

**CITY COMMISSION WORKSHOP
EAR-Based Amendments**

City Hall Training Room
October 6, 2009 5:30 p.m.

I. Call to Order

Mayor Fred Costello called the meeting to order at 5:32 p.m.

Present were Mayor Fred Costello, Commissioners Lori Gillooly, Ed Kelley, and Bill Partington, City Attorney Randy Hayes, City Manager Joyce Shanahan, Assistant City Manager Ted MacLeod, Planning Director Ric Goss, Senior Planner Lauren Kornel, and Senior Planner Steven Spraker.

II. Evaluation and Appraisal Report (EAR)-Based Amendments

Mr. Ric Goss, Planning Director, stated that tonight's presentation would be on the amendments to the Comprehensive Plan based upon the Evaluation and Appraisal Report, which was approved by the Department of Community Affairs (DCA) last year. He stated that Ms. Lauren Kornel, Senior Planner, coordinated the efforts of the systems with Mr. Steven Spraker and him.

EAR-Based Amendments

Ms. Kornel stated that she would discuss briefly the EAR-Based Amendments process, the amendments, and issues. She stated that they had embarked on the EAR in 2007 collecting and compiling various input and submitting it to the DCA in December 2008. She stated they had received written confirmation in February 2009 that the EAR was sufficient. She stated since January 2009 she had been working on the EAR-Based Amendments in conjunction with the Planning Board and various other boards. She stated that they went before the Planning Board as each element was updated. She stated the Commission was provided with the first draft of the EAR, which did not contain any maps at this point or the final formatting. She stated that the PowerPoint presentation would highlight the key issues.

Ms. Kornel stated that the City of Ormond Beach had performed many studies over the last few years such as the Water Supply Work Plan, Recreation Master Plan, Housing update, and Downtown Master Plan. She stated the amendments were based on those studies as well as legislation over the last past few years, i. e., House Bill 697, which was an energy bill, and SB 360, which related to transportation requirements.

Ms. Kornel stated they had tried to incorporate some new techniques which were low impact development and transportation systems managements. She noted there were new floor area ratios for non-residential uses in the future land use element.

Ms. Kornel stated the Transportation element had been prepared as a balance between all roadway capacity improvements and all vehicle reduction strategies.

Recreation and Open Space Element

Regarding the Recreation and Open space element, Ms. Kornel stated the level of service standards they would be using were adopted in the Parks and Recreation Master Plan of 2005. She stated the methodology for the level of service standards was done through supply and demand. She noted that the standards were somewhat optimistic and unrealistic in that they may not be attainable in the 2025 planning horizon.

Mayor Costello asked if the Commission had the option to change the standards without going back to the DCA; whereby, Mr. Goss stated that there was still time to make changes.

Commissioner Kelley stated he would like to look at what could be adjusted so it was reasonable and attainable or exceedable, so there would not be a lot of complaints.

Ms. Kornel stated the standards were aggressive and Leisure Services was looking at having more flexibility and as much versatility as possible for recreation. She stated that the Leisure Services Director looked at it as something to work towards. She suggested sitting down with Leisure Services again or possibly creating another policy to further look at that issue.

Commissioner Kelley stated he favored flexibility in the master plan, because things shifted, such as different sports, activities, economic climate, etc.; whereby, Mr. Goss stated that they had suggested to the Leisure Services Director to look at the level of services from a broad perspective in order to provide for flexibility, but Leisure Services wanted to go with a mid level of service.

Mayor Costello asked if a mid level of service allowed developers not to have to give as much during development; whereby, Mr. Goss stated that it would be based on the Parks and Recreation Master Plan where it identified the amount of money for rehabilitation, new facilities, and growth. He stated they had not worked out the impact of growth at this time.

Ms. Shanahan asked about the Leisure Services Director's concern about going to a more broad perspective; whereby, Ms. Kornel stated he preferred flexibility as much as possible working towards a goal. She stated this put them in an awkward position with the DCA to be adopting level of service standards that were not attainable.

Mayor Costello stated they did not favor unattainable and aggressive, and favored outstanding, attainable, and reasonable. Ms. Kornel suggested creating a policy that might serve Leisure Services' needs in terms of getting grant funding and trying to work towards an aggressive goal.

