



A G E N D A

ORMOND BEACH PLANNING BOARD

Regular Meeting

September 10, 2015

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 13, 2015

VI. PLANNING DIRECTOR'S REPORT

VII. PUBLIC HEARINGS

A. LDC 2015-119: Electronic changeable copy signage, Land Development Code Amendment.

This is request from Jim Morris, Esquire, to amend Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words and Chapter 3, Performance Standards, Article IV-Sign Regulations, Section 3-47, Site Identification Signs, of the Ormond Beach Land Development Code to allow electronic changeable copy signage under certain conditions.

B. PBD 2015-118: Strasser, aka Destination Daytona Phase 2, Planned Business Development Amendment

This is request from James S. Morris, Esquire, on behalf of the property owner, for a Planned Business Development amendment to the previously approved Volusia County Strasser MPUD. The land area is also known as Destination Daytona, Phase 2. The subject property is located west of Interstate 95, north of Destination Daytona Phase I, and along Destination USA Circle. The PBD Amendment seeks to add (1) additional permitted uses, (2) wall sign standards, and (3) electronic changeable copy signage.

VIII. OTHER BUSINESS

IX. MEMBER COMMENTS

X. ADJOURNMENT

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

August 13, 2015

7:00 PM

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

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I. ROLL CALL

Members Present

Pat Behnke
Harold Briley, Vice Chair
Lewis Heaster
Al Jorczak
Rita Press
Lori Tolland
Doug Thomas, Chair

Staff Present

Ric Goss, AICP, Planning Director
Steven Spraker, Senior Planner
Randy Hayes, City Attorney
Melanie Nagel, Recording Technician

II. INVOCATION

Chairman Thomas led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

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V. MINUTES

June 11, 2015

Mr. Jorczak moved to approve the June 11, 2015 Minutes. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

Mr. Goss reported that at the August 18, 2015 City Commission meeting, they will be processing the annexation agreement for Plantation Oaks, which is approximately 1,000 acres. Originally this development was approved in the county as a residential PUD, and they want the city to provide the utilities. Because they want city utilities, this will require annexation, and the annexation agreement is moving forward. As part of the annexation agreement, it was realized that the capacity of the sewer line could not handle the entire 1577 units. The development will be phased over time, and they can develop about 400 units before they are required to participate in the cost to expand the sewer lines along US 1. Additionally, the annexation agreement is approving Volusia County RPUD's development standards, as in all developments of this size that are annexed in from the county.

Chairman Thomas asked if this was the property that was zoned for manufactured houses. Mr. Goss replied yes.

Mr. Briley asked that when the sewer line is extended in the future, will there be enough capacity for any future annexations that may occur? Mr. Goss explained that there is an existing 10" line that goes straight up US 1 and there is no looping system, so this development tying in at Broadway can be done, but there isn't enough capacity for the entire planned development. There is a consultant working on the master utility plan who analyzed the capacity of the sewer lines, along with the development, and recommended that no more than 400 units be issued Certificates of Occupancy prior to something happening to the 10" line. In the future there would probably be a parallel secondary line run, with cost participation.

Mr. Jorczak asked if Tomoka Estates was on this sewer line. Mr. Goss stated that Tomoka Estates is on septic and wells. That entire development has been laid out in the updated Master Utility Plan, but the city will not be grading this area. The residents would have to do that.

VII. PUBLIC HEARINGS

A. LUPA 2015-105: 4 North Perrott Drive, Small Scale Land Use Map Amendment.

Mr. Steven Spraker, Senior Planner, stated that the request before the Board is a Small Scale Land Use Amendment. The property is where the former S.R. Perrot building stands, which is a very large parcel, and currently has a split land use designation. The warehouse, which is approximately 22,000 sq. ft. is divided between two different zones, General Commercial and Industrial. The applicant would like to use the building for interior storage, with substantial changes to the interior of the building. Staff reviewed the application, and feels this is an appropriate land use change, and is recommending approval.

Mr. Briley stated this would be a very low intensive use as far as traffic, and short of bull-dozing the building and rebuilding something else, which is very cost prohibitive, this is the best use for this site.

Mr. Heaster stated that it is a challenge for this property to sell, with the railroad to the west and industrial in the rear. He asked Mr. Spraker who the adjoining property owner is, since there are roadways on three sides of the property and the railroad to the west. Mr. Spraker stated the business owner at 299 W Granada Plaza is the adjoining property owner and he did voice concerns about the potential future uses of the property, although he is fine with the use being presented today.

Ms. Press stated that she would rather see something go into this facility that had more workers supporting the downtown and restaurants in the area, but given the fact of its location, this seems like a good fit.

Ms. Tolland asked if the façade will remain the same. Mr. Spraker said yes, it would.

Mr. Briley moved to approve LUPA 2015-105: 4 North Perrott Drive, Small Scale Land Use Map Amendment. Mr. Heaster seconded the motion. Vote was called, and the motion unanimously approved (7-0).

B. RZ 2015-104: 4 North Perrott Drive, Amendment to Official Zoning Map

Mr. Spraker stated that this is a corresponding application, and once the property has the land use amended, it is required by code and state laws to have consistent zoning. There is really only one zoning category that is consistent with the land use, and that would be the I-1, which is Light Industrial. Any other developments would have to meet the conditions, the downtown overlay standards, architectural standards, more than just the land use type. Staff is recommending approval of the zoning.

Mr. Heaster asked about the sign, and if they could change out the cabinet. Mr. Spraker stated that it is an existing non-conforming sign, and the only thing that can be done is to replace the panels within the cabinet. If the cabinet were taken down, it would have to be replaced with a monument sign.

Mr. Briley asked that if the applicant replaced the sign with something a little bit smaller, would that be allowed. Mr. Spraker explained that the only thing that can be done to a non-conforming sign is to replace the panel. Mr. Briley is concerned that the shape of the sign is for Miller High Life, and could have some kind of licensing associated with it. Mr. Spraker stated that the purpose of non-conforming signs is to eventually get rid of them, so typically it isn't allowed to be changed.

Attorney Randy Hayes added that the purpose behind non-conforming regulations is that you want the non-conformities to go away. A business can maintain what they have, or they can change out the panels, but anytime a change is made to size or shape, then that changes the non-conformity to something that didn't exist.

Chairman Thomas asked about the part of the sign that is a clock. Mr. Spraker stated it can be repaired, but it has to stay a clock.

Ms. Press asked if All Aboard Storage was a franchise, and if there are other locations in the area.

Applicant, Mr. Andy Clark, owner and CEO of All Aboard Storage, stated that the company is based in Port Orange, and is the largest self-storage owner/operator in East Central Florida. They have 14 locations, including three in Ormond Beach. Ms. Press asked if the logo on Mr. Clark's shirt would be the logo on the sign. Mr. Clark replied yes, it is. He is aware that it is a non-conforming sign, so he will keep the shape of the sign and just replace the panels. Mr. Clark stated that S.R. Perrott will continue to lease the office space at the front of the building. The climate controlled self-storage will be in the warehouse area. Ms. Press asked if this was just indoor storage, or would there be outdoor storage too. Mr. Clark stated that in the back, where there used to be truck parking, they will fix the fencing and landscaping and continue to use that as a parking area.

Ms. Tolland asked how many units of storage will be in the warehouse. Mr. Clark stated about 400. Most of the warehouse section will have to be two stories tall, with an elevator to take items up to the second floor. The building needs a new roof, waterproofed, insulated and new air conditioning, so it is a big investment to get the building ready to rent.

Ms. Press moved to approve RZ 2015-104: 4 North Perrott Drive, Amendment to Official Zoning Map. Mr. Heaster seconded the motion. Vote was called, and the motion unanimously approved (7-0).

C. LDC 2015-112: Land Development Code Amendments

Mr. Ric Goss, Planning Director, requested that the second amendment on floodplain management, dealing with compensatory storage, be pulled from the amendment.

Mr. Goss stated that the first amendment for impact fees is for a property owner who wants to do something to their property, and the city wants the property torn down. Currently under the impact fees, if a property owner has a vacant property, and they don't tear it down, impact fee credits are preserved, whether sewer, water or transportation. If the property is torn down, then the fees are 10% per year.

Mr. Goss continued that there is presently an applicant who bought a property on A1A, and wants to tear the building down and use the lot for parking. They are hesitant to tear the building down, because they will lose their credits. The city would like to see the building removed. This amendment would allow for the removal of buildings and the preservation of credits, based on approval of an agreement by the City Commission.

Mr. Goss stated that the "Hold Capacity" is a new section to be added under the Planned Residential Development. In 2009, when the evaluation appraisal report was done and the comp plan was amended, the holding capacity analysis, which basically determines the density for properties in the suburban residential land use designation, was taken out because it was more of a development code. Now that the economy has changed, and people want to develop residential areas, we don't have the holding capacity in the LDC. So, the holding capacity analysis needs to go back into the PRD section of the LDC. When applicants go through a PRD, which is a rezoning, the holding capacity analysis will be there to dictate what the true

density is for the site based upon the environmental constraints to the land. Staff is recommending that both amendments be approved.

Ms. Tolland asked if the impact fee credits could be retroactive for anybody. Mr. Goss stated that it could not be retroactive.

Mr. Heaster questioned that if we are trying to entice people to tear down vacant properties, why even have a mandated development agreement entered into with the city. Mr. Goss explained that since all of our impact fees are based upon equivalent dwellings and fixtures, this is the only way to track these things and have a record of it. If we just allowed people to tear down dwellings with a demolition permit, we would never know what is there.

Mr. Heaster stated that he thinks it is important, as a Board, to review and understand LDC changes better in the future, either through a work shop, or review them at a meeting prior to having to vote on them.

Ms. Press asked if a building like Stacy's, that has been vacant for quite some time, would benefit from the change to the impact fees. Mr. Goss stated yes they would. This change could be important to other business people who own property.

Mr. Briley moved to approve LDC 2015-112: Land Development Code Amendments: Amending Sections 1-27 and 2-35. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved (7-0).

OTHER BUSINESS

None.

VIII. MEMBER COMMENTS

Mr. Jorczak stated that on August 24, 2015 at 6:00 PM there will be another major meeting for the 10-year Airport Master Plan, and he would like to encourage members of the Board to attend the session. This is the last time that there will be any public comments allowed, prior to finalizing the report and submitting it to a workshop session in conjunction with the Airport Advisory Board and City Staff. This is the front side of a major piece of activity going through the City that will have long term impacts on many things, including how the Crossings can be developed, and how fast it can be developed.

Ms. Press asked Atty. Hayes where the City is at on a structural code to take care of some of the boarded up buildings around town. Atty. Hayes stated that he is not working on a structural code, because they have not gotten any direction to work on it, since we don't have a property maintenance code, which would address boarded up buildings. An earlier version of the property maintenance code was not approved because it tried to accomplish too much, and deemed to be over-reaching in some respects. There has not been any clear direction to go back and visit it.

Ms. Press stated that some examples from the code had been shown to the Quality of Life Board, primarily residential, and the Board went around the area and saw some of the houses and the condition they are in. Ms. Press thought this code was

moving along, and is surprised that the City isn't working on it. Atty. Hayes stated that, to his knowledge, he has not been given direction from City Commission to work on it.

Mr. Briley stated that as a result that Mayor Kelly is running for County Council, and Commissioner Partington will be running for Mayor Kelly's seat, Mr. Briley has announced that he will be running for City Commissioner, Zone 4.

Chairman Thomas asked Mr. Goss about the Hand Avenue extension, and wondered if that has been put off to the distant future. Mr. Goss stated that it is on the long-range transportation plan. It's not on the cost-feasible list, which means that it is not funded. But, it is on the needs list, which means that it could jump up to the cost-feasible plan if funding is found for it. It is a very expensive project, and there are a lot of environmental issues involved.

Chairman Thomas asked what some of the environmental issues are. Mr. Goss explained that when the City agreed to participate in the funding of a preliminary design engineering study, with Daytona Beach and Volusia County, an analysis was done looking for any flaws in the proposed road project, and they came up with 13 flags from St John's, from EPA with regard to wetland impact, to impacts on wildlife. The Hand Avenue extension over I-95 would tie in with the future extension of Tymber Creek Road, and would have to cross over the river. Chairman Thomas stated that we need to make this happen sooner than later.

Chairman Thomas asked about the Texaco station site. Mr. Goss stated that hopefully in January the CVS project will begin.

Mr. Briley asked if Granada Blvd was designed so that the medians could come out, making that a 6-lane street. Mr. Goss explained that if there is no parallel road to relieve the traffic, and traffic continues to increase, the medians could come out someday. Chairman Thomas was told the road was designed so that it could never be expanded to six lanes. Mr. Briley stated that he doesn't ever want to see the medians come out, because he likes the boulevard effect.

