



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

**February 11, 2016**

**7:00 PM**

**City Commission Chambers**

22 South Beach Street

Ormond Beach, FL

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

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

- I. ROLL CALL**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. NOTICE REGARDING ADJOURNMENT**

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

- V. APPROVAL OF THE MINUTES: January 14, 2016**
- VI. PLANNING DIRECTOR'S REPORT**

**VII. PUBLIC HEARINGS****A. LUPA 2016-018: 101 Bennett Lane and 634 Tomoka Avenue – Small-Scale Land Use Map Amendment**

This is an administrative request, to amend the following Sections of the Ormond Beach Land Development Code **(1)** amend Chapter 1, General Administration, Article II, Administration and Enforcement, **Section 1-18**, City Commission, to amend notification requirements for Special Exceptions before the City Commission from certified mailings to regular mailings; and **(2)** amend Chapter 1, General Administration, Article III, Definition and Acronyms, **Section 1-22**, Definition of terms and words to modify the following definitions: farmers market, community residential home, lot split, screen enclosure, principal use, restaurants, type B, and restaurants, type C, and **(3)** amend Chapter 1, General Administration, Article III, Definition and Acronyms, **Section 1-31**, Concurrency assessment to remove references to the Development Review Board (no longer exists); and **(4)** amend Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, **Section 2-57**, Criteria for review of specific conditional and special exception, to modify the criteria for manufactured home community, mobile home community, and garden center/nursery; and **(5)** Chapter 2, District and General Regulations, Article VI, Overlay Districts, **Section 2-71**, Historic districts and landmarks to clarify that there is no cost to applicants seeking to designate historic districts and landmarks.

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

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

January 14, 2016

7:00 PM

**City Commission Chambers**

22 South Beach Street  
Ormond Beach, FL 32174

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**

Members Present

Pat Behnke  
Harold Briley  
Lewis Heaster (excused)  
Al Jorczak  
Rita Press  
Lori Tolland  
Doug Thomas

Staff Present

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

**II. ADMINISTRATIVE ITEMS**

**A. Election of Chairperson and Vice Chairperson**

**Mr. Jorczak moved to appoint Rita Press as Chair. Ms. Press declined the nomination.**

**Mr. Jorczak moved to appoint Doug Thomas as Chair. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved.**

**Mr. Jorczak moved to appoint Harold Briley as Vice Chair. Ms. Tolland seconded the motion. Vote was called, and the motion unanimously approved.**

**B. Adoption of the 2016 Planning Board Calendar**

**Ms. Behnke moved to adopt the 2016 Planning Board Calendar. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved.**

### C. Adoption of 2016 Rules of Procedure

**Mr. Briley moved to adopt the 2016 Rules of Procedure. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved.**

### III. INVOCATION

Mr. Briley led the invocation.

### IV. PLEDGE OF ALLEGIANCE

### V. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD 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).

### VI. MINUTES

#### **December 10, 2015**

Mr. Briley moved to approve the December 10, 2015 Minutes. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved.

### VII. PLANNING DIRECTOR'S REPORT

Mr. Goss, Planning Director, indicated to the Planning Board that the draft bike plan, which is currently a subject of neighborhood meetings, will probably be on the February agenda. The bike plan has been presented to the Quality of Life Board, Public Works Advisory Board, and to four neighborhood meetings. The plan proposes 15 miles of shared use path at a cost of about 5.3 million dollars. A cost benefit analysis was performed and for every \$1.00 expended on the bike paths a benefit of \$2.00 in reduced injury and increased health benefits is derived.

The planned demolition of the vacant Texaco and Burger King at the corner of Nova and SR40 is on schedule. Steve Spraker spent much of Thursday inspecting the site. The fence is up and the erosion & sedimentation barrier is being put in place prior to demolition. A building permit and demolition permit is pending.

### VIII. PUBLIC HEARINGS

#### **A. LUPA 16-018: 101 Bennett Lane and 634 Tomoka Avenue – Small-Scale Land Use Map Amendment**

Mr. Steven Spraker, Senior Planner, City of Ormond Beach, stated that this was a request for a Small Scale Comprehensive Plan Land Use Amendment, for property at 101 Bennett Lane and 634 Tomoka Avenue. The application seeks to amend the land use designation totaling 8.60 acres from "Low Density Residential" to 6.0 acres of "Open Space/Conservation" and 2.60 acres of "Residential, Office, Retail." Mr. Spraker explained the background for changing the land use category, and

presented the staff report. Mr. Spraker stated staff is recommending approval of the amendment.

Mr. Jorczak stated that this property is involved in a larger project that is being envisioned for adjacent land that it can be coupled with. As the City looks at requests where land is being grouped for a larger development, but the Board is looking at individual pieces as they come up for discussion, is there some overview that the City does to look at the Master Plan. Mr. Jorczak asked if the City looks at the overall objective that is being proposed as the Land Uses are being put together for a project, and take that into consideration with respect to traffic issues and what is anticipated for the future.

Mr. Spraker stated yes, and that is why the map is included and Staff and the applicant wanted to give everyone the total picture. At this stage of the overall application, the only discussion coming before the Board is whether this is an appropriate change of land use for this particular parcel. Looking at the overall shape of the south side of the parcel, one of the key issues is that there isn't sufficient size to do commercial development. This application is trying to amass a land area to put together a coordinated plan, and the stormwater area is used as the buffer and the drainage for the area, so it isn't negatively impacting other properties.

Mr. Paul Holub, 675 N. Beach Street, applicant, stated that the stormwater parcel being asked for the Open Space/Conservation Land Use, that six acres have been designed to give a buffer to the neighborhood. This Land Use is a key component to the overall project because this area is land in the flood plain, so there needs to be stormwater and compensatory storage. There was a voluntary neighborhood meeting, which was not required, and notices were sent out to people within a 300' radius.

Ms. Press stated that this property has had two other applicants over the years, and in both of the proposals, she doesn't remember that they included the stormwater retention pond. This is the first time a proposal has been given with the stormwater included. Ms. Press asked if the property that Mr. Holub will be coming to the Board for a Planned Business Development will need a lot of fill, and by taking the fill out of the stormwater area, how deep will the retention pond be?

Mr. Holub stated that he does not have the plans with him, but he believes the deepest section will be 12-14 feet in the center. Whether stormwater or compensatory storage, the pond will need to be excavated.

Ms. Press asked if there would be some kind of fence around the pond. Mr. Holub stated yes, portions of it will have a fence, and other portions will have a natural buffer, depending on how dense the buffer is. Other portions of the pond, toward the commercial area, will have a masonry privacy wall.

Mr. Briley asked if Staff had requested the fence. Mr. Holub replied that he is waiting for Staff to let him know what the requirements are for fencing. Most likely, for safety reasons, a fence will be put in because of the size and depth of it.

Chairman Thomas asked Mr. Holub if his engineers have told him if this will be natural water in the pond. Mr. Holub stated that there will be more than enough

storage for the stormwater, and the excavation is really for the compensatory storage requirements. The pond will have a fountain on it and will be wet all of the time.

