPRESENTATIVE IMMEDIATELY SHALL A CONFLICT ARISE.

17. SPECIFICATIONS: THE LANDSCAPE ARCHITECT SHALL BE PERMITTED THE RIGHT DURING INSTALLATION, TO REJECT ANY AND ALL PLANT MATERIAL AND WORKMANSHIP WHICH IN HIS OR HER OPINION DOES NOT MEET THE REQUIREMENTS OF THESE SPECIFICATIONS.

18. NATURAL AREAS: NATURAL VEGETATION PRESERVATION AREAS SHALL BE CLEANED UP INCLUDING BUT NOT LIMITED TO THE REMOVAL OF ANY DEBRIS OR WEEDS AND PRUNING OF DEAD OR YELLOW BRANCHES AND PALM FRONDS. MULCH EDGE OF NATURAL AREA 36" TO 5' FEET.

19. WILDLIFE NOTIFICATION: UNLESS NOTIFIED BY THE CLIENT OR CONTRACTOR IN WRITING, LANDSCAPE ARCHITECT SHALL NOT BE HELD RESPONSIBLE FOR DAMAGES TO PROPOSED PLANT MATERIAL CAUSED BY DEER OR OTHER ANIMALS. UPON NOTIFICATION OF PEST ANIMAL EXISTENCE PROPER PLANT SUBSTITUTIONS SHALL BE PROVIDED BY THE LANDSCAPE ARCHITECT.

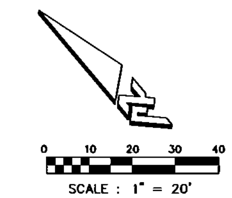
20. TURNOVER: CONTRACTOR SHALL CONTACT OWNERS REPRESENTATIVE FOR A TURNOVER DATE TO INCLUDE A WALK-THROUGH AND ACCEPTANCE OF WORK BY THE LANDSCAPE ARCHITECT. ANY WORK DEEMED UNACCEPTABLE SHALL BE CORRECTED IMMEDIATELY AND REINSPECTED AS SCHEDULED.

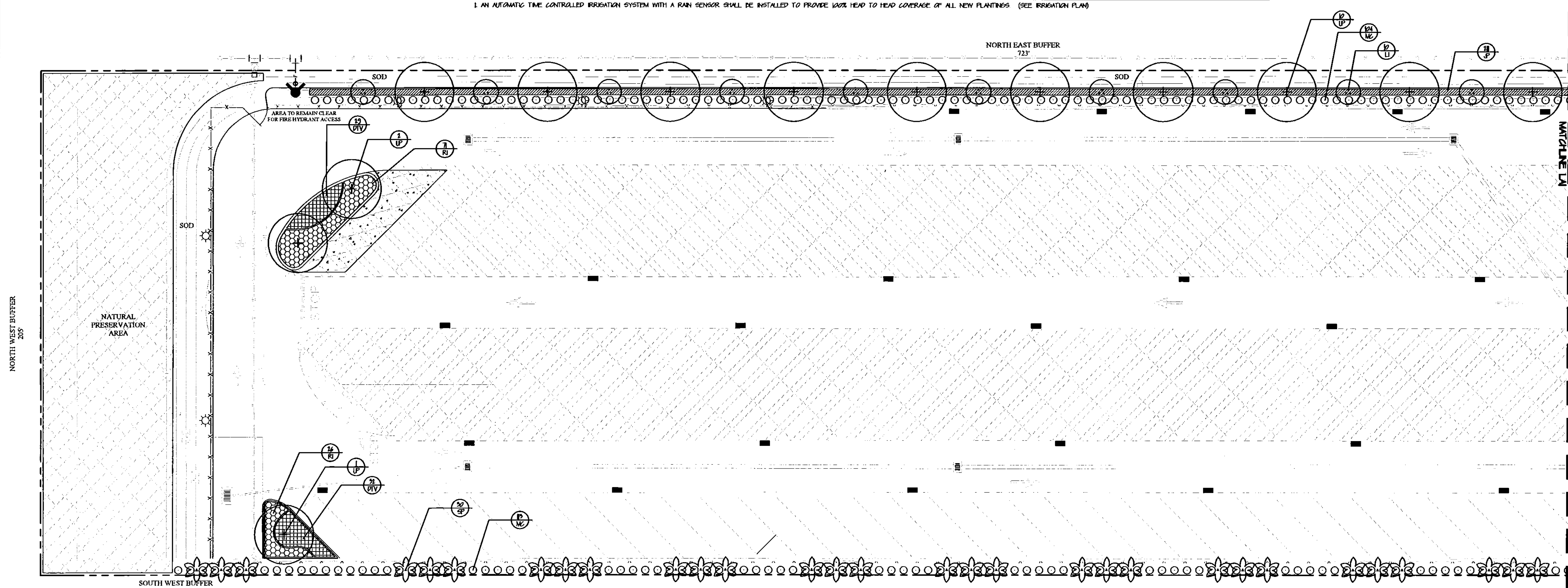
21. MAINTENANCE: CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE TO BEGIN AFTER EACH PLANT HAS BEEN INSTALLED AND SHALL CONTINUE 90 DAYS AFTER FINAL WRITTEN ACCEPTANCE BY THE OWNER. MAINTENANCE SHALL INCLUDE WATERING, PRUNING, WEEDING, MULCHING, MOWING, REPLACEMENT OF SICK OR DEAD PLANTS, AND ANY OTHER CARE NECESSARY IN ORDER TO MAINTAIN PROPER PLANT HEALTH AND SOIL MOISTURE CONTENT.

22. GUARANTEE: CONTRACTOR SHALL GUARANTEE ALL INSTALLED PLANT MATERIAL FOR ONE (1) CALENDAR YEAR STARTING FROM THE TURNOVER DATE SHOULD WORK BE FOUND ACCEPTABLE. ANY CORRECTED WORK SHALL HAVE A PROPORTIONAL EXTENSION OF WARRANTY ONCE APPROVED. ANY SICK OR DEAD MATERIAL SHALL BE REPLACED IMMEDIATELY. THE LANDSCAPE CONTRACTOR SHALL NOT BE RESPONSIBLE TO HONOR ANY WARRANTY FOR THE LOSS OF ANY PLANT MATERIAL CAUSED BY FLOODING, FIRE, FREEZING TEMPERATURES, WINDS OVER 50 MPH, LIGHTNING, ANY OTHER NATURAL DISASTER, OR ANY LOSS/DAMAGE CAUSED BY VANDALISM OR NEGLIGENCE ON THE PART OF THE OWNER.

IRRIGATION NOTES

1. AN AUTOMATIC TIME CONTROLLED IRRIGATION SYSTEM WITH A RAIN SENSOR SHALL BE INSTALLED TO PROVIDE 100% HEAD TO HEAD COVERAGE OF ALL NEW PLANTINGS. (SEE IRRIGATION PLAN)





NO.	DATE	DESCRIPTION	BY
1.	11-1-2011	REVISED PER CITY STAFF DATED DECEMBER 21, 2010.	JD

REVISIONS:

GARDEN PLAZA STOR-IT
FINAL SITE PLAN
LANDSCAPE PLAN & DETAILS

CITY OF ORMOND BEACH — VOLUSIA COUNTY, FLORIDA

ZEV COHEN & ASSOCIATES, INC.
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PROJECT NO: 08171	DRAFTED BY: JD
ISSUE DATE: 12/06/2010	CHECKED BY: PM
DESIGNED BY: JD	DRAWING FILE: 08171LA XREFS: 08171BAS

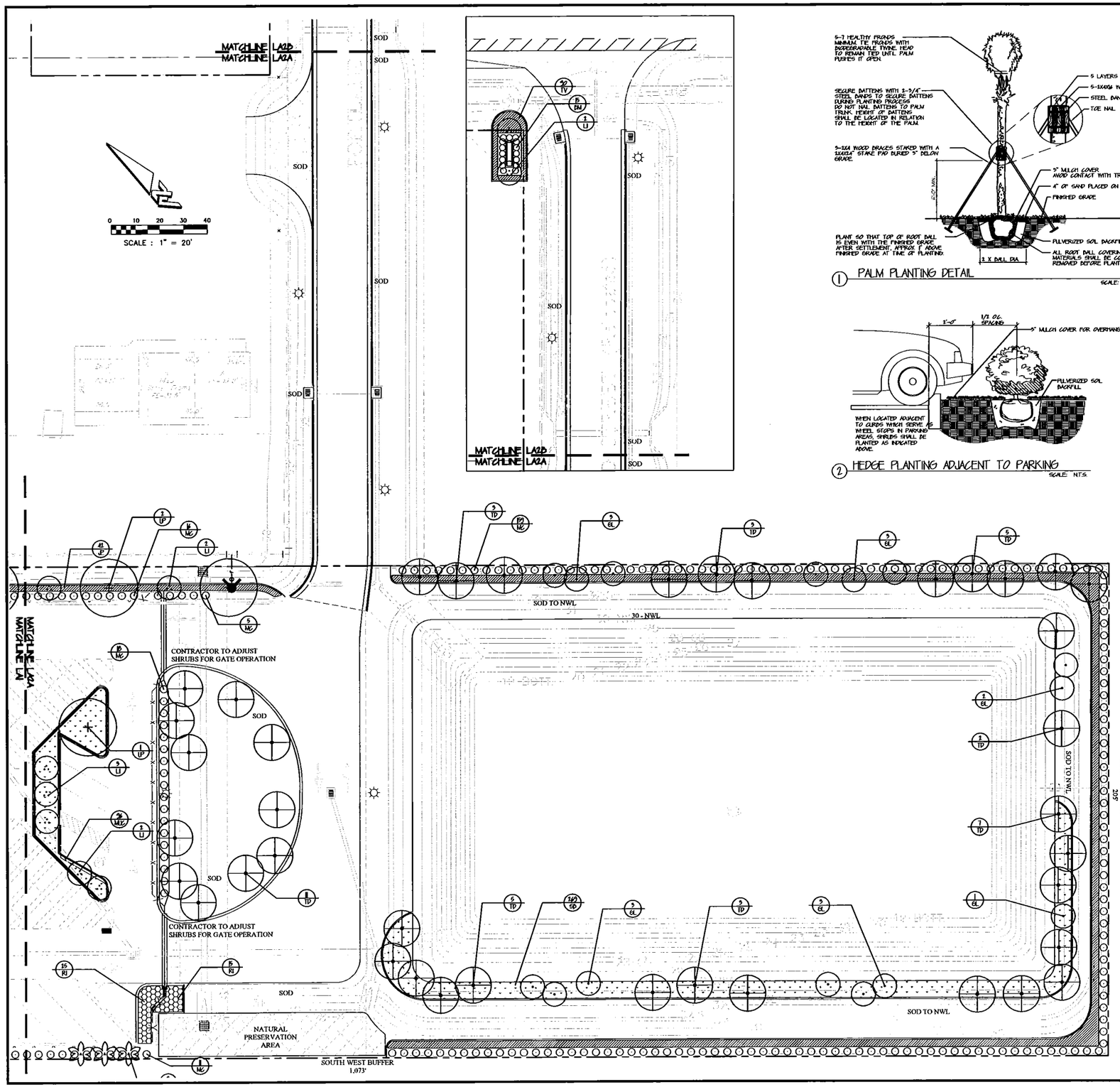
FILE LOCATION

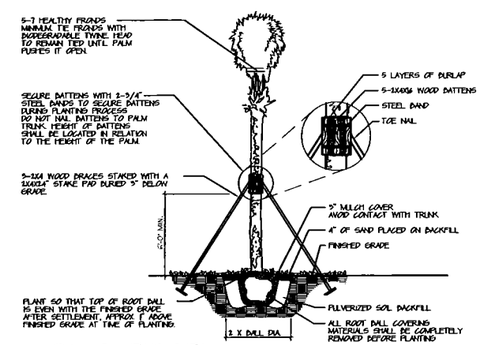
SEAL

NOT VALID WITHOUT EMBOSSED SEAL

SCALE: 1" = 20'

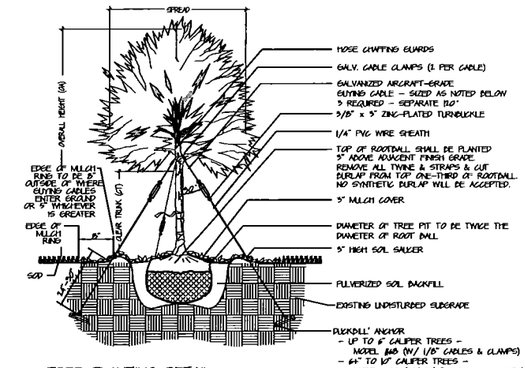
SHEET LA1 OF 2





1 PALM PLANTING DETAIL

SCALE: NTS

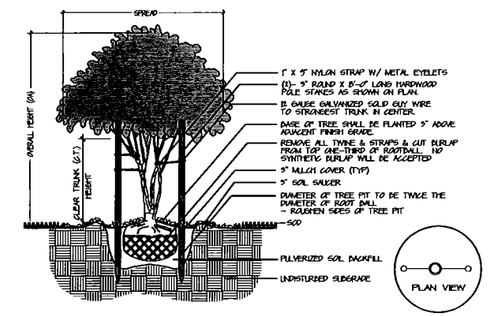


3 TREE PLANTING DETAIL

SCALE: NTS

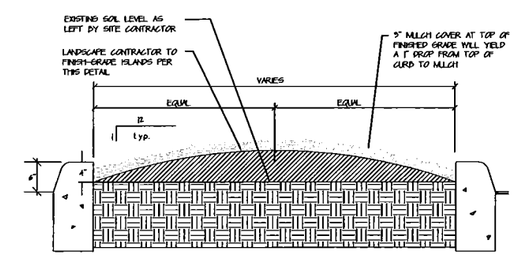
2 HEDGE PLANTING ADJACENT TO PARKING

SCALE: NTS



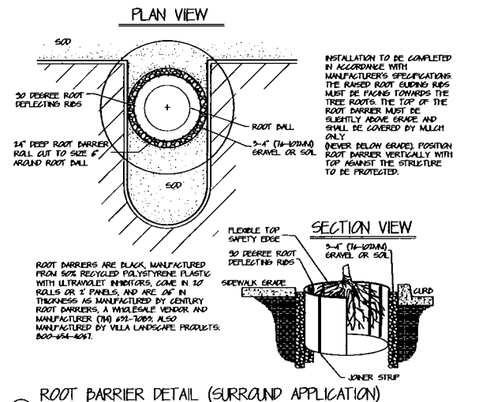
A MULTI-TRUNK TREE PLANTING DETAIL

SCALE: NTS



5 INTERIOR CURB ISLAND GRADING DETAIL

SCALE: NTS



6 ROOT BARRIER DETAIL (SURROUND APPLICATION)

SCALE: NTS

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REVISIONS.