IX. ADJOURNMENT

The meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Ric Goss, AICP, Planning Director

ATTEST:

Doug Thomas, Chair

Minutes transcribed by Melanie Nagel.

STAFF REPORT

City of Ormond Beach
Department of Planning

DATE: September 3, 2015

SUBJECT: Strasser, aka Destination Daytona Phase 2, Planned Business Development Amendment

APPLICANT: James S. Morris, Esquire

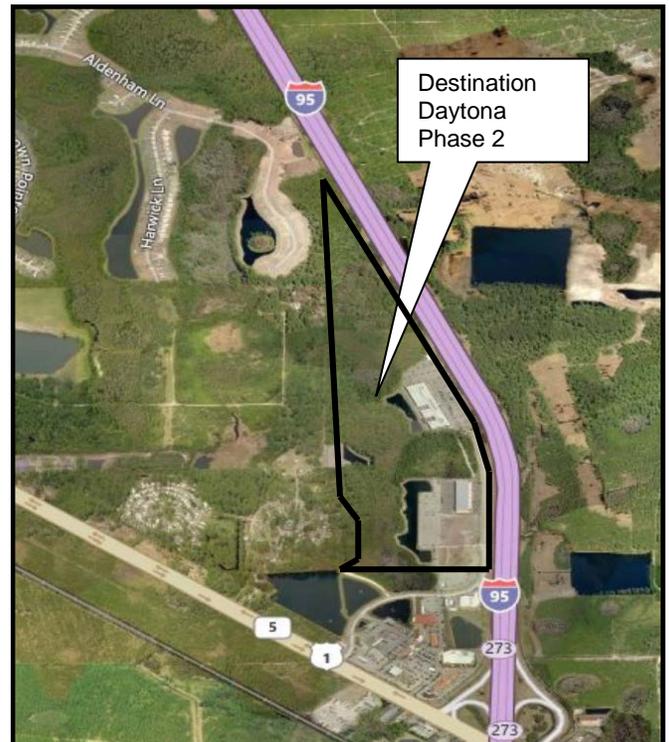
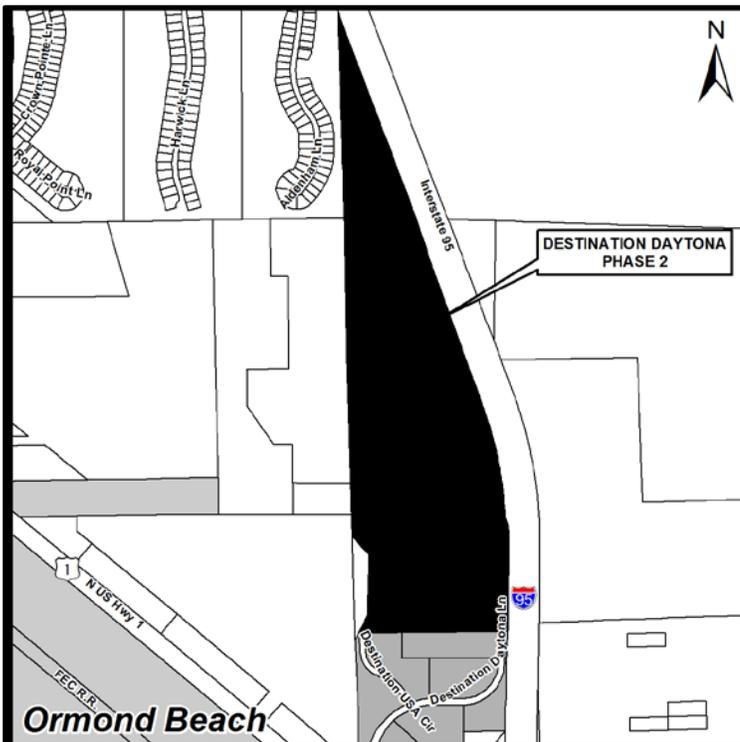
NUMBER: PBD 2015-118

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

James S. Morris, Esquire, on behalf of the property owner, requests a Planned Business Development amendment to the previously approved Volusia County Strasser MPUD. The land area is also known as Destination Daytona, Phase 2. The subject property is located west of Interstate 95, north of Destination Daytona Phase I, and along Destination USA Circle. The PBD Amendment seeks to add (1) additional permitted uses, (2) wall sign standards, and (3) electronic changeable copy signage.

BACKGROUND: The subject property is shown below:



The subject property is part of the North US1 corridor that the City has focused Planning efforts since the early 1990's with the extension of water and sewer services. The history of the property is as follows:

Action	Summary
ISBA:	The City Commission adopted Ordinance 2014-27 that approved an Interlocal Service Boundary Agreement (ISBA) that authorized the City of Ormond Beach to retain land use and zoning authority over the property within the area of the agreement regardless if the property is in incorporated Ormond Beach or unincorporated Volusia County.
Land Use:	Ordinance 2015-05 amended the land use for properties within the ISBA and assigned the "Low Intensity Commercial" land use for the subject property.
Zoning:	With the implementation of the ISBA, the City sought to maintain the previously Volusia County approved development agreements as properties transitioned into City zoning. Those approvals obtained in Volusia County were transferred into Ormond Beach. Ordinance 2015-14 adopted the Strasser MPUD (see APPENDIX 2) approved by Volusia County.
Annexation	The subject property is scheduled to be annexed into the City of Ormond Beach at a second final public hearing on September 9, 2015 with Ordinance 2015-38.

Planning staff met with the property owner of the subject property and they request three items with the current Planned Development Business Amendment:

1. Amend and expand the allowed uses that were originally allowed with the Volusia County approved Strasser MPUD. The project area has an indoor recreation use that the existing development order does not allow. As part of this amendment, the applicant has reviewed the existing development order and proposes to expand the uses based on the uses allowed within the City's Land Development Code.
2. Establish independent wall sign standards separate of what the Ormond Beach Land Development Code allows.
3. Authorize the construction of an electronic changeable copy sign. Electronic changeable copy signs are allowed under the Volusia County land development regulations, but since the property was incorporated into the ISBA land area, it is subject to the regulations of the City of Ormond Beach regarding electronic changeable copy signs which prohibit electronic changeable copy signs. This request requires a separate Land Development Code amendment which is in process simultaneously with this amendment request.

ANALYSIS:

The subject property is located west of I-95 and north of Destination Daytona, Phase I. To the east of the property from the south to the north respectively is a campground facility, vacant property, and Plantation Bay. The land within Destination Daytona, Phase II includes vacant lands as well as partially developed lands with a variety of uses, including Wyotech.

As stated above, the amendment is a request for three amendments to the original development agreement, as discussed and analyzed below:

1. Proposed Uses: Below is a list of proposed uses that are sought for the development with staff's comments:

Use	Comment
Adult Day Care Center	Use commonly found in commercial zoning districts as a permitted use. No objections to the proposed use.
Auction Business	Use allowed in the B-5 and I-1 zoning districts. No objections based on property location and no abutting residential areas.
Automatic Amusement Center	Use allowed in the B-4, B-7 and B-8 zoning districts. No objections based on the entertainment aspect of the project.
Bingo Parlor	Use allowed in the B-5 zoning district. No objections to the proposed use.
Bowling Center	Use allowed in the B-5 and B-8 zoning districts. No objections to the proposed use.
Business and Professional Office	Common use in commercial zoning districts. No objections to the proposed use.
Business Service	Common use in commercial zoning districts. No objections to the proposed use.
Club and Fraternal Organization	Common use in commercial and industrial zoning districts. No objections to the proposed use.
Convenience store "A"	Common use in commercial zoning districts. No objections to the proposed use.
Indoor recreational use	Common use in commercial and industrial zoning districts. No objections to the proposed use.
Instructional physical activity	Common use in commercial zoning districts. No objections to the proposed use.

Nightclub	Allowed in the B-4, B-6, and B-7 zoning districts. Common use in an entertainment area. No objections to the proposed use.
Personal Services	Common use in commercial zoning districts. No objections to the proposed use.
Pool Hall/Billiards	Use is allowed in the B-5 zoning district and would be compatible with an entertainment area. No objections to the proposed use.
Skating Center	Use allowed in the B-8 zoning district. No objections to the proposed use.
Tattoo Parlor	Use allowed in the B-5 zoning district. There are limited areas within the City now for tattoo parlors and this would provide additional land area that is not located in close proximity to residential uses.
Telecommunications Tower	Staff has no objections to telecommunication towers provided they are camouflaged.
Theater	Use allowed in the B-8 zoning district. No objections to the proposed use.
Transient Lodging	Use allowed in the B-7 zoning district. Common use in an entertainment area.
Vehicle rental	Use allowed in the B-5 zoning district. No objections to the proposed use.
Vehicle washing or detailing	Use allowed in the B-5 zoning district. No objections to the proposed use.
Warehouse, min-rental	Use allowed in the B-5, B-8 and I-1 zoning districts. No objections to the proposed use.
Wine, beer or liquor store	Use allowed in the B-4 and B-5 zoning districts. No objections to the proposed use.

2. Wall Signage: The amendment proposes the following:
 - a. Allowable building wall signage shall be calculated on the basis of one (1) square foot of sign allowed for each linear foot of building frontage on which the sign will be located;
 - b. Minimum sign size of twelve (12) square feet;
 - c. Maximum number of three signs along any one unit frontage; and
 - d. Specific sign exhibit for “Get Air” indoor recreation use.

Staff comments are as follows:

- a. Allowable wall sign area: The Volusia County sign regulations state the copy area shall not exceed two square feet for each linear foot of building frontage up to a maximum of 750 square feet. The Ormond Beach sign regulations allow one square foot of wall signage for each linear foot of building frontage up to 30 square feet plus one square foot of wall signage for each 0.5 foot of building frontage thereafter. Staff has no objection to a one square foot of wall sign area for each linear foot of building frontage.
 - b. Minimum sign size square footage: The Ormond Beach sign regulations do not have a minimum size for wall signage. Staff has no objections to the proposed regulation.
 - c. Maximum number of signs: The City's sign regulations allow one sign per frontage and two signs if the unit is a corner unit. The proposed regulation seeks to allow discontinuous signage with the "Get Air" use shown as an example. The amendment proposes a maximum of three signs per frontage. Staff has no objections to the proposed regulation.
3. The amendment seeks to allow an interstate electronic changeable copy sign along I-95. As stated earlier, the project was previously located in Volusia County that allows electronic changeable copy signage. With the adoption of the ISBA, properties that were previously located in Volusia County are required to comply with the City of Ormond Beach land development regulations which do not allow electronic changeable copy signage. The applicant is processing a Land Development Code amendment to provide the framework, including operational standards, to allow electronic changeable copy sign through a Planned Business Development process.

CONCLUSION:

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

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

The proposed amendment does not propose any new construction and is limited to allowed uses and signage regulations. The proposed amendments shall not cause crowding or negatively impact public health, safety, welfare, or the quality of life within Ormond Beach.

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

The project site has a commercial land use and zoning that permits a variety of uses within Planned Business Development. The development is consistent with the Comprehensive Plan. The City Commission has the discretion to approve, approve with conditions, or deny the application.

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

There shall be no impacts on environmentally sensitive lands or natural resources as the result of the proposed amendment.

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.

Destination Daytona, Phase 2 is part of a larger entertainment, industrial, and commercial land area. Unlike the majority of the City, the subject area does not abut residential uses. A large portion of the City's Land Development Code seeks to buffer residential uses from commercial uses. This land area is not characteristic of other areas within Ormond Beach that have residential uses abutting commercial uses. As a result, more intensive use and alternative signage is a reasonable consideration since there is less opportunity for conflict between uses. The proposed amendment shall not substantially or permanently depreciate the value of surrounding property. Additionally, it is not expected that the proposed amendments would create any negative impacts such as noise, glare, or visual impacts to adjoining properties.

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

There is adequate capacity to serve the proposed subject property including water, sewer, transportation, fire and police safety and the proposed amendments will have no impacts to public services.

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

The proposed amendments do not impact the safe site access and egress, as well as on-site traffic and pedestrian safety as originally approved.

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

The proposed amendments will not impact the functional use of space or site aesthetics.

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

The overall design indicates safe movement on the site. The requested amendments will not adversely impact the safety of the occupants and visitors.

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

There are no changes proposed to the materials or architectural features as originally approved. Since the property does not abut residential uses, the proposed uses will not negatively impact surrounding properties.

