



A G E N D A
ORMOND BEACH PLANNING BOARD
Regular Meeting

November 8, 2012

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: August 9, 2012.

VI. PLANNING DIRECTOR'S REPORT

VII. PUBLIC HEARINGS

A. LDC 13-005: Water Survival Instruction Land Development Code Amendment

An administrative amendment to the Land Development Code adding to Section 1-22 a definition for Water Survival Instruction; adding Water Survival Instruction as a Conditional Use to subsection 2-09 D, 2-10 D, 2-11 D, 2-12 D, 2-13 D, 2-14 D, 2-15 D, 2-16 D, 2-17 D, 2-18, D, 2-19 D, 2-20 D and 2-21 D; and adding to Section 2-57 Water Survival Instruction Conditional Use criteria.

B. MM 13-013: Capital Improvements Element (CIE) Annual Update.

An administrative annual update to the schedules of CIE of the City of Ormond Beach Comprehensive Plan, in accordance with State law.

C. LUPA 13-011- 1428 North US Highway 1 – Small Scale Land Use Map Amendment

An administrative Small Scale Comprehensive Plan Land Use Map amendment for approximately ± 0.53 developed acres located at 1428 North US Highway 1 to change the land use designation from Volusia County "Commercial" to the land use designation of City of Ormond Beach "Low Intensity Commercial".

D. LUPA 13-009- 1438 North US Highway 1 – Small Scale Land Use Map Amendment

An administrative Small Scale Comprehensive Plan Land Use Map amendment for approximately ± 0.15 developed acres located at 1438 North US Highway 1 to change the land use designation from Volusia County "Commercial" to the land use designation of City of Ormond Beach "Low Intensity Commercial".

E. LUPA 13-007- 1444 North US Highway 1 – Small Scale Land Use Map Amendment

An administrative Small Scale Comprehensive Plan Land Use Map amendment for approximately ± 0.72 developed acres located at 1444 North US Highway 1 to change the land use designation from Volusia County "Commercial" to the land use designation of City of Ormond Beach "Low Intensity Commercial".

F. RZ 13-012: 1428 North US Highway 1 – Zoning Map Amendment

An administrative Zoning Map Amendment for approximately ± 0.53 developed acres located at 1428 North US Highway 1 to change the zoning classification from Volusia County B-4 (General Commercial) to the zoning classification of City of Ormond Beach B-8 (Commercial).

G. RZ 13-010: 1438 North US Highway 1 – Zoning Map Amendment

An administrative Zoning Map Amendment for approximately ± 0.15 developed acres located at 1438 North US Highway 1 to change the zoning classification from Volusia County B-4 (General Commercial) to the zoning classification of City of Ormond Beach B-8 (Commercial).

H. RZ 13-008: 1444 North US Highway 1 – Zoning Map Amendment

An administrative Zoning Map Amendment for approximately ±0.72 developed acres located at 1444 North US Highway 1 to change the zoning classification from Volusia County B-4 (General Commercial) to the zoning classification of City of Ormond Beach B-8 (Commercial).

VIII. OTHER BUSINESS**IX. MEMBER COMMENTS****X. ADJOURNMENT**



A G E N D A
ORMOND BEACH PLANNING BOARD
Regular Meeting

November 8, 2012

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: August 9, 2012.

VI. PLANNING DIRECTOR'S REPORT

VII. PUBLIC HEARINGS

A. LDC 13-005: Water Survival Instruction Land Development Code Amendment

An administrative amendment to the Land Development Code adding to Section 1-22 a definition for Water Survival Instruction; adding Water Survival Instruction as a Conditional Use to subsection 2-09 D, 2-10 D, 2-11 D, 2-12 D, 2-13 D, 2-14 D, 2-15 D, 2-16 D, 2-17 D, 2-18, D, 2-19 D, 2-20 D and 2-21 D; and adding to Section 2-57 Water Survival Instruction Conditional Use criteria.

B. MM 13-013: Capital Improvements Element (CIE) Annual Update.

An administrative annual update to the schedules of CIE of the City of Ormond Beach Comprehensive Plan, in accordance with State law.

C. LUPA 13-011- 1428 North US Highway 1 – Small Scale Land Use Map Amendment

An administrative Small Scale Comprehensive Plan Land Use Map amendment for approximately ± 0.53 developed acres located at 1428 North US Highway 1 to change the land use designation from Volusia County "Commercial" to the land use designation of City of Ormond Beach "Low Intensity Commercial".

D. LUPA 13-009- 1438 North US Highway 1 – Small Scale Land Use Map Amendment

An administrative Small Scale Comprehensive Plan Land Use Map amendment for approximately ± 0.15 developed acres located at 1438 North US Highway 1 to change the land use designation from Volusia County "Commercial" to the land use designation of City of Ormond Beach "Low Intensity Commercial".

E. LUPA 13-007- 1444 North US Highway 1 – Small Scale Land Use Map Amendment

An administrative Small Scale Comprehensive Plan Land Use Map amendment for approximately ± 0.72 developed acres located at 1444 North US Highway 1 to change the land use designation from Volusia County "Commercial" to the land use designation of City of Ormond Beach "Low Intensity Commercial".

F. RZ 13-012: 1428 North US Highway 1 – Zoning Map Amendment

An administrative Zoning Map Amendment for approximately ± 0.53 developed acres located at 1428 North US Highway 1 to change the zoning classification from Volusia County B-4 (General Commercial) to the zoning classification of City of Ormond Beach B-8 (Commercial).

G. RZ 13-010: 1438 North US Highway 1 – Zoning Map Amendment

An administrative Zoning Map Amendment for approximately ± 0.15 developed acres located at 1438 North US Highway 1 to change the zoning classification from Volusia County B-4 (General Commercial) to the zoning classification of City of Ormond Beach B-8 (Commercial).

H. RZ 13-008: 1444 North US Highway 1 – Zoning Map Amendment

An administrative Zoning Map Amendment for approximately ±0.72 developed acres located at 1444 North US Highway 1 to change the zoning classification from Volusia County B-4 (General Commercial) to the zoning classification of City of Ormond Beach B-8 (Commercial).

VIII. OTHER BUSINESS**IX. MEMBER COMMENTS****X. ADJOURNMENT**

ORDINANCE NO. 2012-XXXX

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING THE CITY LAND DEVELOPMENT CODE; AMENDING CHAPTER 1, ARTICLE III-DEFINITIONS BY ADDING WATER SURVIVAL INSTRUCTION; AMENDING CHAPTER 2, ARTICLE II-DISTRICT REGULATIONS BY ADDING AS A CONDITIONAL USE WATER SURVIVAL INSTRUCTION TO RURAL RESTATE/ACRICULATURAL, RURAL RESIDENTIAL, SUBURBAN RESIDENTIAL, RURAL ESTATE, SINGLE-FAMILY LOW DENSITY, SINGLE-FAMILY LOW DENSITY, SINGLE-FAMILY LOW-MEDIUM DENSITY, NEIGHBORHOOD PRESERVATION, SINGLE-FAMILY CLUSTER & TOWNHOUSE; MULTI-FAMILY MEDIUM DENSITY, MULTI-FAMILY MEDIUM-HIGHT DENSITY, MANUFACTURED/MOBILE HOME; AND MANUFACTURED HOME ZONING DISTRICTS, AMENDING CHAPTER 2, ARTICLE IV – CONDITONAL AND SPECIAL EXCEPTION REGULATIONS BY ADDING CONDITIONAL USE CRITERIA FOR WATER SURVIVAL INSTRUCTION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEPARABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, from time to time continued amendments to the telecommunication requirements are needed to maintain parity with changing technology while ensuring the purposes for such regulations are maintained; and

WHEREAS, the City Commission finds these amendments to be in the overall best interest of the public health, safety and welfare, now therefore,

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA,
THAT:**

SECTION ONE: Amend Section 1-22 – Definition of Terms and Words, of Chapter 1 Article III Definitions by adding the following:

Water Surface Elevation:No change.....

Water survival Instruction: All forms of specialized swim instruction or water survival instruction designed to improve or facilitate an individual’s ability to self rescue or perform water survival techniques while awaiting rescue from water.

Water Table:.....No Change.....

SECTION TWO: Amend sub-sections 2-09 D, 2-10 D, 2-11 D, 2-12 D, 2-13 D, 2-14 D, 2-15 D, 2-16 D, 2-17 D, 2-18 D, 2-19 D, 2-20 D and 2-21 D of Chapter 2, District and General Regulations, of Article II, District Regulations of the City Land Development Code by adding IN alphabetical order the term **Water Survival Instruction** as a conditional use to residential zoning districts which permit single family dwellings to read as follows:

D. CONDITIONAL USES

Water Survival Instruction

SECTION THREE. Amend Section 2-57, Criteria for Review of Specific Conditional and Special Exception, of Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations of the City Land Development Code by adding the following conditional use criteria for Water Survival Instruction to read as follows:

W-

2. WATER SURVIVAL INSTRUCTION:

Instructional services for survival swimming or water survival techniques shall be permitted as a home occupation in all single family residentially zone districts which meet the following additional regulations:

- 1) **Lot Size:** The minimum lot size is at or exceeds 20,000 square feet.
- 2) **Certification:** The instructor must have a current instructor certification by an appropriately recognized certifying organization based upon the method of instruction taught.
- 3) **Hours of Operation:** Instruction shall occur only between the hours of 9:00 a.m. and 4:00 p.m., Monday through Saturday.
- 4) **Insurance:** Proof of liability insurance in the amount of at least \$300,000 covering the instructional service shall be required.
- 5) **Number of Students:** A maximum of one student at a time in the pool shall be permitted to receive instruction during a lesson. No other non-instructed person shall be in the pool during instruction in the pool. There shall be a 15 minute break between each beginning and ending session.
- 6) **Parking:** Vehicles associated with the person receiving the instruction shall be permitted to be parked only in the driveway at the home where the instruction is provided.
- 7) **Acceptance of Alternative Standard:** The planning director may accept an alternative standard to lot size, hours of operation, parking location restrictions and the 15 minute break between sessions when the instructor is performing water survival instruction on a lot that has an indoor pool and meets two of the following conditions:
 - (a) A minimum of one acre in size.
 - (b) Not part of a platted residential subdivision.
 - (c) The setting is rural in character.
- 8) **Resident:** The instruction must be conducted by the resident of the dwelling where the lessons are provided. Only one instructor shall be permitted to provide instruction at any one time.
- 9) **Business Tax Receipt (BTR):** A BTR is required for Water Survival Instruction. The BTR shall be issued to the instructor of and for the home where the instruction is to occur. A copy of the required instructor certification, proof of liability insurance and a notarized release from the property owner if the applicant is a tenant shall be provided to the city official issuing the BTR at the time the BTR is issued.

2. 3. WIND ENERGY SYSTEMS

3. 4. WINE, BEER, OR LIQUOR STORE IN FREESTANDING STRUCTURE

SECTION FOUR: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE. 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 SIX. 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 KELLY

Mayor

ATTEST:

LOIS TOWEY

Assistant City Clerk

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 2, 2012

SUBJECT: 2012 Capital Improvements Element (CIE) Annual Update

APPLICANT: Administrative

NUMBERS: MM 13-013

PROJECT PLANNER: S. Laureen Kornel, AICP, Senior Planner

INTRODUCTION: Every year local governments must update their Capital Improvements Element (CIE), including the Five-Year Schedule of Capital Improvements (Schedule) to show that they have funded or planned to fund the public facility improvements needed to support their population. These facilities include water, sewer, stormwater, solid waste, roads, parks, and schools. The subject Annual Update is administrative and updates the schedules of CIE of the City of Ormond Beach Comprehensive Plan, in accordance with State law. This update does not include any text changes to the goals, objectives and policies of the CIE.

BACKGROUND: Local governments are mandated to plan for the availability of public facilities and services to support development and the impacts of such development. The purpose of the CIE and the Schedule is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that the adopted Level of Service (LOS) Standards are achieved and maintained for concurrency-related facilities. This CIE commences in the fiscal year 2012/2013 and identifies potential projects for the initial five-year planning period.

Under new legislation adopted in 2011 (163.3177 Florida Statutes), the five-year capital improvements schedule is still required to be updated on an annual basis. However, the capital improvements schedule is not required to be submitted as a comprehensive plan amendment pursuant to the submittal procedures required by Section 163.3184, F.S. Other revisions related to the capital improvements schedule such as map amendments or level of service revisions may not be adopted in the same ordinance. The CIE annual update is limited solely to the schedule itself. The decision as to whether or not to submit the ordinance for review to the local planning agency or Planning Board is at the discretion of the City. The conditions governing the notice and hearing are the same as those required for the adoption of any local ordinance. The City is no longer required to submit the adoption ordinance and updated schedule to the Department of Economic Development, but as a courtesy will continue to do so. Finally, the statutory definition of "financial feasibility" and the December deadline were removed by House Bill 7207.

DISCUSSION: The CIE Schedule includes all projects required to meet or maintain adopted LOS standards for concurrency-related facilities or implement the Goals, Objectives, and Policies of the Comprehensive Plan. The concurrency management

system for the City of Ormond Beach is established by policy in the City's Comprehensive Plan, and administered through regulations contained within the City's Land Development Code. The Planning Department is responsible for regularly monitoring the cumulative effect of all approved Development Orders and Development Permits on the capacity of public facilities. In addition to the individual concurrency reviews for current development proposals, staff has identified and provided a brief summary of most of the public facilities and services subject to concurrency review at sufficient levels.

Recreation & Open Space: Based on the 2010 Census data the population of Ormond Beach is 38,137. The City's adopted comprehensive plan applies a level of service of 13 acres per 1,000 people. According to the adopted Parks and Recreation Master Plan Study there are approximately 472 total acres of parkland in Ormond Beach. Since the adoption of the Study the following additional parkland acres have been acquired: Ormond Crossings (17 acres), linear parks (7 acres) and the Andy Romano Beachfront Park (4.07 acres). There have been no additional lands acquired since the last update of the CIE in 2011. The current total number of acres of parkland in Ormond Beach is ±500.07 acres. The City exceeds its LOS standard by approximately 3.7 acres. The City will likely need to review proposed facility improvements based on available funding.

Sanitary Sewer: The existing wastewater treatment plant is currently permitted for a rated capacity of 6 Million Gallons per Day (MGD) for wastewater influent flow from the sanitary sewer collection system. The most recent annual period average daily flow to the facility is 3.97 MGD. The City obtained a FDEP permit for plant expansion and is currently underway with Capital Improvement Project No. 2010-10 to rehabilitate existing plant components and expand the plant rated capacity to 8 MGD. The project is anticipated for substantial completion around June 2013. The existing demand and approved projects for waste water treatment use is 5.80 MGD. The capacity remaining without the expansion is 0.20 MGD and the remaining capacity with the expansion shall be 2.20 MGD if all approved projects are built out. The LOS for sanitary sewer continues to be met.

Potable Water: The City operates a single water treatment plant having a permitted and rated capacity of 12 MGD. The existing demand for water use during the most recent annual period is 5.60 MGD. When the proposed projects for the City's service area are added to the existing demand, the total is 7.41 MGD. There is a remaining capacity of 4.59 MGD if all approved projects are built out. The LOS for potable water service continues to be met.

Solid Waste: The City maintains a solid waste, recycling, yard waste and construction/demolition debris roll-off collection program through a private contractor. Current manual solid waste collection occurs twice per week per residential unit, with recycling and yard waste collection occurring once per week. Roll-off collection is customer generated and is an as needed basis. Commercial or mechanical solid waste collection occurs from a minimum of three days per week to a maximum of six days per

week. Solid waste collections average 5.06 per capita (down from 5.67 pounds per capita in 2011). In addition, recycling collections average 6.56 pounds per capita (up from 3.27 per capita in 2011). While the City's solid waste collections exceed the adopted LOS Standard (4.0 pounds per capita), the amount of solid waste generated by individuals is not something the City cannot control. The City will continue to promote recycling programs and work toward achieving the adopted LOS Standard.

Traffic: The City maintains a traffic concurrency monitoring system for new development outside of the designated multimodal corridors to determine impacts on city roadways. City roadways are meeting or exceeding the adopted LOS Standards. County and State roadways which are impacted by Ormond Beach development have segments that do not meet adopted LOS Standards. Tymber Creek Road, from Peruvian to Airport Road has an unfunded improvement identified and all development impacting this segment is required to enter into a proportionate fair share agreement for their impacts. With the major legislative change introduced by the Community Planning Act, the PSA formula can no longer include the existing deficiency. New development is only responsible for their impact and improvements needed to achieve the level of service standard should be assumed to be in place before project traffic is added, whether they are funded or not. The segment of Tymber Creek Road from Peruvian Way south to Granada Boulevard has a failing LOS but is programmed for construction in January 2013. Clyde Morris Boulevard widening from a 2-lane undivided road facility to a 4-lane divided road facility was completed and the road operates at an acceptable LOS.

The City's updated Long Term Roadway Assessment for 2011-25 indicates that should traffic trends continue, segments of A1A (2020), Granada Boulevard (2011), Hand Avenue (2011, 2020 and 2025), Tymber Creek Road (2020) and Williamson Boulevard (2020,2025) will have an LOS of E or worse. Without road improvements increasing capacity which are highly unlikely given decreasing revenues and high costs for roadway capacity improvements, reducing vehicle miles travelled through multimodal strategies will become much more important.

Public Schools: Based on the most up to date LOS Tables provided by the School Board from 2012, overall the City is currently meeting its LOS Standards.

The subject update to the schedules of the CIE is attached for review (Exhibit A) and includes other statutorily required information such as:

- Projects included in the Transportation Planning Organization TIP (Transportation Improvements Program) that the City relies on for concurrency; and
- The Volusia County School District Five-Year Work Program.

Tables E and F, 2025 Mass Transit Schedule of Capital and Operating Improvements and Non-Motorized Schedule of Capital Improvements respectively are not included with this report and will be updated as the City receives updated data from Votran. It is

expected that the Annual Update to the CIE will be reviewed by the City Commission on December 4, 2012 (1st reading) and again on December 18, 2012 (2nd Reading).

RECOMMENDATION: Staff recommends that the Planning Board recommend **approval** to the City Commission of the adoption of the 2012 CIE Annual Update.

Attachments: Exhibit A – 2012 Capital Improvement Element Annual Update

Exhibit A

2011 Capital Improvements Element
Annual Update

Amendments are shown in ~~strikethrough~~ (deleted)
and underline (proposed text)

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table A
Leisure Services
Capital Improvements Schedule
October, 2011**

#	PROJECT DESCRIPTION/AREA	FUNDING SOURCE	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16	RELATIONSHIP TO COMPREHENSIVE PLAN
Neighborhood Parks									
1	South Peninsula Beach Front Parking	Bond Proceeds	\$2,700,000	\$ —	\$ —	\$ —	\$ —	\$2,700,000	Recreation Element - Obj. 1.6
2	Nova Community Park Renovations	Property Taxes - General Capital Improvements Program (CIP)	\$ 394,000	\$ 285,000	\$ 250,000	\$ 350,000	\$ 115,000	\$1,394,000	Recreation Element - Policy 6.4.1
		FRDAP	\$ —	\$ 135,000	\$ 200,000	\$ —	\$ —	\$ 335,000	
TOTAL			\$3,094,000	\$ 420,000	\$ 450,000	\$ 350,000	\$ 115,000	\$4,429,000	

Funding Schedule

FUNDING SOURCE	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16
Bond Proceeds	\$ 2,700,000	\$ —	\$ —	\$ —	\$ —	\$ 2,700,000
Property Taxes - General CIP	\$ 394,000	\$ 285,000	\$ 250,000	\$ 350,000	\$ 115,000	\$1,394,000
FRDAP Grant	\$ —	\$ 135,000	\$ 200,000	\$ —	\$ —	\$ 335,000
TOTAL	\$ 3,094,000	\$ 420,000	\$ 450,000	\$ 350,000	\$ 115,000	\$4,429,000

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table B
Utilities
Capital Improvements Schedule
October, 2011**

#	Project Description/ Area	Funding Source	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16	Relationship to Comprehensive Plan
Stormwater Improvements									
1	Corrugated Metal Pipe Rehabilitation	Bond Proceeds	\$ 495,000	\$ —	\$ —	\$ —	\$ —	\$ 495,000	Utilities Element - Objs. 1.1, 1.7 and 1.8
		Stormwater Charges	\$ 406,300	\$ 233,050	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,379,350	
Waste Water System Expansion									
2	Force Main Improvements	Waste Water Impact Fees	\$ —	\$ 600,000	\$ —	\$ —	\$ —	\$ 600,000	Utilities Element - Objs. 1.1, 1.7 and 1.8
3	Reuse System Improvements	SRF Loan	\$ 3,420,000	\$ —	\$ —	\$ —	\$ —	\$ 3,420,000	Utilities Element - Objs. 1.1, 1.7 and 1.8
Wastewater Systems Improvements									
4	General Facility Upgrades - Wastewater	Water and Sewer Charges	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000	Utilities Element - Objs. 1.1, 1.7 and 1.8
5	Lift Station Rehabilitation	Water and Sewer Charges	\$ 160,000	\$ —	\$ —	\$ —	\$ —	\$ 160,000	Utilities Element - Objs. 1.1, 1.7 and 1.8
6	Pretreatment Effluent Pump (PEP Replacement)	Water and Sewer Charges	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 400,000	Utilities Element - Objs. 1.1, 1.7 and 1.8
7	Pretreatment Effluent Pump (PEP Replacement)	Water and Sewer Charges	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 400,000	Utilities Element - Objs. 1.1, 1.7 and 1.8

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table B
Utilities
Capital Improvements Schedule
October, 2011**

#	Project Description/ Area	Funding Source	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16	Relationship to Comprehensive Plan
8	Sanitary Sewer Pipeline Repair	Water and Sewer Charges	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000	Utilities Element - Objs.1.1, 1.7 and 1.8
9	Sludge Conveyor System Replacement	Water and Sewer Charges	\$ 40,000	\$	\$	\$	\$	\$ 40,000	Utilities Element - Objs.1.1, 1.7 and 1.8
10	WWTP IPS Permanent Bypass Install	Water and Sewer Charges	\$ 90,000	\$	\$	\$	\$	\$ 90,000	Future Land Use Element, Directive Text for Ormond Crossings
Water System Expansion									
11	Water Main Replacement	Bond Proceeds	\$ 2,650,000	\$	\$ 1,850,000	\$	\$ 2,100,000	\$ 6,600,000	Utilities Element - Objs.1.1, 1.7 and 1.8
Water System Expansion									
12	General Facility Upgrades - Water	Water and Sewer Charges	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 875,000	Utilities Element - Objs.1.1, 1.7 and 1.8
13	Hydrant Replacement	Water and Sewer Charges	\$ 175,000	\$ 175,000	\$	\$	\$	\$ 350,000	Utilities Element - Objs.1.1, 1.7 and 1.8
14	Memorial Gardens Re-Use Water Extension	Water and Sewer Charges	\$ 75,000	\$	\$	\$	\$	\$ 75,000	Utilities Element - Objs.1.1, 1.7 and 1.8
15	Meter Installation	Water and Sewer Charges	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000	\$ 450,000	Utilities Element - Objs.1.1, 1.7 and 1.8
16	Rima Wells Auxiliary Power Generator	Water and Sewer Charges	\$ 67,500	\$	\$	\$	\$	\$ 67,500	Utilities Element - Objs.1.1, 1.7 and 1.8
17	Utility Relocation	Water and Sewer Charges	\$	\$ 250,000	\$ 200,000	\$	\$	\$ 450,000	Utilities Element - Objs.1.1, 1.7 and 1.8