GARDEN PLAZA STOR-IT
FINAL SITE PLAN
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CITY OF ORMOND BEACH — VOLUSIA COUNTY, FLORIDA

PROJECT NO: 09171 | DRAFTED BY: JD | CHECKED BY: PM
ISSUE DATE: 12/06/2010 | DRAWING FILE: 09171LA
DESIGNED BY: JD | PROPT#: 4177846

FILE LOCATION -

SEAL

NOT VALID WITHOUT EMBOSSED SEAL

SCALE: 1" = 20'

SHEET LA2 OF 2

CITY OF ORMOND BEACH

FLORIDA

PLANNING **MEMORANDUM**

TO: Chairman Thomas and Planning Board Members

FROM: Richard P. Goss, AICP, Director of Planning

DATE: 12.8.11

SUBJECT: Brownfield Designation Staff Report for the Granada Economic Opportunity Zone

CC: City Attorney Randy Hayes and City Manager Joyce Shanahan

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I. INTRODUCTION

On June 16, 2011 the City Commission, pursuant to a property owner's request, authorized staff to examine the feasibility of designating an area and conduct a series of workshops to inform the property owners of the financial, regulatory and possible negative perceptions of such a designation. Florida Department of Environment Protection, the state agency responsible for the Brownfield Redevelopment Program, frames the program as a smart growth approach to community, economic development, environmental, land use, tax base and urban redevelopment issues. Brownfield redevelopment is one area where environmental and economic development goals further each other. In Florida, cities and counties throughout the state have designated Brownfield areas as a priority due to the emphasis placed on economic and urban redevelopment initiatives. The current administration in Tallahassee for the State has placed a priority on the Brownfield Redevelopment Program because of its proven record in job creation.

The City's Brownfield Program is being presented to the Planning Board as a public hearing item pursuant to the Board's authority outlined in Section 1-15 C1c.

II. EFFECT OF FLORIDA'S BROWNFIELD REDEVELOPMENT PROGRAM

Volusia County and all the municipalities participated in the 2009 Smart Growth Initiatives that was part of the One Region initiative of the Regional Planning Council. Throughout the Halifax watershed, the development trend has been to spread out. As suburbanization continues, more of the rural landscape is consumed. Developing unused land in the outlying areas of Volusia County or Ormond Beach for commercial, business or residential use means that the City is not only spreading out but encouraging population to locate to outlying areas. To affect this trend, the Brownfield Program is designed to redevelop previously used sites including Brownfield sites, locating needed jobs to the urban area and revitalizing the city's downtown and commercial corridors where shopping patterns have changed. The relocation

of Tire Kindom from downtown to Williamson is a good example of a business pursuing their customer base. To understand the Florida Brownfield Redevelopment Program, three definitions are provided:

1. Brownfield's are abandoned, idled, or underused industrial and commercial properties where expansion, reuse, or redevelopment may be complicated by real or perceived environmental contamination.
2. Brownfield area means a contiguous area of one or more Brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprive communities and areas, and Environmental Protection Agency designated Brownfield pilot projects. 376.79(4) F.A.C.
3. Brownfield site means real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination. 376.79(3) F.A.C.

III. WHAT IS NEEDED TO ACHIEVE DESIGNATION AS A BROWNFIELD AREA IN ORMOND BEACH?

Staff's initial proposal to the City Commission to get the discussion started was to make a portion of the downtown community development district a Brownfield designation to take advantage of the financial incentives related to mix use developments. The City's form based code requires new mixed use buildings to have upper stories. The financial incentives that support mix use development could well reduce the cost of complying with this requirement. For example, property owners in the Downtown could receive a Property Improvement Grant of up to $50,000, a job bonus refund for any jobs created for the commercial on the ground floor, building sale tax refund for the improvements on the second floor, and be eligible for a 50% to 75% guaranteed loan from Enterprise Florida as a last resort. According to the 2010 US Census, the median income of people ages 24 5o 29 is barely $31,000 – before taxes. This translates to being able to pay, at most, a monthly rent of $850. A market for small apartments on an upper story downtown building exists from the job creation by additional restaurants and entertainment venues that will be added to the downtown.

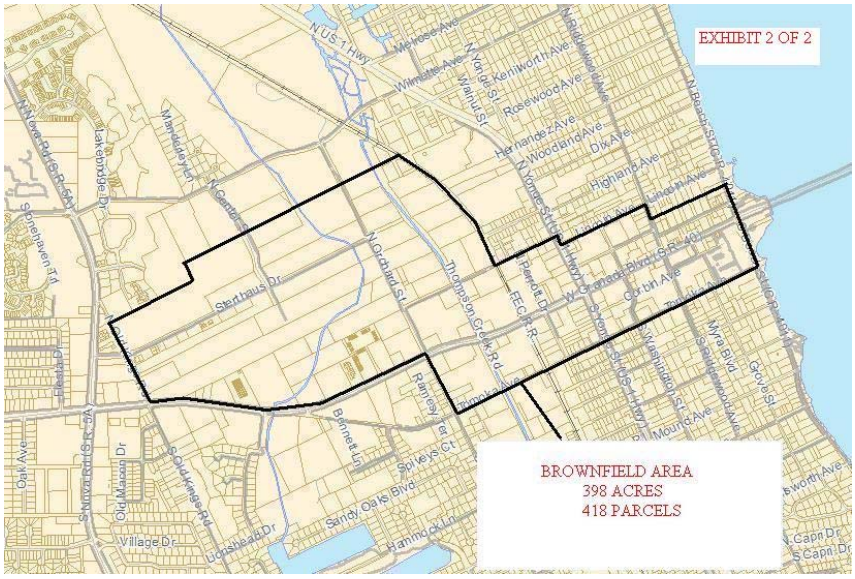
The other incentives will help further improve the area and boost the economy around the vacant hospital site. Main Street supported pursuing this designation and was a willing co-sponsor of the four workshops since a significant portion of the redevelopment district is in the Brownfield designated boundary area map. A maximum effort to outreach and inform affected property owners of this designation occurred during this past summer.

A series of Brownfield Area workshops were conducted on July 26th, August 9th, August 30th and September 13th, of 2011 for the purpose of informing and educating property owners about the benefits and opportunities a Brownfield Area designation provides in redevelopment of properties. City staff, Florida Department of Environmental Protection representatives, and some attendees such as a representative from a local law firm who was knowledgeable of the Florida Brownfield Program assisted in helping property owners understand the program and the finer details of how the incentives worked at these workshops. In addition, individual flyers were sent to every property owner within the

proposed designated area and Main Street sent group email "blasts" for each meeting to individuals signed up to receive notice of events and happenings in the downtown. Staff was busy in addressing individual visits to the office as well as telephone calls inquiring about the program throughout the period of time when workshops were conducted. In addition, the city workshops were featured on local television as well as the News Journal (NJ) writing a story on the initiative.

The program was explained as being voluntary and not regulatory. It was also explained that the City was not changing the land use or zoning within the proposed Brownfield area. Issues expressed by property owners more than once focused on the effect a Brownfield designation would have on property values. It was reported in the News Journal (NJ) that this issue was posed to the Volusia County Property Appraiser's Office (PAO) by a NJ reporter and the Property Appraiser was quoted that he would not mark down a property because it was located in a Brownfield designated area. It is also interesting that there are four CRAs in Volusia County with a Brownfield designation. The purpose of the CRA is to improve property values and use the tax increment increase to make further improvements which in turn increases tax ratables. It would be counter intuitive for a CRA to place a Brownfield designation over a Tax Increment Financing District if property values were negatively affected. Once the News Journal printed the PAO's opinion regarding the marking down of properties within a Brownfield area, this issue was not brought up in the final three workshop meetings. Of note was a philosophical statement posed by a person stating that government assistance tends to make properties more competitive than properties located outside of the designated areas. Staff concurs with this observation because that is the point of the program - to offset the advantages of vacant land in outlying areas of the City has over Brownfield development. The proposed boundary area is depicted as Map 1 below:

Map 1 – Brownfield Area Boundary



A Brownfield designation according to Florida Statute 376 is a formalized process involving a resolution, 2 public hearings and informational meetings. The public hearing before the Planning Board serves as one of those required public hearings.

IV. FINANCIAL INCENTIVES TO BROWNFIELD AREA DESIGNATION

Brownfield Area designations offer three financial incentives that are available to all property owners within the designated area regardless whether environmental issues exist or not on a site. These incentives include:

1. A tax credit of up to $2,500 for each new job above the first five jobs created within the designated area.
2. A sales tax credit on building materials purchased to construct a housing project or mixed-useproject in the designated area.
3. A last resort loan guarantees from 50% to 75% of a total loan.

All these incentives are offered through Enterprise Florida. The one time job bonus is an 80/20 cost sharing with the State. The State provides $2,000 and the City provides $500.

V. FINANCIAL INCENTIVES FOR BROWNFIELD SITES

In addition to the three incentives provided for area designation, individual sites with environmental issues have a host of other benefits such as liability and legal protection for the property owner and lender, and voluntary cleanup tax credits. There are also federal benefits that are available, including grants and the Brownfield Federal Tax Incentive that allows environmental cleanup costs to be fully deducted in the same year they occur. These federal and state incentives are flexible enough to dovetail quite nicely with the City's downtown redevelopment efforts as well as efforts to redevelop the vacant Memorial Hospital site and surroundings. The City is also empowered by Section 376.84, F.S. to provide financial, regulatory or technical assistance beyond the state and Federal incentives provided.

There is a host of barriers of one kind or another that make intown redevelopment non-competitive with vacant property located on the outlying areas of the city.

Legal Liability – Legal liability for potential contaminated sites often deters property owners and potential buyers from investigating contamination, cleaning up or buying a site. The Florida Brownfield Redevelopment Program provides a mechanism to protect potential purchasers willing to conduct a cleanup from liability for past contamination caused by another party.

Lender Liability – Lender liability for Brownfield sites often remain a fear in the banking community but the Florida Brownfield Redevelopment Program provides a mechanism to protect lenders serving in a fiduciary capacity for a loan. If a Lender did not cause or contribute to contamination, then liability does not exist. If the Lender did not control or manage the site rehabilitation, liability does not exist.

Cleanup Standards- Many would be purchasers of property once discovering that there may be potential contamination on sites, shy away from such sites because there is a lack of uncertainty. Technical uncertainties such as questions about the duration of the cleanup and questions about when clean is "clean" because environmental remediation is not an exact science. The Florida Brownfield Redevelopment Program employs a

Brownfield's Site Rehabilitation Agreement (BSRA) that provides the regulator authority and public assurance that the site rehabilitation will be conducted in accordance with the statute and the Brownfield's Cleanup Criteria Rule while providing the property owner liability protection. The BSRA contains various commitments by the person responsible for site rehabilitation remediation, and provides milestones for completion of site rehabilitation tasks. The agreement also contains a commitment by the regulatory authority to review technical reports according to an agreed upon schedule. The agreement once fulfilled requires the State to issue a Site Rehabilitation Completion Order (SRCO) indicating that there are no further requirements for clean up of a site (no reopeners).

VI. ADVISORY BOARD REQUIRED

The City is required to use an existing or establish an Advisory Committee that can advise the City Commission regarding redevelopment in the Brownfield area. By statute, members of the advisory committee should be made up of residents adjacent to the Brownfield area, businesses operating within the Brownfield area, and other interested parties deemed appropriate. There are several options regarding the advisory committee:

1. Main Street could be used since they advise the City Commission on the downtown and it has an economic development purpose and interest. Thirty-six percent (36%) of the Granada Economic Opportunity Zone's acreage is within the CRA, while forty-four percent (44%) of the parcels are located within the CRA. Main Street by-laws permit the organization to work outside of the traditional downtown on economic development issues and the organization has a standing Economic Restructuring Committee in place; or
2. The Chamber through the Economic Prosperity Committee could also be used since the Chamber represents business interest in and outside of the CRA; or
3. A new advisory committee combining Main Street and the Chamber representatives could be created. A new advisory board is not recommended since the US 1 North/Ormond Crossing/Airport/Business Park Brownfield designation will require a new advisory board. Wherever possible, if advisory boards exist that can serve the purpose intended, staff recommends using existing boards.