10. The testimony provided at public hearings.

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

RECOMMENDATION:

It is recommended that the Planning Board **APPROVE** the Planned Business Development amendment to allow:

1. The following uses:

Adult Day Care Center	Personal Services
Auction Business	Pool Hall/Billiards
Automatic Amusement Center	Skating Center
Bingo Parlor	Tattoo Parlor
Bowling Center	Telecommunications Tower, camouflaged only
Business and Professional Office	Theater
Business Service	Transient Lodging
Club and Fraternal Organization	Vehicle rental
Convenience store "A"	Vehicle washing or detailing
Indoor recreational use	Warehouse, min-rental
Instructional physical activity	Wine, beer or liquor store
Nightclub	

2. Wall Signage: The amendment proposes the following:
 - a. Allowable building wall signage shall be calculated on the basis of one (1) square foot of sign allowed for each lineal front foot of the building on which the sign will be located;
 - b. Minimum sign size of twelve square feet;
 - c. Maximum number of three signs along any one unit frontage; and
 - d. Specific sign exhibit for the “Get Air” indoor recreation use.
3. An interstate electronic changeable copy sign as shown in Attachment 4.

- Attachments:
- 1: Location Map
 - 2: Volusia County approved Strasser MPUD
 3. Get Air sign plan
 4. Electronic changeable copy sign

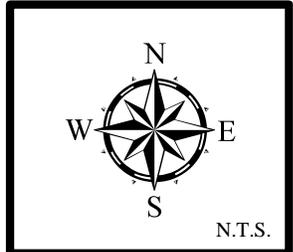
Attachment 1

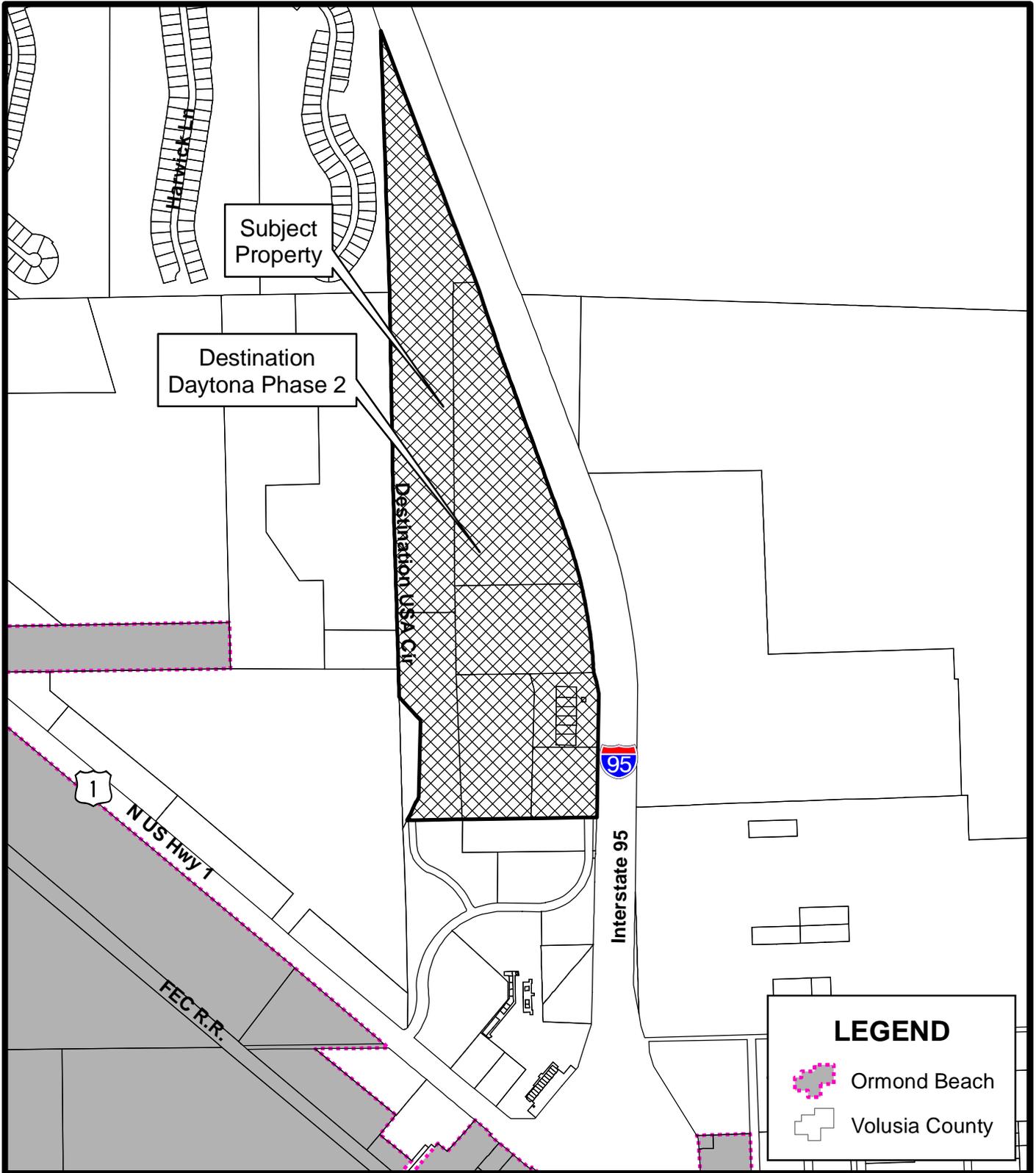
Location Map



**AERIAL MAP
DESTINATION DAYTONA PHASE 2**

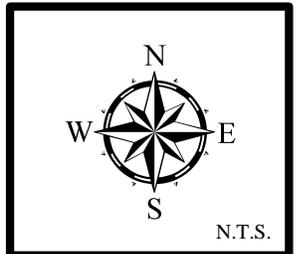
Prepared By: The City of Ormond Beach
G.I.S. Department - June 29, 2015





DESTINATION DAYTONA PHASE 2
LOCATION MAP

Prepared By: The City of Ormond Beach
 G.I.S. Department - June 29, 2015



Destination Daytona, Phase II – site aerial



Source: Bing maps

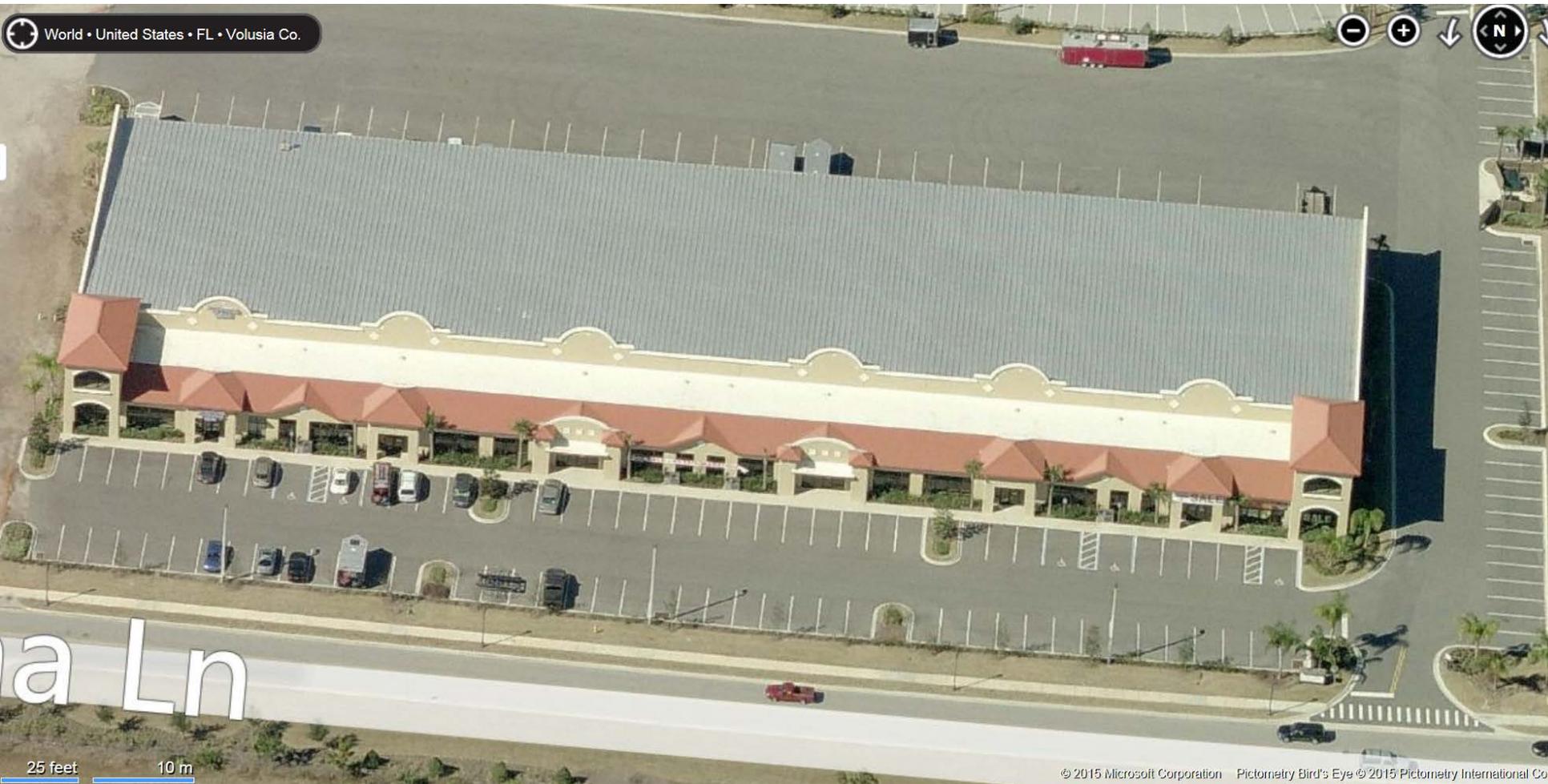
Destination Daytona, Phase II – site aerial

470 Destination Daytona Drive



Source: Bing maps

Destination Daytona, Phase II – site aerial
348-388 Destination Daytona Drive



Source: Bing maps

Attachment 2

Volusia County approved
Strasser MPUD

COUNTY OF VOLUSIA, FLORIDA

IN RE: Case No. PUD-05-075, Application of:

Strasser Development Parcel D, LLC

A Florida Limited Liability Company, Owner

RESOLUTION #2006-91

**ORDER AND RESOLUTION
GRANTING A REQUEST FOR
AMENDMENT TO AN ADOPTED
IPUD (INDUSTRIAL PLANNED UNIT DEVELOPMENT)
KNOWN AS, "THE KNAP FAMILY 1987 REVOCABLE TRUST,
JACK KNAP TRUSTEE IPUD (INDUSTRIAL PLANNED UNIT DEVELOPMENT)"
RECORDED AT BOOK 5076 PAGE 3467, ET. SEQ.,
PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA TO THE
STRASSER MIXED USE PLANNED UNIT DEVELOPMENT**

The application of, Strasser Development Parcel D, LLC, a Florida Limited Liability Company, hereinafter, "Applicant", for amendment to the referenced, adopted IPUD to become the Strasser Mixed Use Planned Unit Development was heard by and before the Volusia County Council, Volusia County, Florida, on April 27, 2006. Based upon the verified Application and other supporting documents, maps, charts, overlays, other evidence and instruments; the advice, report, and recommendations of the Growth and Resource Management, Legal Department, and other Departments and agencies of Volusia County; and the testimony adduced and evidence received at the Public Hearing on this Application by the Planning and Land Development Regulation Commission on December 13, 2005, and otherwise being fully advised, the Volusia County Council does hereby find and determine as follows:

GENERAL FINDINGS

- A. That the applicant has duly and properly filed the application herein on October 21, 2005 as required by law.
- B. That all fees and costs which are by law, regulation, or Ordinance required to be borne and paid by the applicant have been paid.
- C. That the applicant, Florida Motorcycle School, LLC, and The Daytona RV Center,

LLC are the owners of a 112.76 acre parcel of land, which is situated in Volusia County. This parcel of land is described more particularly in the sketch and legal description, a true copy of which is attached hereto as Exhibit "A"

D. That the Applicant has held a pre-application meeting as required by the Volusia County Zoning Ordinance No. 80-8, as amended.

E. That the Applicant has complied with the "Due Public Notice" requirements of the Volusia County Zoning Ordinance No. 80-8, as amended.

FINDINGS REGARDING REZONING

A. That the Applicant has applied for an amendment to an adopted IPUD (Industrial Planned Unit Development) formerly known as, "THE KNAP FAMILY 1987 REVOCABLE TRUST, JACK KNAP TRUSTEE IPUD (INDUSTRIAL PLANNED UNIT DEVELOPMENT)." The Amended IPUD shall be known as the "STRASSER MPUD."