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table B
Utilities
Capital Improvements Schedule
October, 2011**

#	Project Description/ Area	Funding Source	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16	Relationship to Comprehensive Plan
18	Water Plant Membrane Replacement	Water and Sewer Charges	\$ —	\$ —	\$ 90,000	\$ 90,000	\$ 90,000	\$ 270,000	Utilities Element – Objs. 1.1, 1.7 and 1.8
19	Water Plant Well Rehab Program	Water and Sewer Charges	\$ 78,000	\$ 78,000	\$ 78,000	\$ 78,000	\$ 78,000	\$ 390,000	Utilities Element – Objs. 1.1, 1.7 and 1.8
20	Water Storage Tank Repairs	Water and Sewer Charges	\$ —	\$ —	\$ 75,000	\$ 75,000	\$ 75,000	\$ 225,000	Utilities Element – Objs. 1.1, 1.7 and 1.8
Community Redevelopment									
21	Downtown: Stormwater Improvements	Property Taxes - TIF	\$ 150,000	\$ 200,000	\$ 500,000	\$ 600,000	\$ 500,000	\$ 1,950,000	Future Land Use Element – Policy 7.2.2
TOTAL			\$ 8,451,800	\$ 2,171,050	\$ 3,688,000	\$ 1,738,000	\$3,738,000	\$19,786,850	

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Utilities Funding Schedule

Funding Source	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16
Bond Proceeds	\$ 3,145,000	\$ —	\$ 1,850,000	\$ —	\$ 2,100,000	\$ 7,095,000
Stormwater Charges	\$ 406,300	\$ 223,050	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,379,350
Wastewater Impact Fees	\$ —	\$ 600,000	\$ —	\$ —	\$ —	\$ 600,000
SRF Loan	\$ 3,420,000	\$ —	\$ —	\$ —	\$ —	\$ 3,420,000
Water and Sewer Charges	\$ 1,330,500	\$ 1,148,000	\$ 1,088,000	\$ 888,000	\$ 888,000	\$ 5,342,000
Property Taxes - TIF	\$ 150,000	\$ 200,000	\$ 500,000	\$ 600,000	\$ 500,000	\$ 1,950,000
TOTAL	\$ 8,451,000	\$ 2,171,000	\$ 3,688,000	\$ 1,738,000	\$ 3,738,000	\$ 19,786,850

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table C
Transportation
Capital Improvements Schedule
October, 2011**

#	PROJECT DESCRIPTION/AREA	FUNDING SOURCE	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16	RELATIONSHIP TO COMPREHENSIVE PLAN
1	Audible Pedestrian Signals - Nova Road	TPO	\$ 50,000	\$ 95,000	\$	\$	\$	\$ 145,000	Transportation Element Obj. 1.3
2	Forest Hill Trail	FDOT	\$	\$ 382,654	\$	\$	\$	\$ 382,654	Transportation Element Obj. 1.3
		Property Taxes - Transportation	\$	\$ 127,551	\$	\$	\$	\$ 127,551	
3	North Halifax Drive Repaving	Grant	\$ 530,000	\$	\$	\$	\$	\$ 530,000	Transportation Element Obj. 1.3
4	Railroad Crossing	Local Option Gas Tax	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$	\$ 200,000	Transportation Element Obj. 1.4
5	Road Resurfacing	Local Option Gas Tax	\$ 470,000	\$ 460,000	\$ 450,000	\$ 450,000	\$ 450,000	\$2,280,000	Transportation Element Obj. 1.4
6	Street Light Maintenance	Property Taxes - Transportation	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000	Transportation Element Obj. 1.4
7	Traffic Signal Maintenance	Property Taxes - Transportation	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$	\$ 320,000	Transportation Element Obj. 1.4
8	Crossings Boulevard (Segment 1)	CRA/ Developer	\$	\$	\$8,500,000	\$	\$	\$8,500,000	Transportation Element Policy 6.1.3
9	Crossings Boulevard (Segment 2)	FDOT	\$	\$	\$8,000,000	\$	\$	\$8,000,000	Transportation Element Policy 6.1.3

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table C
Transportation
Capital Improvements Schedule
October, 2011**

#	PROJECT DESCRIPTION/AREA	FUNDING SOURCE	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-1	FY 11-16	RELATIONSHIP TO COMPREHENSIVE PLAN
10	*I-95/US1 Interchange Ramp Improvements	Developer	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	Transportation Element - Policy 6.1.3
11	Downtown: Granada Medians Improvements	Property Taxes - TIF	\$ 900,000	\$ 450,000	\$ —	\$ —	\$ —	\$ 1,350,000	Future Land Use Element - Policy 7.2.4
12	Tomoka State Park	FDOT	\$ 379,050	\$ —	\$ —	\$ —	\$ —	\$ 379,050	Transportation Element - Obj. 1.3
13	SR 40 Phase III	FDOT	\$ 678,700	\$ —	\$ —	\$ —	\$ —	\$ 678,700	Transportation Element - Obj. 1.3
TOTAL			\$3,162,750	\$1,670,205	\$17,105,000	\$ 605,000	\$475,000	\$23,017,955	

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Transportation Funding Schedule

Funding Source	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 11-16
TPO	\$ 50,000	\$ 95,000	\$ —	\$ —	\$ —	\$ 145,000
FDOT	\$ 1,057,750	\$ 382,654	\$ —	\$ —	\$ —	\$ 1,440,404
Property Taxes – Transportation	\$ 635,000	\$ 232,551	\$ 105,000	\$ 105,000	\$ 25,000	\$ 1,102,551
Local Option Gas Tax	\$ 520,000	\$ 510,000	\$ 500,000	\$ 500,000	\$ 450,000	\$ 2,480,000
CRA Developer	\$ —	\$ —	\$ 8,500,000	\$ —	\$ —	\$ 8,500,000
CDD Developer	\$ —	\$ —	\$ 8,000,000	\$ —	\$ —	\$ 8,000,000
Property Taxes – TIF	\$ 900,000	\$ 450,000	\$ —	\$ —	\$ —	\$ 1,350,000
TOTAL	\$3,162,750	\$ 1,670,205	\$17,105,000	\$605,000	\$475,000	\$23,017,955

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table D
Volusia County School District Five-Year Work Program
October, 2011**

#	PROJECT DESCRIPTION/AREA	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16
New Construction						
1	None Without Additional Revenue	\$ —	\$ —	\$ —	\$ —	\$ —
Major Projects at Existing Schools & Facilities						
2	Blue Lake Elm Classroom Addition	\$ —	\$ —	\$ —	\$ 250,000	\$ 2,750,000
3	Portables – Lease	\$ 600,000	\$ 500,000	\$ 250,000	\$ 250,000	\$ 250,000
4	Portables – Moves & Compliance	\$ 400,000	\$ 400,000	\$ 300,000	\$ 300,000	\$ 300,000
5	Various Schools – Minor Projects	\$ 1,300,000	\$ 1,300,000	\$ 1,300,000	\$ 1,300,000	\$ 1,300,000
6	Various Schools – Facilities Review Projects	\$ 5,238,000	\$ 4,500,000	\$ 4,500,000	\$ 4,500,000	\$ 4,500,000
	Total Major Prjs at Existing Schools and Facilities	\$ 7,538,000	\$ 6,700,000	\$ 6,350,000	\$ 6,600,000	\$ 9,100,000
Facilities Management						
7	Facilities Management – Various Projects	\$ 1,581,000	\$ 1,581,000	\$ 1,581,000	\$ 1,581,000	\$ 1,581,000
Technology						
8	Network, EDP & Communications Equipment	\$ 5,000,000	\$ 4,500,000	\$ 4,500,000	\$ 4,500,000	\$ 4,500,000
System-wide Equipment & Vehicles						
9	Various Schools & Departments – Furniture and Equipment	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000
Buses						
10	Transportation Dept. – Bus Replacement	\$ —	\$ —	\$ 4,116,030	\$ 4,116,030	\$ 4,116,030

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Table D
Volusia County School District Five-Year Work Program
October, 2011

#	PROJECT DESCRIPTION/AREA	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16
Transfers						
11	Transfers – Debt Service- Impact Fee	\$ 51,601,151	\$ 51,598,273	\$ 51,599,887	\$ 51,603,928	\$ 51,600,238
12	Transfers – Equipment Leases & Property Insurance	\$ 3,407,250				
13	Transfers – Maintenance	\$ 15,600,000	\$ 15,600,000	\$ 15,600,000	\$ 15,600,000	\$ 15,600,00
Total Transfers		\$ 70,608,401	\$ 70,605,523	\$ 70,607,137	\$ 70,611,178	\$ 70,607,488
GRAND TOTAL		\$ 85,527,401	\$ 84,186,523	\$ 87,954,167	\$ 88,208,208	\$ 90,704,518

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Table A
Leisure Services
Capital Improvements Schedule
October, 2012

#	Project Description/Area	Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 12-17	Relationship to Comprehensive Plan
Community Parks									
1	Nova Community Park Renovations	Property Taxes - General CIP	\$260,000	\$275,000	\$255,000	\$0	\$0	\$790,000	Recreation Element - Obj. 1.4
		ECHO Grant	\$225,000	\$0	\$0	\$0	\$0	\$225,000	
		FRDAP	\$0	\$200,000	\$0	\$0	\$0	\$200,000	
2	OBSC Improvements	General Fund Reserves	\$670,000	\$0	\$0	\$0	\$0	\$670,000	Recreation Element - Obj. 1.4
		Recreation Impact Fees	\$250,000	\$0	\$0	\$0	\$0	\$250,000	
		Property Taxes - General CIP	\$130,000	\$125,000	\$0	\$87,500	\$275,000	\$617,500	
		FRDAP	\$0	\$125,000	\$0	\$87,500	\$0	\$212,500	
		ECHO Grant	\$0	\$0	\$0	\$0	\$275,000	\$275,000	
	Total		\$1,535,000	\$725,000	\$255,000	\$175,000	\$550,000	\$3,240,000	

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Leisure Services Funding Schedule

<u>Funding Source</u>	<u>FY 12-13</u>	<u>FY 13-14</u>	<u>FY 14-15</u>	<u>FY 15-16</u>	<u>FY 16-17</u>	<u>FY 12-17</u>
Property Taxes - General CIP	\$390,000	\$400,000	\$255,000	\$87,500	\$275,000	\$1,407,500
FRDAP	\$0	\$325,000		\$87,500	\$0	\$412,500
ECHO Grant	\$225,000	\$0	\$0	\$0	\$275,000	\$500,000
General Fund Reserves	\$670,000	\$0	\$0	\$0	\$0	\$670,000
Recreation Impact Fees	\$250,000	\$0	\$0	\$0	\$0	\$250,000
Total	\$1,535,000	\$725,000	\$255,000	\$175,000	\$550,000	\$3,240,000

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

**Table B
Utilities
Capital Improvements Schedule
October, 2012**

#	Project Description/Area	Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 12-17	Relationship to Comprehensive Plan
Stormwater Improvements									
1	Corrugated Metal Pipe Rehabilitation	Stormwater Charges	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
2	May 2009 - Phase II Improvements	Grant - FEMA	\$0	\$675,000	\$525,000	\$4,800,000	\$0	\$6,000,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
		Stormwater Charges	\$0	\$225,000	\$175,000	\$0	\$0	\$400,000	
		Bond Proceeds-Stormwater	\$0	\$0	\$0	\$1,600,000	\$0	\$1,600,000	
Waste Water System Expansion									
3	Force Main Improvements	Wastewater Impact Fees	\$0	\$60,000	\$540,000	\$0	\$0	\$600,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
Wastewater Systems Improvements									
4	General Facility Upgrades - Wastewater	Water and Sewer Charges	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
5	Lift Station Rehabilitation	Water and Sewer Charges	\$35,000	\$200,000	\$0	\$0	\$0	\$235,000	Utilities Element - Objs. 1.1, 1.7, and 1.8

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

#	Project Description/Area	Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 12-17	Relationship to Comprehensive Plan
6	Pretreatment Effluent Pump (PEP Replacement)	Water and Sewer Charges	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
7	Sanitary Sewer Pipeline Repair	Water and Sewer Charges	\$200,000	\$200,000	\$200,000	\$200,000	\$0	\$800,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
Water System Expansion									
8	Distribution System-North Peninsula	Bond Proceeds	\$0	\$125,000	\$1,210,000	\$0	\$0	\$1,335,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
9	Water Main Replacement	Bond Proceeds	\$0	\$1,850,000	\$0	\$2,100,000	\$0	\$3,950,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
Water System Improvements									
10	Division Wellfield Raw Water Main Modification	Water and Sewer Charges	\$200,000	\$0	\$0	\$0	\$0	\$200,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
11	General Facility Upgrades - Water	Water and Sewer Charges	\$175,000	\$175,000	\$175,000	\$175,000	\$0	\$700,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
12	Meter Installation	Water and Sewer Charges	\$90,000	\$90,000	\$90,000	\$90,000	\$0	\$360,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
13	Water Plant Well Rehab Program	Water and Sewer Charges	\$78,000	\$78,000	\$78,000	\$78,000	\$0	\$312,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
14	Water Storage Tank Repairs	Water and Sewer Charges	\$75,000	\$100,000	\$100,000	\$100,000	\$0	\$375,000	Utilities Element - Objs. 1.1, 1.7, and 1.8

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

#	Project Description/Area	Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 12-17	Relationship to Comprehensive Plan
15	Water Plant Membrane Replacement	Water and Sewer Charges	\$0	\$90,000	\$90,000	\$90,000	\$90,000	\$360,000	Utilities Element - Objs. 1.1, 1.7, and 1.8
Community Redevelopment									
16	Downtown: Granada Medians Improvements	FDOT Beautification JPA	\$1,277,000	\$0	\$0	\$0	\$0	\$1,277,000	Future Land Use Element - Obj. 7.2
17	Downtown: Maintenance & Rehabilitation	Property Taxes - TIF	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000	Future Land Use Element - Obj. 7.2
18	Downtown: Stormwater Improvements	Property Taxes - TIF	\$400,000	\$500,000	\$500,000	\$500,000	\$500,000	\$2,400,000	Future Land Use Element - Obj. 7.2
19	Downtown: OB Elementary Parking Staircase	Property Taxes - TIF	\$0	\$0	\$90,000	\$0	\$0	\$90,000	Future Land Use Element - Obj. 7.2
20	Downtown: Transit Related Improvements	Property Taxes - TIF	\$0	\$25,000	\$25,000	\$50,000	\$50,000	\$150,000	Future Land Use Element - Obj. 7.2
21	Downtown: Thompson Creek, Phase II	VTPO	\$0	\$0	\$894,750	\$0	\$0	\$894,750	Future Land Use Element - Obj. 7.2
		Property Taxes - TIF	\$0	\$0	\$298,250	\$0	\$0	\$298,250	
Total			\$3,180,000	\$5,043,000	\$5,641,000	\$10,433,000	\$1,290,000	\$25,587,000	

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Utilities Funding Schedule

Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 12-17
Bond Proceeds	\$0	\$1,975,000	\$1,210,000	\$3,700,000	\$0	\$6,885,000
Stormwater Charges	\$250,000	\$475,000	\$425,000	\$250,000	\$250,000	\$1,650,000
Wastewater Impact Fees	\$0	\$60,000	\$540,000	\$0	\$0	\$600,000
Grant - FEMA	\$0	\$675,000	\$525,000	\$4,800,000	\$0	\$6,000,000
Water and Sewer Charges	\$1,053,000	\$1,133,000	\$933,000	\$933,000	\$290,000	\$4,342,000
Property Taxes - TIF	\$600,000	\$725,000	\$1,113,250	\$750,000	\$750,000	\$3,938,250
FDOT Beautification	\$1,277,000	\$0	\$0	\$0	\$0	\$1,277,000
VTPO	\$0	\$0	\$894,750	\$0	\$0	\$894,750
Total	\$3,180,000	\$5,043,000	\$5,641,000	\$10,433,000	\$1,290,000	\$25,587,000

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Table C
Transportation
Capital Improvements Schedule
October, 2012

#	Project Description/Area	Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 15-16	FY 12-17	Relationship to Comprehensive Plan
1	<u>Audible Pedestrian Signals - Nova Road</u>	<u>VTPO</u>	<u>\$148,775</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$148,775</u>	<u>Transportation Element - Obj. 1.3</u>
2	<u>Forest Hill Trail</u>	<u>FDOT</u>	<u>\$0</u>	<u>\$382,654</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$382,654</u>	<u>Transportation Element - Obj. 1.3</u>
		<u>Property Taxes - Transportation</u>	<u>\$0</u>	<u>\$127,551</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$127,551</u>	<u>Transportation Element - Obj. 1.3</u>
4	<u>Railroad Crossing</u>	<u>Property Taxes - Transportation</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$250,000</u>	<u>Transportation Element - Obj. 1.1</u>
5	<u>Road Resurfacing</u>	<u>Local Option Gas Tax</u>	<u>\$460,000</u>	<u>\$450,000</u>	<u>\$450,000</u>	<u>\$450,000</u>	<u>\$450,000</u>	<u>\$2,260,000</u>	<u>Transportation Element - Obj. 1.1</u>
6	<u>Street Light Maintenance</u>	<u>Property Taxes - Transportation</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$125,000</u>	<u>Transportation Element - Obj. 1.1</u>
7	<u>Traffic Signal Maintenance</u>	<u>Property Taxes - Transportation</u>	<u>\$80,000</u>	<u>\$80,000</u>	<u>\$80,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$240,000</u>	<u>Transportation Element - Obj. 1.1</u>
8	<u>SR 40 Adaptive Traffic Signal Control System (Main Trail to Tymber Creed Road)</u>	<u>VTPO</u>	<u>\$445,803</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$445,803</u>	<u>Transportation Element - Obj. 1.1</u>

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

#	Project Description/Area	Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 15-16	FY 12-17	Relationship to Comprehensive Plan
9	Mast Arm Installation of SR A1A @ Cardinal Drive	VTPO	\$0	\$173,062	\$0	\$0	\$0	\$173,062	Transportation Element - Obj. 1.1
10	Mast Arm Installation of SR A1A @ Harvard Drive	VTPO	\$0	\$138,336	\$0	\$0	\$0	\$138,336	Transportation Element - Obj. 1.1
		Total	\$1,209,578	\$1,426,603	\$605,000	\$525,000	\$525,000	\$4,291,181	

Transportation Funding Schedule

Funding Source	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 12-17
VTPO	\$594,578	\$311,398	\$0	\$0	\$0	\$905,976
FDOT	\$0	\$382,654	\$0	\$0	\$0	\$382,654
Property Taxes - Transportation	\$155,000	\$282,551	\$155,000	\$75,000	\$75,000	\$742,551
Local Option Gas Tax	\$460,000	\$450,000	\$450,000	\$450,000	\$450,000	\$2,260,000
Total	\$1,209,578	\$1,426,603	\$605,000	\$525,000	\$525,000	\$4,291,181

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES**

Table D
Volusia County School District Five-Year Work Program
October, 2012

Projection Description/Area	FY 12-2013	FY 13-2014	FY 14-2015	FY 15-2016	FY 16-2017
<u>New Construction</u>					
NONE WITHOUT ADDITIONAL REVENUE	\$ -	\$ -	\$ -	\$ -	\$ -
<u>Major Projects at Existing Schools & Facilities</u>					
Portables - Lease	\$450,000	\$200,000	\$200,000	\$200,000	\$200,000
Portables - Moves & Compliance	\$350,000	\$250,000	\$250,000	\$250,000	\$250,000
Various Schools - Minor Projects	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Various Facilities - Facilities Review Projects	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
Total Major Prjs at Existing Schools & Facilities	\$4,300,000	\$3,950,000	\$3,950,000	\$3,950,000	\$3,950,000
<u>Facilities Management</u>					
Facilities Management - Various Projects	\$1,250,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
<u>Technology</u>					
Network EDP & Communication Equipment	\$2,360,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
<u>System Wide Equipment & Vehicles</u>					
Various Schools & Departments Furn. & Equip.	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
<u>Buses</u>					
Transportation Dept. - Bus Replacement		\$4,116,030	\$3,125,000	\$3,125,000	\$3,125,000
<u>Transfers</u>					
Transfers - To General Funds	\$15,507,250	\$13,007,250	\$10,507,250	\$8,007,250	\$5,507,250
Transfers - To Debt Service	\$51,328,734	\$51,267,082	\$51,273,646	\$51,270,871	\$30,669,295
Total Transfers	\$66,835,984	\$64,274,332	\$61,780,896	\$59,278,121	\$36,176,545
Totals	\$75,045,984	\$75,640,362	\$72,155,896	\$69,653,121	\$46,551,545

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 8, 2012

SUBJECT: 1428 North US Highway 1 – Small-Scale Land Use Plan
Amendment

APPLICANT: City Initiated

NUMBER: LUPA 13-011

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a City initiated request for a Small Scale Comprehensive Plan Land Use Map amendment for the subject property located at 1428 North US Highway 1. This request is to change approximately 0.53 acres from the existing future land use designation of Volusia County “Commercial” to Ormond Beach “Low Intensity Commercial” as the result of an annexation on August 8, 2012.

BACKGROUND:

The property at 1428 North US Highway 1 is owned by 1428 North US1, LLC, a Florida limited liability company (Exhibit A). A residential structure approximately 1,836 square feet built in 1996 is located on the property. The property annexed into the City on August 8, 2012 with Ordinance 2012-28 based on a voluntary petition and contiguity with the City boundary. Since the subject property is now located within the City of Ormond Beach, it is required to have a similar land use and compatible zoning. Until a City land use designation and zoning classification are adopted, the property maintains its County land use and zoning classifications.

The property is currently zoned Volusia County B-4 (General Commercial). The expected zoning classification will be B-8 (Commercial) and will follow upon the completion of the administrative land use change. The proposed land use amendment schedule of the subject property is as follows:

Action/Board	Date
Planning Board	November 8, 2012
Transmit to Volusia County Growth Management Commission and adjoining jurisdictions	November 9, 2012
City Commission 1 st Reading	December 18, 2012
City Commission 2 nd Reading	January 15, 2013
Transmit to Florida Department of Economic Opportunity (DEO)	January 16, 2013
Amendment Adoption Date (If no challenge is received by DEO)	February 17, 2013
Amendment Adoption Date (If a challenge is received by DEO)	The date the State or Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance (No challenge is expected).

ANALYSIS:

The proposed amendment seeks to change the land use designation of the subject property from unincorporated Volusia County “Commercial” to the City of Ormond Beach “Low Intensity Commercial” on the future land use map (Exhibit B). Staff has reviewed the proposed Future Land Use Map amendment based upon the following criteria:

1. Whether the future land use amendment is consistent with the Comprehensive Plan Goals, Objectives and Policies.

The proposed FLU amendment is consistent with the Goals Objectives, and Policies of the Comprehensive Plan, including but not limited to (Exhibit C):

- Future Land Use Element: Goals: 5, and 6; Objectives 1.2, 2.5, 5.1, 6.1; and Policies 1.1.13, 2.5.2, 2.5.3, 5.1.1, 6.1.1, and 6.1.2
- Transportation Element: Goal 1
- Utilities Element: Policy 1.5.3
- Public School Facilities Element: Policies 1.4.1 and 1.4.2;
- Capital Improvements Element: Objective 1.7
- Intergovernmental Coordination Element: Policy 2.1.5

2. Whether the proposed plan amendment meets the criteria established in the Florida Statutes:

In accordance with Chapter 163.3187(1), Florida Statutes, any local government comprehensive plan amendments directly related to proposed small-scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan. A small-scale development amendment may be adopted only under the following conditions:

a. The proposed amendment involves a use of 10 acres or fewer.