Any current or future board designated as the advisory board for the Brownfield Program, will be required to comply with the Sunshine Laws.

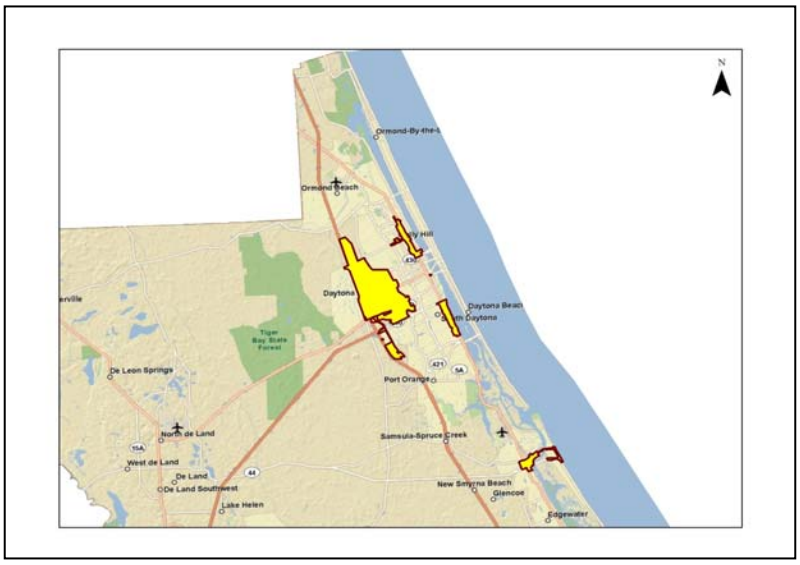
VII. CURRENT BROWNFIELD INITIATIVES IN VOLUSIA COUNTY/CENTRAL DISTRICT/STATE

The following Brownfield designations exist in Volusia County and are depicted in Map 2 below.

- ☐ Daytona Beach Area – Aero Park - (Airport, Aero Industrial Park, ERAU, and Clyde Morris Boulevard properties)

- ☐ Holly Hill Special Economic Enhancement District (CRA-downtown)
- ☐ New Port LLP (Port Orange) – (Individual property)
- ☐ NSB Brownfield Enhancement Zone (CRA-downtown)
- ☐ NSB Airport (recent designation)
- ☐ River walk Project Area (CRA Downtown Port Orange)
- ☐ South Daytona Florida Brownfields Economic Enhancement Area (CRA-downtown)
- ☐ William Lofts (Daytona Beach) –(Individual property in downtown)
- ☐ 1601 Tionia Road (NSB) – (Individual property)
- ☐ Central Business Corridors (Daytona Beach)

Map 2 – Volusia County Brownfield Designations



- ❑ Central District:
  - ◆ 60 Brownfield Designation Areas (1 in 2011 so far)
    - ■ <u>39,100 acres in Brownfield Area Designations</u>
    - ■ <u>>433 acres in Brownfield Sites (1% of Brownfield Area)</u>

- ❑ Statewide:
  - ◆ 262 Brownfield Designation Areas
    - ■ <u>>198,000 acres in Brownfield Area Designations</u>
    - ■ <u>>39,100 acres in Brownfield Sites (2% of Brownfield Area)</u>

VIII. ECONOMIC SUCCESS OF THE BROWNFIELD REDEVELOPMENT PROGRAM

- ❑ New Jobs - January 2009 to June 2010
  - ◆ <u>2,336</u> new direct jobs,

- 3,392 new indirect jobs
- New Capital Investment - $387,903,000

- Since Program Inception in 1997
  - 13,163 new direct jobs,
  - 16,529 new indirect jobs
  - Capital Investment - $1,679,539,591

VIV. SUMMARY

After reviewing the enabling Statute and operating program guidelines, it is clear that the Florida Brownfield Program is voluntary, not regulatory and designed to assist redevelopment through the use of financial tax incentives. The program has many more positives than negatives. The City's CRA Property Improvement Program helps revitalize the downtown area, and the goal of layering the Brownfield designation on top of the CRA incentives will make reinvestment become even more attractive downtown. There are currently 10 designations in Volusia County – all in cities. Five of those designations include either all or portions of downtown Community Redevelopment Areas. The proposed Brownfield designation area has been given a moniker of "Granada Economic Opportunity Zone" for identification purposes since the City is working on two brownfield designations. The area for this designation is unchanged from Map 1 presented to the City Commission at the June 16th Commission meeting. There are 417 parcels involving 398 acres. Staff received no correspondence from property owners with properties in the proposed Brownfield Area objecting to their property being included in the designation therefore no property has been deleted from the orginial list of properties.

VIX. RECOMMENDATION

Staff is recommending that the Planning Board recommend to the City Commission that the Granada Economic Opportunity Zone be designated a Brownfield Area as defined in FS 376.

Briefing Paper

Ormond Beach Brownfield Area Designation

Planning Board

December 8, 2011

Brownfield Designation Workshop

When*	Where
July 26, 2011	City Hall Training Room 22 S. Beach Street
August 9, 2011	Casements 25 Riverside Drive
August 30, 2011	Casements 25 Riverside Drive
September 13, 201	City Hall Training Room 22 S. Beach Street

***All meeting times begin @ 6:00 pm**

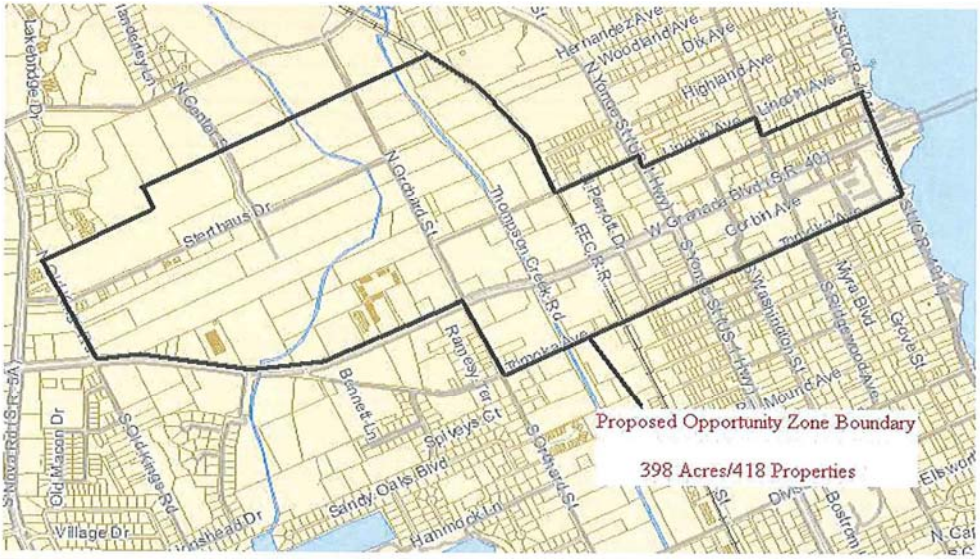
Sponsors: City of Ormond Beach

Ormond Beach Main Street

Flyer

YOU ARE INVITED TO ATTEND

AN OPPORTUNITY ZONE DESIGNATION WORKSHOP



The City and Main Street is investigating the possibility of designating the above area a Opportunity Zone pursuant to Florida Statute 376.79 (4) also know as a Brownfield Area.

As a property owner within the proposed designated area, you are receiving an invitation to attend any or all workshops to learn how it may affect your property.

Workshop Dates:

July 26, 2011
(@City Hall Training Room)
August 9, 2011
(@ The Casements)
August 30, 2011
(@ The Casements)
September 13, 2011
(@ City Hall Training Room)

All meetings begin at 6:00 pm.

Workshop Locations:

Training Room, City Hall
22 South Beach Street Ormond Beach, FL
(City Hall Training Room can be accessed from the breezeway located between City Hall and the Library)

Casements, 25 Riverside Drive, Ormond Beach, FL

For more information:
Call: Phone: 386.676.3343
E-mail:
goss@ormondbeach.org

Presentation Overview

- What is a Brownfield?
- What are Brownfield areas?
- What are Brownfield sites
- Brownfield Area
- Brownfield Area Boundary
- Designation Process
- Benefits of designating an area
- Benefits to designating a site
- Neighboring communities in Volusia County with designations
- Statewide use of such designations
- Where do we go from here?
- Want to know more?

What is a Brownfield?

***Brownfield's** are abandoned, idled, or underused industrial and commercial properties where expansion, reuse, or redevelopment may be complicated by real or perceived environmental contamination.*

What are Brownfield Areas?

- ***Brownfield* area *means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution .***

  ***Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprive communities and areas, and Environmental Protection Agency designated brownfield pilot projects.* 376.79(4) F.A.C.**

What Are Brownfield Sites?

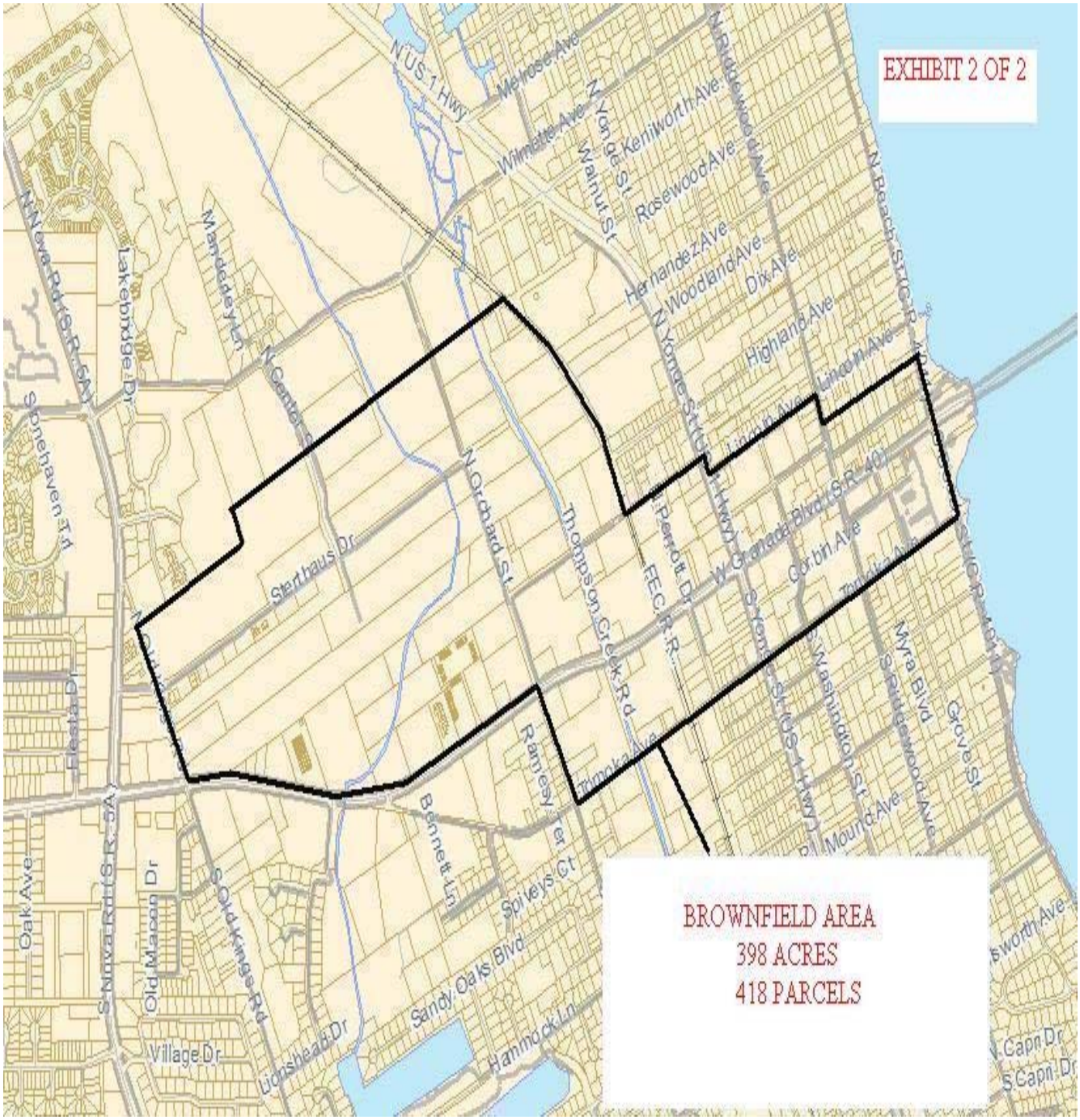
- **Brownfield site** ***means real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination.*** **376.79(3) F.A.C**.