B. That the said amendment to the adopted IPUD results in a MPUD that is no more intense than the former IPUD and therefore the MPUD, with review by extra governmental agency is consistent with both the Volusia County Comprehensive Plan Ordinance No. 90-10, as amended and the intent and purpose of the Volusia County Zoning Ordinance No. 80-8, as amended, and does promote the public health, safety, morals, general welfare and orderly growth of the area affected by the rezoning request.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE THOMAS C. KELLY COUNTY ADMINISTRATION BUILDING, COUNTY COUNCIL MEETING ROOM, DELAND, FLORIDA, THIS 27TH DAY OF APRIL 2006, AS FOLLOWS:

A. That the Application of Strasser Development Parcel D, LLC, a Florida Limited Liability Company, for amendment to the adopted IPUD applicable to the subject parcels the Strasser MPUD is hereby granted.

B. That the MPUD zoning classification of the subject parcel described in Exhibit "A" attached hereto is hereby amended MPUD as set out in the "Development Agreement" set out below.

C. That Volusia County Zoning Ordinance No. 80-8, as amended, is consistent with the provisions of the "Mixed Use Planned Unit Development Agreement" as hereinafter set forth in this Order and Resolution and with respect to any conflict between Ordinance No. 80-8, as amended, and the "Amended Development Agreement", the provisions of the "Amended Development Agreement" shall govern. Ordinance No. 80-8, as amended, shall govern with respect to any matter not covered by the "Development Agreement." The Volusia County

Zoning Enforcement Official will ensure overall compliance with this Order and Resolution.

D. Unless otherwise provided for herein, Article VIII, Supplementary Regulations of Volusia County Zoning Ordinance No. 80-8, as amended, shall apply to the Mixed Use Planned Unit Development Agreement in the same manner as the I-1 zoning classification.

E. Nothing in this Order and Resolution shall abridge the requirements of any Volusia County Ordinance other than Zoning Ordinance 80-8, as amended. Timing and review procedures contained in this Order and Resolution may be modified to comply with the Volusia County Land Development Code, Ordinance No. 88-3, as amended. Further, nothing in the Development Agreement is intended to abridge the requirements of Ordinance No. 88-3, as amended, and any other County Ordinances.

DEVELOPMENT AGREEMENT

A. Development Concept. The property shall be developed as an MPUD substantially in accordance with the Master Development Plan. The Master Development Plan shall govern the development of the property as an MPUD and shall regulate the future land use of this parcel.

1. **Master Development Plan.** The Master Development Plan shall consist of the Preliminary Plan prepared by Mark Dowst and Associates, Inc. and dated April 28, 2005, revised October 13, 2005, and this Development Agreement. The Preliminary Plan is hereby approved and incorporated in this Order and Resolution by reference as Exhibit "B". The Master Development Plan shall be filed and retained for public inspection in the Growth and Resource Management Department and it shall constitute a supplement to the Official Zoning Map of Volusia County.

2. **Amendments.** All amendments of the Master Development Plan, other than those deemed by the Zoning Enforcement Official to be minor amendments as set out by Section 813.06 of Ordinance No. 80-8, as amended, shall require the review and recommendation of the Planning and Land Development Regulation Commission and action by the Volusia County Council in the same manner as a rezoning of the parcel.

3. **Subdivision Approval.** After the Master Development Plan is recorded, and prior to any construction, an application for exemption; or a preliminary and/or a final plat of the area to be subdivided shall be submitted for review and approval in the manner required by Article II of the Volusia County Land Development Code, Ordinance No. 88-3, as amended.

4. **Final Site Plan Approval.** After the Master Development Plan is recorded, and prior to any construction, final site plans shall be submitted for review and approval in the manner required by Article III of the Volusia County Land Development Code, Ordinance No. 88-3, as amended.

B. Unified Ownership. The Applicant or his successors shall maintain unified ownership of the subject parcel until after issuance of the Final Development Order Plat(s) or Exemptions for areas to be subdivided.

C. Phases of Development. The infrastructure shall be developed in either a single phase or in phases consistent with the subdivision overall development plan and/or final site plan.

D. Land Uses within the MPUD. The development of the parcel shall be consistent with the uses prescribed for each area within the proposed MPUD. The following land uses shall be allowed as permitted principal uses and structures along with their customary accessory uses and structures. If a use or structure is not listed as permitted, the Zoning Enforcement Official may permit said use or structure upon a determination that said use or structure is similar to the uses or structures otherwise permitted by the MPUD.

1. The following uses are permitted on lots adjacent to Interstate 95 (eastern side) of the MPUD:

Administrative and executive offices.

Corporate offices.

Data Processing.

Distribution centers.

Electrical component manufacturers.

Essential utility services.

Exempt excavations (refer to section 817.00(0) and/or those which Comply with article VIII of the Land Development Code of Volusia County [appendix A] and/or final site plan review procedures of this ordinance.

Recreational Vehicle uses and stormwater ponds

Financial institutions.

Flex Office/Showroom/Warehouse

Food products manufacturers.

Hotel/Motel

Industrial vocational training school

Laboratories, research and/or testing.

Light industrial uses and wholesale, distribution and offices for:

Computer and office equipment.

Durable and non-durable goods distribution.

Electronic equipment.

Instruments (measuring, analyzing and controlling).

Optical equipment.

Photographic equipment and supplies.

Precision instruments and machinery.

Recreational Vehicle production

- Machinery and machine shops
- Off site parking¹
- Printing, publishing and engraving
- Recreational Vehicle sales and service
- Restaurants
- Retail Sales²
- Sheet metal products manufacturers and sales.
- Tool, die and gauge shops
- Trailer, carriage and wagon manufacturers
- Vocational training school
- Warehouses
- Welding or soldering shops
- Wholesale houses and distributors
- Wood product manufacturers

¹ Off-site, shared or exclusive parking pursuant to use or easement agreement between property owners within the MPUD or the adjacent Love's/Having Fun BPUD shall be a permitted land use on the property subject to the MPUD.

² Retail sales shall be allowed as a permitted use on the property. The allowable square footage permitted to be placed on the property shall be based upon the traffic generation which shall comply with memorandum of Jon E. Cheney dated February 27, 2003 and attached hereto and incorporated as Exhibit C.

2. The following uses are permitted on lots along the western side of the MPUD:

- Administrative and executive offices.
- Communication towers not exceeding 70 feet in height above ground level.
- Corporate offices
- Data processing
- Off site parking¹
- Printing, publishing and engraving.
- Recreational Vehicle sales and service
- Recreational Vehicle Sites²

¹ Off-site, shared or exclusive parking pursuant to use or easement agreement between property owners within the MPUD or the adjacent Love's/Having Fun BPUD shall be a permitted land use on the property subject to the MPUD.

² Conforming to state and local requirements for size and waste management.

E. Development Standards.

Minimum lot area	10 acres
Minimum lot width	150 ft.

Minimum yard size (building)

- a. Front yard: 35 ft.
- b. Rear yard: 20 ft.
- c. Side yard abutting any lot: 10ft.
- d. Side yard abutting any street: 35 ft.
- e. Side yard abutting any residentially zoned property 35ft.

Maximum lot coverage 50%

Maximum building height 55 ft., (35 ft. abutting residential zoning).

Landscape buffer requirements 10 ft. on the western perimeter for all off site parking, R.V. uses and stormwater ponds and 25 ft. on the western perimeter for all uses and associated required parking; 25 ft. on the eastern perimeter. Fencing shall not be required in the in the eastern or western buffer. All landscaping and other fencing shall be consistent with the exception that tree caliper shall be 2 inches in diameter at breast height.

Project Perimeter building setbacks 25 ft.

Minimum building separation 25 ft.

Off-street parking requirements Lots 1-4: Off-street parking other than the off-site parking allowed by this Development Agreement as a permitted use shall comply with Article VIII, Section 810.00 of Ordinance NO.80-8 as amended.

Lot 5: Off-street parking provided on Lot 5 shall be allowed by the approved site plan for Lot 5 as a school site. The maximum parking number established by the presently adopted LDC shall not apply to Lot 5. The only restrictions on parking area shall be those established by required buffer, setbacks, landscape or stormwater requirements.

F. Signage Requirements. There will only be interchange interstate signage allowed for three lots, excluding the northernmost site currently stated for development of the Wyotech Center. These signs will comply with the currently adopted City of Ormond Beach Land Development Code for Exhibit "E - Interstate Interchange Signs." A monument sign for "Wyotech" shall not be higher than 20 feet and shall not exceed 96 square feet. All other applicable sign requirements of Ordinance No. 80-8, as amended shall apply, except for Section 822.09. Existing billboards on the parcel shall be removed within 5 years of commencement of project or 50% completion whichever occurs first.

G. Appearance Standards. It is the purpose of these appearance standards to ensure that development within the MPUD is designed to promote a high quality appearance. It is hereby determined that the appearance of the Wyotech/Corinthian building on Lot 5, attached as Exhibit D, meets the required general appearance standard stated above and it is also consistent with the quality of construction required by the Love's/Having Fun BPUD which abuts the southern boundary of the MPUD. In addition to the general standards stated above, buildings on MPUD Lots 1-4 shall comply with the following appearance standards.

1. Building similarities. The property will be developed using architectural standards established by the Harley-Davidson dealership and the pending J&P Cycles building in the adjacent Love's/Having Fun BPUD located to the south of this MPUD. This will not be applicable to the Wyotech project, since that has proceeded ahead of the MPUD request and in accordance with the former Knapp IPUD Development Agreement. Determination of building materials and color conformance to this standard and the requirements of paragraph #3 below shall be determined during the site plan review and approval process.
2. Building orientation. Buildings shall be orientated such that service areas and outdoor storage or work areas are placed out of view from street rights-of way. Where, because of site constraints or other factors, service areas cannot be located in accordance with this requirement, such areas shall be screened from view by vegetative or structural means, to include, but not be limited to a masonry block wall. Structural screening shall be architecturally compatible with the building in terms of colors, construction materials, and finish.
3. Building exterior materials and colors. Building materials and colors shall conform to the following requirements:
 - a. All buildings shall be faced with materials that exhibit a durable, high quality appearance.
 - b. Materials shall be of a low maintenance type, retaining a consistent, clean appearance.
 - c. Generally accepted exterior facing materials, on all facades exposed to

the public view from the street right-of-way, including I-95, shall include brick, finished block, tinted and textured or split-faced concrete masonry blocks, exposed aggregate, stone, architectural concrete and cellulose fiber-reinforced cement building boards. Vinyl siding and wood shall not be permitted, except as an architectural detail or ornamentation. Metal and/or stucco buildings may be permitted provided the facade of metal or stucco buildings that fronts on a street shall not have an exposed metal or stucco surface.

- d. Exterior building colors shall be limited to earth tones, pastels, and natural shades of green, brown, beige, sand and gray typical of materials such as wood, stone, brick and concrete. Pastel colors shall mean any color in pale or light tones, generally consisting of ninety percent white and ten percent color tint, as measured by photometric content. Accent colors other than earth tones and natural colors may be used such that they do not exceed 20% of the building area.
4. Fences and Walls. Fences and walls, whether required for project approval or whether incorporated into overall project design shall be designed as an integral part of the principal building and shall meet the following requirements:
 - a. Fences and walls shall be designed to include the use of similar materials, colors, and finishes as the principal building, except wood.
 - b. Fences and walls shall be architecturally designed with offsets, raised elements and landscape pockets to avoid an expansive monolithic or monotonous appearance.
 - c. Landscaped earth berms may be utilized in lieu of a fence or wall where approved during the site plan review and approval process.
 5. Perimeter building landscaping. All projects shall incorporate perimeter building landscaping in accordance with the following requirements:
 - a. Perimeter landscape plant materials shall be located adjacent to any building wall that will be visible from any street.
 - b. Perimeter landscape plant materials shall consist of a combination of trees, palms, shrubs and ground covers. Landscape plant material type and size shall, at a minimum, be consistent with the requirements Ordinance No. 80-8 as amended. The minimum depth of the landscape areas shall be 5 ft. Trees shall be placed in the perimeter building landscape area at the corners of the building and along the building facade so that there is at least one tree per building side and no more than 50 lineal feet of wall between trees.