The subject property is ±.53 acres (less than 10 acres)

b. The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

The proposed small-scale amendment complies with this requirement. The following represents amendments currently approved in calendar year 2012:

File Number	File Name and Address	Land Use Change	Status	Total Acres
LUPA 12-06	115 North Nova Road	City "Open Space/Conservation" to City "Office/Professional"	Adopted	±0.46
LUPA 12-97	1634 North US Hwy 1	Volusia County "Commercial" to City "Tourist Commercial"	Adopted	±4.60
Total:				±5.06

c. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government’s comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

The proposed amendment is solely to the Future Land Use Map and does not propose any text amendments to the City’s Comprehensive Plan.

d. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. [420.0004\(3\)](#), and is located within an area of critical state concern designated by s. [380.0552](#) or by the Administration Commission pursuant to s. [380.05\(1\)](#).

The site location is not located within an area of state critical concern, and this criterion does not apply.

3. Whether the land use is an appropriate use of the land.

Land Use: The adjacent land uses and zoning are as follows:

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning
North	JD Weber Construction	Volusia County "Commercial"	Volusia County B-4 "General Commercial"
South	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"
East	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"
West	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"

The future land use designation presently assigned to the subject property is Volusia County "Commercial". The Volusia County Comprehensive Plan states the following for the "Commercial" land use category:

"Commercial (C) - "This category accommodates the full range of sales and service activities. These uses may occur in self-contained centers, high rise structures, campus parks, municipal central business districts, or along arterial highways. In reviewing rezoning requests or site plans, the specific intensity and range of uses, and design will depend on locational factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic."

This request is for a land use amendment to assign the City "Low Intensity Commercial" future land use category. The directive text of the City's Comprehensive Plan states the following for the "Low Intensity Commercial" category:

"Purpose: A multi-use land use category to depict those areas of the city that are now developed, or appropriate to be developed, for retail, office and professional services, and restaurants consistent with the surrounding uses, transportation facilities and

natural resource characteristics of such areas. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum 10 units per acre.
Maximum FAR: 0.6.”

The proposed future land use classification is compatible with adjacent land uses to the subject property.

4. Whether there is adequate infrastructure to serve the proposed land use.

Impact analysis examines the maximum expected impacts of the current designation versus the requested designation based on a preliminary development scenario. This analysis is not meant to replace or contradict the findings of a Concurrency Management Review. However, the relative differences between designations can provide useful information in the long-range planning process. This analysis is based on ±.53 developed acres to be assigned the City “Low Intensity Commercial” land use.

Impact Analysis (Theoretical Maximum)

Development Variable	Current Volusia County Commercial	Proposed City Low Intensity Commercial	Net Change
Non-residential-	12,698 sq. ft. ¹	13,852 sq. ft. ²	+1,154 sq. ft.
Residential	NA ³	5 Dwelling Units	+ 5
Population ⁴	0	12	+12
Transportation ⁵	459 Daily Trips	500 Daily Trips	+41

Notes:

1. Current County FLU Commercial – Maximum FAR is .55
2. Proposed City FLU Low Intensity Commercial – Maximum FAR is .6
3. County Commercial does not have provisions for residential-A non conforming residence is on site.
4. 2.25 persons per household (per 2010 census)
5. ITE Trip Generation Manual, 8th Edition-Medical/Dental

Transportation: The most intense land use for both the County Commercial and City Low Intensity Commercial designations is considered to be the shopping center. Since a shopping center is not feasible on a ±0.53 acre parcel, the medical/dental office ITE land use code was used. Based on the ITE rate for Medical/Dental office about 41 additional daily trips would be generated. The land use amendment will not impact the trip generation rate since 41 daily trips is considered de minimus (insignificant). If the site is redeveloped in the future, a concurrency analysis will be required.

Water & Sewer: The subject property is located in the utility service area of the City of Ormond Beach and will not generate an increase in demand.

Stormwater Management: The residential structure is non conforming and was constructed prior to current stormwater regulations. Any new development would require a stormwater review.

Solid Waste: This property will be served by Waste Management, Inc., and there is adequate capacity to serve the proposed land use.

Schools: School capacity for the increase in residential density has been reviewed by the Volusia County School Board and been determined acceptable (Exhibit D).). It should be noted that while the current County FLU does not permit residential, the proposed use is City Low Intensity Commercial which does allow residential.

Other Services: City police and fire protection services serve this area. The parcel is located within an approximate 4-5 minute response time from emergency facilities.

5. Whether the proposed map amendment impacts surrounding jurisdictions.

The property is not located next to another City and there are no impacts expected to any surrounding jurisdiction. The North US Highway 1 corridor near I-95 is a mixture of properties located within Ormond Beach and unincorporated Volusia County.

CONCLUSION:

Staff supports the land use amendment from Volusia County "Commercial" to Ormond Beach "Low Intensity Commercial". The small scale land use map amendment is an administrative amendment required to assign a City Future Land Use Map designation to the subject parcel. Staff believes that the Ormond Beach "Low Intensity Commercial" land use category is appropriate for the following reasons:

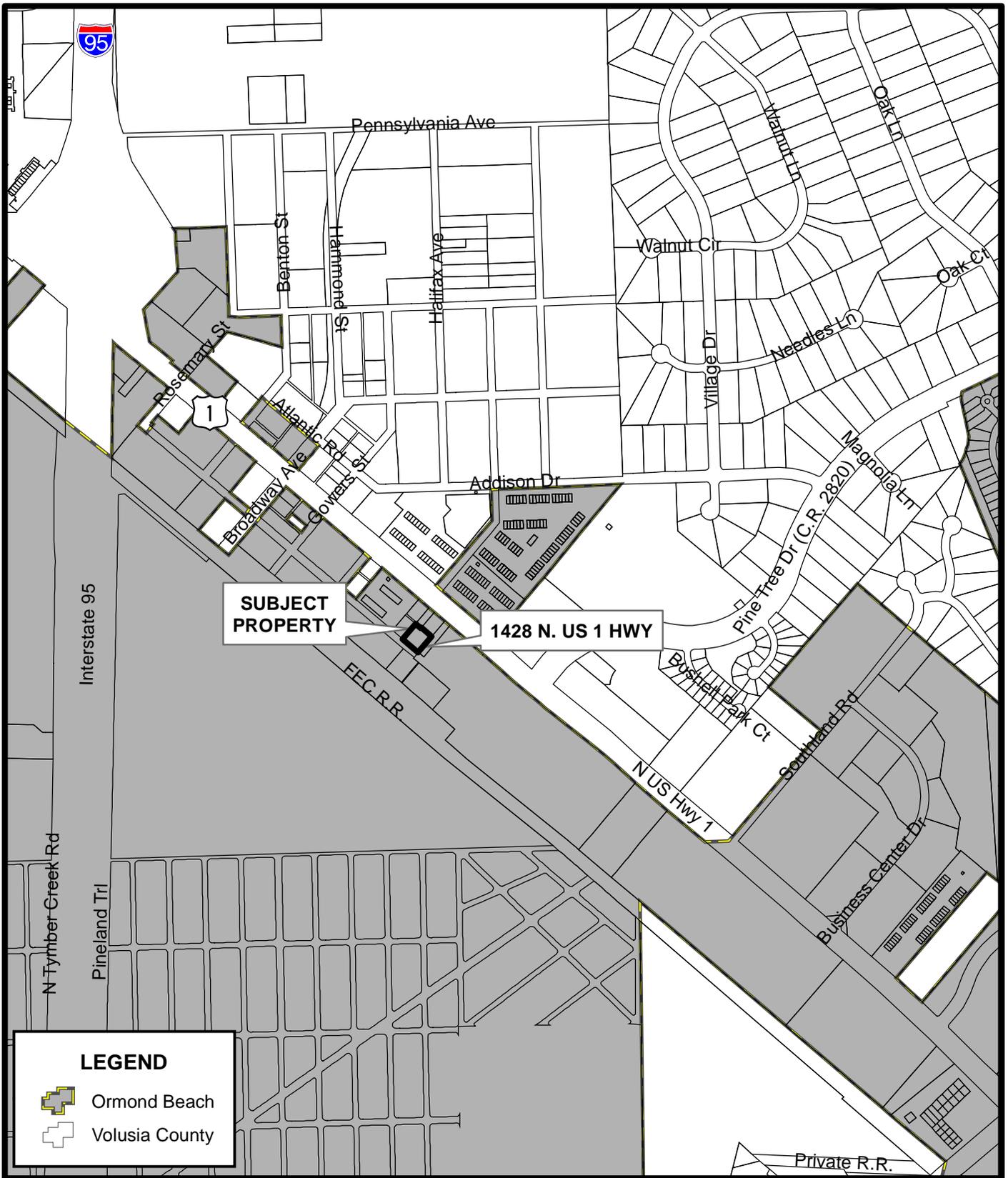
1. The amendment meets the Goals, Objectives, and Policies of the City's comprehensive plan;
2. The amendment meets the requirements established in the Florida Statutes;
3. The proposed land use is an appropriate use of land;
4. There is adequate infrastructure to serve the proposed land use; and
5. The proposed land use will not impact surrounding jurisdictions.

RECOMMENDATION

Staff recommends that the Planning Board recommend **APPROVAL** of Case # LUPA 13-011 – a Future Land Use map amendment for ±0.53 acres from the existing land use designation of Volusia County "Commercial" to City of Ormond Beach "Low Intensity Commercial" at 1428 North US Highway 1.

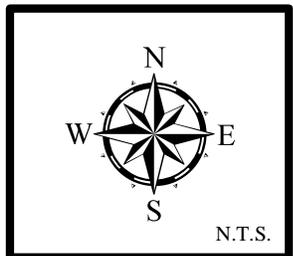
EXHIBIT A

Location Map, Legal Description, and Photo



1428 N. US 1 HWY
PID 3136-01-58-0460
LOCATION MAP

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012



LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, ALSO BEING LOTS 46 TO 48 INC AND INC S 1/2 OF VAC 15 FT ALLEY THAT IS ADJ AND TO THE NORTH BLOCK 58, REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP BOOK 10, PAGES 250–253, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

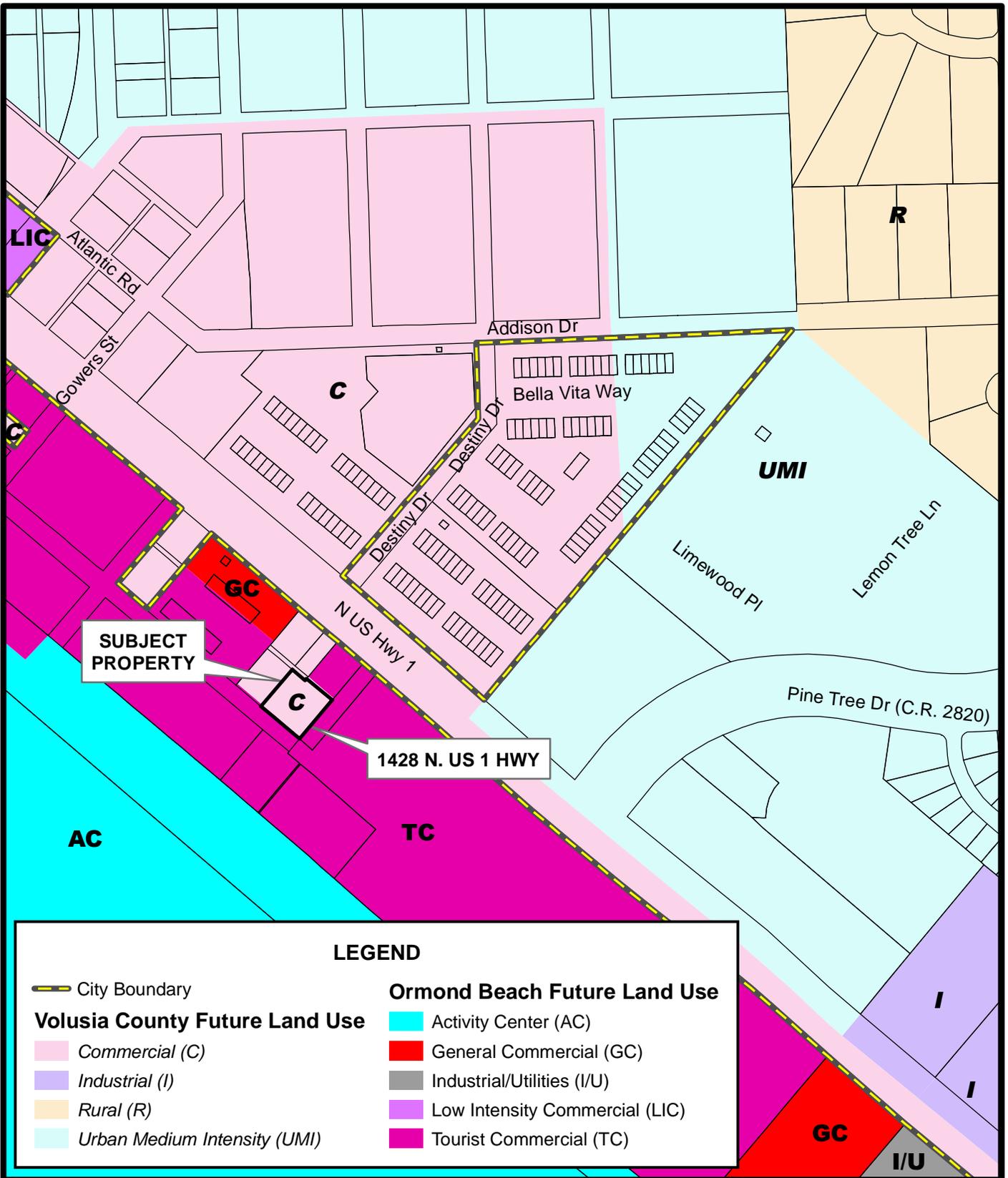
BEGINNING AT THE INTERSECTION OF THE SOUTHWEST CORNER OF SAID LOT 48 AND THE NORTHERLY LINE OF FLAGLER ROAD (A 60' RIGHT-OF-WAY AS PLATTED IN AFORESAID REVISED PLAT OF NATIONAL GARDENS), RUN THENCE N40°08'29"E A DISTANCE OF 150.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE 15 FOOT ALLEY WAY AS PLATTED IN AFORESAID REVISED NATIONAL GARDENS; THENCE S49°51'31"E ALONG SAID LINE A DISTANCE OF 50.00 FEET; THENCE DEPARTING SAID SOUTHERLY LINE RUN S40°08'29"E A DISTANCE OF 7.5 FEET TO A POINT OF INTERSECTION WITH THE CENTER LINE OF SAID ALLEY WAY; THENCE S49°51'31"E ALONG SAID CENTERLINE A DISTANCE OF 100.00 FEET; THENCE DEPARTING SAID CENTERLINE RUN S40°08'29"W A DISTANCE OF 157.50 FEET TO POINT OF INTERSECTION WITH THE NORTHERLY LINE OF AFORESAID FLAGLER ROAD; THENCE N49°51'31"W ALONG SAID NORTHERLY LINE A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 23,250 SQ. FT. OR 0.53 ACRES MORE OR LESS.



EXHIBIT B

Future Land Use Maps



LEGEND

City Boundary

Volusia County Future Land Use

Commercial (C)

Industrial (I)

Rural (R)

Urban Medium Intensity (UMI)

Ormond Beach Future Land Use

Activity Center (AC)

General Commercial (GC)

Industrial/Utilities (I/U)

Low Intensity Commercial (LIC)

Tourist Commercial (TC)



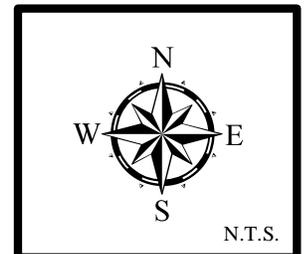
CURRENT FUTURE LAND USE MAP

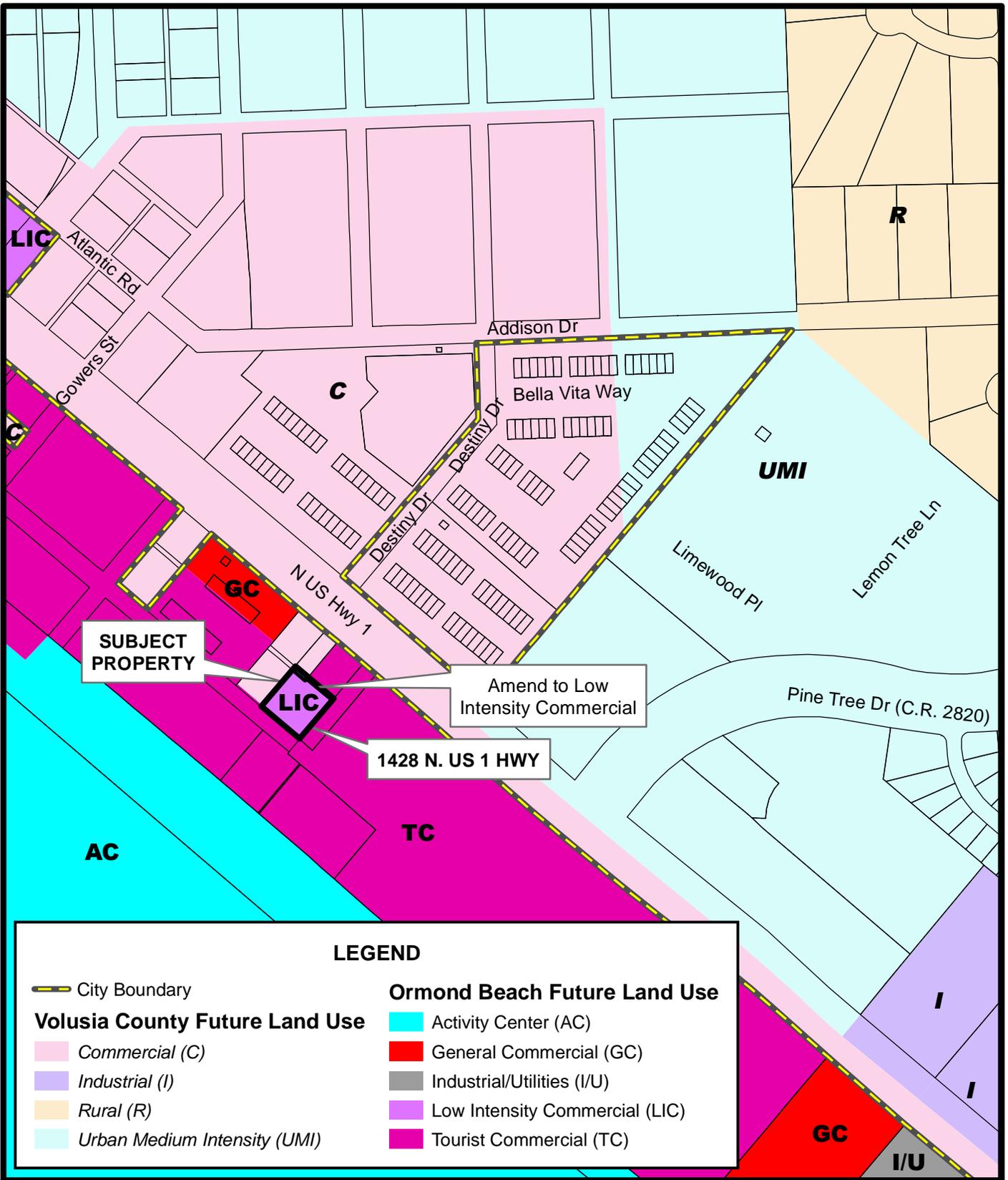
1428 N. US 1 HWY (0.53 Acres)

PID 3136-01-58-0460

The City of Ormond Beach G.I.S. Department

Prepared By: Steve Johnson 10/23/2012





SUBJECT PROPERTY

Amend to Low Intensity Commercial

1428 N. US 1 HWY

LEGEND

City Boundary	Ormond Beach Future Land Use
Volusia County Future Land Use	Activity Center (AC)
Commercial (C)	General Commercial (GC)
Industrial (I)	Industrial/Utilities (I/U)
Rural (R)	Low Intensity Commercial (LIC)
Urban Medium Intensity (UMI)	Tourist Commercial (TC)



PROPOSED FUTURE LAND USE MAP
1428 N. US 1 HWY (0.53 Acres)
PID 3136-01-58-0460

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012

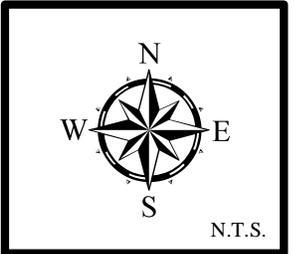


EXHIBIT C

Goals, Objectives, and Policies

Future Land Use Element

OBJECTIVE 1.2. COMMERCIAL LAND USE-Ensure that adequate amounts of land are available to meet the commercial land use needs of the community.

POLICY 1.2.13. Those properties for which a BPUD has been approved in the County can develop under those land uses, provided that the Development Agreement with the County is still valid and in effect. Applicants shall be encouraged to meet City land development standards.

OBJECTIVE 2.5. COMPREHENSIVE PLAN AMENDMENTS - The City shall review proposed text and Future Land Use Map amendments based upon state requirements, Volusia County regulations, and the Goals, Objectives, and Policies of the City's Comprehensive Plan.

POLICY 2.5.2. - The following criteria shall be used in reviewing Comprehensive Plan amendments:

1. Consistency with the Goals, Objectives, and Policies of this Plan.
2. Consistency with state requirements, including 9J-5 and Florida Statutes requirements.
3. If the amendment is a map amendment, is the proposed change an appropriate use of land.
4. If the amendment is a map amendment, the impacts on the Level of Service of public infrastructure including schools, roadways, utilities, stormwater, and park and recreation facilities.
5. If the amendment is a map amendment, impacts to surrounding jurisdictions.

POLICY 2.5.3. - All Comprehensive Plan amendments shall require the advertising and notification requirements of Florida Statutes and Chapter I, Introduction, Plan Administration of this Comprehensive Plan.

GOAL 5. ANNEXATION - THE CITY PROVIDES UTILITY SERVICE BEYOND IT'S MUNICIPAL LIMITS AND SHALL REQUIRE THAT ANY CONNECTION TO THE CITY UTILITIY SYSTEM ITHIER ANNEX INTO THE CITY OR ENTER INTO AN ANNEXATION AGREEMENT IF NOT CONTIGIOUS FOR UTILITY SERVICE.

OBJECTIVE 5.1. ANNEXATION - Newly annexed areas and new development shall not impose additional tax burdens on City residents or adversely impact City managed natural resources, public facilities and services, including potable water, sanitary sewer, drainage, solid waste, parks and recreation and cultural facilities. Future land uses shall be located consistent with the provision of public facilities and services.

POLICY 5.1.1. - Properties that are annexed into the City of Ormond Beach shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity.

GOAL 6. PLANNING PROCESS - CONTINUE TO IMPLEMENT A PERMANENT AND EFFECTIVE LOCAL LAND USE PLANNING PROCESS, BASED ON SOUND PROFESSIONAL PLANNING PRINCIPLES AND THE DESIRES OF THE CITIZENRY TO GUIDE THE FUTURE DEVELOPMENT OF THE CITY TO ENSURE THE HIGHEST QUALITY OF LIFE POSSIBLE FOR ALL EXISTING AND FUTURE RESIDENTS.