Ms. Press asked that in order to excavate the area, pumps will be needed, and how long does Mr. Holub think the pumps will be working. Mr. Holub stated that a lot of fill is required for the property, and the pumps will probably run for months. Ms. Press stated that the fencing that was put around the retention pond at the corner of Tymber Creek and Airport Road is very attractive.

Ms. Barbara Bennett, 107 Bennett Lane, stated that if the pumps are going to run for months, where is the water going to go to? Ms. Bennett also wanted to know if there will be a concrete wall between her property and whatever is going to be developed, or will they leave the trees. Mr. Holub explained that there is an outfall that goes under Granada at the triangular property, and that is where the water will go when it is pumped. As far as the retainer wall, there will not be one. On the west side of the property there will be a natural buffer, and within that buffer is where the fence would go.

Mr. Randy Hayes, City Attorney, stated that this meeting is for the Land Use change, and following it there will be a zoning component, and then the Site Plan Review, which is what most of the residents will be more interested in. The Board's decision should be based on the Land Use criteria and not the Site Plan.

Ms. Bennett was wondering what kind of noise would be coming from whatever is developed at this site, and will there be a concrete wall put in to cut down on the noise. Chairman Thomas stated that when this gets to the Site Plan Review phase, then items such as this will be addressed.

Mr. Robert Belluscio, 556 Woodgrove, stated that he did receive a letter about the hearing, which included a map, but nowhere in the letter did it state that this was all part of a much larger project. If the letter would have stated that, there would be a lot more people in attendance. It also states that this land will become a conservation area, and now they find out that it includes a pond. This means that all of the vegetation that is there now, creating a buffer between the neighborhood and all the noise from Granada, will be coming down. Mr. Belluscio stated that he is against this because it will eliminate the buffer and he has no idea what will happen to the land, and then the neighbors will have to come in to a meeting again when the plans are presented, and then they will be told that it is too late, because the plans have been approved for that type of development.

Chairman Thomas stated that Mr. Jorzak talked about this earlier, and how land use and zoning issues are looked at parcel by parcel, but are all part of a master plan.

Attorney Hayes stated that there are some procedural matters that need to be dealt with by law. There are three significant steps, and the third step is the one that is most important to the residents, because that is the actual site development application. But, before that can happen, one has to go through an application for a land use change, then it has to go through re-zoning of the property to accommodate the land use change. Those two steps allow someone who wants to develop a site to submit an application to develop the site, and that is where the questions about

buffering, traffic impacts, setbacks, aesthetics, and those types of details will come up.

Chairman Thomas asked Attorney Hayes to explain where the laws come from that determine the steps that need to be taken. Attorney Hayes stated that there are Florida statutes that govern the guidelines that need to be taken. Mr. Belluscio stated that he has no problem with the laws, he just knows that the residents lose their argument, once the property change is approved. He is against this change, mainly because the developer is planning to take the vegetated area out and make it an open space with a pond and fence around it.

Mr. Holub stated that a neighborhood meeting is not required for this phase, but he spoke with Mr. Spraker and they decided to have a meeting. He secured a list of addresses from the county, sent out a certified mailing to residents within 300' and there were three people who showed up for the meeting. Mr. Holub continued that the conservation area could have been a number of things besides a pond. They are voluntarily putting in the conservation area so there will not be homes built on it, as could be done today under the present land use. There will not be any commercial development on that piece of property. By designating it as an open space/conservation area, there is no surprise as to what is going in that area. There will be another neighborhood meeting in the future, but Mr. Holub stated that he would be happy to meet with people at any time, but at this time there are a dozen concept plans, and they aren't sure where their final development plan will end up.

Ms. Press thinks this Board should consider requiring a sign be posted for this stage of a project, so that all of the residents would see that there is something going on with a property. Attorney Hayes stated that the legal requirements are scripted out as to what needs to be done. We have broadened the boundary already by giving notice to the residents within 300'. If an applicant wants to inform the residents at a neighborhood meeting like Mr. Holub did, for the land use and zoning, that is fine. There is a way to serve the purpose of what Ms. Press is suggesting. Requiring it with a local ordinance, would not keep it consistent with the state law requirements for land use and zoning changes.

Ms. Press stated that she has been involved in a lot of projects over the years, and one of the problems is that only people within 300' are notified, when some projects affect most of the city. Ms. Press asked why a sign couldn't be posted. Atty. Hayes stated that expanding the base further than 300' is a different issue than providing notice of a potential site development during the land use or zoning change application. Assuming the land use and zoning go through, there is no guarantee that the land owner is going to submit an application any time soon to develop the property. Atty. Hayes continued that just as good neighbors, there could be a way for the developer to sit down with the residents that are affected and have discussions.

Mr. Briley asked Mr. Spraker about the acreage that is being designated for open space/conservation, if there were to be homes put on the property, how many homes could be put on the parcel, and would a developer have to come before the Board for a public hearing. Mr. Spraker answered that approximately 24 homes could be put on the property, and it is zoned R-3 which would not require a public hearing, but would go through site plan and development work, and would have compensatory storage.

Mr. Jorczak referred to the Transportation Concurrency Exception Area of the Staff Report, and asked if there are any statutory requirements that, once the zone is established, would impede the ability to present information up front with respect to what a development is; the fact that this territory is part of the Concurrency Exception Map, which mandates that certain things are done in the area. Mr. Spraker stated that the Staff Report states that there are key things, such as access management, bike facilities and sidewalk connectivity, that basically looks at other modes of transportation besides a car; i.e. bus shelters, bus routes, etc. and trying to integrate all of the modes of travel within this corridor. Access requirements will come at site development when the project is proposed, but has nothing to do with notification to residents.

Ms. Brenda Bennett-Martino, 79 Mayfield Circle, daughter of Brenda Bennett who spoke earlier, stated that she grew up on Bennett Lane and would like this area to remain residential. This is where she grew up, there is a lot of wildlife there, and she would like the land to remain the way it is. Ms. Bennett-Martino wanted the Board to know that her parents did not receive notice of the neighborhood meeting, and their name is not on the list. Ms. Bennett-Martino attended the meeting with her mother and gave Mr. Holub their name and address on one of his business cards. This area was the original Tomoka settlement, and the Bennett's are the original pioneers from the 1800's.

Mr. Greg Wiersig, 562 Woodgrove St., stated that this is a buildable area right now, no matter what goes in there, it is buildable. Mr. Spraker stated that the existing land use also allows institutional uses, such as churches or child care facilities, so it has a set of land uses that individuals could develop right now, not only on this parcel, but any of the low density residential.

Chairman Thomas stated that as time goes on, something, someday, will be built there and chances are it won't remain in the state it is now. Mr. Spraker agreed that chances are it will not remain vacant land.