- c. Architectural planters may be permitted during the site plan review and approval process in fulfillment of the perimeter landscape requirement. Such architectural planters shall contain a surface area of not less than 10 square feet and shall have a minimum dimension of 15 inches.
6. Screening of mechanical equipment. All mechanical equipment shall be screened in accordance with the following requirements:
 - a. Mechanical equipment located on the ground, such as air conditioning units, heating units, satellite dishes, irrigation pumps, propane tank displays and refilling areas, utility lift stations and the like shall be screened from view of any street right-of-way. Screening shall, at a minimum, be at the same height as the equipment. Structural screening shall be architecturally integrated into the overall project design and shall be compatible, in terms of style, construction materials, colors, and finish, with the principle building. Landscaping may be substituted for structural screening if plantings are compatible with the landscape plan for the project and are of such size and maturity as to be able to provide a fully opaque screen within 2 years from the time of planting.
 - b. Equipment and appurtenances mounted on rooftops shall be kept to a minimum. All exposed rooftop mounted equipment and appurtenances shall be screened from view of any street right-of-way, including I-95. All screening shall, at a minimum, be at the same height as the equipment and appurtenances. Screening shall be an integral part of the design of the principal building and shall be architecturally consistent with the style, colors, construction materials and finish of the principle building. Where utilization of approved roof designs preclude full screening of exposed equipment and appurtenances, painting of the exposed equipment and appurtenances to blend with the color of the roof and adjacent materials of the principal building may be approved during the site plan review and approval process.
7. Utilities. Utility construction and placement shall comply with the following requirements:
 - a. All utility lines, whether new or relocated, shall be installed underground unless otherwise approved during the site plan review and approval process.
 - b. Utility conduit and utility panels/boxes shall be painted to match the color of the building on which they are placed.
 - c. Water and sewer lift stations, pump houses and similar features shall be fully screened from view at street rights-at-way by structural means or vegetative. Where screening is accomplished by structural means, such

screening shall be compatible in design and color with the principal building.

8. Accessory uses and structures. Accessory uses and/or structures are only permitted with a principle building and/or use. Accessory uses and/or structures shall be designed and constructed to be compatible with the architectural design of the principle building. Exterior finishes, colors and materials on accessory structures shall be similar to those used on the principle building.
9. Modifications to Appearance Standards. When, in the judgment of the Development Review Committee (DRC), strict application of the appearance standards would result in an inequitable or unreasonable result, stifle innovative or creative design, or create undue hardship when applied to a specific development within the MPUD, the DRC may modify such standards to the extent necessary to achieve equity, reasonableness, relieve the undue hardship, and accomplish the appearance standards provisions of Paragraph G of this Agreement. Provided however, no such modification shall be contrary to requirements of law or the goals, objectives and policies of the Comprehensive Plan; nor shall any such modification as applied to one development, establish precedent with regard to any other development subject to review.

H. Environmental Considerations. Wetlands will be preserved in a manner that is consistent with the requirements of the permit issued by the Saint Johns River Water Management District (SJRWMD) and Volusia County's Code of Ordinances, Appendix A, Article XI and will be incorporated, to the maximum extent possible, in the design of the MPUD as buffer and/or preservation areas. Wetland impacts may be allowed with appropriate permitting and mitigation. The upland preservation and wetland areas are intended to be managed as an interconnected system. These areas will remain in their natural state. Prior to site plan review, the site will be surveyed for listed species and other wildlife to ensure that development of the site will not adversely affect listed species/wildlife habitat. A copy of the wildlife listed species report, and if deemed appropriate, listed species management plan shall be submitted to the County at the initiation of site plan review. The handling and storage of hazardous materials by each industrial user shall be in compliance with all applicable Federal, State and County regulations.

I. Sewage Disposal and Potable Water. Provision for sewage disposal and potable water will be provided by the City of Ormond Beach, FL.

J. Stormwater Drainage. Provision for stormwater retention shall be consistent with the requirements of the permit issued by the Saint Johns River Water Management District and Volusia County's Code of Ordinances, Appendix A, Article VIII.

K. Access and Transportation System Improvements. All access and transportation system improvements to ensure safe ingress and egress to the proposed development shall be contingent upon the following conditions:

1. Access to the property will be via a private roadway known as Destination Daytona Lane running from U.S. Highway 1 through the Love's/Having Fun BPUD to the southern terminus of the Property, as shown on Exhibit "B", attached hereto.
2. Compliance with level of service standards for the private roadway system shall be demonstrated and maintained through site plan approvals.
3. Compliance with concurrency standards shall be demonstrated at the time of site plan application and approvals.
4. Uses proposed for Lots 1, 2 and 3 shall be subject to evaluation of the number of trips available pursuant to the traffic memorandum attached here to as Exhibit C.
5. Application and approvals shall adequately address FDOT operation criteria.
6. A roadway stub out may be provided to the western portion of the Property as shown on the attached Exhibit "B."

L. Shared Parking. Each use on each lot within the MPUD shall individually meet the parking requirements for the use located thereon. The Applicant has elected to create additional, common parking area, subject to private agreements between the parties, which may provide additional parking for the uses located in the adjacent Love's/Having Fun BPUD or be dedicated to providing required parking for a remote use that may be located in or out of the MPUD. As a common facility for the MPUD, the common parking area will be allowed to be built and located as shown on the attached Exhibit "B" (e.g. landscape buffers at lot lines, between Lots 2 and 3, and Lots 3 and 4, will not be required in order to allow maximum utility for the area dedicated to shared parking). However, internal landscaping shall be provided in compliance with applicable County requirements.

M. Internal Roadways. The preliminary plan illustrates the location of all proposed streets or drives within the MPUD. The streets shall be privately owned and maintained.

N. Building or Property Owners Association. The Applicant shall create a property owner's association for maintenance of the common area in the event a common stormwater system or other common areas is created. Upon creation of the association, the articles of incorporation and by-laws of said association and any other agreements, covenants, easements or restrictions shall be furnished to the County of Volusia at the time of creation. The Applicant shall be responsible for recording said Information in the Public Records of Volusia County, Florida. Also, the Applicant shall bear and pay all costs for recording all of the aforementioned documents.

With respect to the enforcement of said agreements, covenants, easements or restrictions entered into between the Applicant and the owners or occupiers of property within the MPUD, the County of Volusia shall only enforce the provisions of the "Development Agreement" and Volusia County Zoning Ordinance No. 80-8, as amended,

whichever is applicable, and not the private agreements entered into between the aforementioned parties.

O. Binding Effect of Plans: Recording: and Effective Date. The Master Development Plan, including any and all supplementary orders and resolutions, and the Preliminary Plan shall bind and inure to the benefit of the Applicant and his successor in title or interest. The MPUD zoning, provisions of the "Development Agreement," and all approved plans shall run with the land and shall be administered in a manner consistent with Article IX of the Volusia County Zoning Ordinance No. 80-8, as amended.

This Order and Resolution and all subsequent Orders and Resolutions shall be filed with the Clerk of the Court and recorded within forty-five (45) days following execution of the document by the Volusia County Council, in the Official Records of Volusia County, Florida. One copy of the document, bearing the book and page number of the Official Record in which the document was recorded, shall be submitted to the Growth and Resource Management Department. The date of receipt of this document by the Growth and Resource Management Department shall constitute the effective date of the MPUD or its subsequent amendments. The applicant shall pay all filing costs for recording documents.

P. Conceptual Approval. The parties hereto acknowledge that reductions in density and/or intensity may and do occur; and that minor changes to roadway design, location and size of structures, actual location of parking spaces, specific locations for land uses, and locations and design of stormwater storage, landscape buffers and upland buffers may result to comply with the Volusia County Land Development Code, Ordinance No. 88-3, as amended. Upon determination of the Zoning Enforcement Official, these revisions may be processed as minor amendments as set forth in Section 813.06 of the Volusia County Zoning Ordinance No. 80-8, as amended. The Applicant agrees to revise and record the Revised Preliminary Plan which reflects any such changes with the Clerk of the Court immediately following the expiration of the 30-day period for appealing Development Review Committee (DRC) decisions to the County Council. A copy of the Revised Preliminary Plan, bearing the book and page number of the Official Record in which the document was recorded, shall be submitted to the Growth and Resource Management Department.

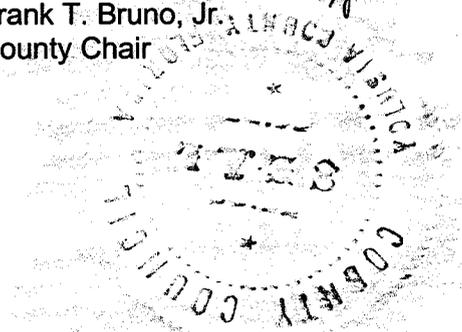
Q. Expiration of Agreement. Within five (5) years from the effective date of this Amended Order and Resolution, the Applicant shall submit a Subdivision and/or Final Site Plan as described in Section A, subsections (3) and (4) of this Development Agreement, covering at a minimum, the first phase of the MPUD. In the event that the Subdivision or Final Site Plan is not submitted on or before the above referenced date, this Agreement shall expire. Any subsequent proposed development of this property will be processed as a major amendment of the Master Development Plan in accordance with paragraph A(2) of this Agreement.

Attest:

VOLUSIA COUNTY COUNCIL

Mary A. Zimmerman
James T. Dinneen
County Manager

Frank T. Bruno, Jr.
Frank T. Bruno, Jr.
County Chair

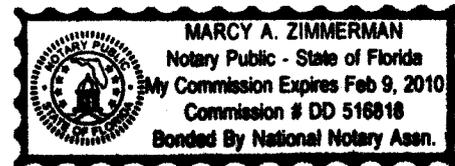


STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 14 day of August 2006, by James T. Dinneen and Frank T, Bruno, Jr., as County Manager and County Chair, Volusia County Council, respectively, on behalf of the County of Volusia, and who are personally known to me.

Marcy A. Zimmerman
Notary Public, State of Florida

Printed Name
My Commission Expires:



Strasser Development Parcel D, LLC,
a Florida Limited Liability Company

By: Charles L. Strasser

Its: managing member

The Daytona RV Center, LLC,
a Florida Limited Liability Company

By: signed separately

Its: _____

Florida Motorcycle School, LLC
a Florida Limited Liability Company

By: signed separately

Its: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 4th day
of October 2006, by Charles L. Strasser as Managing Member of
Strasser Development Parcel D, LLC and who is personally known to me or produced
_____ as identification.

Mary Diane Dowdee

Notary Public, State of Florida

Mary Diane Dowdee

Printed Name

My Commission Expires:



Instrument# 2006-260219 # 15
Book : 5934
Page : 3473

Strasser Development Parcel D, LLC,
a Florida Limited Liability Company

By: signed separately

Its: _____

The Daytona RV Center, LLC,
a Florida Limited Liability Company

By: *Sonya Buerger*
Its: _____

Florida Motorcycle School, LLC
a Florida Limited Liability Company

By: signed separately

Its: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 27th day
of Sept 2006, by Katelyn Edwards as Sonya Buerger of
The Daytona RV Center, LLC and who is personally known to me or produced
Driver's License as identification.

Katelyn M. Edwards
Notary Public, State of Florida

Katelyn M. Edwards
Printed Name

My Commission Expires: My Commission Expires
May 18, 2010



Instrument# 2006-260219 # 16
Book : 5934
Page : 3474

Strasser Development Parcel D, LLC,
a Florida Limited Liability Company

By: signed separately

Its: _____

The Daytona RV Center, LLC,
a Florida Limited Liability Company

By: signed separately

Its: _____

Florida Motorcycle School, LLC
a Florida Limited Liability Company

By: [Signature]

Its: MANAGER

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 22nd day of September 2006, by A. Brant Bryan as Manager of Florida Motorcycle School, LLC and who is personally known to me or produced personally known as identification.