Brownfield Area Designation

Granada Economic Opportunity Zone**

*****Used interchangeably with a Brownfield designation to provide location recognition. It is not an identification of contaminated sites. It's more about redevelopment. It also is about incentives, on the federal, state, and local level to facilitate (re)development.***

Brownfield Area Boundary



Designation Process

ORMOND BEACH BROWNFIELD DESIGNATION PROCESS

December 18, 2011

Workshops on FS 376 – Florida Brownfields Redevelopment Program (3 months)

Ormond Beach designates OZ area from: 1) Listed Areas; and 2) outside of listed areas

Property Owner's Option to request removal from Designated OZ area

Individual responsible for brownfield site rehabilitation requests designation of potential Brownfield Area

Resolution Adoption Requirements to include advertisement pursuant to S 166.041/S166.041 (3) (c) 2 (2 months)

Designation includes area outside of Listed Areas[1]

[1]Listed Areas:

1. Community Redevelopment Areas
2. Enterprise Zones
3. Empowerment Zones
4. Closed Military Bases
5. Designated EPA Pilot Areas

[2] Additional Considerations:

1. Economic development and reasonable potential
2. Reasonably focused approach and not overly large in geographic coverage.
3. Potential to interest private sector in rehabilitation.
4. Area contains sites or parts suitable for limited recreational open spaces, cultural, or historical preservation.

Hold 1 Public hearing and Public Notice Requirements

Additional considerations[2] before determining area for designation

Ormond Beach notifies FDEP of designation (1 month)

Economic Incentives:

1) Designation approval by FDEP enables financial, regulatory and technical assistance pursuant to S 376.84.
2) $2500 Job Bonus Refund for each new job created;
3) Sales tax credit on building materials related to affordable housing or mixed use development incorporating affordable housing;
4) State Loan Guarantees for primary lenders up to 50% on all bownfield sites and up to 75% if the property is redeveloped as affordable housing, health care facility or health care provider
5) If Brownfield Site Rehab Agreement is used, 50% Voluntary Cleanup Tax Credits annually on eligible costs; 25% additional VCTC eligible costs when cleanup complete; 25% additional VCTC if property redeveloped with affordable housing or health care facility; 50% One time VCTC on eligible solid waste removal costs

Advisory Committee established or existing committee assigned to redevelopment reviews and make recommendations on OZ & brownfield site remedial agreements

Persons responsible for brownfield site rehabilitation and FDEP negotiates brownfield site remedial agreement, if contamination exists.

Economic incentives that benefit area designation

- **Bonus Refund for Job Creation up to $2,500 per job**
- **50% loan guarantee on site rehabilitation and development & 75% if property is redeveloped for affordable housing/health care providers**
- **Sales tax Credit on Building Materials for Affordable Housing Projects & mixed-use affordable housing**
- **Budgeted by State Fiscal Year – July-June**

Applicable to any property within a designated brownfield area provided eligibility criteria for each incentive are met

Economic incentives that benefit site designation

Brownfield Sites with executed BSRA

- All benefits of Brownfield area
- Regulatory Framework for Cleanup (Rules 62 62-785 and 62 62-777, F.A.C.)
- Dedicated FDEP staff with expedited technical review
- Liability Protection
- Voluntary cleanup tax credits
- Memorandum of Understanding with EPA

BSRA Liability Protections

Owners and Redevelopers (PRFBSRs)

- Relief from further liability for site rehabilitation Section 376.82(2)(a), F.S.
- Does not limit third party rights for damages Section 376.82(2)(b), F.S.
- Available if BSRA terms met

Lenders

- Serving in fiduciary capacity - loan
- Did not
  - Cause/contribute to contamination
  - Control/manage site rehabilitation
- Economic incentives do not apply during the lender's ownership

Voluntary Cleanup Tax Credits

Tax Credit Type	Frequency	Max Credit for Costs incurred after 12.31.07	
Site Rehab	Annually	50%	$500,000
Site Rehab Completion	Once	25%	$500,000
Affordable housing	Once	25%	$500,000
Health Care Facility	Once	25%	$500,000
Solid Waste	Once	50%	$500,000
Budgeted by Calendar Year			

Voluntary Cleanup Tax Credits

- Credits on Florida corporate income tax
- May be transferred once
- $2 million annual cap
- If exhausted, first priority in next year's allocation
- Credits awarded for eligible work
  - Site rehabilitation
  - Solid waste removal, transport and disposal
- Bonus credits awarded for site rehabilitation only
- SRCO
- Affordable housing

Designated Brownfield Areas in Volusia County

- Daytona Beach Area – ERAU, airport
- Holly Hill Special Economic Enhancement District (Downtown CRA)
- New Port LLP (Port Orange)
- NSB Brownfield Enhancement Zone (Downtown CRA)
- NSB Airport (recent designation)
- Port Orange Riverwalk Project Area (Downtown CRA)
- South Daytona Florida Brownfields Economic Enhancement Area (Downtown CRA)
- William Lofts (Daytona Beach)
- 1601 Tiona Road (NSB)
- Central Business Corridors (Daytona Beach)

Statewide Brownfield Highlights

- **New Jobs - January 2009 to June 2010**
  - **2,336 new direct jobs,**
  - **3,392 new indirect jobs**
  - **New Capital Investment - $387,903,000**

- **Since Program Inception in 1997**
  - **13,163 new direct jobs,**
  - **16,529 new indirect jobs**
  - **Capital Investment - $1,679,539,591**

Want to know more?

- **Brownfields**
  http://www.dep.state.fl.us/mainpage/programs/brownfields.htm

- **FDEP Central District Orlando Brownfield Coordinator**
  George.Houston@dep.state.fl.us

- **Voluntary Cleanup Tax Credit Program**
  http://www.dep.state.fl.us/waste/categories/vctc/default.htm
  Teresa.Booeshaghi@dep.state.fl.us

- **Enterprise Florida – Joe Bell**
  800 N. Magnolia Ave., Suite 1100
  Orlando, FL 32803 **Phone:** (407) 956-5600

- **City Contact for local designation process:**
  Ric Goss, Planning Director
  goss@ormondbeach.org

Where do we go from here?

- Based upon property owner attendance no more educational workshops are needed.
- Staff has received no requests from property owners to opt out of the designation (need to provide a letter to the city requesting parcel deletion).
- Advisory board will need to be established. An existing board may be used if the mission is (re) development related. Board will be subject to Sunshine laws.
- From the Planning Board – will go to the City Commission for a resolution and 2nd public hearing.
- Designation occurs upon favorable action by CC on Resolution.
- Resolution forwarded to FDEP.

STAFF REPORT

City of Ormond Beach
Department of Planning

DATE: December 1, 2011; updated from November 3, 2011

SUBJECT: LDC Amendments – Chapter 2 Article III, Accessory Uses

APPLICANT: Administrative

NUMBER: LDC 12-003

PROJECT PLANNER: Becky Weedo, AICP, CFM Senior Planner

INTRODUCTION:

This is an administrative request to amend Chapter 2: District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses of the Land Development Code as follows:

Item	Code Section	Name of Subsection
1	Section 2-50, Chapter 2, Article III	E.1 Permit Requirements
2	Section 2-50, Chapter 2, Article III	E.2 General Standards
3	Section 2-50, Chapter 2, Article III	E.3 Setback Requirements
4	Section 2-50, Chapter 2, Article III	E.5 Dimensional Requirements

BACKGROUND:

In October 2011, City staff members met with dock contractors and property owners regarding changes to the FDEP regulations in aquatic preserves. Staff members reviewed the FDEP and Volusia County regulations and determined that there were opportunities to streamline the dock permitting process and resolve inconsistencies in the Land Development Code.

Proposed LDC amendments to the Dock, Boathouses, and Boat Lifts section were presented to the Planning Board on November 10, 2011 for review and direction (See Exhibit A-Planning Board Minutes). The recommendation to Staff was to provide a comparison table of the current and proposed Ormond Beach regulations compared with the Florida Department of Environmental Protection

FDEP) regulations. Also, the Board directed Staff to include language regarding permitting requirements for repairs.

ANALYSIS:

The following is a summary of the proposed changes and the comparison to FDEP regulations:

1. Permit Required (Section E.1.d.)

Section E.1.d is new language pertaining to the permit requirements for non-structural replacement of existing walkway or terminal platform boards. The City and FDEP have two different roles in permitting docks. FDEP is primarily focused on environmental protection and the City is charged with implementing the Florida Building Code for life safety issues as well as how the accessory structure fits into the community. FDEP exempts applicants from obtaining a permit or written authorization for the repair or replacement of functional docks in the same location, configuration, and dimensions as the existing structure built without fill and NOT in an aquatic preserve.

The Planning Board desired to have new language that detailed when a permit would be required for dock repair. The proposed language has been drafted to allow walkway and terminal platform area boards to be replaced without a permit. Any structural repair or new construction, such as pilings, roofs, or lifts would require a building permit.

2. Setback Requirements (Section E.3.a)

City of Ormond Beach Current Code	City of Ormond Beach Proposed Code	Florida Dept of Environmental Protection Current Regulations
• 25 feet setback • 15 feet for Marginal docks • Total Width of covered mooring no >20% of property or 25 feet, whichever is less. Excludes access pier, platform & finger pier.	• 25 feet setback from both property lines if shoreline is 65 feet or more. • If shoreline is <65 linear feet, then must be centered between the property lines.	• 25 feet if shoreline is 65 linear feet or more. 25 feet setback from both sides. • May be less than 25 feet to whatever City/County allow, if waiver is signed by neighbor. • If shoreline is <65 linear feet, then must be centered between the property lines.

Currently, the City requires a riparian setback of 25 feet if the shoreline of the property is greater than 65 feet. Marginal docks (docks without access walkways) are required to have a setback of 15 feet. The FDEP also requires a 25-foot setback for shorelines greater than 65 feet but will allow less if allowable

to the local jurisdiction as long as the property owner gets a waiver signed by the adjacent neighbor. If a property owner has less than 65 feet of shoreline, the FDEP requires the structure to be centered between the property lines. The City proposes to modify the language to be consistent with the FDEP.

Section E.3c related to the Board of Adjustment and Appeals not granting any variances to the setbacks "unless the applicant's shoreline is less than 65 feet" will be deleted since the proposed modifications to Section E.3a resolves this matter.

3. Maximum Roof Height (Sections E.5.b.3 & E5.c.2)

City of Ormond Beach Current Code	City of Ormond Beach Proposed Code	Florida Dept of Environmental Protection Current Regulations
• 18 feet above Mean High Water Line.	• 18 feet above Mean High Water Line.	• No maximum regulation for roof height.

Staff recommends maintaining the 18 foot height limitation for boathouses and terminal platforms.

4. Maximum Terminal Platform Area (Section E.5.b)

City of Ormond Beach Current Code	City of Ormond Beach Proposed Code	Florida Dept of Environmental Protection Current Regulations
• **Class III** – 180 square feet • **Outstanding Florida Water** – 180 square feet • **Aquatic Preserve** – 160 square feet.	• **Class III** – 180 square feet • **Outstanding Florida Water** – 180 square feet • **Aquatic Preserve** – 160 square feet.	• **Class III** – No maximum regulation. • **Outstanding Florida Water** – no maximum regulation. • **Aquatic Preserve** – 160 square feet.

In the aquatic preserve FDEP regulates the maximum square footage to 160 square feet and the City can not be more permissive than this standard. Outside the aquatic preserve staff is recommending maintaining the 180 square foot limitation on the size of the terminal platform as this is an adequate amount of area. One major FDEP change is that the terminal platform can now be covered which is also proposed as part of the City's amendment.

5. Maximum Boathouse Area (Section E.5.c)

City of Ormond Beach Current Code	City of Ormond Beach Proposed Code	Florida Dept of Environmental Protection Current Regulations
• **Class III** – 500 square feet • **Outstanding Florida Water** – 300 square feet • **Aquatic Preserve** – 160 square feet.	• **Class III** – 500 square feet. Roof overhang not to exceed 24". • **Outstanding Florida Water** – 500 square feet Roof overhang not to exceed 24". • **Aquatic Preserve** – 500 square feet. Roof overhang not to exceed 1 FT beyond the footprint of the lift and boat stored at the lift.	• **Class III** – No maximum regulations but requires separate permitting and costs. • **Outstanding Florida Water** – No maximum regulations but requires separate permitting and costs. • **Aquatic Preserve** – Boathouse allowed as long as roof does not overhang more than 1 foot beyond footprint of the lift and boat stored at the lift.

Staff is recommending establishing the maximum square footage of all boathouses at 500 square feet. This is an adequate square footage for most boats and accessory structures. The boathouse size has not been an issue because larger boats/yachts are not able to dock due to insufficient water depth. The roof overhang language for covered platforms and moorings in the aquatic preserve is the same as the FDEP language.

6. Maximum Length of Access Pier (Section E.3.e)

City of Ormond Beach Current Code	City of Ormond Beach Proposed Code	Florida Dept of Environmental Protection Current Regulations
• **Class III** – 20% width of waterbody. • **Outstanding Florida Water** – 10% width of waterbody. • **Aquatic Preserve** – 10% width of waterbody. • **Access Pier** – not greater than 6'. • **Finger Pier** – not greater than 3'.	• **All waters** – to 4 feet Mean Low Water Line or 1 foot below lowest part of vessel; or • 25% opposite a buildable shoreline; or • 50% opposite a non-buildable shoreline. • **Access Pier** – not greater than 6'. • **Finger Pier** – not greater than 3'.	• **All waters** – to 4 feet Mean Low Water Line or 1 foot below lowest part of vessel; or • 25% opposite a buildable shoreline; or • 50% opposite a non-buildable shoreline.

Section E.3e regarding the maximum length of an access pier, the FDEP allows access piers to extend into the water body up to 4 feet below the Mean Low Water Line or 1 foot below the lowest part of vessel. No structure can extend farther than 25% opposite a buildable shoreline or no farther than 50% of a non-buildable shoreline. The City's proposed amendment is consistent with FDEP's regulations.