Mr. Goss stated they wanted to concentrate on land that was highly developed in the Comp Plan with more detailed levels of service as a guiding principle for the director so he had flexibility when he got grant money. He stated the director should use the plan as a management tool as opposed to an implementation in the Comp Plan.

Mayor Costello stated they favored flexibility and outstanding facilities. Mr. Goss stated they recommended the broadest standards in order to have more flexibility. He suggested they did not articulate this as well as they should have to the Leisure Services Director.

Land Use Element

Mr. Steven Spraker, Senior Planner, stated the Land Use Element provided a roadmap of how the city would develop in the next 15 years. He stated the city's land use map had been fairly stable over the last ten years as most of the amendments had come through annexation. He stated they proposed to maintain the overall goal to allow minimum commercial expansion basically on a case-by-case basis, promote industrial use, maintain the current residential density, and to have a high level of open space.

Mr. Spraker stated they were proposing two new goals within the overall goal, which was to focus redevelopment in the downtown area and on US1 and A1A. He stated these were the older sections that would be eventually tied into the transportation since inception areas, and they also helped to meet some of the smart growth policies. He stated this was a major change. He stated the other change was to make sure that new development was timed and located where there was existing infrastructure, which again focused on smart growth. He stated they had taken out all the direct attacks to the summary of how they got to the land use category and what was done over the last 15 years. He stated they tried to narrow it down to a purpose, density, and/or propensity. He stated that for each land use category there had to be either a maximum density of units per acre or a maximum floor area ratio. He stated they went through each land use

category and proposed a land use propensity and density. He stated that residential had an existing density, but commercial did not have densities or intensities and were managed by the Land Development Code (LDC). He stated with the existing land use categories they would not be able to do small scale land use changes because the existing land uses would be over ten units per acre. He stated they had established a new category called "residential, office and retail" with a land use density of ten units per acre and floor area ratio of 0.6 in order to maintain the flexibility within the land use category. He stated they also created a new lands category for "heavy industrial," as there were areas on the edges of the city that had heavy industrial uses, such as Hull Road.

Mr. Spraker stated they implemented a number of policies that had changed such as incorporating the eco map from the County, taking in all smart growth policies and principles, and creating new objectives with new goals policies and objectives. He stated they had also tried to incorporate the new Downtown Master Plan into the new goal with the new element, specifically parking, capital improvement, and basically acknowledging that they could not meet the same standards as the rest of the city. He stated they were working on LDC amendments to create a form based code linking the Redevelopment Plan, land use and LDC altogether. He stated they were missing the activity kind of land use that would come with Ormond Crossings, so the element had a few things to be added to it. He stated the Planning Board requested some protection with the REA process. He stated the properties were typically five acres on Airport Road and they put in the text that those REA areas should not be subdivided or made more intense. He stated if someone wanted to do this that it would require a large scale map amendment and go before the Planning Board and City Commission to detail what changes had occurred to not follow the policy.

Commissioner Kelley asked about Durrance Acres; whereby, Mr. Spraker stated there was a fear that four or five five-acre lots would be combined to create a new subdivision. Mayor Costello commented that the Planning Board decided many years ago that the west side of Airport Road could be made into subdivisions, but the east side would be kept as is.

Mayor Costello stated that Hometown Democracy would cost the cities a fortune in elections and he asked what could be put in the policies so the city would not have to have as many elections to change simple things.

Mayor Costello stated he favored broad plans that would allow the Commission and Planning Board to make appropriate changes without having to have an amendment passed by election.

City Manager Joyce Shanahan suggested there might be a way to make the amendments more small scale rather than large scale; whereby, Mr. Spraker stated that Hometown Democracy would cover small and large scale amendments and was fairly broad.

Mayor Costello reiterated he favored any guideline that they could broaden enough to allow some flexibility to allow a change without an election.

Commissioner Kelley suggested an example would be the nine residential homes on A1A that did not want to be zoned commercial, whereby they would be protected as residential but could be allowed to achieve another classification without an election; whereby, Mr. Spraker stated that the Comp Plan said those areas should remain residential, but an administrative amendment could be done for those interested. Mayor Costello stated he would be in favor only if all the properties requested the change.