Julie Wakefield
Notary Public, State of Florida Texas

Julie Wakefield
Printed Name

My Commission Expires: July 2, 2007

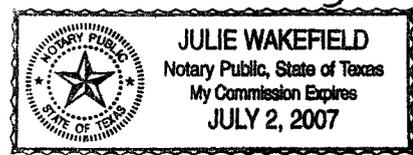


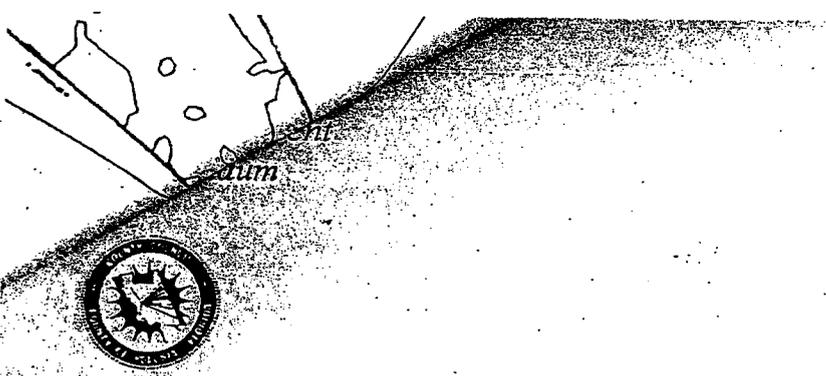
EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION - MPUD PARCEL

A PORTION OF SECTIONS 25 AND 24, TOWNSHIP 13 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE WEST 1/4 CORNER OF SAID SECTION 25 AS THE POINT OF BEGINNING, RUN NORTH 00 DEGREES 18 MINUTES 06 SECONDS EAST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 2633.30 FEET TO THE NORTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 01 DEGREES 52 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 24, A DISTANCE OF 1774.68 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 95 (S.R. NO. 9); THENCE RUN SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 20 DEGREES 45 MINUTES 33 SECONDS EAST, A DISTANCE OF 1905.86 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 25; THENCE CONTINUE SOUTH 20 DEGREES 45 MINUTES 33 SECONDS EAST, A DISTANCE OF 1722.60 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 3669.83 FEET, A CENTRAL ANGLE OF 15 DEGREES 42 MINUTES 47 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 12 DEGREES 54 MINUTES 10 SECONDS EAST, 1003.28 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1006.44 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25; THENCE CONTINUE SOUTHERLY ALONG THE ARC OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 3669.83 FEET, A CENTRAL ANGLE OF 06 DEGREES 11 MINUTES 21 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 01 DEGREES 57 MINUTES 06 SECONDS EAST, 396.22 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 396.41 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 01 DEGREES 08 MINUTES 35 SECONDS WEST, A DISTANCE OF 699.69 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 95, RUN SOUTH 88 DEGREES 18 MINUTES 15 SECONDS WEST, A DISTANCE OF 1378.33 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25; THENCE NORTH 04 DEGREES 32 MINUTES 54 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 18.95 FEET; THENCE DEPARTING SAID WEST LINE, RUN NORTH 22 DEGREES 51 MINUTES 03 SECONDS EAST, A DISTANCE OF 194.33 FEET; THENCE NORTH 01 DEGREES 28 MINUTES 48 SECONDS WEST, A DISTANCE OF 548.48 FEET; THENCE NORTH 45 DEGREES 28 MINUTES 04 SECONDS WEST, A DISTANCE OF 181.35 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25; THENCE NORTH 04 DEGREES 32 MINUTES 54 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 227.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 112.762 ACRES, MORE OR LESS.



TO: Scott Ashley
Current Planning Manager
Building & Zoning

DATE: February 27, 2003

FROM: Jon E. Cheney
Traffic Engineer

FILE: pud-02-137.doc

SUBJECT: JK Industrial Park Rezoning Case #PUD-02-137

LOCATION: On the north side of US-1/SR-5 adjacent of I-95/SR-9

The proposed rezoning is for 122.12 acres with an existing zoning of Rural Residential (RR) to a proposed zoning of Industrial Planned Unit Development (IPUD). The existing RR zoning could produce 122 single-family residential dwelling units based upon a maximum density of one single-family residential dwelling unit per acre. The proposed IPUD zoning would produce 122.12 acres of industrial park based upon the proposed site plan.

Development from the proposed use could generate approximately 6,539 trip ends per weekday more than the existing zoning. The existing RR zoning could generate approximately 1,168 trip ends per weekday based on a trip generation rate of 9.57 trip ends per single-family residential dwelling unit. The proposed IPUD zoning could generate approximately 7,707 trip ends per weekday based on a trip generation rate of 63.11 trip ends per acre of industrial park.

The 2001 Average Daily Traffic (ADT), on US-1, 0.019 miles south of the Flagler County line was 10,300. This equates to a Level of Service (LOS), "A" for a four-lane principle arterial. This type of facility can serve 60,100 trip ends per day at a LOS "D". The 2001 ADT on I-95, between US-1 and Flagler County was 45,500. This equates to a LOS "D" for a four-lane restricted access principle arterial. This type of facility can serve 49,200 trip ends per day at a LOS "C". Our records indicate that this facility is currently backlogged and is scheduled to be increased to six lanes in Fiscal Year 2004/2005. Given the scheduled improvements for I-95, addition of the proposed 7,707 trips will not cause LOS problems for the thoroughfares in the vicinity of this development.

An evaluation of the revised traffic impact analysis provided by the developer indicates that there are several items of concern. However, on February 26, 2003, the developer Mr. Jack Knap, agreed to address all of our concerns after approval of the rezoning request for this project. Specifically, the developer has agreed to have his traffic engineer monitor the southbound left turn lanes on US-1 for the entering southbound ramp on I-95 in order for this office to determine if dual left turn lanes are needed and determine before Phase 2 of this development if more than 15% of the development traffic will be heavy vehicles (trucks) through monitoring of the project entrance. The developer is aware that these items may require additional offsite improvements. Therefore, this office does not oppose approval of the rezoning request. Additional comments may be provided at the Overall Development Plan and/or Final Site Plan stage of this development.

JEC/acc

C: Jay D. Preston, County Development Engineer
Mr. Jack Knap, Trustee, Knapp Family Revocable Trust, 1995 Northeast 118th Road, North Miami, Florida 33181
Richard Wiskeman, FDOT Permits Engineer, 1650, North Kepler Road, DeLand, FL 32720

The gross residential density after the effective date of the Comprehensive Plan shall not exceed 1 dwelling unit per acre, however, net density may be greater than 1 dwelling unit per acre.

Non-residential development shall be designed to protect the environmental resources included inside the NRMA. In addition to the minimum standards above, non-residential development proposals shall be reviewed using the following criteria:

1. reduced lot coverage for buildings or impervious surfaces if needed to protect any environmental resources.
2. increased landscaped buffers that would be added to the protection of any environmental resources on site (i.e., 10% of required buffer);
3. reduced parking areas (if documented through the development review analysis);
4. limitations on the type of industrial uses to insure neighborhood compatibility, and
5. commercial would primarily be office, neighborhood convenience or an ancillary use. More intensive commercial uses may be appropriate if not adjacent to existing residential uses.

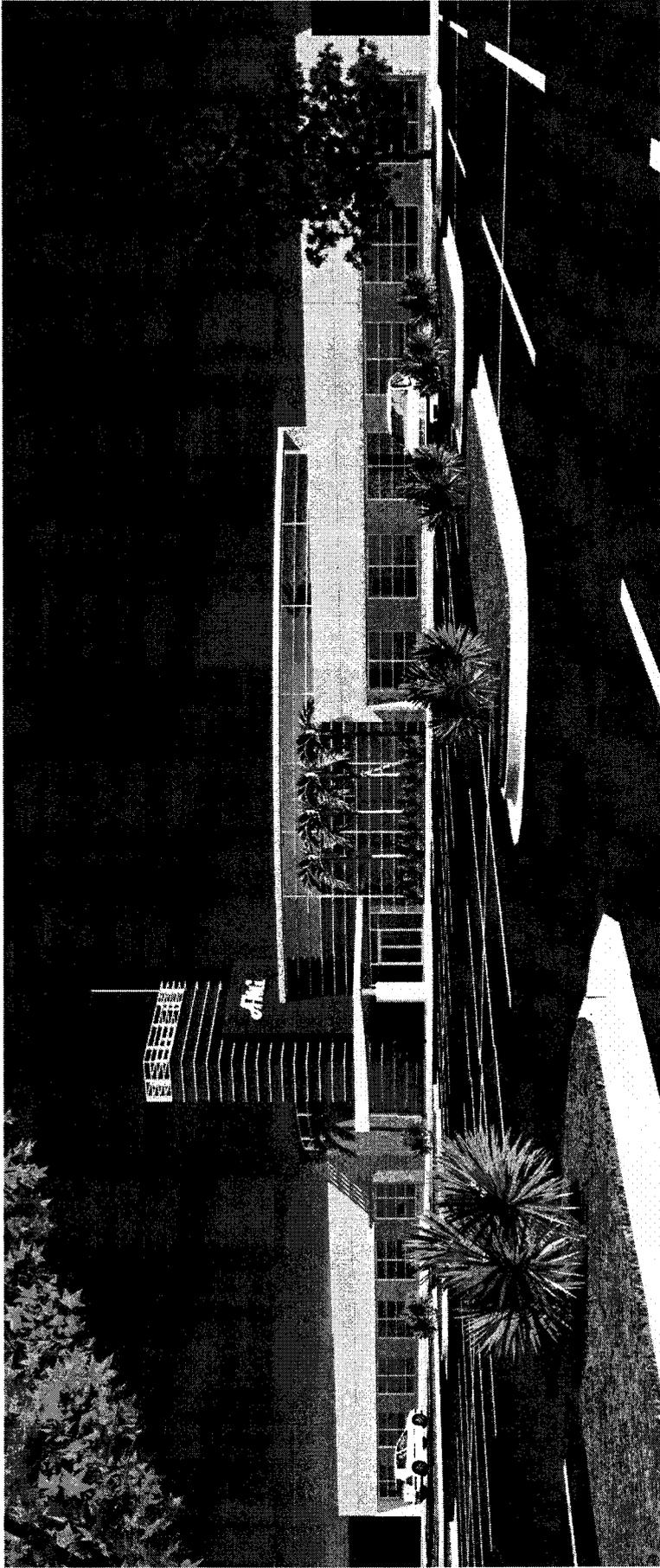
All requests for more intensive commercial uses (retail) on parcels greater than 8 acres shall be submitted as a Planned Unit Development (PUD). The PUD shall be submitted to the VGMC for review to determine if a Comprehensive Plan amendment is required or the project can proceed through the County's Zoning review process.

If a development or subdivision located inside a Low Impact Urban designation has been determined to be vested, then that development or subdivision shall be considered consistent with the Comprehensive Plan.

This subcategory will be defined as an urban classification and all development which occurs in this classification shall meet all appropriate urban policies.

3. Agricultural Resource (AR) - Areas representing land that is suited for intensive cultivation, ranching, aquaculture, and timber farming. The criteria used to identify these areas include the soil quality, existing or potential value of production, existing agricultural uses, parcel size, ownership patterns, and investment in farming. In order to protect the agricultural industry, it is important that uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed. The residential density after the effective date of the Comprehensive Plan shall not exceed 1 dwelling unit per 10 acres.
4. Rural (R) - Areas which are a mixture of agriculture and low density residential development. The density shall be determined as follows. Vacant parcels or tracts of land in the vicinity to existing subdivisions (exempt or approved under Volusia County Ordinance 72-2 or 83-3, as amended, at the time of the effective date of this Comprehensive Plan) with lot sizes from 1 unit per acre to 1 unit per 5 acres or is immediately adjacent to an urban category to allow for a transition between the