Other Changes:

Section E.2.f. related to the regulation of davits is proposed to be deleted. The davit style boat lift does not need to be singled out since the code addresses permits required for all boat lifts. FDEP does not regulate davits or boat lifts.

Section E.2.f regarding manatee signage is also recommended to be deleted. The FDEP only requires a temporary "Beware of Manatee" sign erected during construction of any dock and is to be removed after construction is completed. The only time this sign is required on a permanent basis is for marinas (more than 2 slips). This modification will be consistent with FDEP.

Section E.5, Dimensional Requirements, has been completely stricken through and rewritten to simplify the City's structural regulations and simplify the permitting process. Figure 1 has been added to show the allowable dimensions of boathouses, walkways, and terminal platforms.

Section E.2.i, enclosure of boathouses and terminal platforms. At the November 10, 2011 Planning Board meeting there was a desire to allow the non-permanent enclosure of boathouses and terminal platforms. This regulation has been amended per the Planning Board's direction.

Conclusion:

Below is a conclusion table of the changes:

Standard	Notes
Permit requirements	City of Ormond Beach requires permits for all structural improvements. No permit will be required to replace existing boards. FDEP has no review for structural construction of the dock. Provides exemptions based on certain criteria.
Setback Requirements	Consistent with FDEP. Allows smaller lots (less than 65') to have less setbacks without a variance procedure.
Maximum Height	Maintains current City standard of 18 feet.

Standard	Notes
Maximum Terminal Platform	FDEP mandates 160 square foot maximum in the aquatic preserve which the City cannot be less restrictive. FDEP has no square footage limitations outside the aquatic preserve and the City has a current standard of 180 square feet.
Maximum Boathouse square footage	FDEP has no maximum square footage. The proposed LDC language recommends a 500 square foot maximum with roof overhangs permitted.
Maximum Length of Access Pier	The proposed amendment is consistent with the FDEP standards.

It is expected that the amendment will be reviewed by the City Commission on January 17, 2012 (1st reading) and February 7, 201 (2nd reading) as part of the Section 2-50, Accessory Uses Master Report. It is recommended that the Planning Board **APPROVE** LDC 12-003, to amend Chapter 2: District and General Regulations, Article III, General regulations, Section 2-50, Accessory Uses of the Land Development Code as shown below.

LDC AMENDMENT:

E. **Docks, Boathouses and Boat Lifts.** Docks, piers, boathouses, boat lifts and other similar structures shall be constructed, expanded and maintained in a manner which will protect the natural resources and the public health, safety, and welfare.

1. **Permit Required**

a. No piers, docks, boathouses, or other similar structures extending into any surface water body shall be built until plans and specifications have been submitted to and approved by the Chief Building Official and a permit for such construction issued.

b. Copies of all appropriate permits from other agencies, including the Department of Environmental Protection and the US Army Corps of Engineers, shall be submitted to the City in conjunction with the building permit application. No permit or written authorization will be needed from the Florida Department of Environmental Protection if the dock project is eligible for Consent by Rule per Sections 403.813(1)(b); 403.813(l)(d); or Section 403.813(1)(i), Florida Statutes.

c. Any structures proposed in or within 100 feet of a regulated wetland system will also require a Wetlands Protection Permit. A determination as to whether a Wetlands Protection Permit is required will be made by the Engineering Department, consistent with the criteria of Chapter 3, Article II of this Code.

d. No permit shall be required for the non-structural replacement of existing walkway or terminal platform boards.

2. **General Standards**

a. No more than one (1) boathouse or combination of boathouse and dock, dock, gazebo or other similar structure shall be permitted for each single-family residence on a waterfront lot, or a group of waterfront lots under unified ownership.

b. Stilt houses, boathouses with living or sleeping quarters, and other such residential structures are prohibited in the waterways of the City. No boathouse, dock, gazebo, fueling or storage facilities or other similar structure shall be used for dwelling purposes or contain any sleeping or living quarters.

c. No boathouse, dock, pier, or other structures in the waterways of the City shall have any provision for retail sales or commercial boat sales except as provided for in an approved site plan and except for properly sited marinas and multi-slip docking facilities provided that the upland riparian areas are appropriately zoned for non-residential use. All proposed activities must be water-dependent and must not be contrary to the public interest.

d. All submerged lands shall be considered as single use lands and shall be managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional recreational uses such as fishing, boating, and swimming. Compatible secondary purposes and uses which will not detract from or interfere with the primary purpose may be allowed.

e. Activities which will result in adverse impacts to submerged lands and associated resources including wetlands shall not be approved unless there is no reasonable alternative and adequate mitigation is proposed.

~~f. No more than one (1) set of davits may be used for each waterfront lot, or group of waterfront lots under unified ownership unless otherwise provided for Marinas and Multi-Slip Docking Facilities in Chapter 2, Article IV, based on compliance with environmental performance standards.~~

~~g.~~f. Proposed development activities shall be designed and maintained consistent with the Wetlands Protection Permit requirements, the Tomoka Marsh Aquatic Preserve Management Plan and rules, the Outstanding Florida Water requirements, and the Tomoka River Manatee Sanctuary requirements, as applicable.

~~h.~~g. Any landscaping or vegetation that is disturbed during the construction process shall be restored to approximate its original condition within 60 days of final approval of the structure.

~~i.~~h. To the maximum extent practical, the proposed development activity shall address existing erosion problems and stabilization of the shoreline through the establishment of appropriate native wetland vegetation in littoral areas.

~~j.~~i. Boathouses, docks, and other similar structures extending into any water body shall not be permanently enclosed. ~~to any degree except for necessary boathouse supports and roof.~~

~~k. The owner of any structure proposed to be constructed within the Tomoka River Manatee Sanctuary or any other waterbody having documented evidence of being inhabited by manatees shall be requested to erect a sign or marker stating that the area is inhabited by manatees.~~

~~l.~~j. During construction, turbidity must be controlled on-site to prevent reduction in water quality.

3. Setback Requirements

a. If the length of the shoreline is 65 feet or more, a ~~A~~ minimum 25-foot setback from the riparian lines of adjacent owners is required for all structures. If the shoreline length is less than 65 feet, a setback of less then 25 feet may be permitted provided the abutting neighbors provide the City a notarized affidavit that there is no objection to the reduced setback and all structures are to be centered between the riparian lines. ~~This~~ These provisions, however, shall not preclude adjoining property owners from agreeing to locate a shared dock (on land and in the water) located along a common property line. The owners shall be required to enter into an agreement (based on a valid survey) which shall be recorded that stipulates that no other dock shall be located on either property, that each property owner grants an easement to each other for access/use of the dock, and that defines the maintenance obligation of each property owner. Property owners choosing to locate docks on common property lines shall ensure that there are no utility of other easements precluding the construction of the dock.

b. ~~Marginal docks shall have a minimum setback of 15 feet from the riparian lines of all adjacent owners~~.

~~c. The Board of Adjustment and Appeals shall not grant any variance to the setbacks unless the applicant's shoreline frontage is less than 65 feet, a hardship is proven.~~

~~d~~c. Setbacks from other activities, channels and structures shall be required to ensure safety, facilitate enforcement abilities and ensure resource management.

~~e~~d. No such structure shall extend within 100 feet of a marked channel without prior state or federal permit approval.

~~f. No such structure shall extend within 20 feet of the midpoint of any waterway or waterbody having no marked channel.~~

~~g~~e. No boathouse, ~~dock~~ walkway, terminal platform, or other similar structure or any combination of boathouse and dock shall extend farther than a maximum water depth of four (4) feet below mean low water or one foot below the lowest part of the vessel, or more than ~~20~~25% of the width of the waterbody, ~~or waterway, or channel~~ opposite a buildable shoreline or 50% opposite a non-

buildable shoreline ~~into the Halifax River as measured by the width of the River at that juncture~~, ~~or 500 feet,~~ whichever is ~~less~~ more restrictive.

~~h. No boathouse, dock, terminal platform, or other similar structure or any combination of boathouse and dock shall extend more than 10% into the Tomoka River and its tributaries and canals as measured by the width of the River at that juncture, or within 20 feet of the midpoint of the waterbody or waterway or channel, whichever is less~~.

4. **Water Depths Requirements.** Docking facilities shall have adequate water depths to accommodate the proposed boat use consistent with permit conditions of appropriate State and Federal agencies.

5. **Dimensional Requirements.** The following criteria as well as Figure 1 shall apply in review and approval of all docks, boathouses, or other such structures.

~~a. No boathouse or other similar structure extending into the Halifax River shall exceed 500 square feet in area.~~

~~b. No boathouse or other similar structure extending into the Tomoka River, except for that portion thereof described in paragraph *c*., immediately below, shall exceed 300 square feet in area.~~

~~c. No boathouse, dock, terminal platform, or other similar structure, extending into Strickland Creek, Dodson Creek, Thompson's Creek, the Little Tomoka River, Misner's Branch, and Groover's Branch, or any waterway situated in the City and lying within the Tomoka Marsh Aquatic Preserve, shall exceed 160 square feet in area.~~

~~(1) No dock or terminal platform shall exceed 180 square feet in areas other than those specified in Paragraph c above.~~

~~(2) The square footage limitations established herein are exclusive of the area of the main access pier or catwalk providing ingress or egress from the boathouse, dock, terminal platform or other similar structure. The main access pier or catwalk shall be considered a walkway and shall not exceed six feet (6') in width. Catwalks and finger docks extending off the main access walkway shall not exceed three feet (3') in width.~~

~~(3) No boathouse or other similar structure shall exceed a maximum width of 13 feet as measured between the insides of the pilings, or 15 feet as measured between the outsides of the pilings.~~

~~(4) No dock or other similar structure shall exceed a maximum width of 20% of the width of the property or 25 feet, whichever is less.~~

~~(5) The roof of any boathouse or similar structure, at its highest point, shall not exceed 18 feet above the water level at mean high tide.~~

~~(6) A terminal platform is permitted in combination with a boathouse provided the additional square footage does not exceed 180 square feet.~~

~~(7) The plate upon which the roof rafters of such boathouse structures rest shall not be more than 12 inches below the roof edge.~~

~~(8) If 5% or more of the floor area of a boathouse, dock, catwalk, or other similar structure is proposed to be located over beds of native submerged aquatic vegetation consisting of any of the following listed species, the structure shall be located so as to minimize any disturbance to such vegetation: widgeon grass (*Ruppia maritina*); eel grass (*Zostera marina*); manatee grass (*Cymodocea filiformis* or *Syringadium filiformis);* sea grass (*Halophila spp.);* shoal grass (*Halodule wrightii*); and eel grass (*Vallisneria spp.).*~~

a. Access walkway:

1. The main access pier or catwalk shall be considered a walkway and shall not exceed six feet (6') in width. Catwalks and finger docks extending off the main access walkway shall not exceed three feet (3') in width.

2. The square footage limitations established herein are exclusive of the area of the main access walkway providing ingress or egress from the boathouse, dock, terminal platform or other similar structure.

b. Terminal Platform:

1. In the Tomoka Marsh Aquatic Preserve, no terminal platform shall exceed 160 square feet in area.

2. In all other waterways other than the Aquatic Preserves, no terminal platform shall exceed 180 square feet in area.

3. Terminal platforms may be covered, not to exceed the square footage in area of the terminal platform in the Aquatic Preserves. Nor shall a covered platform exceed a 24-inch roof overhang beyond the square footage of the platform in Florida Outstanding and Class III waterways. The maximum height at its highest point, shall not exceed 18 feet above the water level at mean high tide.

c. Boathouse:

1. No boathouse or other similar structure extending into any waterway shall exceed 500 square feet in area. The roof overhang in the Aquatic Preserves shall not exceed 1 foot beyond the footprint of the lift and the boat stored at the lift. The roof overhang shall not exceed 24-inches in Florida Outstanding and Class III waterways.

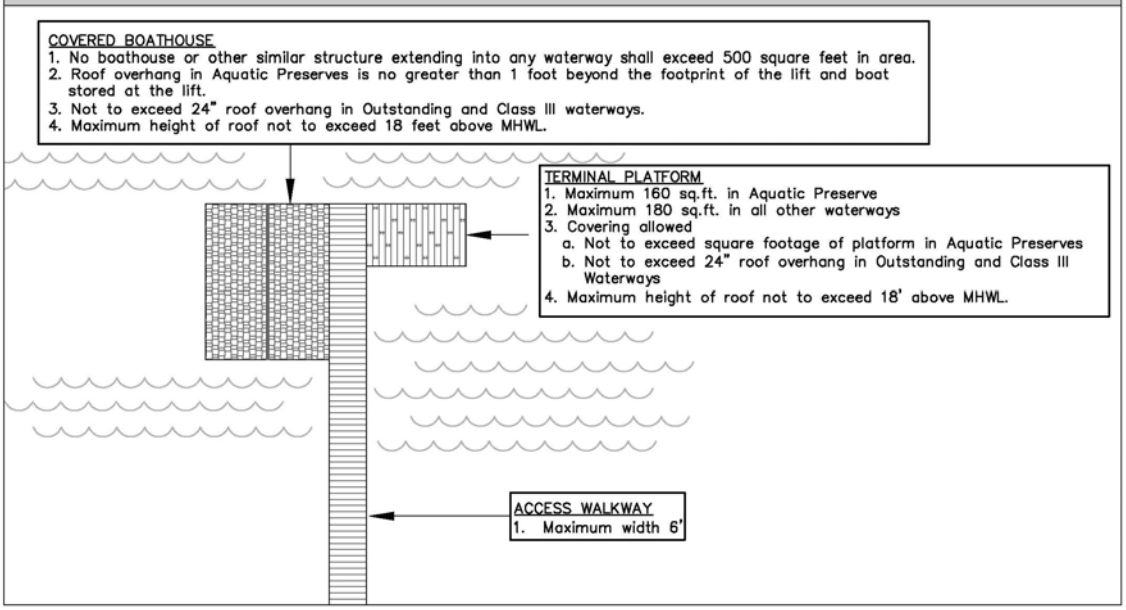
2. The roof of any boathouse or similar structure, at its highest point, shall not exceed 18 feet above the water level at mean high tide.

d. Vegetative disturbance:

1. If 5% or more of the floor area of a boathouse, dock, catwalk, or other similar structure is proposed to be located over beds of native submerged

aquatic vegetation consisting of any of the following listed species, the structure shall be located so as to minimize any disturbance to such vegetation in compliance with state and federal guidelines: widgeon grass (Ruppia maritina); eel grass (Zostera marina); manatee grass (Cymodocea filiformis or Syringadium filiformis); sea grass (Halophila spp.); shoal grass (Halodule wrightii); and eel grass (Vallisneria spp.).