OBJECTIVE 6.1. PUBLIC PARTICIPATION - The City should continue to provide adequate opportunity for citizen initiative and participation in the planning process. This shall include notification procedures appropriate to the planning issue.

POLICY 6.1.1. - The City, through the City Commission, the Planning Department, and advisory boards, shall continue to solicit public input and involvement in all areas of planning.

POLICY 6.1.2. - The City Commission and the Planning Department shall continue and, where necessary, improve and initiate measures to increase citizen awareness concerning planning issues.

Transportation Element

GOAL 1. LAND USE - PROMOTE A BALANCED, AFFORDABLE, RELIABLE, CONVENIENT AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM THAT SUPPORTS THE LAND USE VISION OF THE ORMOND BEACH COMPREHENSIVE PLAN.

Utilities Element

POLICY 1.5.3. - The location and timing of providing public facilities and services shall be used as methods of implementing the Comprehensive Plan and associated sound and reasonable growth management policies and plans, and for the establishment of a direct, objective relationship between the entire array of public facilities and services and land use intensities.

Public School Facilities Element

POLICY 1.4.1.- The City of Ormond Beach shall take into consideration the School Board comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments and other land use decisions including but not limited to developments of regional impact. School Board review shall follow the policies and procedures set forth in the interlocal agreement.

POLICY 1.4.2. - Amendments to the future land use map shall be coordinated with the School Board and the Public School Facilities Planning Maps.

Capital Improvements Element

OBJECTIVE 1.7. INTERGOVERNMENTAL COORDINATION

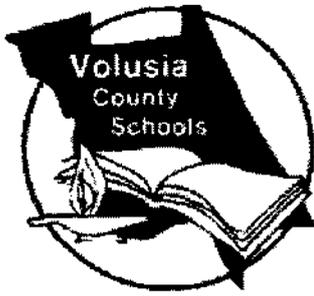
Intergovernmental cooperation and coordination shall be established and maintained in order to plan for and provide the best methods for providing efficient, cost-effective, and environmentally sound public facilities and services.

Intergovernmental Coordination Element

POLICY 2.1.5.- The City of Ormond Beach shall continue to implement school concurrency and Section 206 of the Volusia County Charter no later than February 1, 2008.

EXHIBIT D

Volusia County Schools Letter



Dr. Margaret A. Smith
Superintendent of Schools

FACILITIES SERVICES

3750 Olson Drive, Daytona Beach, Florida 32124
PHONE: 386/947-8786 FAX: 386/506-5056

School Board of Volusia County

Dr. Al Williams, Chairman
Ms. Judy Conte, Vice-Chairman
Mr. Stan Schmidt
Ms. Candace Lankford
Mrs. Diane Smith

October 22, 2012

Ms. Becky Weedo
Senior Planner
City of Ormond Beach
Planning Department
22 South Beach St., #104
Ormond Beach, FL 32174

RE: 2012 Administrative Future Land Use Amendments

Dear Ms. Weedo:

District staff has reviewed the information for five (5) administrative land use amendments for recently annexed properties located along U.S. Highway 1 in the Ormond Beach area. Staff understands that these land use amendments are necessary to change from Volusia County land use designations to the city's designations.

Regarding the following four (4) future land use amendments:

1. 1433, 1435, 1437, and 1439 N. US 1 Hwy (MBA Business Center) \pm 3.97 acres.
2. 1444 N US 1 Hwy - \pm 7.2 acres – Parcel ID 3136-01-58-0190
3. 1428 N. US 1 Hwy – \pm .53 acres – Parcel ID 3136-01-58-0460
4. 1438 N US 1 Hwy - \pm .15 – Parcel ID 3136-01-58-0210

The current Volusia County land use designations are commercial. The city proposes to change the future land use designations to low intensity commercial. It is the districts understanding that these amendments would be considered 'housekeeping' following the annexation into the city limits.

Regarding the Gardens at Addison Townhomes:

5. 1-103 Bella Vita Way (Gardens at Addison Townhomes) – ±11.5 acres

This townhome development received final development order approval in 2004 and remains valid for 72 townhome units. The current Volusia County future land use designation is commercial/urban medium intensity. The city proposed land use designation is medium density residential. At this time, there are no plans for additional development and no new residential dwelling units are proposed with this land use change.

Please be advised the school district has no objection to the future land use amendments since they will not result in an increase of residential density.

The district thanks you for the opportunity to review the proposed administrative future land use map amendments. If you should have questions or require additional information, please do not hesitate to contact me at (386) 947-8786, extension 50805.

Sincerely,

A handwritten signature in cursive script that reads "Helen LaValley". The signature is written in black ink and is positioned to the right of the typed name.

Helen LaValley
Planning Specialist

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 8, 2012

SUBJECT: 1438 North US Highway 1 – Small-Scale Land Use Plan
Amendment

APPLICANT: City Initiated

NUMBER: LUPA 13-009

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a City initiated request for a Small Scale Comprehensive Plan Land Use Map amendment for the subject property located at 1438 North US Highway 1. This request is to change approximately 0.15 acres from the existing future land use designation of Volusia County "Commercial" to Ormond Beach "Low Intensity Commercial" as the result of an annexation on August 8, 2012.

BACKGROUND:

The property at 1438 North US Highway 1 is owned by 1438 North US1, LLC, a Florida limited liability company (Exhibit A). A residential structure approximately 1,176 square feet built in 1995 is located on the property. Connection to City water occurred in 2006. The property annexed into the City on August 8, 2012 with Ordinance 2012-27 based on a voluntary petition and contiguity with the City boundary. Since the subject property is now located within the City of Ormond Beach, it is required to have a similar land use and compatible zoning. Until a City land use designation and zoning classification are adopted, the property maintains its County land use and zoning classifications.

The property is currently zoned Volusia County B-4 (General Commercial). The expected zoning classification will be B-8 (Commercial) and will follow upon the completion of the administrative land use change. The proposed land use amendment schedule of the subject property is as follows:

Action/Board	Date
Planning Board	November 8, 2012
Transmit to Volusia County Growth Management Commission and adjoining jurisdictions	November 9, 2012
City Commission 1 st Reading	December 18, 2012
City Commission 2 nd Reading	January 15, 2013
Transmit to Florida Department of Economic Opportunity (DEO)	January 16, 2013
Amendment Adoption Date (If no challenge is received by DEO)	February 17, 2013
Amendment Adoption Date (If a challenge is received by DEO)	The date the State or Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance (No challenge is expected).

ANALYSIS:

The proposed amendment seeks to change the land use designation of the subject property from unincorporated Volusia County "Commercial" to the City of Ormond Beach "Low Intensity Commercial" on the future land use map (Exhibit B). Staff has reviewed the proposed Future Land Use Map amendment based upon the following criteria:

1. Whether the future land use amendment is consistent with the Comprehensive Plan Goals, Objectives and Policies.

The proposed FLU amendment is consistent with the Goals Objectives, and Policies of the Comprehensive Plan, including but not limited to (Exhibit C):

- Future Land Use Element: Goals: 5, and 6; Objectives 1.2, 2.5, 5.1, 6.1; and Policies 1.1.13, 2.5.2, 2.5.3, 5.1.1, 6.1.1, and 6.1.2
- Transportation Element: Goal 1
- Utilities Element: Policy 1.5.3
- Public School Facilities Element: Policies 1.4.1 and 1.4.2;
- Capital Improvements Element: Objective 1.7
- Intergovernmental Coordination Element: Policy 2.1.5

2. Whether the proposed plan amendment meets the criteria established in the Florida Statutes:

In accordance with Chapter 163.3187(1), Florida Statutes, any local government comprehensive plan amendments directly related to proposed small-scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan. A small-scale development amendment may be adopted only under the following conditions:

a. The proposed amendment involves a use of 10 acres or fewer.

The subject property is ±.15 acres (less than 10 acres)

b. The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

The proposed small-scale amendment complies with this requirement. The following represents amendments currently approved in calendar year 2012:

File Number	File Name and Address	Land Use Change	Status	Total Acres
LUPA 12-06	115 North Nova Road	City "Open Space/Conservation" to City "Office/Professional"	Adopted	±0.46
LUPA 12-97	1634 North US Hwy 1	Volusia County "Commercial" to City "Tourist Commercial"	Adopted	±4.60
			Total:	±5.06

c. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

The proposed amendment is solely to the Future Land Use Map and does not propose any text amendments to the City's Comprehensive Plan.

d. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. [420.0004\(3\)](#), and is located within an area of critical state concern designated by s. [380.0552](#) or by the Administration Commission pursuant to s. [380.05\(1\)](#).

The site location is not located within an area of state critical concern, and this criterion does not apply.

3. Whether the land use is an appropriate use of the land.

Land Use: The adjacent land uses and zoning are as follows:

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning
North	JD Weber Construction	Volusia County "Commercial"	Volusia County B-4 "General Commercial"
South	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"
East	MBA Business Center	Volusia County "Commercial"	Volusia County MPUD "Mixed Planned Unit Development"
West	Residential	Volusia County "Commercial"	Volusia County B-4 "General Commercial"

The future land use designation presently assigned to the subject property is Volusia County "Commercial". The Volusia County Comprehensive Plan states the following for the "Commercial" land use category:

"Commercial (C) - "This category accommodates the full range of sales and service activities. These uses may occur in self-contained centers, high rise structures, campus parks, municipal central business districts, or along arterial highways. In reviewing rezoning requests or site plans, the specific intensity and range of uses, and design will depend on locational factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic. "

This request is for a land use amendment to assign the City "Low Intensity Commercial" future land use category. The directive text of the City's Comprehensive Plan states the following for the "Low Intensity Commercial" category:

"Purpose: A multi-use land use category to depict those areas of the city that are now developed, or appropriate to be developed, for retail, office and professional services, and restaurants consistent with the surrounding uses, transportation facilities and natural resource characteristics of such areas. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum 10 units per acre.
Maximum FAR: 0.6.”

The proposed future land use classification is compatible with adjacent land uses to the subject property.

4. Whether there is adequate infrastructure to serve the proposed land use.

Impact analysis examines the maximum expected impacts of the current designation versus the requested designation based on a preliminary development scenario. This analysis is not meant to replace or contradict the findings of a Concurrency Management Review. However, the relative differences between designations can provide useful information in the long-range planning process. This analysis is based on ±0.15 developed acres to be assigned the City “Low Intensity Commercial” land use.

Impact Analysis (Theoretical Maximum)

Development Variable	Current Volusia County Commercial	Proposed City Low Intensity Commercial	Net Change
Non-residential-	3,594 sq. ft. ¹	3,920 ft. ²	+326 sq. ft.
Residential	NA ³	1 Dwelling Unit	+ 1
Population ⁴	0	2	+ 2
Transportation ⁵	130 Daily Trips	142 Daily Trips	+12

Notes:

1. Current County FLU Commercial – Maximum FAR is .55
2. Proposed City FLU Low Intensity Commercial – Maximum FAR is .6
3. County Commercial does not have provisions for residential-A non conforming residence is on the site.
4. 2.25 persons per household (per 2010 census)
5. ITE Trip Generation Report, 8th Edition-Medical/Dental

Transportation: The most intense land use for both the County Commercial and City Low Intensity Commercial designations is considered to be the shopping center. Since a shopping center is not feasible on a ±0.15 acre parcel, the medical/dental office ITE land use code was used. Based on the ITE rate for Medical/Dental office (36.13 daily trips per 1,000 square feet), about 12 additional daily trips would be generated. The land use amendment will not impact the transportation network since 12 daily trips is considered de minimus (insignificant). If the site is redeveloped in the future, a concurrency analysis will be required.

Water & Sewer: The subject property is located in the utility service area of the City of Ormond Beach and will not generate an increase in demand.

Stormwater Management: The residential structure is non conforming and was constructed prior to current stormwater regulations. Any new development would require a stormwater review.

Solid Waste: This property will be served by Waste Management, Inc., and there is adequate capacity to serve the proposed land use.

Schools: School capacity for the increase in residential density has been reviewed by the Volusia County School Board and has been determined acceptable (Exhibit D).). It should be noted that while the current County FLU does not permit residential, the proposed use is a Low Intensity Commercial which does allow residential.

Other Services: City police and fire protection services serve this area. The parcel is located within an approximate 4-5 minute response time from emergency facilities.

5. Whether the proposed map amendment impacts surrounding jurisdictions.

The property is not located next to another City and there are no impacts expected to any surrounding jurisdiction. The North US Highway 1 corridor near I-95 is a mixture of properties located within Ormond Beach and unincorporated Volusia County.

CONCLUSION:

Staff supports the land use amendment from Volusia County “Commercial” to Ormond Beach “Low Intensity Commercial”. The small scale land use map amendment is an administrative amendment required to assign a City Future Land Use Map designation to the subject parcel. Staff believes that the Ormond Beach “Low Intensity Commercial” land use category is appropriate for the following reasons:

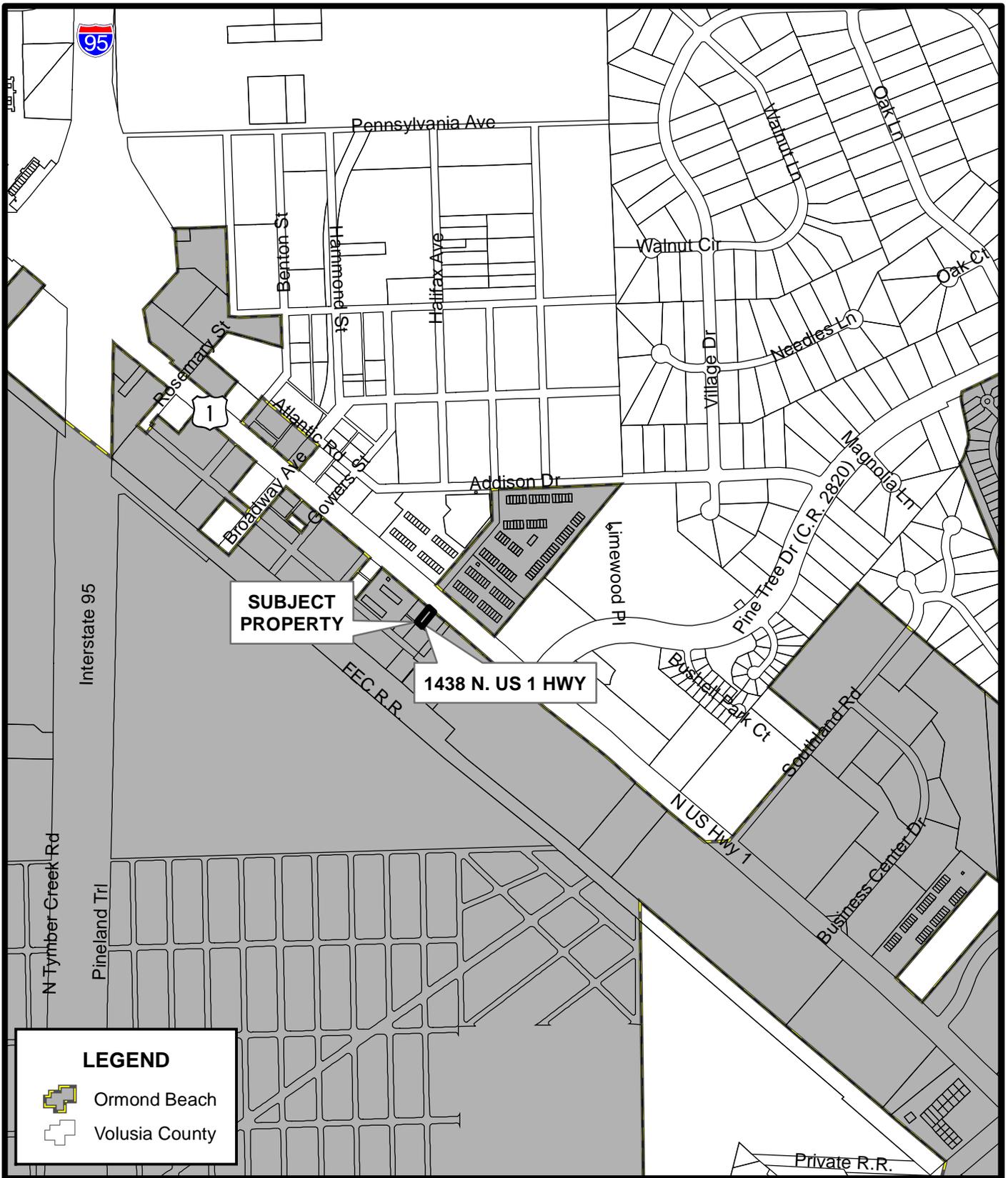
1. The amendment meets the Goals, Objectives, and Policies of the City’s comprehensive plan;
2. The amendment meets the requirements established in the Florida Statutes;
3. The proposed land use is an appropriate use of land;
4. There is adequate infrastructure to serve the proposed land use; and
5. The proposed land use will not impact surrounding jurisdictions.

RECOMMENDATION

Staff recommends that the Planning Board recommend **APPROVAL** of Case # LUPA 13-009 a Future Land Use map amendment for ±0.15 acres from the existing land use designation of Volusia County “Commercial” to City of Ormond Beach “Low Intensity Commercial” at 1438 North US Highway 1.

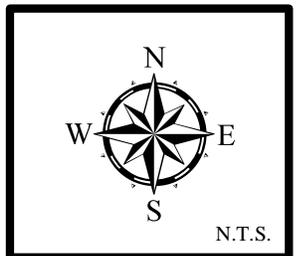
EXHIBIT A

Location Map, Legal Description, and Photo



1438 N. US 1 HWY
PID 3136-01-58-0210
LOCATION MAP

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012



1438 North US Highway 1 Photo and Legal Description



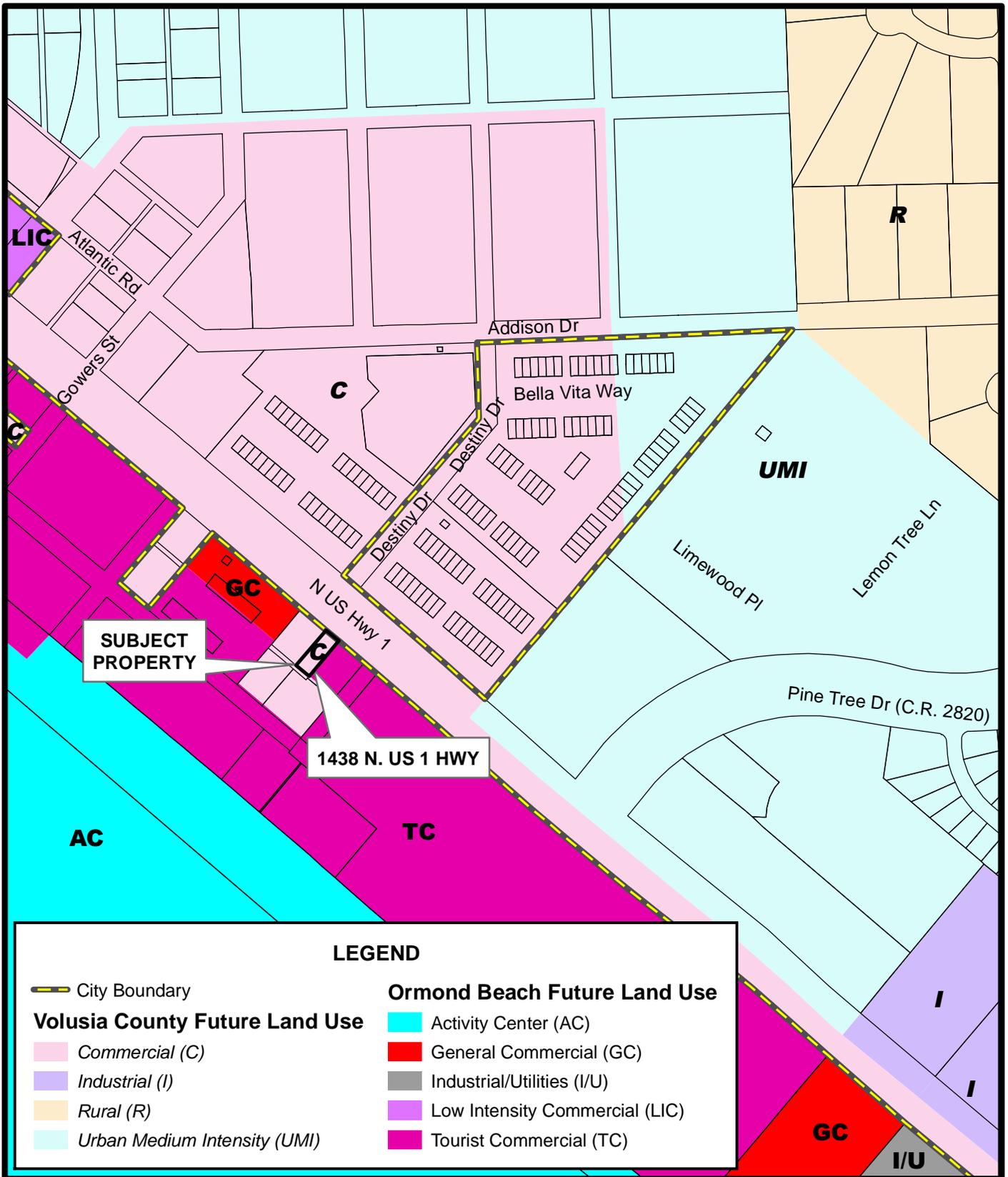
A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, ALSO BEING LOT 21 (EXC HWY), AND INCLUDING THAT PORTION OF CLOSED ALLEY WAY, BLOCK 58, PLAT OF NATIONAL GARDENS REVISED, AS RECORDED IN MAP BOOK 10, PAGES 250-253, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE NORTHWEST CORNER OF LOT 48, OF SAID BLOCK 58, PLAT OF NATIONAL GARDENS REVISED, AND THE SOUTHERLY LINE OF A 15 FOOT ALLEY WAY (AS SHOWN ON SAID REVISED PLAT OF NATIONAL GARDENS), RUN THENCE S49°51'31"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH EASTERLY LINE (PROJECTED SOUTHWESTERLY) OF LOT 22, BLOCK 58, OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE N40°08'29"E ALONG SAID EASTERLY LINE A DISTANCE OF 135.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO.1 (A 160 FOOT RIGHT-OF-WAY AS CURRENTLY OCCUPIED AND ESTABLISHED); THENCE N49°51'31"W ALONG SAID SOUTHERLY LINE A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF AFORESAID LOT 20, BLOCK 58 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE S40°08'29"W ALONG SAID EASTERLY LINE A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 6,742 SQ. FT. OR 0.15 ACRES MORE OR LESS.