Mr. Briley added that with the open space/conservation it will be a much less intensive use than if you had residential or some of the other uses that are allowed by the zoning and land use. Mr. Spraker explained that currently there is a series of land uses, about 10, allowed right now. With the proposed land use, it has been narrowed down to basically one, which is a stormwater pond. So, the potential uses of the property have been narrowed down to one use.

Ms. Behnke stated that she can see this taking a big chunk out of residential land, but obviously it hasn't been built on. She can appreciate keeping the pond in a natural state as much as they can. Ms. Behnke has a problem with the traffic that could possibly be coming out onto Bennett Lane and Tomoka Ave. Mr. Holub stated that the future proposed project has zero access to Bennett Lane, and there will be improvements to Tomoka Ave.

Ms. Tolland asked that when a project of this size is being developed, are there regulations on how much can be kept in a natural state, or does it always have to be cleared and dug out, with a certain amount of water at the location. Mr. Holub stated that for the compensatory storage requirements that both the city and FEMA have, if you don't have a natural area for stormwater to go to, you have to actually dig and excavate to create the compensatory storage area.

**Mr. Jorczak moved to approve LUPA 2016-018, 101 Bennett Lane and 634 Tomoka Avenue Small-Scale Land Use Map Amendment. Mr. Briley seconded the motion. Vote was taken and the motion carried unanimously (6-0).**

**B. LUPA 16-023: 500 Tymber Creek Road – Small-Scale Land Use Map Amendment**

Mr. Spraker stated that this is an application for a Land Use change at 500 Tymber Creek Road. Mr. Spraker explained the location and the background for changing the land use category, and presented the staff report. Mr. Spraker stated staff is recommending approval of the amendment.

Mr. Paul Partyka, Winter Springs, FL, stated that the property is being sold, and the new owner wants to turn this property into a wholesale nursery. The mulching operation that is currently there will go away. Mr. Partyka also thanked Staff for being prompt and efficient and handling the process in a professional manner.

Mr. Jorczak added that this is an excellent use of this property, and it will be great with another business coming into Ormond Beach.

Ms. Press stated that the site is not an asset to the area right now, and any improvement will be welcome.

**Mr. Briley moved to approve LUPA 16-023: 500 Tymber Creek Road – Small-Scale Land Use Map Amendment. Mr. Jorczak seconded the motion. The motion carried unanimously (6-0).**

**C. RZ 16-024: 500 Tymber Creek Road – Zoning Map Amendment**

Mr. Spraker stated that this is the corresponding zoning to the property at 500 Tymber Creek Road. The proposed garden center is a conditional use, so there will be a process to work through for it. Mr. Spraker stated staff is recommending approval of the amendment.

**Mr. Jorczak moved to approve RZ 16-024: 500 Tymber Creek Road – Zoning Map Amendment. Ms. Behnke seconded the motion. The motion carried unanimously (6-0).**

**OTHER BUSINESS**

There was none.

**IX. MEMBER COMMENTS**

Mr. Jorczak commended the Civil Air Patrol Cadet Corp. in Ormond Beach for accomplishing a very significant event in winning the national first place position for the 6-member team. They competed in color guard challenges, aero-space knowledge, physical fitness, public speaking, model rocketry, leadership and uniform inspections. We have a core of young people that are absolutely dedicated to moving on with a very vital service that this organization provides to the citizens of the nation, and it is remarkable that we have this group of young people in our community.

Ms. Tolland wanted to compliment the City on how beautiful it looked over the Christmas season. It is such a nice place to live and she feels very blessed.

Ms. Press hopes that the City can work to find some way to let people know when a project is coming up within the City.

Chairman Thomas stated that he hopes the Board understands that sometimes he lets the meeting go on a little longer because he attends a lot of City Commission meetings, which have to be more structured and they have to abide by specific rules, and sometimes people leave the meetings and are upset because their voice wasn't heard. Chairman Thomas would rather have the meeting run longer, and give people a chance to express themselves. If he were the one sitting in the audience he would want to leave the meeting knowing that someone cared enough to listen. And this Board does a wonderful job with that.

Ms. Press stated that she went to the meeting Mr. Holub held, and one of the women stated, "What difference does it make?" That is why the Board should give them the time to speak and as a Board we should do everything to make sure the people understand what is happening. Chairman Thomas stated the he sees the Board as a filtering prior to the City Commission meetings, so that when the people come to the Commission meetings, they don't have that feeling of "What good is this doing?"

Mr. Jorczak stated that our current chairperson has done a fantastic job, and his suggestion to nominate another chairperson was done to change the leadership of the Board for the diversity that it would bring to the group. No one on the Board has come to meetings more prepared than Ms. Press, in researching the issues that are brought before the Board. Her perspective when she speaks are extremely important, and she does her homework.

Mr. Briley stated that he wanted to wish everyone a Happy New Year, and thanked the Board for their support. Just getting back from Tallahassee, one of the issues that came up, realtors are pushing the legislature to eliminate the lease tax on commercial properties. This is the only state in the union that charges sales tax on commercial leases, and it is so business unfriendly. If any of you get the opportunity, you might want to call your legislator because we have lost businesses in Ormond Beach because of this.

Mr. Jorczak added that some additional relief needs to happen to the sales tax charged to manufacturing businesses for equipment. Other states offer incentives for businesses to come in. These elements that impact businesses are absolutely critical for Florida to get away from the tourist side of Florida and get a more diversified economy.

Mr. Dwight Selby, 1535 Oak Forest Drive, stated that the sales tax on commercial leases can be a triple net, where the tenant pays a base rent, and then on top of the base rent they also pay the operating expenses of the property, the insurance and the real estate taxes. So, you add those items in, and then they pay sales tax on all of those items, so they are actually paying sales tax on the real property taxes. Even on gross rentals, where everything is inclusive, they are still paying it there. It would be great for recruiting businesses, especially those companies that are

looking at various states. The costs are all added up, and other states don't charge the additional tax.

Mr. Jorzak added that states are losing businesses, because the businesses can't afford to absorb the additional taxes. Businesses are also relocating to areas that can support greater technology jobs.

**X. ADJOURNMENT**

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

---

Ric Goss, AICP, Planning Director

ATTEST:

---

Doug Thomas, Chairman

*Minutes transcribed by Melanie Nagel.*

# STAFF REPORT

## City of Ormond Beach Department of Planning

**DATE:** February 4, 2016

**SUBJECT:** Miscellaneous Administrative Land Development Code amendments

**APPLICANT:** Administrative

**NUMBER:** LDC 2016-032

**PROJECT PLANNER:** Steven Spraker, AICP, Senior Planner

### INTRODUCTION:

This is an administrative request, to amend the following Sections of the Ormond Beach Land Development Code **(1)** amend Chapter 1, General Administration, Article II, Administration and Enforcement, **Section 1-18**, City Commission, to amend notification requirements for Special Exceptions before the City Commission from certified mailings to regular mailings; and **(2)** amend Chapter 1, General Administration, Article III, Definition and Acronyms, **Section 1-22**, Definition of terms and words to modify the following definitions: farmers market, community residential home, lot split, screen enclosure, principal use, restaurants, type B, and restaurants, type C, and **(3)** amend Chapter 1, General Administration, Article III, Definition and Acronyms, **Section 1-31**, Concurrency assessment to remove references to the Development Review Board (no longer exists); and **(4)** amend Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, **Section 2-57**, Criteria for review of specific conditional and special exception, to modify the criteria for manufactured home community, mobile home community, and garden center/nursery; and **(5)** Chapter 2, District and General Regulations, Article VI, Overlay Districts, **Section 2-71**, Historic districts and landmarks to clarify that there is no cost to applicants seeking to designate historic districts and landmarks.