Mr. Goss stated that the goal was always to have a policy that gave direction without telling you how to do it.

Mayor Costello asked if there were areas where we should have a minimum density; whereby, Mr. Spraker stated that a minimum density was required in the core area with basically two-story, fixed use, plus other possible LDC requirements.

Mr. Goss stated that fundamental land use changes needed to be done to guarantee the type of development they wanted to occur. He noted they had moved the transitory portion from transportation to land use because they were intricately linked. He stated they told the DCA that they were going to look at other ways to move vehicles other than widening roads, such as by making the current roads more efficient, trying to remove the number of vehicles in the roadway through vehicle reduction strategy, and lanes decisions. He stated they built their multi-modal strategy around reducing vehicles in the roadway, getting better efficiency out of the current roadway, allowing for some roadway capacity and then land use. He stated they all tied into the form based code, downtown plan, and all other things with regards to land use.

Mr. Goss stated their first goal was to preserve the existing corridors, which they established policies for corridor preservation. He stated they had added access management policies to try to improve the existing roadway. He stated they wanted joint curb cuts, and interconnectivity between parcels, etc. He stated they had restated the policies and made them stronger in the Comp Plan and now in the LDC amendment.

Transportation Concurrency

Mr. Goss stated staff had identified three commercial corridors (A1A from SR40 to the city line, SR40 from A1A to I-95, and US1 from Wilmette Avenue to the city line) which have potential to be a Transportation Concurrency Exception Area (TCEA), and were basically constrained by policy. He stated these proposed TCEA's followed core transit routes by Votran and the areas for the most part contain commercial corridors and downtown redevelopment opportunities that would benefit a TCEA. He stated that higher densities and intensities could support transit and assist Votran in their goal of reducing headways and extending service hours.

Mr. Goss stated that we could make the entire city a TCEA, but staff decided not to recommend this because they did not want Ormond Crossings affected. Ms. Shanahan stated that neighboring communities were considering this approach; whereby, Mr. Goss stated that staff had objected to a TCEA adjacent to our borders.

Mr. Goss stated that another option was to do less TCEA or more TCEA, which would be a modified TCEA.

Mayor Costello and the Commissioners were in agreement with assigning the TCEA designation to the commercial corridors.

Commissioner Kelley asked why they did not want the corridor to go west of I-95; whereby, Mayor Costello stated he did not want Daytona Beach to go from 700 units to 5,000 and not have to pay for any transportation improvements. Ms Shanahan stated the increased traffic on SR40 would be the Daytona's responsibility.

Mr. Goss stated that it made sense to have a TCEA in an area where there was a build-out system, as there would not be connectivity and transit. He stated that until there was road connectivity put in the corridors or more service to cause transit to go further west, then it did not make sense.

Mr. Goss stated that TCEA was a tool to cause redevelopment to occur because all they would have to do was meet the land use transit design guidelines. He stated one of the multi-modal strategies was to look from land use, Comp Plan, and development code, both short-term and long-term. He stated staff had already met with Votran.

Concurrency outside of the TCEA

Mr. Goss stated if the developer was outside the TCEA's, then an applicant would be subject to concurrency. He stated the city had already adopted Volusia County transportation guidelines, so the developer would have to do

the study and mitigate for impacts. He stated that there was a commitment to either design the building up or opt out and meet concurrency, and if you were outside the TCEA, then you had to mitigate, such as proportionate share transit, sidewalks, trails, anything that would reduce vehicle mileage travel. He stated they would eventually have a formula on how to reduce vehicle miles traveled.

Sidewalks and Trails

Mr. Goss stated that they were looking at linking all shopping areas with residential areas and residential areas to public facilities, libraries, City Hall, transit. He stated they were looking at sidewalk coverage, setting a level of service existing and adopted level of service. If it did not meet the adopted level of service and there was a deficiency, then when development occurred they would put in the sidewalk so it met the sidewalk level of service. He stated they would be doing this through GIS, but he stated he might be coming before them to request funds for the study.

Mr. Goss stated that some of the requirements could be considered "cutting edge" and would not be found in Volusia County.