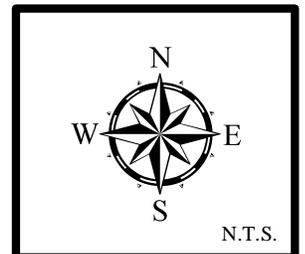
EXHIBIT B

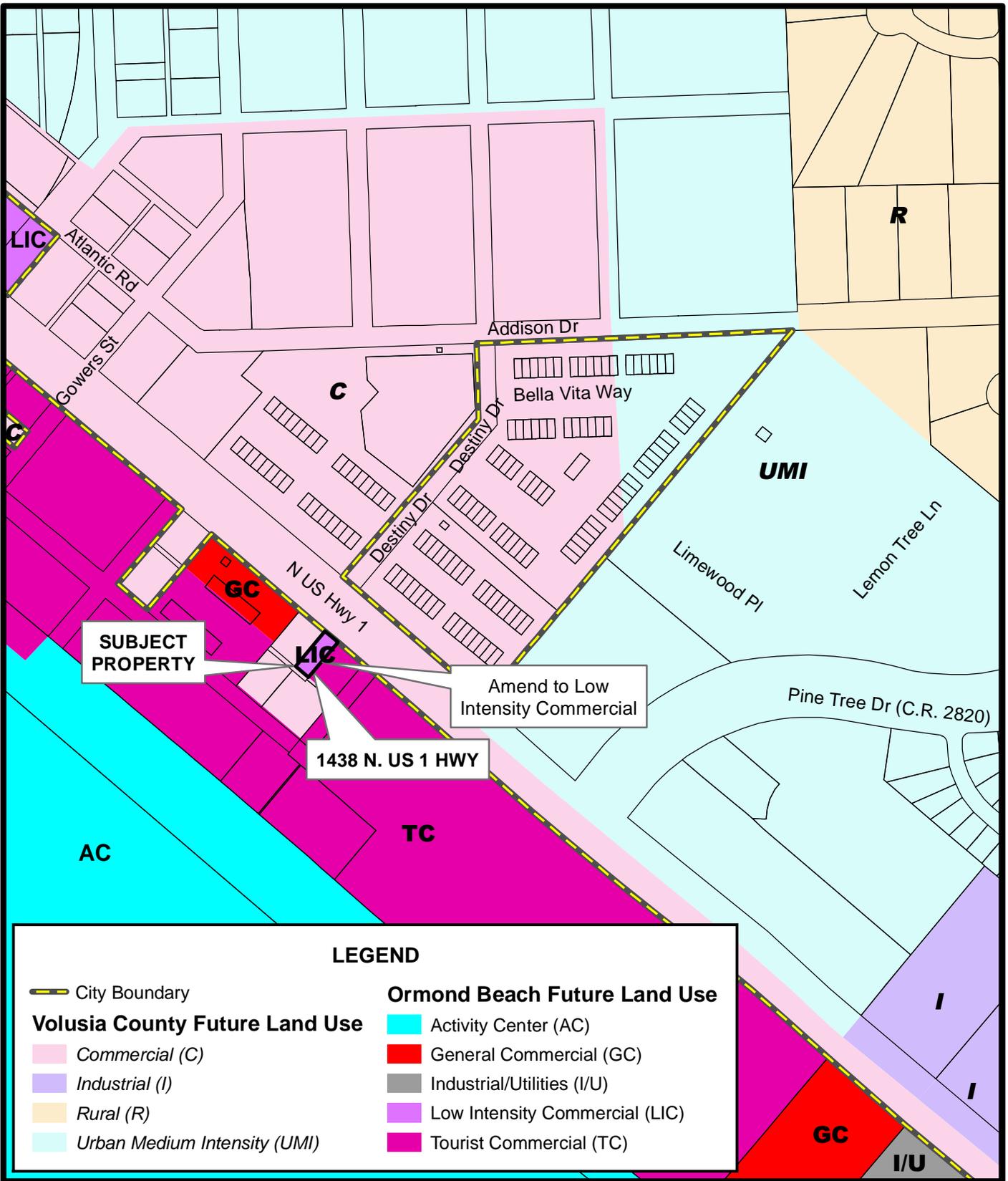
Future Land Use Maps



CURRENT FUTURE LAND USE MAP
1438 N. US 1 HWY (0.15 Acres)
PID 3136-01-58-0210

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012





PROPOSED FUTURE LAND USE MAP
1438 N. US 1 HWY (0.15 Acres)
PID 3136-01-58-0210

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012

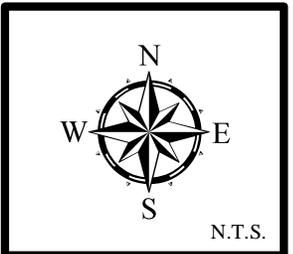


EXHIBIT C

Goals, Objectives, and Policies

Future Land Use Element

OBJECTIVE 1.2. COMMERCIAL LAND USE-Ensure that adequate amounts of land are available to meet the commercial land use needs of the community.

POLICY 1.2.13. Those properties for which a BPUD has been approved in the County can develop under those land uses, provided that the Development Agreement with the County is still valid and in effect. Applicants shall be encouraged to meet City land development standards.

OBJECTIVE 2.5. COMPREHENSIVE PLAN AMENDMENTS - The City shall review proposed text and Future Land Use Map amendments based upon state requirements, Volusia County regulations, and the Goals, Objectives, and Policies of the City's Comprehensive Plan.

POLICY 2.5.2. - The following criteria shall be used in reviewing Comprehensive Plan amendments:

1. Consistency with the Goals, Objectives, and Policies of this Plan.
2. Consistency with state requirements, including 9J-5 and Florida Statutes requirements.
3. If the amendment is a map amendment, is the proposed change an appropriate use of land.
4. If the amendment is a map amendment, the impacts on the Level of Service of public infrastructure including schools, roadways, utilities, stormwater, and park and recreation facilities.
5. If the amendment is a map amendment, impacts to surrounding jurisdictions.

POLICY 2.5.3. - All Comprehensive Plan amendments shall require the advertising and notification requirements of Florida Statutes and Chapter I, Introduction, Plan Administration of this Comprehensive Plan.

GOAL 5. ANNEXATION - THE CITY PROVIDES UTILITY SERVICE BEYOND IT'S MUNICIPAL LIMITS AND SHALL REQUIRE THAT ANY CONNECTION TO THE CITY UTILITIY SYSTEM ITHIER ANNEX INTO THE CITY OR ENTER INTO AN ANNEXATION AGREEMENT IF NOT CONTIGIOUS FOR UTILITY SERVICE.

OBJECTIVE 5.1. ANNEXATION - Newly annexed areas and new development shall not impose additional tax burdens on City residents or adversely impact City managed natural resources, public facilities and services, including potable water, sanitary sewer, drainage, solid waste, parks and recreation and cultural facilities. Future land uses shall be located consistent with the provision of public facilities and services.

POLICY 5.1.1. - Properties that are annexed into the City of Ormond Beach shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity.

GOAL 6. PLANNING PROCESS - CONTINUE TO IMPLEMENT A PERMANENT AND EFFECTIVE LOCAL LAND USE PLANNING PROCESS, BASED ON SOUND PROFESSIONAL PLANNING PRINCIPLES AND THE DESIRES OF THE CITIZENRY TO GUIDE THE FUTURE DEVELOPMENT OF THE CITY TO ENSURE THE HIGHEST QUALITY OF LIFE POSSIBLE FOR ALL EXISTING AND FUTURE RESIDENTS.

OBJECTIVE 6.1. PUBLIC PARTICIPATION - The City should continue to provide adequate opportunity for citizen initiative and participation in the planning process. This shall include notification procedures appropriate to the planning issue.

POLICY 6.1.1. - The City, through the City Commission, the Planning Department, and advisory boards, shall continue to solicit public input and involvement in all areas of planning.

POLICY 6.1.2. - The City Commission and the Planning Department shall continue and, where necessary, improve and initiate measures to increase citizen awareness concerning planning issues.

Transportation Element

GOAL 1. LAND USE - PROMOTE A BALANCED, AFFORDABLE, RELIABLE, CONVENIENT AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM THAT SUPPORTS THE LAND USE VISION OF THE ORMOND BEACH COMPREHENSIVE PLAN.

Utilities Element

POLICY 1.5.3. - The location and timing of providing public facilities and services shall be used as methods of implementing the Comprehensive Plan and associated sound and reasonable growth management policies and plans, and for the establishment of a direct, objective relationship between the entire array of public facilities and services and land use intensities.

Public School Facilities Element

POLICY 1.4.1.- The City of Ormond Beach shall take into consideration the School Board comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments and other land use decisions including but not limited to developments of regional impact. School Board review shall follow the policies and procedures set forth in the interlocal agreement.

POLICY 1.4.2. - Amendments to the future land use map shall be coordinated with the School Board and the Public School Facilities Planning Maps.

Capital Improvements Element

OBJECTIVE 1.7. INTERGOVERNMENTAL COORDINATION

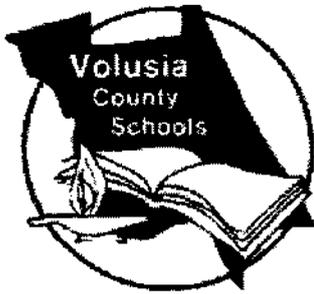
Intergovernmental cooperation and coordination shall be established and maintained in order to plan for and provide the best methods for providing efficient, cost-effective, and environmentally sound public facilities and services.

Intergovernmental Coordination Element

POLICY 2.1.5.- The City of Ormond Beach shall continue to implement school concurrency and Section 206 of the Volusia County Charter no later than February 1, 2008.

EXHIBIT D

Volusia County Schools Letter



Dr. Margaret A. Smith
Superintendent of Schools

FACILITIES SERVICES

3750 Olson Drive, Daytona Beach, Florida 32124
PHONE: 386/947-8786 FAX: 386/506-5056

School Board of Volusia County

Dr. Al Williams, Chairman
Ms. Judy Conte, Vice-Chairman
Mr. Stan Schmidt
Ms. Candace Lankford
Mrs. Diane Smith

October 22, 2012

Ms. Becky Weedo
Senior Planner
City of Ormond Beach
Planning Department
22 South Beach St., #104
Ormond Beach, FL 32174

RE: 2012 Administrative Future Land Use Amendments

Dear Ms. Weedo:

District staff has reviewed the information for five (5) administrative land use amendments for recently annexed properties located along U.S. Highway 1 in the Ormond Beach area. Staff understands that these land use amendments are necessary to change from Volusia County land use designations to the city's designations.

Regarding the following four (4) future land use amendments:

1. 1433, 1435, 1437, and 1439 N. US 1 Hwy (MBA Business Center) \pm 3.97 acres.
2. 1444 N US 1 Hwy - \pm 7.2 acres – Parcel ID 3136-01-58-0190
3. 1428 N. US 1 Hwy – \pm .53 acres – Parcel ID 3136-01-58-0460
4. 1438 N US 1 Hwy - \pm .15 – Parcel ID 3136-01-58-0210

The current Volusia County land use designations are commercial. The city proposes to change the future land use designations to low intensity commercial. It is the districts understanding that these amendments would be considered 'housekeeping' following the annexation into the city limits.

Regarding the Gardens at Addison Townhomes:

5. 1-103 Bella Vita Way (Gardens at Addison Townhomes) – ±11.5 acres

This townhome development received final development order approval in 2004 and remains valid for 72 townhome units. The current Volusia County future land use designation is commercial/urban medium intensity. The city proposed land use designation is medium density residential. At this time, there are no plans for additional development and no new residential dwelling units are proposed with this land use change.

Please be advised the school district has no objection to the future land use amendments since they will not result in an increase of residential density.

The district thanks you for the opportunity to review the proposed administrative future land use map amendments. If you should have questions or require additional information, please do not hesitate to contact me at (386) 947-8786, extension 50805.

Sincerely,

A handwritten signature in cursive script that reads "Helen LaValley". The signature is written in black ink and is positioned to the right of the typed name.

Helen LaValley
Planning Specialist

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 8, 2012

SUBJECT: 1444 North US Highway 1 – Small-Scale Land Use Plan
Amendment

APPLICANT: City Initiated

NUMBER: LUPA 13-007

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a City initiated request for a Small Scale Comprehensive Plan Land Use Map amendment for the subject property located at 1444 North US Highway 1. This request is to change approximately 0.72 acres from the existing future land use designation of Volusia County “Commercial” to Ormond Beach “Low Intensity Commercial” as the result of an annexation on August 21, 2012.

BACKGROUND:

The property at 1444 North US Highway 1 is owned by GPR1, LLC, a Florida limited liability company (Exhibit A). JD Weber Construction Company is currently operating on the property. Connection to City water occurred in 2006. The property annexed into the City on August 21, 2012 with Ordinance 2012-30 based on a voluntary petition and contiguity with the City boundary. Since the subject property is now located within the City of Ormond Beach, it is required to have a similar land use and compatible zoning. Until a City land use designation and zoning classification are adopted, the property maintains its County land use and zoning classifications.

The property is currently zoned Volusia County B-4 (General Commercial). The expected zoning classification will be B-8 (Commercial) and will follow upon the completion of the administrative land use change. The proposed land use amendment tentative schedule of the subject property is as follows:

Action/Board	Date
Planning Board	November 8, 2012
Transmit to Volusia County Growth Management Commission and adjoining jurisdictions	November 9, 2012
City Commission 1 st Reading	December 18, 2012
City Commission 2 nd Reading	January 15, 2013
Transmit to Florida Department of Economic Opportunity (DEO)	January 16, 2013
Amendment Adoption Date (If no challenge is received by DEO)	February 17, 2013
Amendment Adoption Date (If a challenge is received by DEO)	The date the State or Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance (No challenge is expected).

ANALYSIS:

The proposed amendment seeks to change the land use designation of the subject property from unincorporated Volusia County "Commercial" to the City of Ormond Beach "Low Intensity Commercial" on the future land use map (Exhibit B). Staff has reviewed the proposed Future Land Use Map amendment based upon the following criteria:

1. Whether the future land use amendment is consistent with the Comprehensive Plan Goals, Objectives and Policies.

The proposed FLU amendment is consistent with the Goals Objectives, and Policies of the Comprehensive Plan, including but not limited to (Exhibit C):

- Future Land Use Element: Goals: 5, and 6; Objectives 1.2, 2.5, 5.1, 6.1; and Policies 1.1.13, 2.5.2, 2.5.3, 5.1.1, 6.1.1, and 6.1.2
- Transportation Element: Goal 1
- Utilities Element: Policy 1.5.3
- Public School Facilities Element: Policies 1.4.1 and 1.4.2;
- Capital Improvements Element: Objective 1.7
- Intergovernmental Coordination Element: Policy 2.1.5

2. Whether the proposed plan amendment meets the criteria established in the Florida Statutes:

In accordance with Chapter 163.3187(1), Florida Statutes, any local government comprehensive plan amendments directly related to proposed small-scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan. A small-scale development amendment may be adopted only under the following conditions:

a. The proposed amendment involves a use of 10 acres or fewer.

The subject property is ± 0.72 acres (less than 10 acres)

b. The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

The proposed small-scale amendment complies with this requirement. The following represents amendments currently approved in calendar year 2012:

File Number	File Name and Address	Land Use Change	Status	Total Acres
LUPA 12-06	115 North Nova Road	City "Open Space/Conservation" to City "Office/Professional"	Adopted	± 0.46
LUPA 12-97	1634 North US Hwy 1	Volusia County "Commercial" to City "Tourist Commercial"	Adopted	± 4.60
Total:				± 5.06

c. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

The proposed amendment is solely to the Future Land Use Map and does not propose any text amendments to the City's Comprehensive Plan.

d. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. [420.0004\(3\)](#), and is located within an area of critical state concern designated by s. [380.0552](#) or by the Administration Commission pursuant to s. [380.05\(1\)](#).

The site location is not located within an area of state critical concern, and this criterion does not apply.

3. Whether the land use is an appropriate use of the land.

Land Use: The adjacent land uses and zoning are as follows:

Land Use and Zoning Designations of Adjacent Property			
	Current Land Uses	Future Land Use Designation	Zoning
North	Gardens Plaza Professional Offices	Ormond Beach "General Commercial" and "Tourist Commercial"	Ormond Beach B-8 "General Commercial" and B-7 "Highway Tourist Commercial"
South	Residential	Volusia County "Commercial"	Volusia County B-4 "General Commercial"
East	MBA Business Center	Volusia County "Commercial"	Volusia County MPUD "Mixed Planned Unit Development"
West	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"

The future land use designation presently assigned to the subject property is Volusia County "Commercial". The Volusia County Comprehensive Plan states the following for the "Commercial" land use category:

"Commercial (C) - "This category accommodates the full range of sales and service activities. These uses may occur in self-contained centers, high rise structures, campus parks, municipal central business districts, or along arterial highways. In reviewing rezoning requests or site plans, the specific intensity and range of uses, and design will depend on locational factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic. "

This request is for a land use amendment to assign the City "Low Intensity Commercial" future land use category. The directive text of the City's Comprehensive Plan states the following for the "Low Intensity Commercial" category:

"Purpose: A multi-use land use category to depict those areas of the city that are now developed, or appropriate to be developed, for retail, office and professional services, and restaurants consistent with the surrounding uses, transportation facilities and

natural resource characteristics of such areas. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum 10 units per acre.
Maximum FAR: 0.6.”

The proposed future land use classification is compatible with adjacent land uses to the subject property.

4. Whether there is adequate infrastructure to serve the proposed land use.

Impact analysis examines the maximum expected impacts of the current designation versus the requested designation based on a preliminary development scenario. This analysis is not meant to replace or contradict the findings of a Concurrency Management Review. However, the relative differences between designations can provide useful information in the long-range planning process. This analysis is based on ±0.72 developed acres to be assigned the City “Low Intensity Commercial” land use.

Impact Analysis (Theoretical Maximum)

Development Variable	Current Volusia County Commercial	Proposed City Low Intensity Commercial	Net Change
Non-residential-	17,250 sq. ft. ¹	18,818 ft. ²	+1,568 sq. ft.
Residential	NA ³	7 Dwelling Unit	+ 7
Population ⁴	0	16	+ 16
Transportation ⁵	623 Daily Trips	680 Daily Trips	+57

Notes:

1. Current County FLU Commercial – Maximum FAR is .55
2. Proposed City FLU Low Intensity Commercial – Maximum FAR is .6
3. County Commercial does not have provisions for residential.
4. 2.25 persons per household (per 2010 census)
5. ITE Trip Generation Report, 8th Edition-Medical/Dental

Transportation: The most intense land use for both the County Commercial and City Low Intensity Commercial designations is considered to be the shopping center. Since a shopping center is not feasible on a ±0.72 acre parcel, the medical/dental office ITE land use code was used. Based on the ITE rate for Medical/Dental office, about 58 additional daily trips would be generated. The land use amendment will not impact the transportation network since 58 daily trips is considered de minimus (insignificant). If the site is redeveloped in the future, a concurrency analysis will be required.

Water & Sewer: The subject property is located in the utility service area of the City of Ormond Beach and will not generate an increase in demand.

Stormwater Management: The construction office was constructed prior to current stormwater regulations. Any new development would require a stormwater review.

Solid Waste: This property will be served by Waste Management, Inc., and there is adequate capacity to serve the proposed land use.

Schools: School capacity for the increase in residential density has been reviewed by the Volusia County School Board and been determined acceptable (Exhibit D). It should be noted that while the current County FLU does permit residential, the proposed use is a Low Intensity Commercial which does allow residential.

Other Services: City police and fire protection services serve this area. The parcel is located within an approximate 4-5 minute response time from emergency facilities.

5. Whether the proposed map amendment impacts surrounding jurisdictions.

The property is not located next to another City and there are no impacts expected to any surrounding jurisdiction. The North US Highway 1 corridor near I-95 is a mixture of properties located within Ormond Beach and unincorporated Volusia County.

CONCLUSION:

Staff supports the land use amendment from Volusia County “Commercial” to Ormond Beach “Low Intensity Commercial”. The small scale land use map amendment is an administrative amendment required to assign a City Future Land Use Map designation to the subject parcel. Staff believes that the Ormond Beach “Low Intensity Commercial” land use category is appropriate for the following reasons:

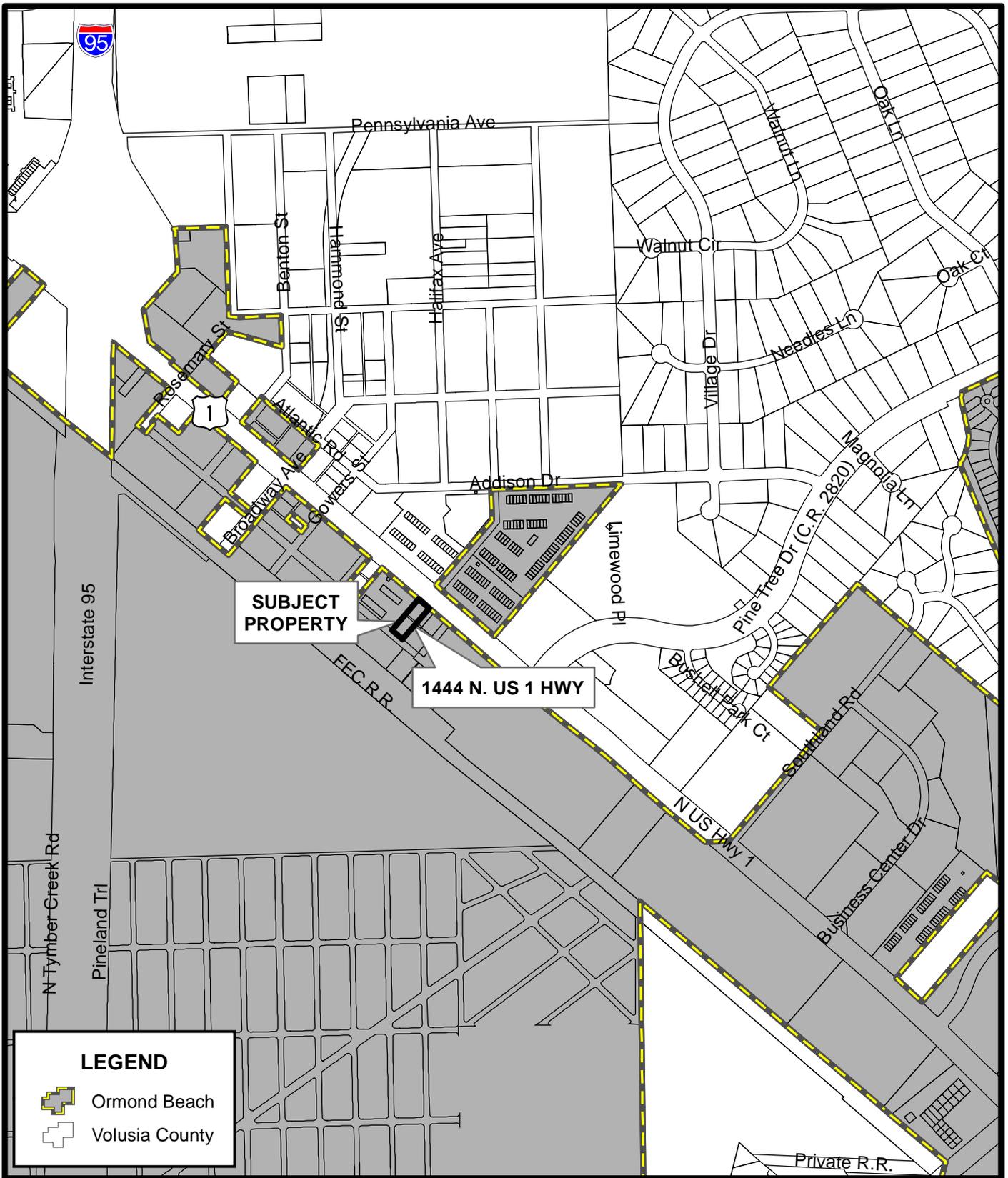
1. The amendment meets the Goals, Objectives, and Policies of the City’s comprehensive plan;
2. The amendment meets the requirements established in the Florida Statutes;
3. The proposed land use is an appropriate use of land;
4. There is adequate infrastructure to serve the proposed land use. Since the site is already developed, there will be no change to impacts on facilities and services as a result of the administrative change in land use from County “Commercial” to Ormond Beach “Low Intensity Commercial”; and
5. The proposed land use will not impact surrounding jurisdictions.