### BACKGROUND:

Over time there are specific minor updates to the Land Development Code that have been identified as in need of amending. The proposed amendments involve procedural updates and are not items that would implement major changes, such as allowing certain uses or amending zoning district setbacks. Planning staff has grouped the amendments into five Sections of the Land Development Code. The staff report shall detail and analyze each of the changes in the analysis portion of this report. The attachments will separate the amendments by Section and the Planning Board may vote on the amendments individually if desired or elect to vote on the entire packet.

**ANALYSIS:**

**Amendment 1: Mailings for Special Exceptions before the City Commission.**

Section of Land Development Code (LDC)	Amendment
Chapter 1, General Administration, Article II, Administration and Enforcement, <b>Section 1-18</b> , City Commission.	Section 1-18(b)(2). The city shall notify, by <del>certified mailing list</del> <u>regular mail</u> , all property owners as identified in the current tax roll within three hundred feet (300') at least fourteen (14) days prior to the city commission meeting. The notice shall state the date, time, place and purpose of the meeting and that interested persons will have an opportunity to be heard.

The Land Development Code was amended in 2009 to require notification for public hearings to be sent via regular mail instead of certified mailings. Applications with regular U.S. mail include variances, planned developments, Certificate of Appropriateness, and Special Exceptions before the Planning Board. The purpose of the change to regular mail was a belief that more property owners were notified by regular mail than utilizing certified mailings. The advertising requirement for Special Exceptions before the City Commission was not amended in 2009. Planning staff seeks to allow notice to be sent via regular mail with this amendment with the intent to improve notification by reaching more property owners

**Amendment 2: Definitions.**

Section of Land Development Code (LDC)	Amendment
Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b> , Definition of terms and words.	<b>Farmers Market:</b> <i>Farmers' market</i> means an enclosed, partially enclosed, or outdoor use where space is divided into booths, tables or partitioned into rental space so that farmers <u>and artisans</u> can market their goods. Farmers' markets are limited to the sale of fresh fruits, vegetables, dried fruits, fresh and dried herbs, nuts, honey, eggs, <u>homemade food items</u> , houseplants, <del>and</del> <u>cut flowers, and locally handmade arts and crafts (predominately handcrafted within a 100 mile radius of the market).</u>

<p>Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b>, Definition of terms and words.</p>	<p>Community residential home means a dwelling unit licensed to serve residents who are clients of the department of elderly affairs, the agency for persons with disabilities, the department of juvenile justice, or the department of children and family services or a dwelling unit licensed by the agency for health care administration. Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. <del>Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of one thousand feet (1,000') of another existing such home with six (6) or fewer residents. Homes which provide a living environment for seven (7) to fourteen (14) unrelated residents who operation as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents.</del></p>
<p>Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b>, Definition of terms and words.</p>	<p>Lot split means the division of land <del>that is zoned REA, Rural Estate Agricultural,</del> into no more than two (2) parcels <del>having a minimum area of five (5) acres or more.</del> The division or combination of an existing lot or lots of record into no more than two (2) new lots, tracts or parcels where all parcels, when divided, abut (for a distance of at least the minimum lot width required in the applicable zoning district) a dedicated, opened and improved public street meeting the standards established by this Code unless waived by the site plan review committee (SPRC), are served by existing water and sewer mains, and do not involve the establishment of any new street. <del>Any building development, including a condominium, in which there is or is intended to be any division of any parcel or tract into units or any division of the air space into units above or contiguous to any parcel or tract held in common, undivided ownership.</del></p>

<p>Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b>, Definition of terms and words.</p>	<p>Screen enclosure means an attached or detached structure, which is entirely enclosed with screen, including the roof, exclusive of the supporting elements of the structure. <del>Screen enclosures shall not be deemed to be accessory structures.</del></p>
<p>Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b>, Definition of terms and words.</p>	<p>Principal use means the main or primary use for which a structure or lot is intended. <del>More than one (1) principal use may occupy a single structure or parcel, if approved by special exception or through the planned development provisions of this Code. Shopping centers and normal mixtures of uses such as retail and offices are exempt from the special exception or planned development process unless otherwise required.</del></p>
<p>Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b>, Definition of terms and words.</p>	<p>Restaurants, Type B: Type B means restaurants that have less than one hundred-fifty (150) seats that serve customers attracted from their immediate area and not generally dependent on exposure to heavy automotive traffic. Type B establishments are permitted to offer beer and wine only, <u>provided that the restaurant derives fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages.</u></p>
<p>Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-22</b>, Definition of terms and words.</p>	<p>Restaurants, Type C: Type C means restaurants that are specializing in short-order foods and beverages to be consumed on or off the premises, or providing service at walk-up windows or drive-up windows. Characteristically, such establishments are heavily dependent on high levels of automotive traffic to attract customers. Such establishments are the only types permitted to have a drive-through window. Type C establishments are permitted to offer beer and wine only, <u>provided that the restaurant derives fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages.</u></p>

The definitions that are proposed for amendments include:

1. Farmer's Market: Clarification of the items that are permitted at farmer's markets.

2. Community Residential Home: Deleting repetitive language and removing conditions that are listed in Section 2-57 of the Land Development Code.
3. Lot Split: Clarification that lot splits occur citywide. The definition defines lot splits only within the REA zoning district. Also removed language regarding condominium ownership.
4. Screen Enclosures: Deleting portion of the definition that states that screen rooms are not accessory structures. The Land Development Code (Section 2-50) allows screen enclosures, made completely of screen, as an accessory use with a setback less than that of a principal structure.
5. Restaurants, type "B" and "C": Clarify that restaurants are required to have at least 51% of its gross revenue from the sale of food and nonalcoholic beverages.

**Amendment 3: Remove reference to DRB and insert Planning Board.**

Section of Land Development Code (LDC)	Amendment
Chapter 1, General Administration, Article III, Definition and Acronyms, <b>Section 1-31</b> , Concurrency assessment	<p><b>Section 1-31(d).</b></p> <p>The planning department shall provide a concurrency report with recommendations to the <del>development review</del> <u>planning</u> board and city commission concerning those development order applications which require <del>development review</del> <u>planning</u> board recommendation and city commission approval.</p>

This amendment proposes to delete reference to the Development Review Board which is no longer a City Board.