Instrument# 2006-260219 # 24
Book: 5934
Page: 3482



Elevation - Option A

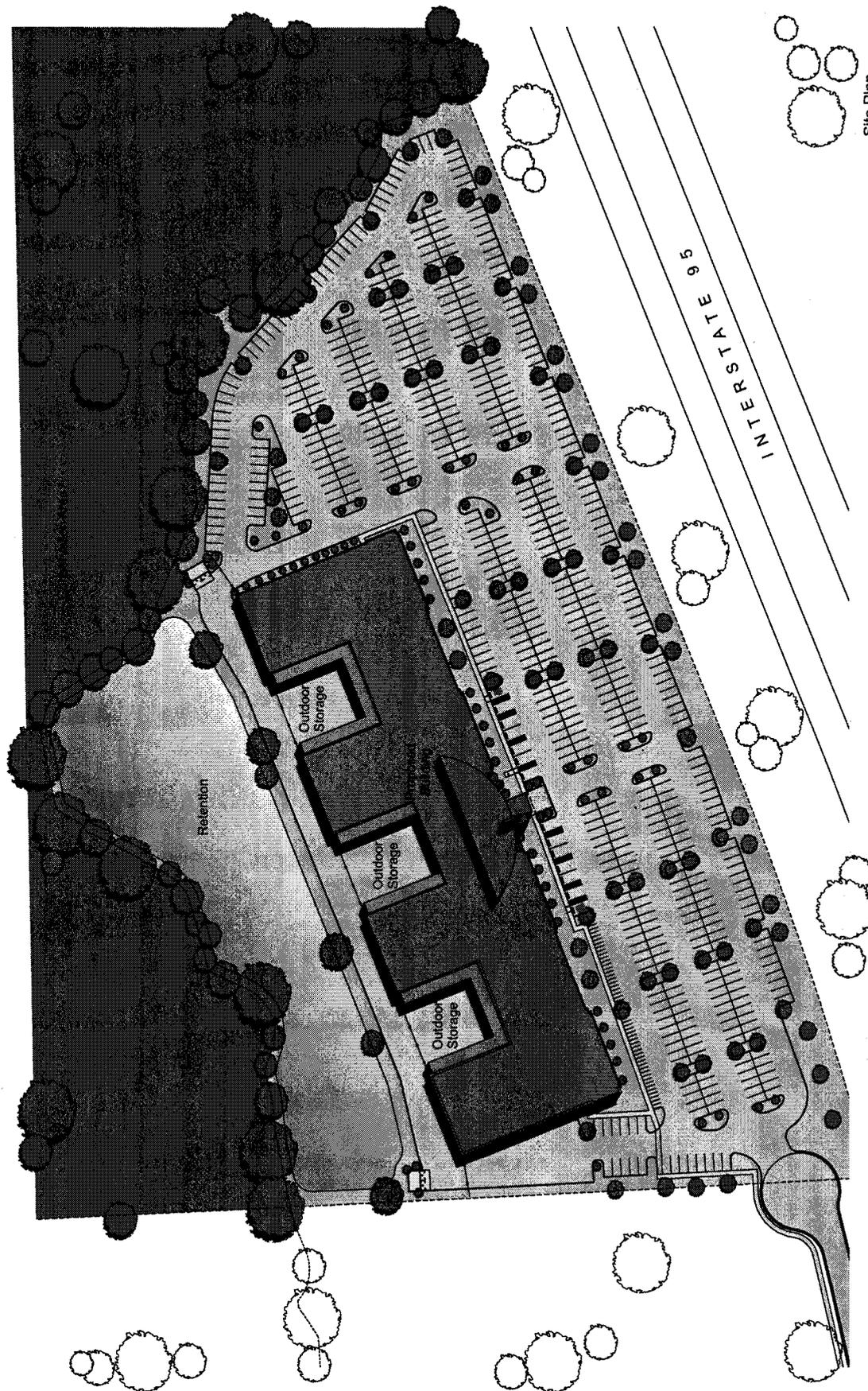


CORINTHIAN COLLEGES - AMI TRAINING/EDUCATION FACILITY

Daytona Beach, Florida
June 3, 2006

EXHIBIT D

Instrument# 2006-260219 # 25
Book: 5934
Page: 3483



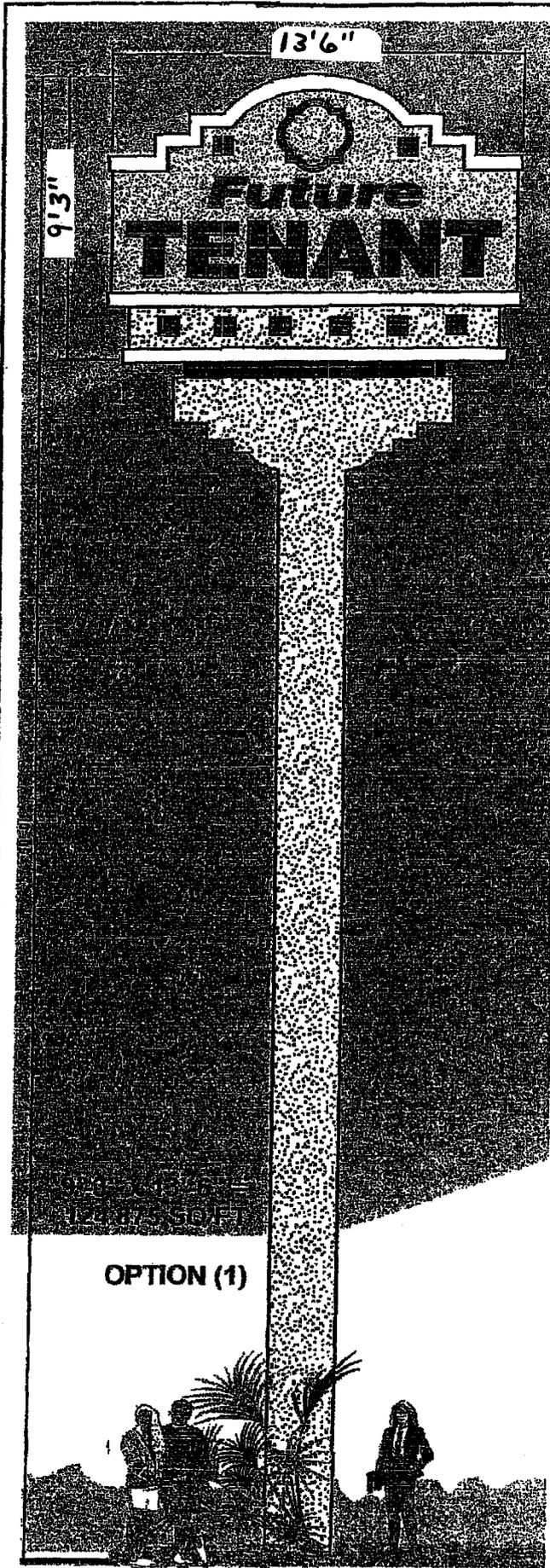
CORINTHIAN COLLEGES - AMI TRAINING/EDUCATION FACILITY

Daytona Beach, Florida
August 23, 2005



EXHIBIT D

EXHIBIT "E"
INTERSTATE INTERCHANGE SIGN



Instrument# 2006-260219 # 26
 Book : 5934
 Page : 3484
 Diane M. Matousek
 Volusia County, Clerk of Court

DE [REDACTED]-1

DATE: 02/17/04
 DESIGNER: RICK Z
 CHECKED BY:
 [REDACTED]
 1)
 2)
 3)
 4)

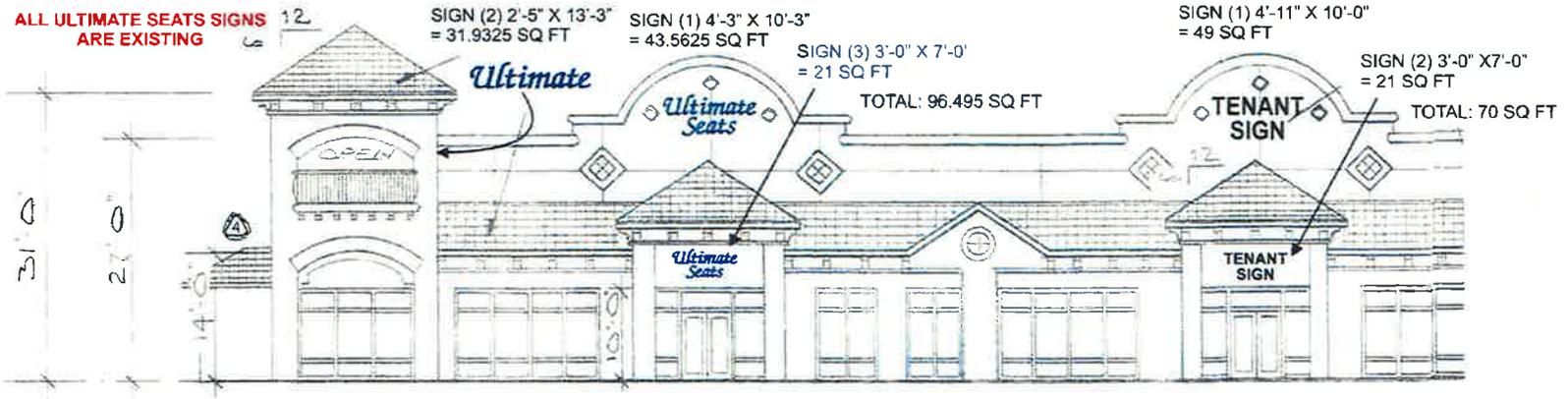
SHEET 1 OF 1
 DAYTONA HARLEY DAVIDSON
 [REDACTED]
 ORMOND BEACH, FL
 4226 [REDACTED] NOTED
 RAYMOND WEBB
 [REDACTED] GORELS

K
 KENCOR
 2000, INC.
 1507 GARDEN AVENUE
 HOLLY HILL, FLORIDA 32117
 PHONE (352) 572-1525
 1 800 528-1274 FAX (352) 572-2910

Attachment 3

Proposed wall signage

ALL ULTIMATE SEATS SIGNS ARE EXISTING



FRONT ELEVATION LEFT SIDE

68'-0" FRONTAGE

70'-0" FRONTAGE



FRONT ELEVATION CENTER SECTION

140'-0" FRONTAGE

STANLEY HOELLE
AR 0009033
1493 GRANADA BLVD
DAYTONA BEACH, FL 32117
386-295-9750

ENGINEER
INFORMATION

- CONTRACTOR- KENCO SIGNS
- 2014 FBC
- 140 MPH WIND SPEED (ASCE 7-10)
- CF=1.2 CLASS C RISK CATEGORY 2

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

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

www.kenco2000inc.com

DATE: 08/17/15
DESIGNER: RICK Z
CHECKED BY:
VERSIONS / DAB
1)
2)
3)

SHEET 1 OF 1

DESTINATION DAYTONA

ORMOND BEACH, FL 3205
NOTED
RAYMOND WEBB
COREL13

This design (text) registered or pending trademark is the property of KENCO 2000, INC. and shall not be reproduced or copied in whole or in part without the permission of the above named owner.

KENCO
Architectural
Daytona Beach | Orlando

1539 GARDEN AVENUE
HOLLY HILL, FL 32117
PHONE 386-672-1590
800-526-3291
FAX 386-677-2910

Attachment 4

Electronic changeable
copy signage



NOT TO EXCEED 30'

10'- 11"
40"
9'-10 1/2" LED DISPLAY
10'- 7"
10'- 11"
8'- 0"
31"
27"

38"
27"
36"
27"
38"
27"

DISCONNECT SWITCH

6" SLEEVED INTO 10" SCHEDULE 40 STEEL POLE
INTO 2'-0" DIA. X 6'-0" DEEP CONCRETE AUGER FOOTING

**NEW OPTEC 20MM
FULL COLOR LED
ELECTRONIC
MESSAGE DISPLAY**

SPECIFICATIONS:

MANUFACTURE & INSTALL (1) ONE NEW DOUBLE FACE LED MESSAGE BOARD POLE SIGN NOT TO EXCEED 30'. ALL ALUMINUM CONSTRUCTION W/ ALUMINUM FACE & ROUTED "DESTINATION DAYTONA" LOGO SIGN STRUCTURE TO HAVE PAINTED TEXTURED FINISH. SCALE: 3/8" = 1'-0" 4.0' x 10.0' = 40.0 sq ft

Engineering design is in accordance with the 2010 edition of the SFBC for 140 MPH regions. This design meets or exceeds the South Florida Building Code 2010. Engineering calculations are for sign support structure and foundation. Engineering calculations for 140 MPH windload region:

Section	Area	PSF	Force	Centroid	Moment	Mom/Pole	Sec/Mod
1	42	60.57	2543.923	17.5	44518.65	44518.65	17.34493
2	30	60.57	1817.088	8.5	15445.25	15445.25	6.01762
Totals			4361.011		59963.90	59963.90	23.36255 in^3

A 10 in. std. pipe w/ .365 in. wall @ 40.48 lbs./ft. yields 29.9 in^3.
A 2 ft. diameter caisson needs to be 8 ft. deep.
This base uses .9308448 yards of concrete per pole.

STANLEY HOELLE	ENGINEER INFORMATION
AR 0009033	
1493 GRANADA AVE	
DAYTONA BEACH FL 32117	
386-295-9750	

- CONTRACTOR- KENCO SIGNS
- 2010 FBC
- 140 MPH WIND SPEED (ASCE 7-10)
- CF = 1.2 CLASS C



DATE: 05/02/14
DESIGNER: KEVIN C
CHECKED BY:
REVISIONS: DATE:
1)
2)
3)

SHEET 1 OF 1
HD MONUMENT W/MESSAGE BOARD
7728 NOTED
RAYMOND WEBB
COREL 11
This design is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and all other applicable local codes. This includes proper grounding and bonding of the sign.



1539 GARDEN AVENUE
HOLLY HILL, FL 32117
PHONE 386-672-1590
800-526-3291
FAX 386-677-2910

www.kenco2000inc.com

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: September 3, 2015

SUBJECT: LDC Amendment, electronic changeable copy signage

APPLICANT: Jim Morris, Esquire

NUMBER: LDC 2015-119

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is request from Jim Morris, Esquire, to amend Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words and Chapter 3: Performance Standards, Article IV-Sign Regulations, Section 3-47, Site Identification Signs, of the Ormond Beach Land Development Code to allow electronic changeable copy signage under certain conditions.