RECOMMENDATION

Staff recommends that the Planning Board recommend **APPROVAL** of Case # LUPA 13–007 a Future Land Use map amendment for ±0.72 acres from the existing land use designation of Volusia County “Commercial” to City of Ormond Beach “Low Intensity Commercial” at 1444 North US Highway 1.

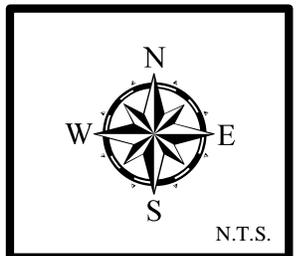
EXHIBIT A

Location Map, Legal Description, and Photo



1444 N. US 1 HWY
PID 3136-01-58-0190
LOCATION MAP

The City of Ormond Beach G.I.S. Deaprtment
 Prepared By: Steve Johnson 10/23/2012



1444 N US HWY 1 Legal Description and Photo of Site

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, ALSO BEING LOTS 19-20, (EXC HWY) AND INCLUDING THAT PORTION OF CLOSED ALLEY WAY LOCATED IN BLOCK 58, AND LOTS 49-50, OF BLOCK 58, OF THE REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP BOOK 10, PAGES 250-253, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

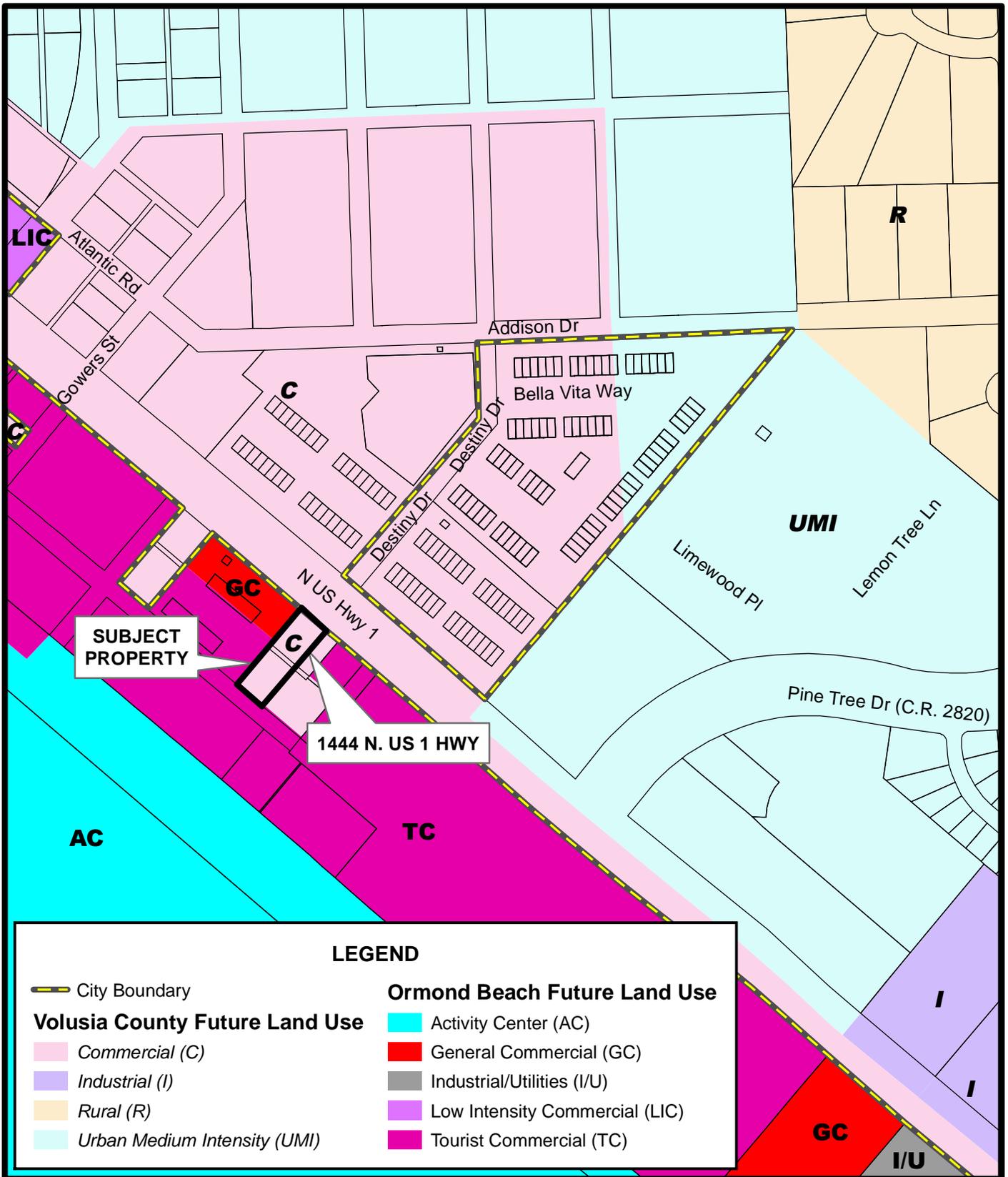
BEGINNING AT THE INTERSECTION OF THE SOUTHWEST CORNER OF SAID LOT 50 AND THE NORTHERLY LINE OF FLAGLER ROAD (A 60' RIGHT-OF-WAY AS PLATTED IN AFORESAID REVISED PLAT OF NATIONAL GARDENS), RUN THENCE N40°08'29"E A DISTANCE OF 285.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No.1 (A 160 FOOT RIGHT-OF-WAY); THENCE S49°51'31"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 110.00 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No.1, RUN S40°08'29"W A DISTANCE OF 285.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID FLAGLER ROAD; THENCE N49°51'31"W ALONG SAID NORTHERLY LINE A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 31,361 SQ. FT. OR 0.72 ACRES MORE OR LESS.



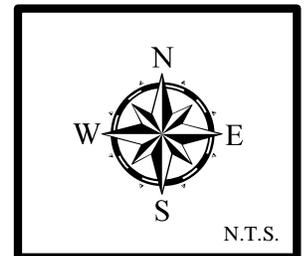
EXHIBIT B

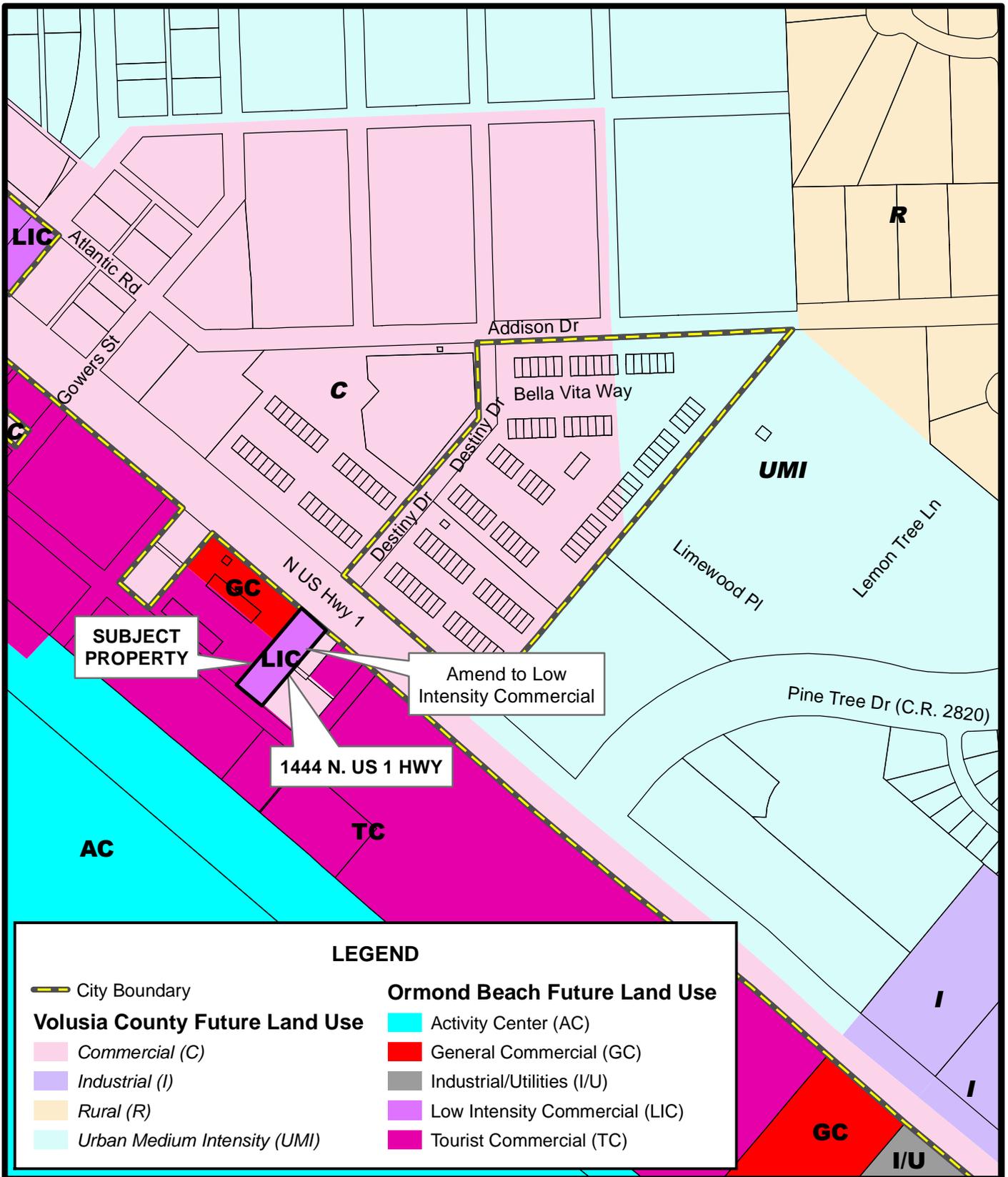
Future Land Use Maps



CURRENT FUTURE LAND USE MAP
1444 N. US 1 HWY (0.72 Acres)
PID 3136-01-58-0190

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012





LEGEND

City Boundary

Volusia County Future Land Use

Commercial (C)

Industrial (I)

Rural (R)

Urban Medium Intensity (UMI)

Ormond Beach Future Land Use

Activity Center (AC)

General Commercial (GC)

Industrial/Utilities (I/U)

Low Intensity Commercial (LIC)

Tourist Commercial (TC)



PROPOSED FUTURE LAND USE MAP
1444 N. US 1 HWY (0.72 Acres)
PID 3136-01-58-0190

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012

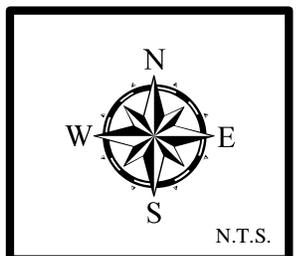


EXHIBIT C

Goals, Objectives, and Policies

Future Land Use Element

OBJECTIVE 1.2. COMMERCIAL LAND USE-Ensure that adequate amounts of land are available to meet the commercial land use needs of the community.

POLICY 1.2.13. Those properties for which a BPUD has been approved in the County can develop under those land uses, provided that the Development Agreement with the County is still valid and in effect. Applicants shall be encouraged to meet City land development standards.

OBJECTIVE 2.5. COMPREHENSIVE PLAN AMENDMENTS - The City shall review proposed text and Future Land Use Map amendments based upon state requirements, Volusia County regulations, and the Goals, Objectives, and Policies of the City's Comprehensive Plan.

POLICY 2.5.2. - The following criteria shall be used in reviewing Comprehensive Plan amendments:

1. Consistency with the Goals, Objectives, and Policies of this Plan.
2. Consistency with state requirements, including 9J-5 and Florida Statutes requirements.
3. If the amendment is a map amendment, is the proposed change an appropriate use of land.
4. If the amendment is a map amendment, the impacts on the Level of Service of public infrastructure including schools, roadways, utilities, stormwater, and park and recreation facilities.
5. If the amendment is a map amendment, impacts to surrounding jurisdictions.

POLICY 2.5.3. - All Comprehensive Plan amendments shall require the advertising and notification requirements of Florida Statutes and Chapter I, Introduction, Plan Administration of this Comprehensive Plan.

GOAL 5. ANNEXATION - THE CITY PROVIDES UTILITY SERVICE BEYOND IT'S MUNICIPAL LIMITS AND SHALL REQUIRE THAT ANY CONNECTION TO THE CITY UTILITIY SYSTEM ITHIER ANNEX INTO THE CITY OR ENTER INTO AN ANNEXATION AGREEMENT IF NOT CONTIGIOUS FOR UTILITY SERVICE.

OBJECTIVE 5.1. ANNEXATION - Newly annexed areas and new development shall not impose additional tax burdens on City residents or adversely impact City managed natural resources, public facilities and services, including potable water, sanitary sewer, drainage, solid waste, parks and recreation and cultural facilities. Future land uses shall be located consistent with the provision of public facilities and services.

POLICY 5.1.1. - Properties that are annexed into the City of Ormond Beach shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity.

GOAL 6. PLANNING PROCESS - CONTINUE TO IMPLEMENT A PERMANENT AND EFFECTIVE LOCAL LAND USE PLANNING PROCESS, BASED ON SOUND PROFESSIONAL PLANNING PRINCIPLES AND THE DESIRES OF THE CITIZENRY TO GUIDE THE FUTURE DEVELOPMENT OF THE CITY TO ENSURE THE HIGHEST QUALITY OF LIFE POSSIBLE FOR ALL EXISTING AND FUTURE RESIDENTS.

OBJECTIVE 6.1. PUBLIC PARTICIPATION - The City should continue to provide adequate opportunity for citizen initiative and participation in the planning process. This shall include notification procedures appropriate to the planning issue.

POLICY 6.1.1. - The City, through the City Commission, the Planning Department, and advisory boards, shall continue to solicit public input and involvement in all areas of planning.

POLICY 6.1.2. - The City Commission and the Planning Department shall continue and, where necessary, improve and initiate measures to increase citizen awareness concerning planning issues.

Transportation Element

GOAL 1. LAND USE - PROMOTE A BALANCED, AFFORDABLE, RELIABLE, CONVENIENT AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM THAT SUPPORTS THE LAND USE VISION OF THE ORMOND BEACH COMPREHENSIVE PLAN.

Utilities Element

POLICY 1.5.3. - The location and timing of providing public facilities and services shall be used as methods of implementing the Comprehensive Plan and associated sound and reasonable growth management policies and plans, and for the establishment of a direct, objective relationship between the entire array of public facilities and services and land use intensities.

Public School Facilities Element

POLICY 1.4.1.- The City of Ormond Beach shall take into consideration the School Board comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments and other land use decisions including but not limited to developments of regional impact. School Board review shall follow the policies and procedures set forth in the interlocal agreement.

POLICY 1.4.2. - Amendments to the future land use map shall be coordinated with the School Board and the Public School Facilities Planning Maps.

Capital Improvements Element

OBJECTIVE 1.7. INTERGOVERNMENTAL COORDINATION

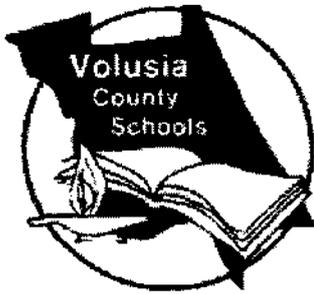
Intergovernmental cooperation and coordination shall be established and maintained in order to plan for and provide the best methods for providing efficient, cost-effective, and environmentally sound public facilities and services.

Intergovernmental Coordination Element

POLICY 2.1.5.- The City of Ormond Beach shall continue to implement school concurrency and Section 206 of the Volusia County Charter no later than February 1, 2008.

EXHIBIT D

Volusia County Schools Letter



Dr. Margaret A. Smith
Superintendent of Schools

FACILITIES SERVICES

3750 Olson Drive, Daytona Beach, Florida 32124
PHONE: 386/947-8786 FAX: 386/506-5056

School Board of Volusia County

Dr. Al Williams, Chairman
Ms. Judy Conte, Vice-Chairman
Mr. Stan Schmidt
Ms. Candace Lankford
Mrs. Diane Smith

October 22, 2012

Ms. Becky Weedo
Senior Planner
City of Ormond Beach
Planning Department
22 South Beach St., #104
Ormond Beach, FL 32174

RE: 2012 Administrative Future Land Use Amendments

Dear Ms. Weedo:

District staff has reviewed the information for five (5) administrative land use amendments for recently annexed properties located along U.S. Highway 1 in the Ormond Beach area. Staff understands that these land use amendments are necessary to change from Volusia County land use designations to the city's designations.

Regarding the following four (4) future land use amendments:

1. 1433, 1435, 1437, and 1439 N. US 1 Hwy (MBA Business Center) \pm 3.97 acres.
2. 1444 N US 1 Hwy - \pm 7.2 acres – Parcel ID 3136-01-58-0190
3. 1428 N. US 1 Hwy – \pm .53 acres – Parcel ID 3136-01-58-0460
4. 1438 N US 1 Hwy - \pm .15 – Parcel ID 3136-01-58-0210

The current Volusia County land use designations are commercial. The city proposes to change the future land use designations to low intensity commercial. It is the districts understanding that these amendments would be considered 'housekeeping' following the annexation into the city limits.

Regarding the Gardens at Addison Townhomes:

5. 1-103 Bella Vita Way (Gardens at Addison Townhomes) – ±11.5 acres

This townhome development received final development order approval in 2004 and remains valid for 72 townhome units. The current Volusia County future land use designation is commercial/urban medium intensity. The city proposed land use designation is medium density residential. At this time, there are no plans for additional development and no new residential dwelling units are proposed with this land use change.

Please be advised the school district has no objection to the future land use amendments since they will not result in an increase of residential density.

The district thanks you for the opportunity to review the proposed administrative future land use map amendments. If you should have questions or require additional information, please do not hesitate to contact me at (386) 947-8786, extension 50805.

Sincerely,

A handwritten signature in cursive script that reads "Helen LaValley". The signature is written in black ink and is positioned to the right of the typed name.

Helen LaValley
Planning Specialist

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 8, 2012

SUBJECT: 1428 North US Highway 1- Amendment to Official Zoning Map

APPLICANT: City Initiated

NUMBER: RZ13-012

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a city initiated request to amend the City's Official Zoning Map for a ±0.53-acre parcel of land from the existing zoning classification of Volusia County B-4 (General Commercial) to City of Ormond Beach B-8 (Commercial) at 1428 North US Highway 1 as the result of an annexation on August 8, 2012.

BACKGROUND:

The property located at 1428 North US Highway 1 is owned by 1428 North US1, LLC, a Florida limited liability company. A residential structure approximately 1,836 square feet built in 1996 is located on the property. The property annexed into the City on August 8, 2012 with Ordinance 2012-28. The City is presently processing a separate land use amendment from Volusia County "Commercial" to Ormond Beach "Low Intensity Commercial".

The proposed rezoning from Volusia County B-4 (General Commercial) to City of Ormond Beach B-8 (Commercial) is contingent upon adopting the land use change. There are no site developments or alterations proposed for the subject property associated with this re-zoning. Subsequent to Planning Board review, the rezoning will be reviewed by the City Commission for final action.

ANALYSIS:

The existing Volusia County zoning classification for the subject property is B-4 (General Commercial). The Volusia County Land Development Code states the purpose and intent for the B-4 zoning is as follows:

“The purpose and intent of the B-4 General Commercial Classification is to encourage the development of intensive commercial areas providing a wide range of goods and services, and located adjoining at least one major arterial road. The B-4 classification is intended to be applied to existing or developing strip retail

areas which, because of the nature of existing development, are not appropriate for inclusion in the B-3 Shopping Center Classification.”

Below is a list of the permitted (staff approval) and Special Exception (County Council approval) uses for the existing zoning district.

Volusia County Permitted B-4 (General Commercial) Uses

Art, dance, modeling and music schools.	Auction parlors	Automobile sales or rental agencies	Automobile driving schools.
Automotive service stations, types A and C	Barber and beauty shops	Bars and liquor stores	Bowling alleys.
Catering services.	Communication towers not exceeding 70 in height	Convenience stores with more than eight vehicular service positions	Cultural arts center
Day Care Centers	Dental laboratories	Essential utility services	Exempt excavations
Exempt landfills	Financial Institutions	Fire stations	Funeral homes.
Game rooms	General offices	Government sponsored civic centers	Hardware/home improvement retail center
Health clubs or spas	Home occupations, class A	Household moving center	Houses of worship
Laundry and dry-cleaning establishments	Libraries	Medical and dental clinics.	Museums
Nightclubs	Outdoor entertainment event	Pawnshops	Pest exterminators
Private clubs	Public schools	Publicly owned parks and recreational areas	Publicly owned or regulated water supply wells
Recycling collection center	Restaurants, types A and B	Retail plant nursery	Retail sales and services
Retail specialty shops	Sweepstakes centers	Tailors	Taxicab stands
Theaters	Travel agencies	Veterinary clinics	

Volusia County Special Exception B-4 (General Commercial) Uses

Communication towers exceeding 70 feet	Cemeteries	Bicycle motorcross tracks	Bus stations
Car washes	Curb market	Excavations only for stormwater retention ponds for which a permit is required	Group homes
Hotel/Motel	Mini-warehouses	Nursing homes, boardinghouses approved by state agency	Outdoor entertainment and recreational uses and structures.
Professional or trade schools related to permitted uses	Public uses not listed as a permitted principal use	Public utility uses and structures	Schools, parochial or private
Only one single-family dwelling for the owner or manager of an existing permitted principal use			

The subject property is undergoing a land use amendment to assign a City Future Land Use designation of “Low Intensity Commercial”. The goal of the zoning classification is to provide the most similar classification assigned by Volusia County. In accordance with the City’s Comprehensive Plan the City “Low Intensity Commercial” land use designation was applied to the subject property. In choosing an appropriate zoning district, Table 2-2 under Chapter 2, Article I – Establishment of Zoning Districts and Official Zoning Map, Section 2.02 of the City’s Land Development Code was referenced.

Comprehensive Plan Future Land Use Map Designation	Corresponding Compatible Zoning District
Low Intensity Commercial	Professional Office – Hospital (B-1) Central Business (B-4) Service Commercial (B-5) Oceanfront Tourist Commercial (B-6) Highway Tourist Commercial (B-7) Commercial (B-8) Boulevard (B-9) Suburban Boulevard (B-10) Planned Business Development (PBD)

Chapter 2, Article I Zoning Districts, Section 2.02 Future Land Use Map Designations and Zoning Districts, Table 2.2

There are three corresponding and compatible zoning districts including Highway Tourist Commercial (B-7), Commercial (B-8), and Planned Business Development

(PBD). The PBD zoning district was eliminated since that district is a planned development designation and does not apply to the annexation of the subject property. The B-7 Highway Tourist Commercial zoning designation was considered but determined not appropriate as the developed properties in this area are mainly professional business offices (Gardens Plaza Business Center, MBA Business Center, and Gardens Business Center) which are not oriented towards tourist facilities or activities. The B-8 zoning district is intended for general commercial activities (other than automotive) along arterial roadways and offers the most similar City zoning district to the Volusia County B-4 zoning classification. In addition, there are existing properties in this area zoned as B-8.