Figure 1



STAFF REPORT

City of Ormond Beach
Department of Planning

DATE: December 8, 2011

SUBJECT: Automatic Amusement Center/Game Room

APPLICANT: City Initiated

NUMBER: LDC # 12-14

PROJECT PLANNER: Richard P. Goss, AICP

Affected Code Section Title	Code Section
Chapter 1, Article III - Definitions	Section 1-22 - Definition of Terms and Words
Chapter 2, Article IV – Conditional & Special Exception Regulations	Section 2-57 A 7 - Automatic Amusement Centers/Game Rooms

INTRODUCTION: The 1980s was a peak era of video arcade game popularity, innovation, and earnings. Color arcade games became more prevalent and video arcades themselves started appearing outside of their traditional bowling alley and bar locales. Beginning with Space Invaders, video arcade games also started to appear in supermarkets, restaurants, liquor stores, gas stations and many other retail establishments looking for extra income. In 1982, Ormond Beach had few regulations on such uses and because of perceived negative influences such establishments had on surrounding property, video arcades classified as amusement centers/game rooms were regulated by the City to ensure operation of such uses complied with minimum standards. Included within this definition were internet cafes.

In March 2011, the Planning Board recommended a moratorium ordinance on internet cafes and gaming which was approved by the City Commission on March 21, 2011 for 180 days. On September 20, 2011 the City Commission approved an extension for the moratorium for 90 days. On November 1, 2011 the City Commission approved Ordinance 2011-41 on Second Reading and Public Hearing finding internet cafes and the use of commercial gaming devices were gambling and therefore unlawful. As such, a minor amendment to the Automatic Amusement Center/Game Room use is required to distinguish internet cafes from automatic amusement centers/game rooms.

B. DESCRIPTION: The proposed changes to the Automatic Amusement Centers/Game Rooms are to make consistent the Land Development Code with the provisions contained in Ordinance 2011-41 regarding Automatic Amusement Centers/Game Rooms. The amendments are to the definition section of the LDC code as well as to the Conditional and Special Exception regulations for Automatic Amusement Centers/Game Rooms.

ANALYSIS: The amendments include the deletion of the current definition for Automatic Amusement Centers/Game Rooms and a replacement definition for same. A new

definition for automatic amusement devices has been added with some minor amendments to the criteria for consistency purposes with Ordinance 2011-41. Two provisions in the proposed LDC amendment are not part of the City Code of Ordinances. The Type E restaurant in the City Code of Ordinances must be changed to Type A since Type E no longer exists. Also the separate room provision for automatic amusement centers/game rooms as accessory uses no longer exists in the City Code of Ordinances and has been included in this amendment. In both cases, amendments will be needed to the City Code of Ordinances. A City Code amendment to Section 12-144 of the City Code of Ordinances in tandem with the LDC amendment will be prepared to bring into alignment both codes.

CONCLUSION: There are certain criteria that must be evaluated before M-10-110 can be approved. According to Article I of the Land Development Code, the Planning Board shall consider the following when making its recommendation:

1. **The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

   The purpose of this amendment is to realign the current regulations in the LDC to those approved as part of the City Code of Ordinance amendments for amusement centers/game rooms and internet cafes. Prior to the separation of the internet café from the amusement center/game room regulations, internet café was regulated the same as amusement centers. Internet cafes by the new ordinance are considered unlawful uses since they are deemed to be gambling. These amendments solidify the City's regulations in the protection of the public's health, safety, welfare and quality of life.

2. **The proposed development is consistent with the Comprehensive Plan.**

   The amendments are consistent with and further both the City's Comprehensive Plan and the City's Code of Ordinances as it pertains to health, safety, and welfare concerns.

3. **The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to water bodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, well fields, and individual wells.**

   This is not a project-specific development application and the proposed Land Development Code amendment will not have an adverse impact on environmentally sensitive lands.

4. **The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

   This is not a project-specific development application but the proposed Land Development Code amendments shall have no adverse effect on surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare or visual impacts on adjoining properties.

5. **There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

   The purpose of the amendment is to bring into alignment the Land Development Code with the City Code of Ordinances as it pertains to amusement centers/game rooms and internet cafes.

6. **Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

   There is no development proposed for this amendment. The application pertains to a Land Development Code amendment.

7. **The proposed development is functional in the use of space and aesthetically acceptable.**

   There is no development proposed for this amendment. The application pertains to a Land Development Code amendment.

8. **The proposed development provides for the safety of occupants and visitors.**

   There is no development proposed for this amendment. The application pertains to a Land Development Code amendment.

9. **The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.**

   There is no development proposed for this amendment. The application pertains to a Land Development Code amendment.

10. **The testimony provided at public hearings**.

    There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION: Staff recommends the Planning Board support the amendments as provided in the attachment.

Attachment: as

ORDINANCE NO. 2012-XXX

AN ORDINANCE AMENDING CHAPTERS 1 AND 2 OF THE LAND DEVELOPMENT CODE, MORE SPECIFICALLY; AMENDING CHAPTER 1 ARTICLE 3, BY AMENDING SECTION 1-22 ENTITLED DEFINITIONS; AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-57 A 7, ENTITLED, AUTOMATIC AMUSEMENT CENTERS/GAME ROOMS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the Planning Board held a public hearing on said amendments to the amusement centers/game rooms use contained in the Land Development Code on December 8, 2011 and after hearing no adverse public comment recommended approval; and

WHEREAS, the automatic amusement centers/game rooms amendments are for internal consistency between the City's Land Development Code and the City Code of Ordinances.

THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Chapter 1, General Administration, of Article III, Definitions, Section 1-22 of the *LDC* is hereby amended read as follows:

~~**Automatic Amusement Centers/Game Rooms:** Where the principal business operated on the premises is the operation of games of skill which upon the insertion of a coin, slug, token, plate or disc, or the payment of fee allowing general use of the machines, may be operated by the public generally for the use as a game, entertainment, or amusement,~~

~~whether or not registering a score, including but not limited to such devices as marble machines, pin ball machines, skillball, mechanical grab-machines, and all games, operations or transactions similar thereto under whatever name they may be indicated. It shall include video type games or machines, or similar devices that can use a display screen for points, lines and dots of light, that can be manipulated to simulate games or other types of entertainment. It shall not include nor apply to music playing devices or non-competitive devices. Refer to Chapter 12, Code of Ordinances - *Automatic Amusement Devices.*~~

Automatic amusement centers/game rooms: Any premises upon which the principal business is the operation of automatic amusement devices.

Automatic amusement devices: Any device operated as a game of skill which upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment, or amusement, whether or not registering a score, including but not limited to such devices as marble machines, pinball machines, skillball, mechanical grab machines, and all games, operations or transactions similar thereto under whatever name they may be indicated. It shall include video type games or machines, or similar devices that use a display screen for points, lines and dots of light that can be manipulated to simulate games or other types of entertainment, except that it shall not include commercial gaming devices as defined in Article V, Section 12-141 of the City Code of Ordinances. It shall not include nor apply to music playing devices or noncompetitive devices.

SECTION TWO. Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations, Section 2-57 A 7 entitled Automatic Amusement Centers/Game Rooms of the *LDC* is hereby amended to read as follows:

In all districts allowing such use, the following minimum standards shall apply:

1. When the sole business operated on the premises is the operation of any automatic amusement devices, said premises must be located more than 1,000 feet from any school, house of worship, public park, or youth activity building. No two (2) amusement centers shall be located closer than 1,000 feet from one another. The distance shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the premises wherein the automatic amusement devices are located to the main entrance of the said school, house of worship, public park or youth activity building.

2. Each automatic amusement device shall be located at least 10 feet from the entranceway to the premises in which located and placed so that it does not obstruct or interfere with the free and unfettered passage of patrons or users of the premises.

3. The maximum number of automatic amusement devices shall be limited to one (1) amusement device per 50 square feet of premises used for the operation of such devices. The computation shall exclude any portion of the premises used for the storage or sales of automatic amusement devices or the conduct of any business other than the operation of automatic amusement devices.

4. ~~Specific hours of operation may be established if the use may impact adjacent or nearby residential uses~~. Specific hours of operation may be required in accordance with applicable regulations of the Land Development Code if the use may impact adjacent or nearby residential uses.

5. The premises ~~S~~shall be screened to minimize noise and glare impacts to neighboring residential uses.

6. No person shall in any automatic amusement center permit gambling in connection with the playing of any automatic amusement device.

7. Automatic amusement centers shall provide a current inventory of all games kept on the premises, including the name of the game which appears on the

screen when the automatic amusement device is in attract mode, the manufacturer, serial number, the actual owner of the machine with the owner's address and phone number, and attachment of license to each machine.

8. The inventory required in Paragraph 7 above shall be kept on file with the Planning Department as part of the approved development order. Any change whatsoever in games or machines on the premises must be so indicated on an updated inventory which shall be provided to the Planning Department within 10 business days of such changes.

9. The general public shall be allowed in all automatic amusement centers. No automatic amusement center shall restrict access to the site by the use of age restrictions or membership to the center.

10. No automatic amusement center shall offer prizes, tickets, or other merchandise over $5.00 in value. Automatic Amusement Centers shall not allow customers to maintain a running tally of points for prizes or other goods.

11. Automatic amusement centers shall be prohibited from offering gift certifications, gift cards, or other cash substitutes.

12. There shall be no alcohol beverages, dispensed, sold, or otherwise consumed, on the premises.

13. Automatic amusement devices are prohibited from having switchable, programmable, or random generator devices to allow a rate of return to business operators or machine owners.

14. All applicable state permits shall be submitted to the City prior to the final release of the Certificate of Occupancy.

15. All licensing requirements contained within Chapter 12, Article V - *Automatic Amusement Devices*, of the Code of Ordinances shall be complied with at all times.

16. Prior to the issuance of a Certificate of Occupancy, City neighborhood improvement and law enforcement officials shall inspect the automatic amusement devices for compliance with ~~F.S.~~ Chapter 849, Florida Statutes

17. Once a Certificate of Occupancy has been issued, City officials shall be allowed to conduct random inspections of the automatic amusement devices, games, and the failure to cooperate with the inspections shall be grounds to revoke the C.O. and/or business tax receipt.

18. Automatic Amusement Centers/Game Rooms contained within the principal building shall be permitted as an accessory use to transient lodging facilities, bowling centers, skating centers, and in Type ~~"E"~~ "A" restaurants, and shall not be subject to the above requirements, provided that the accessory use does not provide any type of prizes, tickets, or other merchandise. When the operation of automatic amusement devices is conducted on the premises as an accessory use, the maximum number of automatic amusement services shall be no more than two (2) except that more than two (2) automatic amusement devices may be allowed provided that:

    a. The automatic amusement devices are placed in an enclosed room separate and apart from the primary business conducted on the premises; and

    b. Access to the said room is only through the entrance to the primary business itself.

    If the use awards prizes, tickets, or other merchandise, then they shall be subject to ~~the~~ provisions 1 through 17 above. ~~listed in Section 2-57.7(1-14), Chapter 2, Article IV.~~

SECTION THREE. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FOUR. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of

competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FIVE. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this _____ day of _____, 2012.

PASSED UPON at the second and final reading of the City Commission, this _____ day of _____, 2012.

_____
ED KELLEY
Mayor

ATTEST:

_____
JOSHUA FRUECHT
City Clerk

CITY OF ORMOND BEACH

FLORIDA

PLANNING **MEMORANDUM**

TO: Chairman Thomas and Planning Board Members

FROM: Steven Spraker, Senior Planner

DATE: December 1, 2011

SUBJECT: 2012 Planning Board Calendar

Attached for the Board's review and approval is the 2012 Planning Board calendar. If there are any questions, please contact me at 676.3341. Thank you.