**Amendment 4: Conditional use criteria: (1) Remove required construction date of manufactured and mobile homes. (2) Garden Center/Nursery connection to a central water source.**

Section of Land Development Code (LDC)	Amendment
Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, <b>Section 2-57</b> , Criteria for review of specific conditional and special exception.	<p>(44)(a) Manufactured home community.</p> <p><i>Previously existing manufactured home parks.</i> Individual units within manufactured home parks shall be authorized to site any size manufactured home and appurtenances on a manufactured home lot in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the</p>

	<p>approval of the manufactured home park provided that the uniform fire safety standards, as set forth in the Florida Administrative Code, are fully complied with. <del>No manufactured home constructed before July 13, 1994, shall be permitted as a replacement unit in existing manufactured home parks.</del></p>
<p>Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, <b>Section 2-57</b>, Criteria for review of specific conditional and special exception.</p>	<p>(49)(a) Mobile home community.</p> <p><i>Previously existing mobile home parks.</i> Individual units within mobile home parks shall be authorized to site any size new or used mobile home and appurtenances on a mobile home lot in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the mobile home park and provided that the uniform fire safety standards for mobile home parks, as set forth in F.A.C. ch. 4A-42, as the same may be amended from time to time, are fully complied with. <del>No mobile home manufactured before July 13, 1994, shall be permitted as a replacement unit in existing mobile home parks.</del></p>

During the review of a mobile home, City staff was made aware of Section 320.8285 of the Florida Statutes that states, “No local jurisdiction shall prohibit siting or resiting of used mobile homes based solely on the date the unit was manufactured.” Based on the Florida Statute, staff is recommending deleting the conflicting language in the City’s Land Development Code.

<p><b>Section of Land Development Code (LDC)</b></p>	<p><b>Amendment</b></p>
<p>Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, <b>Section 2-57</b>, Criteria for review of specific conditional and special exception.</p>	<p>(29) Garden Center/Nursery.</p> <p>a. Outdoor display and sales areas shall be screened and buffered to a minimum height of three feet (3') so as to separate the front yard from on-site activities.</p> <p>b. All required side and rear yard buffer areas shall consist of permanent plantings.</p> <p>c. All facilities and utilities required for any retail use shall be provided.</p>

	<p>d. Site to be served by an approved central water supply. <u>Within the REA zoning district, if no City water lines are located within 100' of the subject property, a well may be used as a central water supply.</u></p> <p>e. Shall be located on street improved to city standards.</p> <p>f. Fencing and/or walls to conform to guidelines set forth in <u>chapter 3</u>, article I of this Code, tree protection, landscaping, fences or walls, clearing and grading. When site is located in Granada/Bovard Streetscape Overlay District, a wrought iron fence is required, specifically when use fronts on Granada Boulevard.</p> <p>g. Outdoor storage of lawn equipment, including but not limited to, lawn mowers, edgers, tractors, cultivators, fertilizer spreaders, harvesters, shall be screened from view by use of buffers as prescribed by <u>chapter 3</u>, article I of this Code.</p> <p>h. Storage areas for noxious or combustible materials such as fertilizers, pesticides, and/or chemicals shall be located so that there are no adverse safety impacts both on and off site.</p>
--	--

Staff has had a garden center/nursery use request at 500 Tymber Creek Road and reviewed the conditional use criteria. The property is zoned REA (Rural Estate/Agriculture) and the garden center/nursery use is allowed as a conditional use. One condition requires a connection to City water and is not generally available in the REA zoning district. The nearest water connection to 500 Tymber Creek Road is 1,200 linear feet. The proposed amendment allows properties that are zoned REA to utilize a well until such time the City water lines are extended within 100' of any garden center/nursery use.

**Amendment 5: Designation of historic district or landmark.**

Section of Land Development Code (LDC)	Amendment
<p>Chapter 2, District and General Regulations, Article VI, Overlay Districts, <b>Section 2-71</b>, Historic districts and landmarks.</p>	<p>Section 2-71 (c) (1) a.</p> <p>(c) <i>Designation procedures.</i></p> <p>(1) <i>Historic landmarks and archaeological sites.</i> The designation of an historic landmark, archaeological site, or other such notable feature shall be done by ordinance adopted by the city commission in accordance with the following procedures:</p> <p>a. The applicant shall submit a written request, <u>at no cost to the applicant</u>, to the planning department and shall provide studies, documentation, or other evidence regarding the historic significance of the proposed landmark, site or feature. If the applicant is someone other than the property owner, the applicant shall send by regular mail, a copy of the written request, a letter indicating his intention to pursue the historic landmark designation from the city commission, and a copy of all studies, documentation, or other evidence to the property owner demonstrating the historical or archeological significance of the site.</p>

The proposed amendment provides clarification that there is no fee required either to add or remove an historic district or landmark property from the City’s adopted Historic Landmarks List.

## **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 amendments do not propose any site specific development. It is not expected that the proposed Land Development Code amendments would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

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

The proposed Land Development Code amendments are consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discussed the need to update Land Development Code regulations.

- 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.**

The proposed Land Development Code amendments do not approve any site specific development and 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 Land Development Code amendments do not approve any site specific development and will not have any impacts on surrounding properties.

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

The proposed Land Development Code amendments are not applicable to public facilities.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and**

**provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

There is no development proposed as part of the proposed amendments. The application pertains to a Land Development Code amendment.

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

There is no development proposed as part of the proposed amendments. The application pertains to a Land Development Code amendment.

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

There is no development proposed as part of the proposed amendments. The application pertains to a Land Development Code amendment.

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

There is no development proposed as part of the proposed amendments. 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 **APPROVE** amendments to Land Development Code as described within this report and detailed within Attachments of this report. As stated earlier in the report, the Planning Board may vote on the amendments individually if desired or elect to vote on the entire packet as one motion.

**Attachments:**

Amendment 1: Mailings for Special Exceptions before the City Commission.

Amendment 2: Definitions.

Amendment 3: Remove reference to DRB and insert Planning Board.

Amendment 4: Conditional use criteria.

Amendment 5: Designation of historic district or landmark.

# Amendment 1:

## Mailings for Special Exceptions before the City Commission

Chapter 1, General Administration, Article II, Administration and Enforcement, **Section 1-18**, City Commission.

Section 1-18(b)(2). The city shall notify, by ~~certified mailing list~~ regular mail, all property owners as identified in the current tax roll within three hundred feet (300') at least fourteen (14) days prior to the city commission meeting. The notice shall state the date, time, place and purpose of the meeting and that interested persons will have an opportunity to be heard.

# Amendment 2:

## Definitions

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

**Farmers Market:** *Farmers' market* means an enclosed, partially enclosed, or outdoor use where space is divided into booths, tables or partitioned into rental space so that farmers and artisans can market their goods. Farmers' markets are limited to the sale of fresh fruits, vegetables, dried fruits, fresh and dried herbs, nuts, honey, eggs, homemade food items, houseplants, and cut flowers, and locally handmade arts and crafts (predominately handcrafted within a 100 mile radius of the market).