Zoning Adjacent Land Use:

Adjacent land uses and zoning are as follows:

Land Use Designations and Zoning Classifications of Surrounding Property

	Current Land Uses	Future Land Use Designation	Zoning Classification
North	JD Weber Construction	Volusia County "Commercial"	Volusia County B-4 "General Commercial"
South	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"
East	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"
West	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"

CONCLUSION/CRITERIA FOR APPROVAL:

Section 1-18 D.3. of the Land Development Code states that the Planning Board shall review non-planned development rezonings based on the Development Order criteria in Section 1-18.E. of the Land Development Code which are analyzed below:

- 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.**

No specific development is proposed and the request is based on a need to assign a City zoning classification to the property as the result of annexation. The zoning

map amendment is contingent on a City land use being assigned and will not adversely affect public health, safety, welfare, or the quality of life.

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

There is a separate land use map amendment that proposes to assign a City “Low Intensity Commercial” designation to the property. Policy 5.1.1. of the Future Land Use Element states that properties annexed into the City of Ormond Beach shall be assigned similar land uses that they had in Volusia County. The requested B-8 zoning district is consistent with the “Low Intensity Commercial” land use designation.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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 proposed zoning map amendment is not anticipated to have a significant impact on adjacent 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.

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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 construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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.

Section 1-18.E.3 of the Land Development Code states that the City Commission shall consider rezonings based on the consistency with the Comprehensive Plan. The rezoning is consistent based upon the following points:

- The impacts on facilities and services will not change as a result of the requested zoning amendment from Volusia County B-4 (General Commercial) to Ormond Beach B-8 (Commercial).
- The proposed City zoning classification of B-8 is most consistent with the Volusia County zoning classification of B-4 and provides similar types of uses.
- The administrative request is consistent with the compatibility matrix outlined in the Land Development Code for the Future Land Use Plan Map designation of "Low Intensity Commercial".

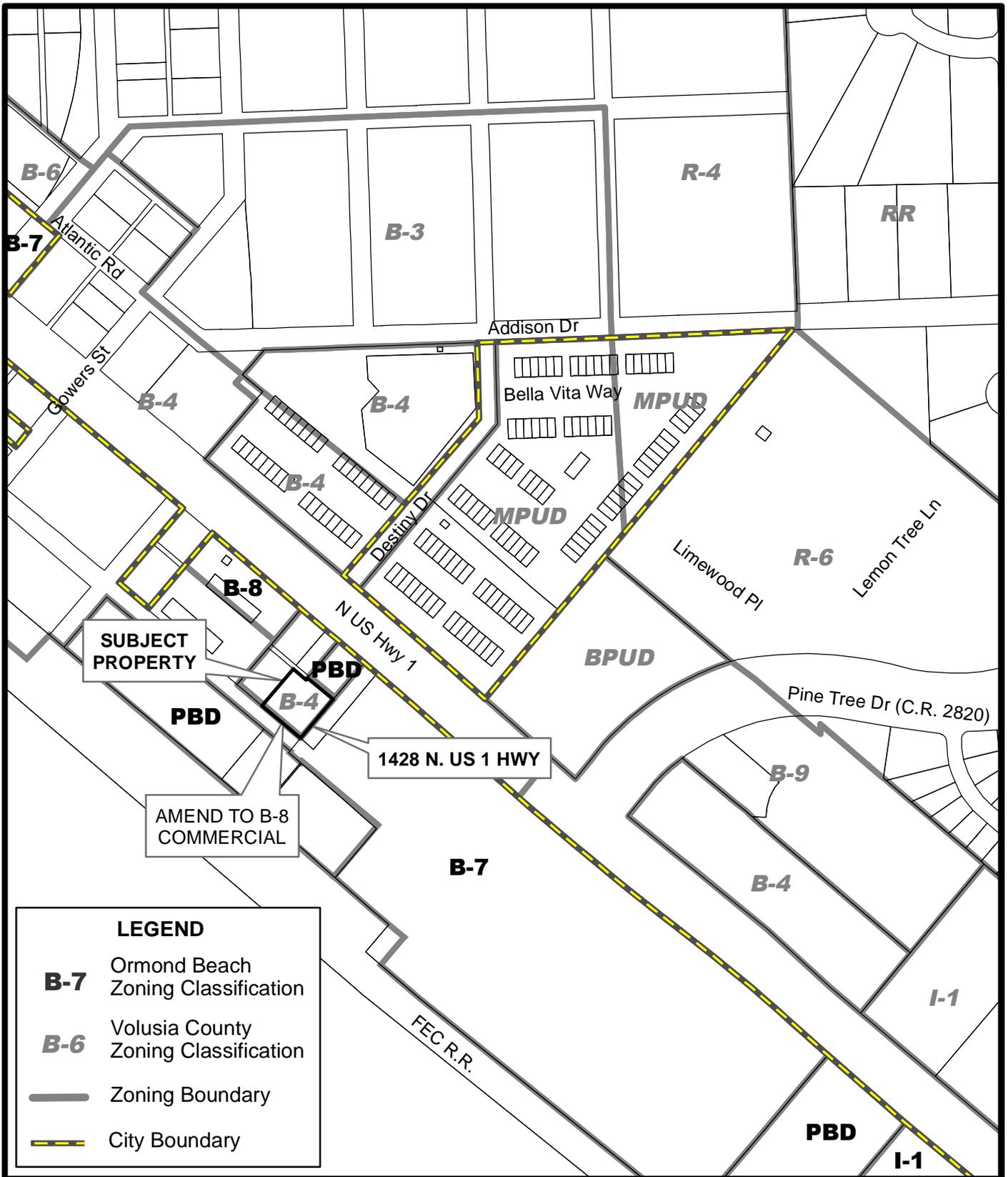
RECOMMENDATION: Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission of the administrative request to amend the Official Zoning Map to change the zoning classification of 1428 North US Highway 1, as described in the attached legal description, from Volusia County B-4 (General Commercial) to Ormond Beach B-8 (Commercial).

Attachments

- Exhibit 1: Zoning Map
- Exhibit 2: Photo, and Location Aerial
- Exhibit 3: Legal Description
- Exhibit 4: Section 2-29 of the LDC, B-8 zoning district

EXHIBIT 1

Zoning Map



ZONING MAP
1428 N. US 1 HWY
PID 3136-01-58-0460

The City of Ormond Beach G.I.S. Department
 Prepared By: Steve Johnson 10/23/2012

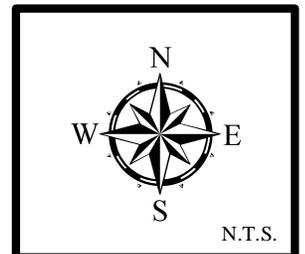


EXHIBIT 2

Photo and Location Aerial





AERIAL MAP
1428 N. US HWY 1 (3136-01-58-0460)

The City of Ormond Beach G.I.S. Department
Prepared By: Eric Dickens 11/14/11

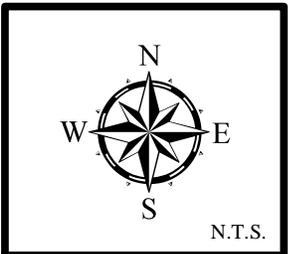


EXHIBIT 3

Legal Description

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, ALSO BEING LOTS 46 TO 48 INC AND INC S 1/2 OF VAC 15 FT ALLEY THAT IS ADJ AND TO THE NORTH BLOCK 58, REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP BOOK 10, PAGES 250–253, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE SOUTHWEST CORNER OF SAID LOT 48 AND THE NORTHERLY LINE OF FLAGLER ROAD (A 60' RIGHT-OF-WAY AS PLATTED IN AFORESAID REVISED PLAT OF NATIONAL GARDENS), RUN THENCE N40°08'29"E A DISTANCE OF 150.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE 15 FOOT ALLEY WAY AS PLATTED IN AFORESAID REVISED NATIONAL GARDENS; THENCE S49°51'31"E ALONG SAID LINE A DISTANCE OF 50.00 FEET; THENCE DEPARTING SAID SOUTHERLY LINE RUN S40°08'29"E A DISTANCE OF 7.5 FEET TO A POINT OF INTERSECTION WITH THE CENTER LINE OF SAID ALLEY WAY; THENCE S49°51'31"E ALONG SAID CENTERLINE A DISTANCE OF 100.00 FEET; THENCE DEPARTING SAID CENTERLINE RUN S40°08'29"W A DISTANCE OF 157.50 FEET TO POINT OF INTERSECTION WITH THE NORTHERLY LINE OF AFORESAID FLAGLER ROAD; THENCE N49°51'31"W ALONG SAID NORTHERLY LINE A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 23,250 SQ. FT. OR 0.53 ACRES MORE OR LESS.

EXHIBIT 4

Section 2-29 of the LDC, B-8 Zoning District

SECTION 2-29: B-8: COMMERCIAL Zoning District

A. PURPOSE: The purpose of the Commercial (B-8) zoning district is to provide for the establishment of general commercial activities (other than automotive or heavy commercial uses) on properties that abut arterial roads. Due to the proximity of lands in the district to residential areas, these district regulations are intended to promote the preservation of natural vegetation, increase opportunities for beautification, and provide extensive buffering between non-residential and residential uses not otherwise separated from each other by a collector or arterial road. Multi-family, governmental and institutional uses are also encouraged in such corridors as a relief from extensive strip commercial development, and allowable uses are restricted to those most compatible with residential uses. When used in conjunction with the Planned Business Development District, these regulations are intended to encourage the establishment of totally planned, multi-use, community-level centers having a variety of retail, office, restaurant, recreation and institutional uses.

B. DIMENSIONAL STANDARDS

1.	2.	3.	4.	5.	6.	7.	8.	9. Setbacks				
								a.	b.	c.	d.	e.
Type	Density	Maximum Building Height	Maximum Building Coverage	Maximum Impervious Lot Coverage	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Front	Rear	Side	Street Side/Corner	Waterfront
Non-Residential Uses	36 (Transient Lodging)	30'	35%	75%	28,000 SF	100'	N/A	50'	30' if abutting residential district; 5' additional combined side yard required for each story over 2.	10' 20' when abutting a multi-family district; 25' when abutting a single-family district; 5' of additional combined yard area required for each story over 2	20'	30'
Multi-Family	10	30'	35%	75%	20,000 SF	100'	N/A	50'	30' if abutting residential district	10'; 20' when abutting a multi-family district; 25' when abutting a single-family district;	20'	30'

C. PERMITTED USES

1. Adult Day Care Center
2. Assisted Living Facility
3. Business/Professional Services
4. Business Services
5. Clubs and Fraternal Organizations
6. Convenience Store, Type "A"
7. Financial Institution
8. Nursing Home
9. Personal Services
10. Retail Sales and Services
11. School of Art
12. School, Public
13. Veterinarian

D. CONDITIONAL USES

1. Bowling Center
2. Child Care Facility
3. Community Residential Home
4. Convenience Store, Type "B"
5. Convenience Store, Type "C"
6. Dwelling, Multi-Family
7. Family Day Care Home
8. House of Worship
9. Parks and Recreation Facilities, Private
10. Parks and Recreation Facilities, Public
11. Public Facilities
12. Public Utilities
13. Recreational Facilities, Indoor
14. Restaurant, Type "A"
15. Restaurant, Type "B"
16. Restaurant, Type "C"
17. School, Private
18. Sexually Oriented Business
19. Shopping Center
20. Telecommunication Tower, Camouflaged
21. Theater
22. Wind Energy System

E. SPECIAL EXCEPTION USES

1. Automatic Amusement Center
2. Outdoor Activity
3. Outdoor Storage
4. Recreational Facilities, Outdoor
5. Warehouse, Mini-rental

F. OTHER STANDARDS

- All development must comply with the following requirements:
1. Wetlands (Chapter 3, Article II)
 2. Special corridors and buffer requirements (Chapter 3, Article I)
 3. See Conditional and Special Exception regulations (Chapter 2, Article IV)
 4. Multi-family dwelling units shall have the following minimum square footage per bedroom:

1 Bedroom = 600 SF	3 Bedroom = 900 SF
2 Bedroom = 750 SF	Each Additional Bedroom = 150 SF

G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principal uses, provided that such uses conform to the regulations set forth in Chapter 2, Article III.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 8, 2012

SUBJECT: 1438 North US Highway 1- Amendment to Official Zoning Map

APPLICANT: City Initiated

NUMBER: RZ13-010

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a city initiated request to amend the City's Official Zoning Map for a ±0.53-acre parcel of land from the existing zoning classification of Volusia County B-4 (General Commercial) to City of Ormond Beach B-8 (Commercial) at 1428 North US Highway 1 as a result of an annexation on August 8, 2012.

BACKGROUND:

The property located at 1438 North US Highway 1 is owned by 1438 North US1, LLC, a Florida limited liability company. A residential structure approximately 1,176 square feet built in 1995 is located on the property. The property annexed into the City on August 8, 2012 with Ordinance 2012-27. The City is presently processing a separate land use amendment from Volusia County "Commercial" to Ormond Beach "Low Intensity Commercial".

The proposed rezoning from Volusia County B-4 (General Commercial) to City of Ormond Beach B-8 (Commercial) is contingent upon adopting the land use change. There are no site developments or alterations proposed for the subject property associated with this re-zoning. Subsequent to Planning Board review, the rezoning will be reviewed by the City Commission for final action.

ANALYSIS:

The existing Volusia County zoning classification for the subject property is B-4 (General Commercial). The Volusia County Land Development Code states the purpose and intent for the B-4 zoning is as follows:

“The purpose and intent of the B-4 General Commercial Classification is to encourage the development of intensive commercial areas providing a wide range of goods and services, and located adjoining at least one major arterial road. The B-4 classification is intended to be applied to existing or developing strip retail

areas which, because of the nature of existing development, are not appropriate for inclusion in the B-3 Shopping Center Classification.”

Below is a list of the permitted (staff approval) and Special Exception (County Council approval) uses for the existing zoning district.

Volusia County Permitted B-4 (General Commercial) Uses

Art, dance, modeling and music schools.	Auction parlors	Automobile sales or rental agencies	Automobile driving schools.
Automotive service stations, types A and C	Barber and beauty shops	Bars and liquor stores	Bowling alleys.
Catering services.	Communication towers not exceeding 70 in height	Convenience stores with more than eight vehicular service positions	Cultural arts center
Day Care Centers	Dental laboratories	Essential utility services	Exempt excavations
Exempt landfills	Financial Institutions	Fire stations	Funeral homes.
Game rooms	General offices	Government sponsored civic centers	Hardware/home improvement retail center
Health clubs or spas	Home occupations, class A	Household moving center	Houses of worship
Laundry and dry-cleaning establishments	Libraries	Medical and dental clinics.	Museums
Nightclubs	Outdoor entertainment event	Pawnshops	Pest exterminators
Private clubs	Public schools	Publicly owned parks and recreational areas	Publicly owned or regulated water supply wells
Recycling collection center	Restaurants, types A and B	Retail plant nursery	Retail sales and services
Retail specialty shops	Sweepstakes centers	Tailors	Taxicab stands
Theaters	Travel agencies	Veterinary clinics	

Volusia County Special Exception B-4 (General Commercial) Uses

Communication towers exceeding 70 feet	Cemeteries	Bicycle motorcross tracks	Bus stations
Car washes	Curb market	Excavations only for stormwater retention ponds for which a permit is required	Group homes
Hotel/Motel	Mini-warehouses	Nursing homes, boardinghouses approved by state agency	Outdoor entertainment and recreational uses and structures.
Professional or trade schools related to permitted uses	Public uses not listed as a permitted principal use	Public utility uses and structures	Schools, parochial or private
Only one single-family dwelling for the owner or manager of an existing permitted principal use			

The subject property is undergoing a land use amendment to assign a City Future Land Use designation of “Low Intensity Commercial”. The goal of the zoning classification is to provide the most similar classification assigned by Volusia County. In accordance with the City’s Comprehensive Plan the City “Low Intensity Commercial” land use designation was applied to the subject property. In choosing an appropriate zoning district, Table 2-2 under Chapter 2, Article I – Establishment of Zoning Districts and Official Zoning Map, Section 2.02 of the City’s Land Development Code was referenced.

Comprehensive Plan Future Land Use Map Designation	Corresponding Compatible Zoning District
Low Intensity Commercial	Professional Office – Hospital (B-1) Central Business (B-4) Service Commercial (B-5) Oceanfront Tourist Commercial (B-6) Highway Tourist Commercial (B-7) Commercial (B-8) Boulevard (B-9) Suburban Boulevard (B-10) Planned Business Development (PBD)

Chapter 2, Article I Zoning Districts, Section 2.02 Future Land Use Map Designations and Zoning Districts, Table 2.2

There are three corresponding and compatible zoning districts including Highway Tourist Commercial (B-7), Commercial (B-8), and Planned Business Development

(PBD). The PBD zoning district was eliminated since that district is a planned development designation and does not apply to the annexation of the subject property. The B-7 Highway Tourist Commercial zoning designation was considered but determined not appropriate as the developed properties in this area are mainly professional business offices (Gardens Plaza Business Center, MBA Business Center, and Gardens Business Center) which are not oriented towards tourist facilities or activities. The B-8 zoning district is intended for general commercial activities (other than automotive) along arterial roadways and offers the most similar City zoning district to the Volusia County B-4 zoning classification. In addition, there are existing properties in this area zoned as B-8.

Zoning Adjacent Land Use:

Adjacent land uses and zoning are as follows:

Land Use Designations and Zoning Classifications of Surrounding Property

	Current Land Uses	Future Land Use Designation	Zoning Classification
North	JD Weber Construction	Volusia County "Commercial"	Volusia County B-4 "General Commercial"
South	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"
East	MBA Business Center	Volusia County "Commercial"	Volusia County MPUD "Mixed Planned Unit Development"
West	Residential	Volusia County "Commercial"	Volusia County B-4 "General Commercial"

CONCLUSION/CRITERIA FOR APPROVAL: Section 1-18 D.3. of the Land Development Code states that the Planning Board shall review non-planned development rezonings based on the Development Order criteria in Section 1-18.E. of the Land Development Code which are analyzed below:

- 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.**

No specific development is proposed and the request is based on a need to assign a City zoning classification to the property as the result of annexation. The zoning map amendment is contingent on a City land use being assigned and will not adversely affect public health, safety, welfare, or the quality of life.

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

There is a separate land use map amendment that proposes to assign a City “Low Intensity Commercial” designation to the property. Policy 5.1.1. of the Future Land Use Element states that properties annexed into the City of Ormond Beach shall be assigned similar land uses that they had in Volusia County. The requested B-8 zoning district is consistent with the “Low Intensity Commercial” land use designation.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

- 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 proposed zoning map amendment is not anticipated to have a significant impact on adjacent 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.**

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

- 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 construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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

There is no construction proposed so the criterion is not applicable. Any future development will be required to go through the site plan review process.

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.

Section 1-18.E.3 of the Land Development Code states that the City Commission shall consider rezonings based on the consistency with the Comprehensive Plan. The rezoning is consistent based upon the following points:

- The impacts on facilities and services will not change as a result of the requested zoning amendment from Volusia County B-4 (General Commercial) to Ormond Beach B-8 (Commercial).
- The proposed City zoning classification of B-8 is most consistent with the Volusia County zoning classification of B-4 and provides similar types of uses.
- The administrative request is consistent with the compatibility matrix outlined in the Land Development Code for the Future Land Use Plan Map designation of "Low Intensity Commercial".

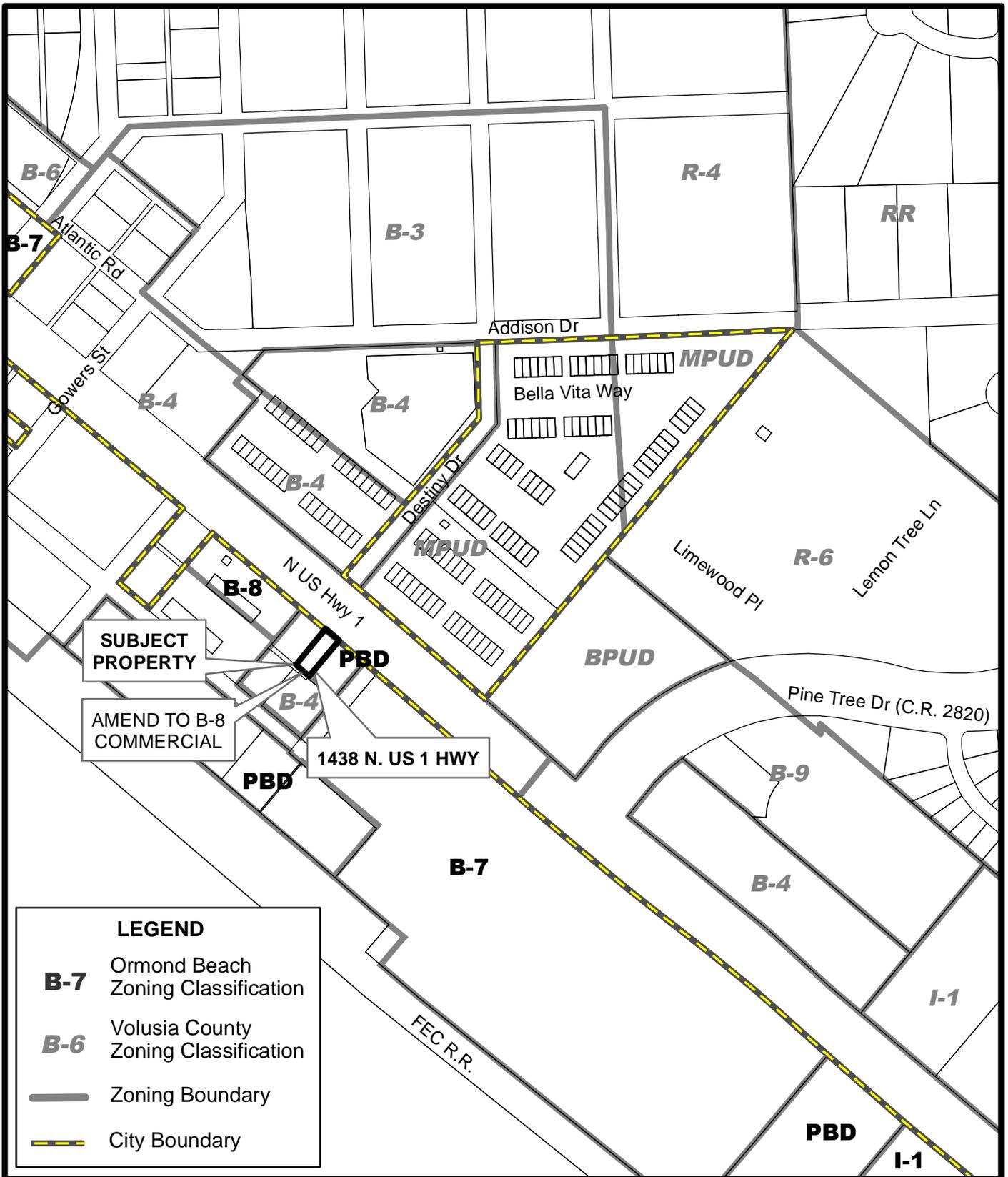
RECOMMENDATION: Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission of the administrative request to amend the Official Zoning Map to change the zoning classification of 1438 North US Highway 1, as described in the attached legal description, from Volusia County B-4 (General Commercial) to Ormond Beach B-8 (Commercial).