2012 Planning Board Public Hearing Schedule

Deadline for Submittal to SPRC	SPRC Meeting: Projects are Determined on/ off Agenda	15 Sets of Site Plans for PB	Post Property (by applicant) 14 Days Prior to Meeting	PB Mail Notification and NJ advertisement by staff	Final Staff Reports and Agenda sent to PB	Planning Board Meeting Date	Packet to City Attorney's Office	City Commission – 1st Reading	City Commission - 2nd Reading
Nov 29	Dec 13	Dec 22	Dec 29	Dec 29	Jan 5	**January 12**	Jan 25	Feb 21	Mar 6
Jan 3	Jan 17	Jan 19	Jan 26	Jan 26	Feb 2	**February 9**	Feb 22	Mar 20	Apr 3
Jan 31	Feb 14	Feb 16	Feb 23	Feb 23	Mar 1	**March 8**	Mar 21	Apr 17	May 1
Mar 6	Mar 20	Mar 22	Mar 29	Mar 29	Apr 5	**April 12**	Apr 18	May 15	June 5
April 3	April 17	April 19	April 26	April 26	May 3	**May 10**	May 23	June 19	July 3
May 8	May 22	May 24	May 31	May 31	June 7	**June 14**	June 20	July 17	Aug 7
June 5	June19	June 21	June 28	June 28	July 5	**July 12**	July 25	Aug 21	Sept 4
July 3	July 17	July 19	July 26	July 26	Aug 2	**August 9**	Aug 22	Sept 18	Oct 2
Aug 7	Aug 21	Aug 23	Aug 30	Aug 30	Sep 6	**September 13**	Sept 19	Oct 16	Nov 7
Sep 4	Sep 18	Sep 20	Sep 27	Sep 27	Oct 4	**October 11**	Oct 24	Nov 20	Dec 4
Oct 2	Oct 16	Oct 18	Oct 25	Oct 25	Nov 1	**November 8**	Nov 21	Dec 18	Jan 8
Nov 6	Nov 20	Nov 26	Nov 29	Nov 29	Dec 6	**December 13**	Dec 19	Jan 22	Feb 5

DRAFT

City of Ormond Beach Commercial Development Report - December 1, 2011

#	Project	Description	Appli-cation Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Final Approval	DO Expiration	LDC Extension Expiration	SB Expiration	Advisory Board	City Commis-sion	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construct ion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
1	**400 CLYDE MORRIS BOULVERARD** 400 Clyde Morris Boulevard 07-1240	Minor Modification to approved site plan for 2 office buildings (9,384 and 7,671 SF)	12.26.07	01.16.08	04.01.08				06.19.08	06.19.10	06.19.11	06.19.13	NA	NA	Not Applied						E = Harpster Engineering O = Ormond Medical Arts ARC = BPF Design
2	**889 - 917 W. GRANADA BOULEVARD** 889 - 917 W. Granada Boulevard 07-1228	Redevelopment of 4 single-family homes into two 4.437 SF office buildings	12.03.07	12.26.07	03.04.08	12.23.08							NA	NA	NA						E = Parker Mynchenberg & Associates O = Donald & Shirley Gay ARC = David Leete
3	**1001 OLD TOMOKA ROAD** 1001 Old Tomoka Road 11-113	Sewer line and water connection for fire line for a new ALF	09.30.11	10.11.11	10.26.11				11.14.11												E = Daniel Johns, P.E. O = 1001 OLD TOMOKA LLC
4	**AIRPORT RD EXTENSION/SR 40 ROAD IMPROVEMENTS** 2701 West Granada Boulevard 09-25000002	Connection of Airport Road to SR40	04.14.09	04.28.09	02.02.10				02.04.10	02.04.12 - Under Const.	Under Const.	Under Const.	NA	NA		$73,403	02.09.10	02.09.10	25%		E= Hunter's Ridge Development Services, Inc. O = Ormond Beach/FDOT
5	**ANDY ROMANO OCEANFRONT PARK** 839 South Atlantic Avenue 12-01	Construct public oceanfront park including parking, stormwater, recreational amenities, and landscaping.	10.04.11	10.18.11									11.10.11 Approved	01.17.12 02.07.12							E = Zev Cohen and Associates, Inc. O = City of Ormond Beach ARC = DJ Designs, Inc.
6	**AMERICAN LEGION - POST 267** 1142 North US Highway 1 11-105	Redevelop existing building into an American Legion, including building and site improvements	08.23.11	09.06.11	11.01.11																O = American Legion, Post 267 E = Daniel Johns, P.E. ARC = Stan Holle
7	**ATLANTIC CENTRAL ENTERPRISES** 14 West Tower Circle 08-25000008	New 26,500 +/- SF Industrial Warehouse/Office	04.08.08	04.22.08	06.10.08				07.03.08	07.03.10	07.03.11	07.03.12	NA	NA	Not Applied						O = Atlantic Central Enterprises A = Steve Traulson E = W.A. Cross Engineering, Inc
8	**BETNR HANGERS @ OB AIRPORT** 85 Hanger Way 10-00000036	Phased construction of three buildings (1: 1,000 SF office, 5,300 SF manufacturing, 6,300 SF hanger) (2: 1,600 SF office, 10,500 SF hanger) (3: 4,800 Warehouse)	12.08.09	12.22.09	02.09.10				03.22.10	03.22.12			NA	NA	Not Applied						E = McKim & Creed A = BETNR ARC = BPF Design
9	**BROWN/THOMPSON COMMERCIAL** 1287 West Granada Boulevard 08-25000037	2 Buildings = 18,992 Square Feet	12.01.08	12.16.08	01.04.11	06.07.11							Approved 07.14.11	Approved 09.06.2011 - Ord 11-31							E = Danny Johns O = Brown/Thompson ARC = Robert Hall
10	**CARDINAL DRIVE LIFEGUARD STATION** 301 Cardinal Drive 11-23	Demolish existing structure and build new lifeguard station with public restrooms and expand parking.	02.22.11	03.08.11	05.25.11				06.27.11	06.27.13			NA	NA	Not Applied						E = Alann Engineering Group O = County of Volusia ARC = DJ Designs, Inc.
11	**CHASE BANK** 75 Shadow Lakes Boulevard 11-37	Demolition of two existing buildings and construction of 4,200 square foot bank building and associated site improvements.	03.22.11	04.05.11	06.14.11				07.07.11	07.07.13			NA	NA	Approved 11.01.11	Building = $915,400 Site = $222,600	10.04.11	10.04.11	20%		E = Bowyer-Singleton DEV = Ferber Group ARC = Core States Group
12	**COURTYARD PBD** 135 N. US1 (between Highland and Dix) 07-1243	12,000 Square Feet Retail (Dollar General complete) and 16 MF units	01.04.08	02.04.08	12.01.08	02.17.09			06.12.09		Not Applied	NA	04.09.09 PB	06.02 CC Ord 09-17 Expires Ph.2 06.02.12	Not Applied						E = Daniel Johns, P.E. O = Ormond Central Market Place ARC = Richard Brookfield
13	**DODSON CREEK OFFICES** 823 North US Highway 1 11-101	Modification to site plan for project under construction	08.09.11	08.23.11	10.11.11				10.25.11										55%		O = L-J Building Enterprises, Inc. E = Anderson-Dixon, LLC
14	**HUDSON TECHNOLOGIES** 1327 North US Highway 1 11-76	Demolition of existing small warehouse and construction of 2,800 square foot warehouse.	05.02.11	05.16.11					06.27.11	06.27.13			NA	NA	Approved 07.11.11	$50,000	07.11.11	NA	45%		O = Hudson Technologies E = LP Engineering
15	**MARIA BONITA** 195 West Granada Boulevard 08-19000005	Expansion of restaurant to 177 +/- seats and site improvements	09.08.09	09.22.09	01.05.10	01.05.10			11.11.10	11.11.12	Under Const.	Under Const.	App. 6-0; 01.14.10	Ord.10-22 02.16.10	Issued	$193,000 for site work - $175,000 for building	01.19.11	01.19.11	75%		E = Alann Engineering Group O = Taxco ARC = BPF Design

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

City of Ormond Beach Commercial Development Report - December 1, 2011

#	Project	Description	Appli-cation Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Final Approval	DO Expiration	LDC Extension Expiration	SB Expiration	Advisory Board	City Commis-sion	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construct ion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
16	**McNAMARA WAREHOUSE** 480 Andalusia Drive 11-13	4,580 square foot warehouse and associated site improvements	12.22.10	01.05.11																	E = Parker Mynchenberg & Assoc O = McNamara Construction, LLC ARC = Stan Hoelle
17	**NORTH ORCHARD CENTER** 150 North Orchard Street 07-1167	New 7,400 SF office (2,000SF), warehouse (10 units) and mini-storage (218 units)	05.14.07	06.06.07	08.29.07	11.14.07	01.02.08		04.08.08	04.08.10	04.07.11	04.07.13	PB 01.10.08 APP (6-0)	CC 03.04.08 Ord 08-09 Expires 03.04.13	Not Applied						E = Alann Engineering Group O = Brian Share
18	**NOVA BANK** 115 North Nova Road 07-1200	1,800 SF Bank	08.29.07	09.12.07	10.24.07	12.05.07			01.08.08	01.09.10	01.09.11	01.09.12	NA	NA	Not Applied		X				E = Alann Engineering Group O = Paul F. Holub, Jr. ARC = BPF Design
19	**ORMOND BEACH MIDDLE SCHOOL** 151 Domicilo Avenue 11-26	Demolition of 9 structures and construction of 2 new buildings (3 & 6) and associated site improvements.	02.15.11	03.02.11					no objection letter				NA	NA							E= Kilma Weeks O = Volusia County School Board
20	**OLIVE GROVE** 765 W. Granada Boulevard 10-125	Housing under construction; commercial lot vacant	07.06.10	07.14.10					10.14.10	Under Const.	Under Const.	Under Const.	08.12.10 Approved	Approved 09.21.10 Ord 10-44	12.01.10	$14,269.77	12.01.10	12.01.10	85%		E = Alann Engineering Group O = Beneficial Communities ARC = Forum Architects
21	**ORMOND CROSSINGS PMUD** 100 Ormond Crossings Boulevard 10-134	Master Development Plan zoning document for Ormond Crossings project (no site plan approval)	08.16.10	09.02.10	11.17.11																O = Tomoka Holdings LLC A = Tomoka Holdings LLC
22	**ON THE BOULEVARD** 11-43 West Granada Boulevard 08-25000004	Rose Villa (43 Granada) complete - other improvements under construction	03.18.08	04.01.08	07.01.08				11.26.08	Under Const.	Under Const.	Under Const.	Approved 07.24.08 DRB	Approved 08.26.08 R 2008-146	Multiple Permits	X	X	X	98%		E = Harpster Engineering O = Highlander Corporation ARC = Brookfield
23	**ORMOND GRANDE** 1255 North US1 10-00000006	New 4,800 SF industrial and 60 townhomes (see residential report)	10.13.09	10.27.09	01.05.10				01.11.10	01.11.12		NA	Not required	Not Required	Not Applied						E = Parker Mynchenberg & Assoc O/A = Ormond Grande LLC
24	**PARHAM BUILDING MODIFICATION** 3 Aviator Way 09-19000003	Construct new 5,340 SF warehouse at rear of site	07.28.09	08.11.09					10.08.09	10.08.11	Under Const.	Under Const.	NA	NA	Site work permit issued	$78,700 (site work only)	11.25.09	11.25.09	25%		O = Parham Florida Development LLC E = Mark Dowst & Associates A = Stan Hoelle
25	**PRINCE OF PEACE - SOCIAL SERVICE** 600 South Nova Road 10-00000007	12,160 square foot new building for Church thrift shop, meeting area, offices, and food pantry	11.03.09	11.17.09 (concept)	12.29.09								04.08.10	05.18.10							E - Alann Engineering O = Prince of Peace ARC = DJ Designs
26	**RIVERBEND CHURCH EXPANSION** 2080 West Granada Boulevard 09-25000008	Site improvements and utility connect in association with expansion in Daytona Beach	09.08.09	09.22.09	01.18.11				07.13.11				NA	NA			11.9.11		5%		E = Mark Dowst & Associates O = Riverbend Church
27	**RIVER GRILLE** 950 North Highway US 1 12-02	Addition of site amenities including outdoor fire place, tiki hut seating, and decking	10.11.11	10.26.11					11.07.11												E = Mark Dowst & Associates O = Tomoka Rivergrille of Ormond Beach LLC
28	**ROOT COMMERCE PARK** 900 North US Highway 1 06-4-1107	New 99,000 SF (49,200 office) and warehouse in 5 buildings on 12.48 acres	04.26.06	05.18.06	08.17.06	10.12.06	12.07.06		06.27.08	06.27.10	06.06.11	06.06.13	PB 11.09.06 A (5-0)	02.20.07-CC Ord 07-07 Exp: 02.20.13	Not Applied						E = Parker Mynchenberg & Associates ARC = BPF Design A = Root Chapman
29	**SPACE COAST BANK AT TYMBER CREEK** 1940 West Granada Boulevard 08-19000007	Minor Modification to approved site plan to modify the building structure.	11.18.08	12.02.08	03.25.09				10.28.09	10.28.11	Not Applied	NA	NA	NA	Not Applied						E = Zahn Engineering O = Space Coast Credit Union ARC = Building Management Systems, Inc.
30	**STOR-IT** 99 Portland Avenue 11-09	Construction of vehicle storage facility with 87 bays and associated site	12.07.10	12.21.10	11.15.11								12.08.11	01.17.12 & 02.07.12							E = Zev Cohen & Associates O = Vanacore Commercial Property