**Community residential home:** means a dwelling unit licensed to serve residents who are clients of the department of elderly affairs, the agency for persons with disabilities, the department of juvenile justice, or the department of children and family services or a dwelling unit licensed by the agency for health care administration. Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. ~~Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of one thousand feet (1,000') of another existing such home with six (6) or fewer residents. Homes which provide a living environment for seven (7) to fourteen (14) unrelated residents who operation as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents.~~

**Lot split** means the division of land ~~that is zoned REA, Rural Estate Agricultural,~~ into no more than two (2) parcels ~~having a minimum area of five (5) acres or more.~~ The division or combination of an existing lot or lots of record into no more than two (2) new lots, tracts or parcels where all parcels, when divided, abut (for a distance of at least the minimum lot width required in the applicable zoning district) a dedicated, opened and improved public street meeting the standards established by this Code unless waived by the site plan review committee (SPRC), are served by existing water and sewer mains, and do not involve the establishment of any new street. ~~Any building development, including a condominium, in which there is or is intended to be any division of any parcel or tract into units or any division of the air space into units above or contiguous to any parcel or tract held in common, undivided ownership.~~

**Screen enclosure** means an attached or detached structure, which is entirely enclosed with screen, including the roof, exclusive of the supporting elements of the structure. ~~Screen enclosures shall not be deemed to be accessory structures.~~

**Principal use** means the main or primary use for which a structure or lot is intended. ~~More than one (1) principal use may occupy a single structure or parcel, if approved by special exception or through the planned development provisions of this Code. Shopping centers and normal mixtures of uses such as retail and offices are exempt from the special exception or planned development process unless otherwise required.~~

**Restaurants, Type B:** Type B means restaurants that have less than one hundred-fifty (150) seats that serve customers attracted from their immediate area and not generally dependent on exposure to heavy automotive traffic. Type B establishments are permitted to offer beer and wine only, provided that the restaurant derives fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages.

**Restaurants, Type C:** Type C means restaurants that are specializing in short-order foods and beverages to be consumed on or off the premises, or providing service at walk-up windows or drive-up windows. Characteristically, such establishments are heavily dependent on high levels of automotive traffic to attract customers. Such establishments are the only types permitted to have a drive-through window. Type C establishments are permitted to offer beer and wine only, provided that the restaurant derives fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages.

# **Amendment 3:**

## **Remove reference to DRB and insert Planning Board**

Chapter 1, General Administration, Article III, Definition and Acronyms, Section 1-31, Concurrency assessment.

### **Section 1-31(d).**

The planning department shall provide a concurrency report with recommendations to the ~~development review~~ planning board and city commission concerning those development order applications which require ~~development review~~ planning board recommendation and city commission approval.

## Amendment 4:

**Conditional use criteria: (1) Remove required construction date of manufactured and mobile homes. (2) Garden Center/Nursery connection to a central water source.**

Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception.

### **(44)(a) Manufactured home community.**

*Previously existing manufactured home parks.* Individual units within manufactured home parks shall be authorized to site any size manufactured home and appurtenances on a manufactured home lot in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the manufactured home park provided that the uniform fire safety standards, as set forth in the Florida Administrative Code, are fully complied with. ~~No manufactured home constructed before July 13, 1994, shall be permitted as a replacement unit in existing manufactured home parks.~~

### **(49)(a) Mobile home community.**

*Previously existing mobile home parks.* Individual units within mobile home parks shall be authorized to site any size new or used mobile home and appurtenances on a mobile home lot in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the mobile home park and provided that the uniform fire safety standards for mobile home parks, as set forth in F.A.C. ch. 4A-42, as the same may be amended from time to time, are fully complied with. ~~No mobile home manufactured before July 13, 1994, shall be permitted as a replacement unit in existing mobile home parks.~~

### **(29) Garden Center/Nursery.**

- a. Outdoor display and sales areas shall be screened and buffered to a minimum height of three feet (3') so as to separate the front yard from on-site activities.
- b. All required side and rear yard buffer areas shall consist of permanent plantings.
- c. All facilities and utilities required for any retail use shall be provided.
- d. Site to be served by an approved central water supply. Within the REA zoning district, if no City water lines are located within 100' of the subject property, a well may be used as a central water supply.
- e. Shall be located on street improved to city standards.
- f. Fencing and/or walls to conform to guidelines set forth in chapter 3, article I of this Code, tree protection, landscaping, fences or walls, clearing and grading. When site is located in Granada/Bovard Streetscape Overlay District, a wrought iron fence is required, specifically when use fronts on Granada Boulevard.

- g. Outdoor storage of lawn equipment, including but not limited to, lawn mowers, edgers, tractors, cultivators, fertilizer spreaders, harvesters, shall be screened from view by use of buffers as prescribed by chapter 3, article I of this Code.
- h. Storage areas for noxious or combustible materials such as fertilizers, pesticides, and/or chemicals shall be located so that there are no adverse safety impacts both on and off site.

# Amendment 5:

## Designation of historic district or landmark.

Chapter 2, District and General Regulations, Article VI, Overlay Districts, Section 2-71, Historic districts and landmarks.

### Section 2-71 (c) (1) a.

(c) *Designation procedures.*

(1) *Historic landmarks and archaeological sites.* The designation of an historic landmark, archaeological site, or other such notable feature shall be done by ordinance adopted by the city commission in accordance with the following procedures:

a. The applicant shall submit a written request, at no cost to the applicant, to the planning department and shall provide studies, documentation, or other evidence regarding the historic significance of the proposed landmark, site or feature. If the applicant is someone other than the property owner, the applicant shall send by regular mail, a copy of the written request, a letter indicating his intention to pursue the historic landmark designation from the city commission, and a copy of all studies, documentation, or other evidence to the property owner demonstrating the historical or archeological significance of the site.

# CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

**TO:** Planning Board members

**FROM:** Steven Spraker, AICP, Senior Planner

**DATE:** February 4, 2016

**SUBJECT:** Development projects

Please find attached the monthly development report. The significant events include:

1. **Deer Creek, Phase 4C.** Construction has started for the final phase of Deer Creek, Phase 4C that contains 49 lots. The project shall require final plat from the City Commission.
2. **Chelsea Place, Phase 3.** The Site Plan Review Committee (SPRC) has received the final plat submittal for the subdivision improvements for the final 65 lots within the Chelsea Place subdivision. The project shall require final plat from the City Commission.
3. **Pineland subdivision.** The SPRC has received a subdivision submittal for the Pineland subdivision. The subdivision is located along Pineland Trail, east of I-95 and west of the Ormond Green subdivision. The planned development allowed 192 lots. It is likely that the Pineland subdivision will need a time extension for construction requiring a major Planned Residential Development amendment this year.
4. **CVS Pharmacy.** The demolition of the former Texaco and Burger King buildings are complete and construction is ongoing.
5. **1 East Tower Circle, Ameritech (Business Park).** Final site and building inspections are schedule and a Certificate of Occupancy should be issued within the next week.
6. **Specialty Surgery Center of Florida, 1545 Hand Avenue.** The SPRC has received a site plan to convert an existing building into a surgery center with certain water and site improvements needed.
7. **Ormond Renaissance Condominium, 875 Sterthaus Drive.** The project is preparing for a final site plan submittal and is positioned to receive the needed outside agency permits to allow site construction.