Mr. Goss stated they were asking for mixed use development, which was required unless inappropriate. He stated they had established minimum floor area, two stories minimum in the river district, three stories minimum in the ocean district. He stated they had established minimum density.

Context Sensitive Design

Mr. Goss stated the roadway corridors all have some type of landscaping treatment and the roadways have been designed to be compatible with their surroundings.

Transit Demand Management Strategies

Mr. Goss stated that Ormond Crossings had great potential for TDM strategies and there was sufficient industrial development within the city that Transportation Management Initiative could be coordinated either through the Chamber of Commerce or another group in order to have more meaningful work, play and shopping in a more compacted area.

Mr. Goss stated that this was their direction that they were moving forward and now was the time for the Commission to let staff know if they did not like the direction.

Commissioner Kelley stated he did not feel they would have to worry about exceeding trips, development or special assessments, because he did not think it would happen until insurance and property taxes were changed.

Mr. Goss stated that this was a long-term strategy.

Mayor Costello asked if the corridor was identified with Daytona Beach, Consolidated Tomoka Land Company (CTLC), and Volusia County; whereby, Mr. Goss stated that the corridor had been identified, but it had not been reserved or dedicated.

Mayor Costello asked about the funding; whereby, Mr. Goss stated that our money was coming from Ormond Crossings and Hunter's Ridge.

Mayor Costello stated he wanted to make sure the city had done its part to reserve that corridor officially so there was nothing undone on our part. Mr. Goss stated that staff had suggested to CTLC that we needed to move forward with an agreement with both Daytona and Volusia County to lay out where this was supposed to be going, get the TCEA study done, and for them to contribute along with others in order to get at least to the design for Dunn Avenue.

Mayor Costello asked if there was another corridor that we should be looking at in order to plan for our transportation needs; whereby, Mr. Goss stated there were other road connectivity issues on the traffic circulation map, for example, Airport Road extension further than what it was, runway extension, Tymber Creek Road north under the bridge. He stated the issues were what could be gotten from Volusia County, what could be credits, and so forth.

Mr. Goss stated that staff should start looking long-term at the rail corridors because from Jacksonville to West Palm Beach one of these days we may see some development. He stated they had it already set up so the residential densities would be very close to take advantage of the rail as it occurred. He stated that in the redevelopment plan long-term they needed to start looking at a rail corridor, rail parking lot, rail commuter station somewhere along the corridor.

Mayor Costello stated he favored all corridors; whereby, Mr. Goss stated that the change was long-term.

Ms. Kornel stated that staff did not intend to diminish any of the other amendments in the other elements. She stated in the utilities element, they had relocated the level of service in the capital improvements element. She stated in the housing element, they had created new policies based on the housing update. She stated in the coastal and conservation element the amendments were created outside of the EAR-Based Amendments

process. She stated the intergovernmental coordination element was amended with general updates and the cultural and historic resources element was updated to reflect future land use element policies.

Mayor Costello asked about St. John's standards for wetlands, flood requirements; whereby, Mr. Spraker stated that those issues were taken out as they were outside the scope of these amendments.

Overall, Ms. Kornel stated they tried to take out some of the regulatory language in an effort to make the Comprehensive Plan much more broadly stated than it was. She stated that the maps and policies associated with data from Ormond Crossing, and energy policies would be coming to them for review and comment in the future.

Ms. Kornel stated that a tentative schedule for the EAR-Based Amendments was included in their packet.

Commission Comments

Commissioner Gillooly asked about the housing element; whereby, Mr. Goss stated that we have the ability to do that in-house as the impact could be determined very easily.

Commissioner Gillooly asked about an inventory of manufactured homes; whereby, Mr. Spraker stated they had a fairly accurate number of manufactured and mobile homes.

Commissioner Gillooly asked about the concept of universal accessibility; whereby, Mr. Goss stated the idea was to design the home so the person could remain in their home long-term. He stated that rehab would develop those specifications into their plans.

Commissioner Gillooly stated she felt one universal, family-style bathroom would meet the need better.

Commissioner Gillooly asked about the removal of dilapidated housing; whereby, Mr. Goss stated it was eliminated from the Comp Plan, as code currently handled it.

III. Close the Meeting

The meeting was adjourned at 6:46 p.m.

Transcribed by: Lois Towey