BACKGROUND: The applicant for the Land Development Code amendment represents the property owner of Destination Daytona, Phase II. Destination Daytona, Phase II, is located in the North US1 corridor that is subject to the adopted Interlocal Service Boundary Agreement (ISBA) between the City of Ormond Beach and Volusia County. The ISBA authorizes the City of Ormond Beach to retain land use and zoning authority over properties within the agreement area regardless if the property was in Ormond Beach or unincorporated Volusia County. Destination Daytona, Phase II is located north of Destination Daytona, Phase I and west of Interstate I-95. Prior to the adoption of the ISBA, Destination Daytona, Phase II and other properties were allowed to have electronic changeable copy signage under the Volusia County land development regulations. The City of Ormond Beach Land Development Code does not allow electronic changeable copy signage.

With the implementation of the ISBA, the applicant is seeking a mechanism to allow electronic changeable copy signage within the Destination Daytona Phase II project area as was previously allowed in Volusia County. The applicant has proposed amendments to the Land Development Code and staff has provided comments and suggestions to add the proposed amendments into the existing Land Development Code format. The applicant is also applying to amend the Strasser, Destination Daytona, Phase II Planned Business Development to allow an electronic changeable copy sign.

The subject of electronic changeable copy signage was last reviewed by the Planning Board in 2010 and a proposed Land Development Code amendment reviewed on October 14, 2010. The proposed amendment was denied by a 3-3

vote. The electronic changeable copy signage Land Development Code amendment Ordinance was denied at the December 7, 2010 City Commission meeting.

ANALYSIS:

The amendment proposes to amend two Sections of the Land Development Code as follows:

Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words

Sign, Directory,...(No Change in existing text)...

Sign, electronic changeable copy, means a sign ~~with a static illuminated message area composed of a series of LED with a minimum of nine (9) pixels per LED with a one inch (1") diameter, such that it could be changed through electronic means. Such signs are not permitted to flash, scroll or otherwise be animated that displays an electronic image where the rate of change is electronically programmed and can be modified by electronic processes.~~

Sign, face or sign surface area....(No Change in existing text)...

Chapter 3: Performance Standards, Article IV-Sign Regulations, Section 3-47, Site Identification Signs

F. Electronic Changeable Copy Signs

1. Maximum Size Limit:

a. Per requirements listed in Sections B and C above and Section H below.

2. Maximum Height Limit:

a. Per requirements listed in Sections B and C above and Section H below.

3. General Requirements:

a. Electronic changeable copy signage shall be limited to the entertainment area between I-95 and Destination USA Circle, commonly referred to as Destination Daytona, Phases I and II.

b. Electronic changeable copy signage shall only be allowed as part of a Planned Business Development zoning designation.

c. The electronic changeable copy signage display screen must be integral to the design of the sign structure and shall not be the dominant element. The display area for the electronic changeable copy signage shall not exceed 60% of the proposed total sign area.

- d. Electronic changeable copy signs shall not be located within 300 linear feet of a conforming single-family residence as measured to the leading edge of the sign to the residential lot line.
- e. The pixel spacing of the electronic changeable copy signage display screen shall be 20 millimeters or less.
- f. The display of the electronic changeable copy sign shall not change more rapidly than once every two (2) minutes.
- g. The electronic changeable copy sign display shall consist of text and static images only. The display shall not appear to flash, undulate, pulse, scroll, or portray explosions, fireworks, flashes of light, or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign board.
- h. The electronic changeable copy sign display shall have a one-color background with only the message image lit in a one-color or multi-color copy.
- i. All electronic changeable copy signs shall have installed ambient light monitors to automatically adjust the brightness level of the electronic changeable copy sign based on ambient light conditions.
- j. Electronic changeable copy sign permit applications shall be submitted and reviewed by the City's Site Plan Review Committee for a determination that the application is consistent with the terms and provisions of the planned development. The Site Plan Review Committee shall issue a final recommendation to the Planning Board and City Commission within thirty (30) days of receipt of a completed application. Electronic changeable copy sign permit applications shall require review of the Planning Board and approval of the City Commission as a Planned Business Development or a Planned Business Development amendment.
- k. Electronic changeable copy sign permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for display operations.
- l. Electronic changeable copy sign permit applications must also include a certificate from the owner of operator of the sign stating that the sign shall at all times be operated in accordance with the adopted Ormond Beach *Land Development Code* and *Code of Ordinances* and that the owner or operator shall provide proof of such conformance upon request of the City.

The applicant's amendment seeks to allow electronic changeable copy signage as follows:

1. Any electronic changeable copy signage must be approved through the Planned Business Development process with review by the Planning Board and approval of the City Commission. Any proposed electronic changeable copy signage would require a public hearing review.
2. Electronic changeable copy signage is limited along the North US 1 and I-95 corridor within the Destination Daytona, Phase I and II, project area. In discussions with the applicant, Planning staff explained the history of the 2010 amendments related to electronic changeable copy signage and detailed that any amendment should be narrow in focus. The result was the potential area for electronic changeable copy signage is recommended to be limited to the entertainment area of the Destination Daytona projects.
3. The display area for electronic changeable copy signage is proposed at 60% of the proposed sign area.
4. There is a 300' distance separation between electronic changeable copy signage and any residential lot.
5. The amendment incorporates a number of operational standards proposed with the 2010 Land Development Code amendment including no motion to the electronic changeable copy signage, display limits, brightness standards, and review standards.

Planning staff acknowledges that with the adoption of the ISBA, properties that were previously in Volusia County no longer have the ability to erect electronic changeable copy signage. Destination Daytona, Phase I has an existing electronic changeable copy signage since 2008 and staff is not aware of any issues with this sign. Staff is also aware of the 2010 Land Development Code proposed amendment regarding electronic changeable copy signage that was never adopted. The proposed amendment is narrow in focus encompassing the Destination Daytona entertainment area only and preserves the right for staff, the Planning Board, and the City Commission to review electronic changeable copy signage through a public hearing process. In addition, the proposed amendment includes operational standards to further ensure the compatibility of electronic changeable copy signage. Destination Daytona is a unique development that has different characteristics than the rest of the City based on its size, focus on entertainment, variety of uses, and location to Interstate 95.

CONCLUSION:

There are certain criteria that must be evaluated before adoption of an amendment according to the Land Development Code (LDC); the Planning Board must consider the following criteria when making their recommendation.

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

The proposed Land Development Code amendment will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life. The purpose of the amendment is to allow a signage type previously allowed by Volusia County, recognize a new technology and provide regulations for its use within the City.

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

The Comprehensive Plan does not provide any direct Goals, Objectives, or Policies regarding signage. The Comprehensive Plan does address the need to maintain the aesthetics and character of the City. The original intent of the sign amendments was to provide a balance between the residential nature of the City and the desire for non-residential development to have adequate signage to provide advertising necessary to maintain their businesses. The location selected for electronic changeable copy signage is not located in close proximity to residential uses and is in an area intended for entertainment area located along North US Highway 1 and Interstate I-95.

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

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

The proposed

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

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

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

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

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

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

Land Development Code amendment has been drafted not to create visual impacts on adjoining properties or depreciate the value of surrounding properties. The proposed amendment is limited in areas that allow electronic changeable copy signage and contain operational standards.

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

The proposed Land Development Code amendment is not applicable to public facilities.

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

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

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

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

RECOMMENDATION:

It is recommended that the Planning Board recommend **APPROVAL** for the amendments displayed in Attachment 1 amending Chapter 1: General Administration, Article III-Definitions, Section 1-22, Definitions of Terms and Words and Chapter 3: Performance Standards, Article IV-Sign Regulations, Section 3-47, Site Identification Signs of the Land Development Code to allow electronic changeable copy signage under certain conditions.

Attachment:

Attachment 1: Electronic changeable copy signage Land Development Code Amendment

ATTACHMENT 1

Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of terms and words

Sign, Directory,...(No Change in existing text)...

Sign, electronic changeable copy, means a sign ~~with a static illuminated message area composed of a series of LED with a minimum of nine (9) pixels per LED with a one inch (1") diameter, such that it could be changed through electronic means. Such signs are not permitted to flash, scroll or otherwise be animated~~ that displays an electronic image where the rate of change is electronically programmed and can be modified by electronic processes.

Sign, face or sign surface area....(No Change in existing text)...

<p>D. Changeable Copy Signs</p>	<p>1. Maximum Size Limit: a. Per requirements listed in Section B and C above.</p>	<p>2. Maximum Height Limit: a. Per requirements listed in Section B and C, above.</p>	<p>3. General Requirements: a. The background of the changeable copy signage shall be white and the letters shall be black. No other colors are permitted. b. Changeable copy signs shall be prohibited for industrial and residential (apartments, duplexes, single-family) uses. c. Changeable copy signs shall be included as part of the permitted sign area and shall not exceed the following percentage of the overall square footage allowed by this Section as follows: (1) 80%: Convenience stores with gas pumps, governmental signage, movie theaters and other performance/entertainment facilities. (2) 50%: All other uses.</p>
<p>E. Directory Signs</p>	<p>1. Maximum Size Limit: a. Thirty-two (32) square feet.</p>	<p>2. Maximum Height Limit: a. Seven feet (7') in height as measured from site grade or crown of the road, whichever is higher.</p>	<p>3. General Requirements: a. The sign shall not be located within 15' of any public right-of-way. b. The sign shall be intended to be viewed from the public right-of-way. c. A uniform sign plan is required.</p>
<p>F. Electronic Changeable Copy Signs</p>	<p>1. Maximum Size Limit: a. <u>Per requirements listed in Section B and C above and Section H below.</u></p>	<p>2. Maximum Height Limit: a. <u>Per requirements listed in Section B and C above and Section H below.</u></p>	<p>3. General Requirements: a. <u>Electronic changeable copy signage shall be limited to the entertainment area between I-95 and Destination USA Circle, commonly referred to as Destination Daytona, Phases I and II.</u> b. <u>Electronic changeable copy signage shall only be allowed as part of a Planned Business Development zoning designation.</u> c. <u>The electronic changeable copy signage display screen must be integral to the design of the sign structure and shall not be the dominant element. The display area for the electronic changeable copy signage shall not exceed 60% of the proposed total sign area.</u> d. <u>Electronic changeable copy signs shall not be located within 300 linear feet of a conforming single-family residence as measured to the leading edge of the sign to the residential lot line.</u> e. <u>The pixel spacing of the electronic changeable copy signage display screen shall be 20 millimeters or less.</u> f. <u>The display of the electronic changeable copy sign shall not change more rapidly than once every two (2) minutes.</u> g. <u>The electronic changeable copy sign display shall consist of text and static images only. The display shall not appear to flash, undulate, pulse, scroll, or portray explosions, fireworks, flashes of light, or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign board.</u> h. <u>The electronic changeable copy sign display shall have a one-color background with only the message image lit in a one-color or multi-color copy.</u> i. <u>All electronic changeable copy signs shall have installed ambient light monitors to automatically adjust the brightness level of the electronic changeable copy sign based on ambient light conditions.</u> j. <u>Electronic changeable copy sign permit applications shall be submitted and reviewed by the City's Site Plan Review Committee for a determination that the application is consistent with the terms and provisions of the planned development. The Site Plan Review Committee shall issue a final recommendation to the Planning Board and City Commission within thirty (30) days of receipt of a completed application. Electronic changeable copy sign permit applications shall require review of the Planning Board and approval of the City Commission as a Planned Business Development or a Planned Business Development amendment.</u> k. <u>Electronic changeable copy sign permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for display operations.</u></p>

			<p>1. <u>Electronic changeable copy sign permit applications must also include a certificate from the owner of operator of the sign stating that the sign shall at all times be operated in accordance with the adopted Ormond Beach <i>Land Development Code</i> and <i>Code of Ordinances</i> and that the owner or operator shall provide proof of such conformance upon request of the City</u></p>
<p>FG. Historic District/Bed & Breakfast Signs</p>	<p>1. Maximum Size Limit: a. Residentially zoned property: Sixteen (16) square feet. b. Commercially zoned property: Thirty-two (32) square feet.</p>	<p>2. Maximum Height Limit: a. Per requirements listed in Section B, above.</p>	<p>3. General Design Standards: a. The building shall be listed on the Local Landmark or National Register List.</p>
<p>GH. Interstate 95 Interchange Signs</p>	<p>1. Maximum Size Limit: a. Signage shall be determined based on the amount of lot frontage on a public street where the property is addressed from. b. Four (4) square feet for each ten feet (10') of lot frontage on a public street for the first 200', plus one (1) square foot for each ten feet (10') of lot frontage thereafter, but not to exceed a maximum limit of 125 square feet.</p>	<p>2. Maximum Height Limit: a. Fifty feet (50') in height as measured from site grade or crown of the road, whichever is higher.</p>	<p>3. General Requirements: a. I-95 frontage areas are defined as those properties with at least 100 feet of property line frontage along the I-95 right-of-way. Each such property shall be permitted one additional site sign, oriented toward I-95. b. Maximum of four (4) tenant panels.</p>