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

City of Ormond Beach Commercial Development Report - December 1, 2011

#	Project	Description	Appli-cation Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Final Approval	DO Expiration	LDC Extension Expiration	SB Expiration	Advisory Board	City Commis-sion	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construction	CO Issued	E or Arc = Project Engineer or Architect **O = Owner** **A = Applicant**
31	**ST. JAMES EXPANSION** 44 South Halifax Drive 08-250000012	A 4,336 SF expansion of the existing site with site improvements	05.28.08	06.10.08	07.08.08								NA	NA							E = Zev Cohen & Associates O = St. James Episcopal Church Arc = Cummings & McCrady, Inc.
32	**T-MOBILE TOWER** 1 South Old Kings Road 10-000096	Construct a 140 foot camouflaged flagpole.	04.06.10	04.20.10	02.16.11				09.27.11				NA	NA	Not Applied						E = KCI Technologies, Inc. O = Omega 40 Enterprises LTD
33	**TOMOKA CHRISTIAN CHURCH** 1450 Hand Avenue 07-1201	Proposed New Church - 61,000 SF, 801 seats	08.29.07	09.26.07	11.14.07	02.05.08	03.04.08	04.01.08	06.19.08	06.16.10	06.16.11	05.06.12	Approved 03.27.08 DRB	App 05.06.08 Res. 08-102 Expires 05.06.12	Not Applied						E = Zev Cohen & Associates O = Tomoka Christian Church ARC = Hyde West Architects
34	**WASTEWATER TREATMENT EXPANSION** 550 Orchard Street 10-00000001	Wastewater treatment Expansion	10.06.09	10.20.09	03.02.10				03.10.10	03.10.12 Under Const.	Under Const.	Under Const.	NA	NA	Issued 10.20.20		Issued 10.20.20	Issued 10.20.20	40%		E = Camp Dresser & McKee Inc. O = City of Ormond Beach
35	**WAL-MART PARKING MODIFICATIONS** 1521 West Granada Boulevard 09-25000007	Modify parking - remove 89 spaces, façade renovations	07.07.09	07.21.09	08.18.09				11.04.09	11.04.11	Not Applied	NA	Approved 09.10.09	App. 11.03.09 Ord 09-37	Issued	$806,676	X	X	98%		E = Duplantis Group O = Wal-Mart Stores
36	**WEST GRANADA OFFICES** 1291 West Granada Boulevard 08-25000038	Two buildings = 33,000 square feet	12.08.08	12.23.08	08.11.09								Required	Required							E = Alann Engineering Group O = IEL Medmal LLC ARC = BPF Design

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

City of Ormond Beach Residential Development Report -- Ending December 1, 2011

#	Project	Description	Appli-cation Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Final Approval	DO Expiration	LDC Extension Expiration	SB 360 Expiration	Advisory Board	City Commis-sion	Building Permit Info	Eng. Permit	Clearing Permit	Under Construction	CO Issued	E or Arc = Project Engineer or Architect **O = Owner** **A = Applicant**
A	**COURTYARD PBD** 135 N. US1 (between Highland and Dix) 07-1243	21,000 Square Feet Retail (9,000 Dollar General) and 16 MF units	01.04.08	02.04.08	12.01.08	02.17.09			06.12.09		Not Applied	NA	04.09.09 PB	06.02 CC Ord 09-17 Expires Ph.2 06.02.12	None for Residential					E = Danny Johns O = Ormond Central Market Place ARC = E.M.P. Architecture & Design
B	**DEER CREEK SUBDIVISION** 2400 Airport Road 04-08-989	346 Single-Family Lots (4 phases)	08.24.04						08.31.05	Under Const.	Under Const.	Under Const.	Final Plat: O 2006-11 (Ph. 1) Final Plat: O 2007-13 (Ph. 2) Final Plat: O 2007-14 (Ph. 3) Final Plat: O 2007-15 (Ph. 4)			Phase 1 Phase 2 Phase 3 Phase 4 (phase 4a completed)			Done Done Done 0%	E = Mark Dowst & Associates O/A = Hunter's Ridge, Inc
C	**ENCLAVE AT NORTH POINTE** Tymber Creek Road (Parcel # 4113-00-00-0032) 05-06-1041	34 Single-Family Lots	06.29.05	03.02.06	03.23.06	10.12.06	02.21.07	04.11.07	09.10.07	08.01.09 PRD Zoning	08.01.10	08.01.12 Zoning & 10.08.12 Site Plan		O 06-08 (PRD) R-04-206 Plat	Not Applied					E = Land Plan Engineering Group O = Silverstein & Goldberg Trust A = White Falcon Land & Development
C	**ENCLAVE AT NORTH POINTE** Tymber Creek Road (Parcel # 4113-00-00-0032) 10-153	34 Single-Family Lots - **PRD Amendment** Transfer traffic concurrency vesting to Marshside subdivision	10.04.10	10.19.10									Required	Required						E = Land Plan Engineering Group O = Silverstein & Goldberg Trust A = White Falcon Land & Development
D	**MARSHSIDE AT GROOVER BRANCH** Tymber Creek Rd. & Airport Rd. (Parcel # 4124-00-00-0240) 05-06-1035	68 Single-Family Lots	06.08.05	12.08.05	02.02.06	03.23.06	09.19.07	6.10.08		11.14.09 PRD Rezoning	11.14.10 Zoning	11.14.12 Zoning	PB 06.08.06 Deny (3-2)	11.14.06 Ord. 06-09						E = Land Plan Engineering Group O = Enclave of Timber Creek LLC A = White Falcon Land & Development
D	**MARSHSIDE AT GROOVER BRANCH** Tymber Creek Rd. & Airport Rd. (Parcel # 4124-00-00-0240) 10-152	Amendment & rezoning for Marshside subdivision to increase the number of lots from 68 to 104 units.	10.04.10	10.19.10									Required	Required						E = Land Plan Engineering Group O = Enclave of Timber Creek LLC A = White Falcon Land & Development
E	**OLIVE GROVE** 765 W. Granada Boulevard 10-125	Amend Granada Grande approved from 208 housing units to 88	07.06.10	07.14.10					10.14.10	10.14.12			08.12.10 Approved	Approved 09.21.10 Ord 10-44	$14,269.77	12.01.10	12.01.10	CO on Bldg 1& 2; 85%		E = Alann Engineering Group, Inc O = Beneficial Communities ARC = Forum Architects
F	**ORMOND GRANDE** 1255 North US1 10-00000006	New 4,800 SF industrial and 60 townhomes	10.13.09	10.27.09	01.05.10				01.11.10	01.11.12		NA	Not required	Not Required						E = Parker Mynchenberg & Assoc O/A = Ormond Grande LLC
G	**ORMOND STATION** 644 North Nova Road 08-25000039	29 Townhomes	11.06.08	12.02.08	06.09.09	12.22.09	02.23.10 (final)		03.09.10	03.09.12										E = Harpster Engineering O = Scott Vanacore
H	**PINELAND** East of I-95, north of Airport Road 08-23000002	Preliminary Plat of 192 Single-Family Lots	11.04.08	11.18.08	02.17.09					10.21.13 PRD Rezoning		NA	PB Approved (4-2)	Approved Ord 08-44						E = Zahn Engineering O = Funcoast Developers
I	**RIVER OAKS** Airport Road (Parcel # 4124-00-00-0040) 03-10-935	101 Single-Family Lots	06.28.06	07.13.06	01.24.07	08.01.07	09.12.07		11.07.07	Under Const.	Under Const.	Under Const.	10.25.07 DRB (6-0)	12.18.07 R07-226 (P. Plat)	Subdivision Imp. Value: $1,256,900	05.12.10	05.12.10	50%		E =Harpster Engineering O/A = Vanacore Homes
J	**TOMOKA GOLF VILLAGE** 20 Tomoka Oaks Blvd. 05-06-1039	122 Townhomes & 3 Single-Family Lots	06.15.05	09.29.05	05.03.06	07.27.06				10.17.08 PRD Rezoning	10.17.10	10.17.12	08.10.06	10.17.06 O 06-17						E/A = CPH Engineers, Inc. O = Tomoka Oaks Golf/Country Club

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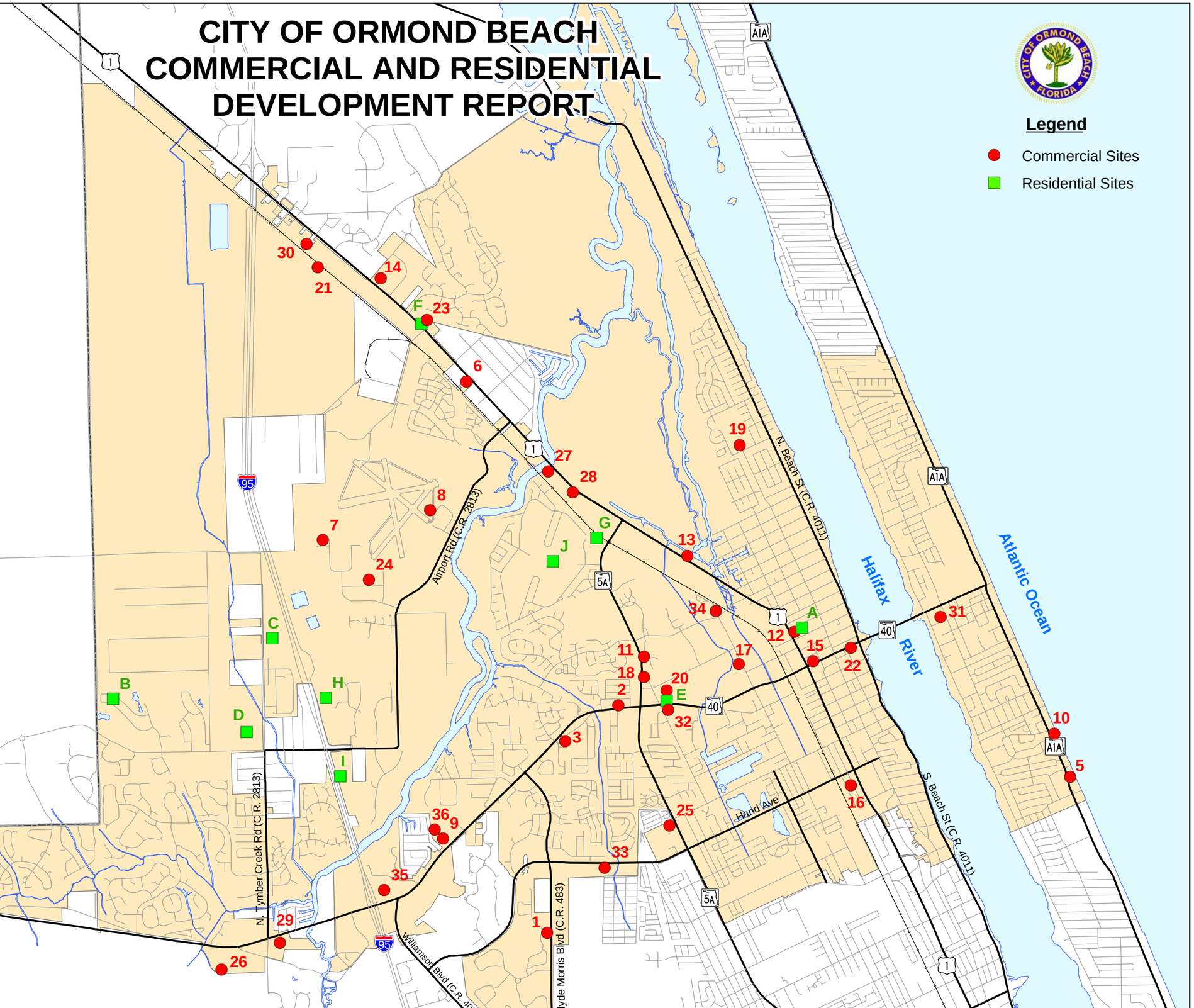
CITY OF ORMOND BEACH COMMERCIAL AND RESIDENTIAL DEVELOPMENT REPORT

	RESIDENTIAL PROJECTS
A	Courtyard PBD
B	Deer Creek Subdivision
C	Enclave at North Point
D	Marshside at Groover Branch
E	Olive Grove
F	Ormond Grande
G	Ormond Station
H	Pineland
I	River Oaks
J	Tomoka Golf Village
	COMMERICAL PROJECTS
1	400 Clyde Morris Boulevard
2	889 - 917 W. Granada Boulevard
3	1001 Old Tomoka Road
4	Airport Rd Extension/SR 40 Improvements
5	Andy Romano Oceanfront Park
6	American Legion - Post 267
7	Atlantic Central Enterprises
8	Betnr Hangars at OB Airport
9	Brown/Thompson Commerical
10	Cardinal Drive Lifeguard Station
11	Chase Bank
12	Courtyard PBD
13	Dodson Creek Offices
14	Hudson Technologies
15	Maria Bonita
16	McNamara Warehouse
17	North Orchard Center
18	Nova Bank
19	Ormond Beach Middle School
20	Olive Grove
21	Ormond Crossings PMUD
22	On The Boulevard
23	Ormond Grande
24	Parham Building Modification
25	Prince of Peace - Social Service
26	Riverbend Church Expansion
27	River Grille
28	Root Commerce Park
29	Space Coast Bank at Tymber Creek
30	Stor-It
31	St. James Expansion
32	T-Mobile Tower
33	Tomoka Christian Church
34	Wastewater Treament Expansion
35	Wal-Mart Parking Modifications
36	West Granada Offices



City of Ormond Beach G.I.S. Department
Prepared By: Eric Dickens 12/1/2011