**City of Ormond Beach Commercial Development Report February 4, 2016**

Applications, site plans, and public hearing documents may be viewed at the Planning Department website:

<http://fl-ormondbeach.civicplus.com/index.aspx?NID=247>

Change in project status

Project nearing completion

#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commission	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit Info	Eng. Permit	Under Construction	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
1	<b>146 NORTH ORCHARD STREET</b> 146 North Orchard Street SPRC #14-015	56 space RV & Boat self storage facility with associated parking and infrastructure	11.07.13	11.26.13	01.14.13	06.09.15			NA	NA	07.01.15	07.01.17				Issued 07.06.15	\$194,733	85%		E = Alann Engineering Group O = Pat Baylor/Clinton Baylor
2	<b>550 WEST GRANADA BOULEVARD (BELLA MARIE)</b> 550 West Granada Boulevard SPRC# 2015-028	Modification of approved plan set to construct a retail/office building and 30 residential units.	11.18.14	12.02.14	01.13.15	02.10.15			Neighborhood meeting (2.18.15)	NA	04.13.15	04.13.17		Early review submitted						E = Daniel Johns, P.E. O = Granada Management, LLC ARC = Ben Butera
3	<b>783 N US HWY 1, CAMPANA</b> 783 N US HWY 1 SPRC 2016-010	Construction of a 1,216 SF building for kayak rental & repair and associated site improvements	11.06.15	11.20.15	02.03.16															E = Alann Engineering Group O = Steven Campana
4	<b>SPECIALITY SURGERY CENTER OF FL</b> 1545 Hand Avenue SPRC# 2016-026	Conversion of building to a Surgery Center with clinic including certain site improvements.	01.15.16	02.02.16																E = Jerry Finley, P.E. O = PRC Associates, LLC ARC = Gordon & Associates Architect, LLC
5	<b>ANTARES OF ORMOND BEACH</b> 720 West Granada Boulevard SPRC# 2016-012	123 unit Assisted Living Facility and associated site improvements	11.11.15	11.25.15					Neighborhood meeting (12.09.15)											E = Alann Engineering Group ARC = Lawson Group Architects, Inc. O = Antares of Ormond Beach, LLC
6	<b>AMERITECH DIE &amp; MOLD, INC.</b> 1 East Tower Circle SPRC#2015-005	Phased manufacturing facility and associated site improvements. First phase = 2,052 SF office & 18,000 SF manufacturing. The second phase includes 15,000 SF manufacturing.	10.14.14	10.28.14	12.10.14	02.24.15					03.16.15	Under Constr.		Submitted 06.24.15	\$1,550,000	Site Work = \$205,215	Issued 03.25.15	100%	Pending	E = Alann Engineering Group O = MLS 3, LLC
7	<b>CHILDREN'S WORKSHOP EXPANSION</b> 506 Lincoln Avenue SPRC#15-109	New building for classroom(s) and an office.	07.14.15	07.28.15	09.17.15						10.15.15	Under Constr.		Submitted 12.04.15	\$316,457	Site Work = \$48,000	issued 12.21.15	0%		O = Brian Adair E = MetaWorld Civil Consulting, LLC ARC = Richard Brookfield
8	<b>CENTER STREET PARTIAL ROW VACATION</b> SPRC# 2016-014 Center Street, south of Sterthaus Drive	Partial ROW vacation associated with the YMCA parking project	11.25.15	12.10.15																A = YMCA E = Zev Cohen & Associates
9	<b>CVS HEALTH</b> 795 W Granada Boulevard SPRC#2015-071	Demolition of the existing gas station and Burger King and construction of a 13,013 SF CVS and associated site improvements.	03.10.15	03.24.15	06.03.15	08.05.15					08.13.15	Under Constr.		Issued 02.01.16	\$2,641,707	Site Work = \$404,549	Issued 01.20.16	5%		E = England-Thims & Miller, Inc. ARC = Stefano DeLuca & Associates O = City of Ormond Beach
10	<b>ENVIRONMENTAL DISCOVERY CENTER</b> 601 Division Avenue SPRC#2015-077	Construct a 1,980 square foot environmental learning center and associated site improvements within Central Park.	03.31.15	04.14.15							08.03.15	Under Constr.		Issued 09.22.15	\$398,079		Issued 08.17.15	60%		E = Mark Dowst & Associates ARC = BPF Design Incorporated O = City of Ormond Beach
11	<b>GEORGIAN INN, SITE WORK</b> 759 South Atlantic Avenue SPRC#2015-039	Reconfiguration of the pool deck, addition of a gazebo and rear parking area modifications.	12.16.14	01.06.15	02.03.15						05.07.15	Under Constr.		Issued 08.07.15	\$300,000	With building permit		60%		ARC = Scott Waldroff O = Georgian Inn
12	<b>GRANADA POINTE</b> 600 West Granada Boulevard SPRC#2016-017	Proposed 4 unit, 19.5 acre commercial development on south side of Granada Blvd with associated improvements and 3 acre parcel on north side of Granada Blvd and 10 acre preservation area.	12.08.15	12.23.15																O = Granada Pointe, LLC Eng = Newkirk Engineering, Inc.
13	<b>HULLS SEAFOOD DECK</b> 111 West Granada Boulevard SPRC#2016-15	Construct 2,557 SF covered wood deck for dining and 700 SF bathroom	12.08.15	12.23.15	02.08.16															O = Hull's Seafood Eng = Mark Dowst & Associates ARC = Richard Brookfield

\* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

Applications, site plans, and public hearing documents may be viewed at the Planning Department website:

<http://fl-ormondbeach.civicplus.com/index.aspx?NID=247>

Change in project status

Project nearing completion

#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commission	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit Info	Eng. Permit	Under Construction	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
14	<b>McNAMARA WAREHOUSE</b> 480 Andalusia Drive SPRC# 2011-13	4,580 square foot warehouse and associated site improvements	12.22.10	01.05.11					NA	NA	03.06.14	03.06.16		Submitted 06.15.15	\$114,000					E = Parker Mynchenberg & Assoc O = McNamara Construction, LLC ARC = Stan Hoelle
15	<b>MOSS POINT, ENTRY WALL</b> Moss Point subdivision SPRC#2015-072	Install subdivision entry wall, add brick façade to existing wall, and landscaping	03.10.15	03.24.15							04.21.15	Under Constr.		Issued 10.07.15	\$104,000			0%		E = Parker Mynchenberg & Assoc O = Moss Point HOA
16	<b>ORMOND CROSSINGS, PHASE A PLAT</b> East of I-95, west of US1 SPRC#2014-114	Subdivision and infrastructure improvements of approximately 220 acres for commercial/industrial uses.		01.09.09	10.08.14				NA											E - Singhofen & Associates, Inc. O = Tomoka Holdings, LLC
17	<b>ORMOND CROSSINGS, PHASE B PLAT</b> East of I-95, west of US1 SPRC#2015-042	Subdivision and infrastructure improvements of approximately 103.7 acres for a four lot plat.	12.19.14	01.21.15																E - Singhofen & Associates, Inc. O = Tomoka Holdings, LLC
18	<b>PARQUE WAREHOUSES</b> 320 Parque Drive SPRC#2015-029	Development of mini-storage and associated site improvements. (32 units in 3 buildings)	12.02.14	12.16.14	04.14.15						07.01.15	Under Constr.		Issued 09.11.15	\$252,245	Issued 07.23.15	\$92,400	75%		E = Finley Engineering Group O = O.G. Property Holdings LLC ARC = Richard Brookfield
19	<b>RIVERBEND CHURCH EXPANSION</b> 2080 West Granada Boulevard SPRC# 09-25000008	Site improvements and utility connect in association with expansion in Daytona Beach	09.08.09	09.22.09	01.18.11				NA	NA	07.13.11	Under Constr.			\$515,034	Issued 11.09.11	X	35%		E = Mark Dowst & Associates O = Riverbend Church
20	<b>TOMOKA AVE, PARTIAL ROW VACATION</b> SPRC#2016-18 Tomoka Avenue & W. Granada Boulevard	Partial ROW vacation associated with the Granada Pointe project	12.08.15	12.23.15																A = Granada Pointe, LLC Eng = Newkirk Engineering, Inc.
21	<b>VYSTAR CREDIT UNION</b> 1301 West Granada Boulevard SPRC#2015-067	Construction of a single story 4,500 SF credit union with drive thru and associated site improvements	02.24.15	03.10.15	05.05.15	09.30.15			Neighborhood meeting (3.25.15)		11.02.15	Under Constr.		Approved 01.04.16	\$2,220,762	Approved	\$550,000	10%		E = Parker Mynchenberg & Assoc O = 1301 W Granada Investors LLC ARC = RS&H, Inc.
22	<b>WINDOW WORLD</b> 1142 North US Highway 1 SPRC#15-092	Construction of 2,975 SF office, showroom, and warehouse and associated site improvements.	05.19.15	06.02.15	08.31.15						01.04.16	01.04.18		Submitted						E = Kirby Engineering, LLC O = Tillman Volusia Holdings, LLC ARC: A.L. Designs
23	<b>WOODSTOCK CAFÉ</b> 1535 North US Highway 1 SPRC# 2010-071	Redevelopment of former gas station into 99 seat restaurant.	05.28.12	6.11.13	12.31.13				NA	NA	04.08.14	04.08.16								E = Alann Engineering Group O = Michael Ferro ARC = BPF Design Group
24	<b>YMCA PARKING EXPANSION</b> 500 Sterthaus Drive SPRC#2015-011	Parking Lot Expansion	11.04.14	11.18.14	02.24.15															E = Zev Cohen & Associates O = Volusia/Flagler YMCA
25	<b>ZAXBY'S</b> 1287 West Granada Boulevard SPRC# 2014-102	Development of vacant land into a 3,847 square foot, 90 seat drive thru restaurant.	06.24.14	07.08.14	08.27.14				NA	NA	09.16.14	09.16.16								E = Newkirk Engineering APP = Demerburn, LLC ARC = HFR
26	<b>ZAXBY'S/VYSTAR ENTRANCE IMPROVEMENTS</b> SPRC#16-008 1287 & 1301 W. Granada Blvd.	Driveway entrance and lift station improvements	10.26.15	11.23.15							12.01.16	Under Constr.		Included in the Vystar project						E = Newkirk Engineering

\* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

Applications, site plans, and public hearing documents may be viewed at the Planning Department website:

<http://fl-ormondbeach.civicplus.com/index.aspx?NID=247>

Change in project status

Project nearing completion

#	Project	Description	Application Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commission	Final Approval	DO Expiration	LDC Extension Expiration	Building Permit Info	Building Permit Value	Eng. Permit Info	Eng. Permit	Under Construction	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
27	<b>1368 OCEAN SHORE BLVD</b> 1368 Ocean Shore Blvd. SPRC# 2015-121	Sewer connection for existing building	08.28.15	09.08.15							Pending									E = Finley Engineering Group O = 1368 Oceanshore Blvd. LLC
28	<b>HUNTINGTON GREEN</b> SPRC #2015-117 Flagler County	Provision of utilities to a Flagler County subdivision	07.03.15	07.17.15	09.03.15	12.09.15	02.08.16													E = Zev Cohen & Associates O = BADC Huntington Communities, LLC
29	<b>HUNTINGTON VILLAS</b> SPRC# 2015-070 Flagler County	Provision of utilities to a Flagler County subdivision	03.10.15	03.24.15	05.05.15	06.01.15	08.06.15				08.26.15	Under Constr.				Issued	\$537,833	80%		E = Zev Cohen & Associates O = BADC Huntington Communities, LLC
30	<b>PLANTATION OAKS</b> SPRC# 2016-001 I-95 and North US1	Water connection for phase of subdivision development	10.22.15	11.12.15																E = Parker Mynchenberg & Associates O = Plantation Oaks of Ormond Beach, L.C.
31	<b>RECREATIONAL WORLD</b> SPRC#2015-099 280 Destination Daytona Lane	Provision of utilities for RV sales and service facility	06.17.15	6.30.15							08.19.15	Under Constr.				Issued 08.18.15		95%		E = Mark Dowst O = Giant Recreation World

**City of Ormond Beach Residential Development Report -February 4, 2016**

#	Project	Description	Applica-tion Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Eng. Permit	Clearing Permit	Under Construc-tion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
<b>A</b>	<b>CHELSEA PLACE, PHASE 3</b> Chelsea place subdivision 2016-034	65 single family lots	02.02.16	02.16.16																		E = Parker Mynchenberg & Associates O = CP & SP Residnetial Land, LLC
<b>B</b>	<b>ORMOND RENAISSANCE CONDOMINIUM</b> 875 Sterthaus Drive 2014-061	286 multi-family unit	06.17.14	07.01.14	11.05.14	02.04.15			03.12.15	04.21.15 & 05.05.15												E = Parker Mynchenberg & Associates O = Ormond King Center, LLC ARC = David Howard
<b>C</b>	<b>PINELAND</b> East of I-95, north of Airport Road 08-23000002	Preliminary Plat of 192 Single-Family Lots	11.04.08	11.18.08	02.17.09	02.20.16			PB Approved (4-2)	Approved Ord 08-44		10.21.13 PRD Rezoning	10.21.16 PRD Rezoning	NA	NA	10.21.15 PRD Rezoning						E = Zahn Engineering O = Funcoast Developers

\* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).