Attachments

- Exhibit 1: Zoning Map
- Exhibit 2: Photo, and Location Aerial
- Exhibit 3: Legal Description
- Exhibit 4: Section 2-29 of the LDC, B-8 zoning district

EXHIBIT 1

Zoning Map



ZONING MAP
1438 N. US 1 HWY
PID 3136-01-58-0210

The City of Ormond Beach G.I.S. Deaprtment
 Prepared By: Steve Johnson 10/23/2012

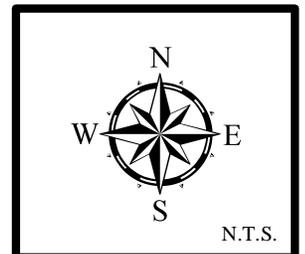


EXHIBIT 2

Photo and Location Aerial

1438 N US Highway 1 – Photo





AERIAL MAP
1438 N. US HWY 1 (3136-01-58-0210)

The City of Ormond Beach G.I.S. Department
Prepared By: Eric Dickens 11/14/11

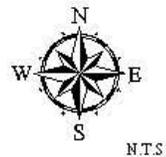


EXHIBIT 3

Legal Description

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, ALSO BEING LOT 21 (EXC HWY), AND INCLUDING THAT PORTION OF CLOSED ALLEY WAY, BLOCK 58, PLAT OF NATIONAL GARDENS REVISED, AS RECORDED IN MAP BOOK 10, PAGES 250–253, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE NORTHWEST CORNER OF LOT 48, OF SAID BLOCK 58, PLAT OF NATIONAL GARDENS REVISED, AND THE SOUTHERLY LINE OF A 15 FOOT ALLEY WAY (AS SHOWN ON SAID REVISED PLAT OF NATIONAL GARDENS), RUN THENCE S49°51'31"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH EASTERLY LINE (PROJECTED SOUTHWESTERLY) OF LOT 22 , BLOCK 58, OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE N40°08'29"E ALONG SAID EASTERLY LINE A DISTANCE OF 135.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO.1 (A 160 FOOT RIGHT-OF-WAY AS CURRENTLY OCCUPIED AND ESTABLISHED); THENCE N49°51'31"W ALONG SAID SOUTHERLY LINE A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF AFORESAID LOT 20, BLOCK 58 OF SAID REVISED PLAT OF NATIONAL GARDENS; THENCE S40°08'29"W ALONG SAID EASTERLY LINE A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 6,742 SQ. FT. OR 0.15 ACRES MORE OR LESS.

EXHIBIT 4

Section 2-29 of the LDC, B-8 Zoning District

SECTION 2-29: B-8: COMMERCIAL Zoning District

A. PURPOSE: The purpose of the Commercial (B-8) zoning district is to provide for the establishment of general commercial activities (other than automotive or heavy commercial uses) on properties that abut arterial roads. Due to the proximity of lands in the district to residential areas, these district regulations are intended to promote the preservation of natural vegetation, increase opportunities for beautification, and provide extensive buffering between non-residential and residential uses not otherwise separated from each other by a collector or arterial road. Multi-family, governmental and institutional uses are also encouraged in such corridors as a relief from extensive strip commercial development, and allowable uses are restricted to those most compatible with residential uses. When used in conjunction with the Planned Business Development District, these regulations are intended to encourage the establishment of totally planned, multi-use, community-level centers having a variety of retail, office, restaurant, recreation and institutional uses.

B. DIMENSIONAL STANDARDS

1.	2.	3.	4.	5.	6.	7.	8.	9. Setbacks				
								a.	b.	c.	d.	e.
Type	Density	Maximum Building Height	Maximum Building Coverage	Maximum Impervious Lot Coverage	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Front	Rear	Side	Street Side/Corner	Waterfront
Non-Residential Uses	36 (Transient Lodging)	30'	35%	75%	28,000 SF	100'	N/A	50' 20' for properties located on US1 adjacent to Dodson Creek	30' if abutting residential district; 5' additional combined side yard required for each story over 2.	10' 20' when abutting a multi-family district; 25' when abutting a single-family district; 5' of additional combined side yard required for each story over 2	20'	30'
Multi-Family	10	30'	35%	75%	20,000 SF	100'	N/A	50'	30' if abutting residential district	10'; 20' when abutting a multi-family district; 25' when abutting a single-family district;	20'	30'

C. PERMITTED USES

- Adult Day Care Center
- Assisted Living Facility
- Business/Professional Services
- Business Services
- Clubs and Fraternal Organizations
- Convenience Store, Type "A"
- Financial Institution
- Nursing Home
- Personal Services
- Retail Sales and Services
- School of Art
- School, Public
- Veterinarian

D. CONDITIONAL USES

- Bowling Center
- Child Care Facility
- Community Residential Home
- Convenience Store, Type "B"
- Convenience Store, Type "C"
- Dwelling, Multi-Family
- Family Day Care Home
- House of Worship
- Parks and Recreation Facilities, Private
- Parks and Recreation Facilities, Public
- Public Facilities
- Public Utilities
- Recreational Facilities, Indoor
- Restaurant, Type "A"
- Restaurant, Type "B"
- Restaurant, Type "C"
- School, Private
- Sexually Oriented Business
- Shopping Center
- Telecommunication Tower, Camouflaged
- Theater
- Wind Energy System

E. SPECIAL EXCEPTION USES

- Automatic Amusement Center
- Outdoor Activity
- Outdoor Storage
- Recreational Facilities, Outdoor
- Warehouse, Mini-rental

F. OTHER STANDARDS

- All development must comply with the following requirements:
- Wetlands (Chapter 3, Article II)
 - Special corridors and buffer requirements (Chapter 3, Article I)
 - See Conditional and Special Exception regulations (Chapter 2, Article IV)
 - Multi-family dwelling units shall have the following minimum square footage per bedroom:

1 Bedroom = 600 SF	3 Bedroom = 900 SF
2 Bedroom = 750 SF	Each Additional Bedroom = 150 SF

G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principal uses, provided that such uses conform to the regulations set forth in Chapter 2, Article III.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: November 8, 2012

SUBJECT: 1444 North US Highway 1- Amendment to Official Zoning Map

APPLICANT: City Initiated

NUMBER: RZ13-008

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a city initiated request to amend the City's Official Zoning Map for a ±0.72-acre parcel of land from the existing zoning classification of Volusia County B-4 (General Commercial) to City of Ormond Beach B-8 (Commercial) at 1428 North US Highway 1.

BACKGROUND:

The property located at 1444 North US Highway 1 is owned by GPR1, LLC, a Florida limited liability company. JD Weber Construction Company is currently operating on the property. Connection to City water occurred in 2006. The property annexed into the City on August 21, 2012 with Ordinance 2012-30 based on a voluntary petition and contiguity with the City boundary. The City is presently processing a separate land use amendment from Volusia County "Commercial" to Ormond Beach "Low Intensity Commercial".

The proposed rezoning from Volusia County B-4 (General Commercial) to City of Ormond Beach B-8 (Commercial) is contingent upon adopting the land use change. There are no site developments or alterations proposed for the subject property associated with this re-zoning. Subsequent to Planning Board review, the rezoning will be reviewed by the City Commission for final action.

ANALYSIS:

The existing Volusia County zoning classification for the subject property is B-4 (General Commercial). The Volusia County Land Development Code states the purpose and intent for the B-4 zoning is as follows:

“The purpose and intent of the B-4 General Commercial Classification is to encourage the development of intensive commercial areas providing a wide range of goods and services, and located adjoining at least one major arterial road. The B-4 classification is intended to be applied to existing or developing strip retail

areas which, because of the nature of existing development, are not appropriate for inclusion in the B-3 Shopping Center Classification.”

Below is a list of the permitted (staff approval) and Special Exception (County Council approval) uses for the existing zoning district.

Volusia County Permitted B-4 (General Commercial) Uses

Art, dance, modeling and music schools.	Auction parlors	Automobile sales or rental agencies	Automobile driving schools.
Automotive service stations, types A and C	Barber and beauty shops	Bars and liquor stores	Bowling alleys.
Catering services.	Communication towers not exceeding 70 in height	Convenience stores with more than eight vehicular service positions	Cultural arts center
Day Care Centers	Dental laboratories	Essential utility services	Exempt excavations
Exempt landfills	Financial Institutions	Fire stations	Funeral homes.
Game rooms	General offices	Government sponsored civic centers	Hardware/home improvement retail center
Health clubs or spas	Home occupations, class A	Household moving center	Houses of worship
Laundry and dry-cleaning establishments	Libraries	Medical and dental clinics.	Museums
Nightclubs	Outdoor entertainment event	Pawnshops	Pest exterminators
Private clubs	Public schools	Publicly owned parks and recreational areas	Publicly owned or regulated water supply wells
Recycling collection center	Restaurants, types A and B	Retail plant nursery	Retail sales and services
Retail specialty shops	Sweepstakes centers	Tailors	Taxicab stands
Theaters	Travel agencies	Veterinary clinics	

Volusia County Special Exception B-4 (General Commercial) Uses

Communication towers exceeding 70 feet	Cemeteries	Bicycle motorcross tracks	Bus stations
Car washes	Curb market	Excavations only for stormwater retention ponds for which a permit is required	Group homes
Hotel/Motel	Mini-warehouses	Nursing homes, boardinghouses approved by state agency	Outdoor entertainment and recreational uses and structures.
Professional or trade schools related to permitted uses	Public uses not listed as a permitted principal use	Public utility uses and structures	Schools, parochial or private
Only one single-family dwelling for the owner or manager of an existing permitted principal use			

The subject property is undergoing a land use amendment to assign a City Future Land Use designation of “Low Intensity Commercial”. The goal of the zoning classification is to provide the most similar classification assigned by Volusia County. In accordance with the City’s Comprehensive Plan the City “Low Intensity Commercial” land use designation was applied to the subject property. In choosing an appropriate zoning district, Table 2-2 under Chapter 2, Article I – Establishment of Zoning Districts and Official Zoning Map, Section 2.02 of the City’s Land Development Code was referenced.

Comprehensive Plan Future Land Use Map Designation	Corresponding Compatible Zoning District
Low Intensity Commercial	Professional Office – Hospital (B-1) Central Business (B-4) Service Commercial (B-5) Oceanfront Tourist Commercial (B-6) Highway Tourist Commercial (B-7) Commercial (B-8) Boulevard (B-9) Suburban Boulevard (B-10) Planned Business Development (PBD)

Chapter 2, Article I Zoning Districts, Section 2.02 Future Land Use Map Designations and Zoning Districts, Table 2.2

There are three corresponding and compatible zoning districts including Highway Tourist Commercial (B-7), Commercial (B-8), and Planned Business Development

(PBD). The PBD zoning district was eliminated since that district is a planned development designation and does not apply to the annexation of the subject property. The B-7 Highway Tourist Commercial zoning designation was considered but determined not appropriate as the developed properties in this area are mainly professional business offices (Gardens Plaza Business Center, MBA Business Center, and Gardens Business Center) which are not oriented towards tourist facilities or activities. The B-8 zoning district is intended for general commercial activities (other than automotive) along arterial roadways and offers the most similar City zoning district to the Volusia County B-4 zoning classification. In addition, there are existing properties in this area zoned as B-8.

Zoning Adjacent Land Use:

Adjacent land uses and zoning are as follows:

Land Use Designations and Zoning Classifications of Surrounding Property

	Current Land Uses	Future Land Use Designation	Zoning Classification
North	Gardens Plaza Professional Offices	Ormond Beach "General Commercial" and "Tourist Commercial"	Ormond Beach B-8 "General Commercial" and B-7 "Highway Tourist Commercial"
South	Residential	Volusia County "Commercial"	Volusia County B-4 "General Commercial"
East	MBA Business Center	Volusia County "Commercial"	Volusia County MPUD "Mixed Planned Unit Development"
West	Vacant	Ormond Beach "Tourist Commercial"	Ormond Beach B-7 "Highway Tourist Commercial"

CONCLUSION/CRITERIA FOR APPROVAL:

Section 1-18 D.3. of the Land Development Code states that the Planning Board shall review non-planned development rezonings based on the Development Order criteria in Section 1-18.E. of the Land Development Code which are analyzed below:

- 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.**

No specific redevelopment is proposed and the request is based on a need to assign a City zoning classification to the property as the result of annexation. The zoning

map amendment is contingent on a City land use being assigned and will not adversely affect public health, safety, welfare, or the quality of life.

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

There is a separate land use map amendment that proposes to assign a City “Low Intensity Commercial” designation to the property. Policy 5.1.1. of the Future Land Use Element states that properties annexed into the City of Ormond Beach shall be assigned similar land uses that they had in Volusia County. The requested B-8 zoning district is consistent with the “Low Intensity Commercial” land use designation.

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

There is no new construction proposed so the criterion is not applicable. Any future redevelopment will be required to go through the site plan review process.

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 proposed zoning map amendment is not anticipated to have a significant impact on adjacent 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.

There is no new construction proposed so the criterion is not applicable. Any future redevelopment will be required to go through the site plan review process.

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 new construction proposed so the criterion is not applicable. Any future redevelopment will be required to go through the site plan review process.

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

There is no new construction proposed so the criterion is not applicable. Any future redevelopment will be required to go through the site plan review process.

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

There is no new construction proposed so the criterion is not applicable. Any future redevelopment will be required to go through the site plan review process.

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

There is no new construction proposed so the criterion is not applicable. Any future redevelopment will be required to go through the site plan review process.

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.

Section 1-18.E.3 of the Land Development Code states that the City Commission shall consider rezonings based on the consistency with the Comprehensive Plan. The rezoning is consistent based upon the following points:

- The impacts on facilities and services will not change as a result of the requested zoning amendment from Volusia County B-4 (General Commercial) to Ormond Beach B-8 (Commercial).
- The proposed City zoning classification of B-8 is most consistent with the Volusia County zoning classification of B-4 and provides similar types of uses.
- The administrative request is consistent with the compatibility matrix outlined in the Land Development Code for the Future Land Use Plan Map designation of "Low Intensity Commercial".

RECOMMENDATION:

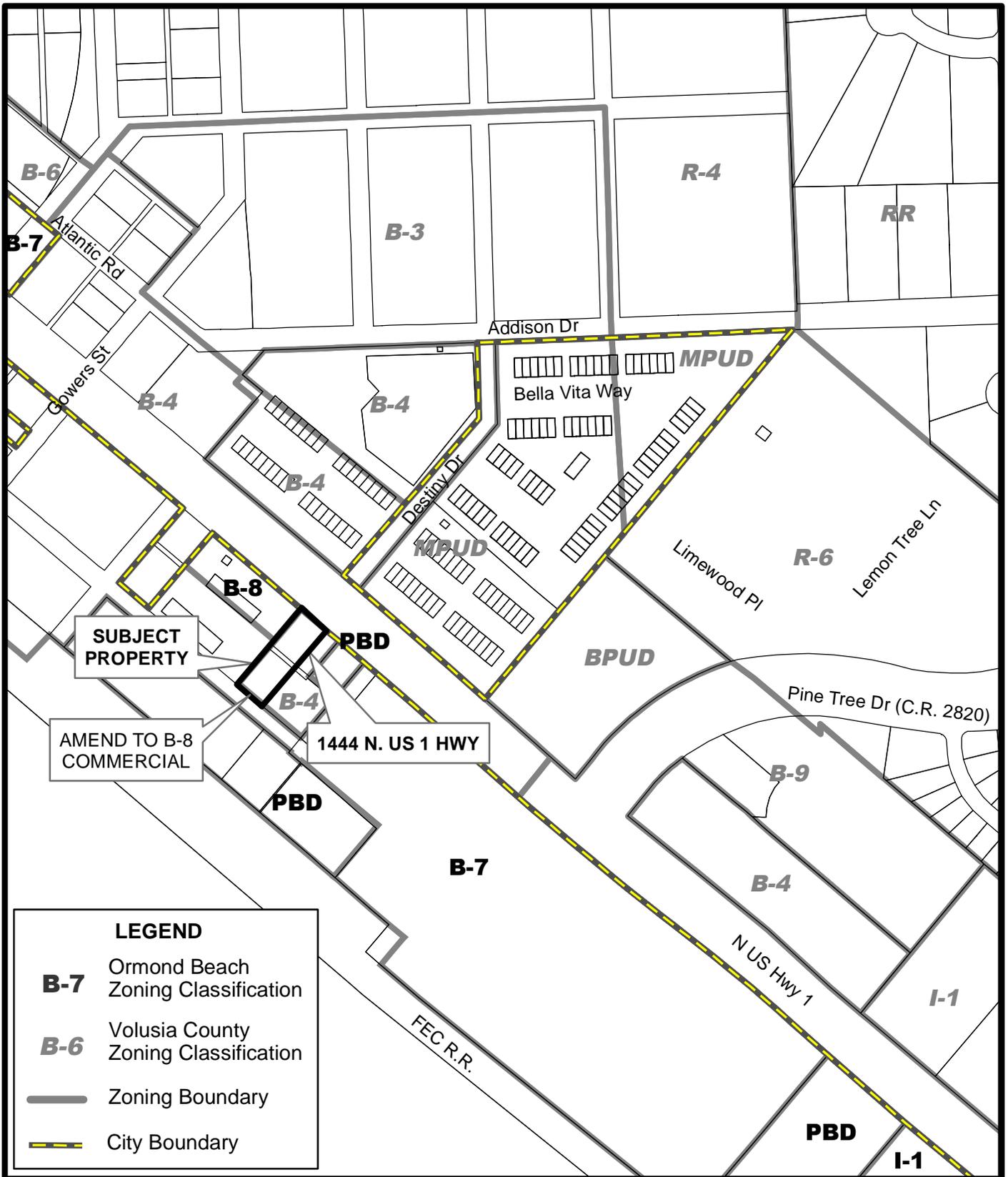
Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission of the administrative request to amend the Official Zoning Map to change the zoning classification of 1444 North US Highway 1, as described in the attached legal description, from Volusia County B-4 (General Commercial) to Ormond Beach B-8 (Commercial).

Attachments

- Exhibit 1: Zoning Map
- Exhibit 2: Photo, and Location Aerial
- Exhibit 3: Legal Description
- Exhibit 4: Section 2-29 of the LDC, B-8 zoning district

EXHIBIT 1

Zoning Map



ZONING MAP
1444 N. US 1 HWY
PID 3136-01-58-0190

The City of Ormond Beach G.I.S. Deaprtment
 Prepared By: Steve Johnson 10/23/2012

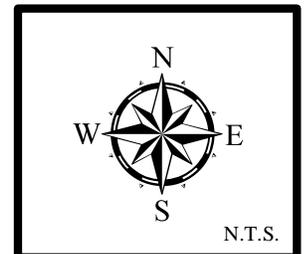


EXHIBIT 2

Photo and Location Aerial

1444 N. US Highway 1 Photo of Site





SUBJECT
PROPERTY

1444 N. US HWY 1



AERIAL MAP
1444 N. US HWY 1 (3136-01-58-0190)

The City of Ormond Beach G.I.S. Deaprtment
Prepared By: Eric Dickens 11/14/11

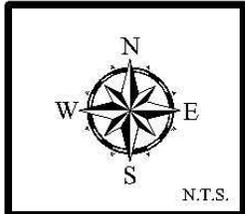


EXHIBIT 3

Legal Description

1444 N US Highway 1 Legal Description

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 36, TOWNSHIP 13 SOUTH, RANGE 31 EAST, ALSO BEING LOTS 19-20, (EXC HWY) AND INCLUDING THAT PORTION OF CLOSED ALLEY WAY LOCATED IN BLOCK 58, AND LOTS 49-50, OF BLOCK 58, OF THE REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP BOOK 10, PAGES 250-253, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE SOUTHWEST CORNER OF SAID LOT 50 AND THE NORTHERLY LINE OF FLAGLER ROAD (A 60' RIGHT-OF-WAY AS PLATTED IN AFORESAID REVISED PLAT OF NATIONAL GARDENS), RUN THENCE N40°08'29"E A DISTANCE OF 285.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No.1 (A 160 FOOT RIGHT-OF-WAY); THENCE S49°51'31"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 110.00 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No.1, RUN S40°08'29"W A DISTANCE OF 285.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID FLAGLER ROAD; THENCE N49°51'31"W ALONG SAID NORTHERLY LINE A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 31,361 SQ. FT. OR 0.72 ACRES MORE OR LESS.

EXHIBIT 4

Section 2-29 of the LDC, B-8 Zoning District

SECTION 2-29: B-8: COMMERCIAL Zoning District

A. PURPOSE: The purpose of the Commercial (B-8) zoning district is to provide for the establishment of general commercial activities (other than automotive or heavy commercial uses) on properties that abut arterial roads. Due to the proximity of lands in the district to residential areas, these district regulations are intended to promote the preservation of natural vegetation, increase opportunities for beautification, and provide extensive buffering between non-residential and residential uses not otherwise separated from each other by a collector or arterial road. Multi-family, governmental and institutional uses are also encouraged in such corridors as a relief from extensive strip commercial development, and allowable uses are restricted to those most compatible with residential uses. When used in conjunction with the Planned Business Development District, these regulations are intended to encourage the establishment of totally planned, multi-use, community-level centers having a variety of retail, office, restaurant, recreation and institutional uses.

B. DIMENSIONAL STANDARDS

1.	2.	3.	4.	5.	6.	7.	8.	9. Setbacks				
								a.	b.	c.	d.	e.
Type	Density	Maximum Building Height	Maximum Building Coverage	Maximum Impervious Lot Coverage	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Front	Rear	Side	Street Side/Corner	Waterfront
Non-Residential Uses	36 (Transient Lodging)	30'	35%	75%	28,000 SF	100'	N/A	50'	30' if abutting residential district; 5' additional combined side yard required for each story over 2.	10' 20' when abutting a multi-family district; 25' when abutting a single-family district; 5' of additional combined yard area required for each story over 2	20'	30'
Multi-Family	10	30'	35%	75%	20,000 SF	100'	N/A	50'	30' if abutting residential district	10'; 20' when abutting a multi-family district; 25' when abutting a single-family district;	20'	30'

C. PERMITTED USES

- Adult Day Care Center
- Assisted Living Facility
- Business/Professional Services
- Business Services
- Clubs and Fraternal Organizations
- Convenience Store, Type "A"
- Financial Institution
- Nursing Home
- Personal Services
- Retail Sales and Services
- School of Art
- School, Public
- Veterinarian

D. CONDITIONAL USES

- Bowling Center
- Child Care Facility
- Community Residential Home
- Convenience Store, Type "B"
- Convenience Store, Type "C"
- Dwelling, Multi-Family
- Family Day Care Home
- House of Worship
- Parks and Recreation Facilities, Private
- Parks and Recreation Facilities, Public
- Public Facilities
- Public Utilities
- Recreational Facilities, Indoor
- Restaurant, Type "A"
- Restaurant, Type "B"
- Restaurant, Type "C"
- School, Private
- Sexually Oriented Business
- Shopping Center
- Telecommunication Tower, Camouflaged
- Theater
- Wind Energy System

E. SPECIAL EXCEPTION USES

- Automatic Amusement Center
- Outdoor Activity
- Outdoor Storage
- Recreational Facilities, Outdoor
- Warehouse, Mini-rental

F. OTHER STANDARDS

- All development must comply with the following requirements:
- Wetlands (Chapter 3, Article II)
 - Special corridors and buffer requirements (Chapter 3, Article I)
 - See Conditional and Special Exception regulations (Chapter 2, Article IV)
 - Multi-family dwelling units shall have the following minimum square footage per bedroom:

1 Bedroom = 600 SF	3 Bedroom = 900 SF
2 Bedroom = 750 SF	Each Additional Bedroom = 150 SF

G. PERMITTED ACCESSORY USES: Accessory uses customarily associated with, dependent on and incidental to their permitted principal uses, provided that such uses conform to the regulations set forth in Chapter 2, Article III.