



CITY OF PORT ORANGE

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Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: Letter of Understanding for the City of Port Orange Evaluation and Appraisal Report

Dear Mr. Eubanks,

The purpose of the letter is to identify the planning issues on which the City of Port Orange will focus its Evaluation and Appraisal Report (EAR), consistent with Section 163.3191 Florida Statutes. Please find attached a brief description of the scope of the EAR, a summary of the public participation process that led to the development of the major issues list, and the major issues that the City of Port Orange will evaluate.

Please contact Penelope Cruz, Senior Planner, at (386) 506-5671, with regard to any questions or comments.

Sincerely,

Wayne Clark, AICP
Community Development Director

CC: Kenneth W. Parker, City Manager
Port Orange City Council
Port Orange Planning Commission



Evaluation and Appraisal Report (EAR)

CITY OF PORT ORANGE 2009 EAR

Pursuant to Florida Statutes, the City of Port Orange EAR will present an evaluation and assessment of the Comprehensive Plan related to the following topics:

Introduction

1. A brief profile of the City and statement of the purpose of the EAR.
2. A summary of the public participation program and activities undertaken by the City in preparing the report [163.3191(2)(j)].

Community-wide Assessment

3. Population growth and changes in land area, including annexation [163.3191(2)(a)].
4. The extent of vacant and developable land [163.3191(2)(b)].
5. The location of existing development in relation to the location of development anticipated by the plan [163.3191(2)(d)].
6. The financial feasibility of providing needed infrastructure to achieve and maintain adopted level of service standards and sustain concurrency through capital improvements, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities [163.3191(2)(c)].
7. A brief assessment of successes and shortcomings related to each element [163.3191(2)(h)].
8. Relevant changes in growth management laws [163.3191(2)(f)].

Evaluation of Major Issues

9. An analysis of each major issue for its potential social, economic, and environmental impacts of these issues [163.3191(2)(e)].
10. The identification of plan objectives related to each major issue. This will include an evaluation of the extent to which the objectives have been achieved. This will also include a discussion on any unforeseen and unanticipated changes and circumstances which have resulted in problems and opportunities with respect to major issues in each element [163.3191(2)(g)].
11. The identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections and distribution, new revised planning timeframes, a revised future conditions map or map series, an updated Capital Improvements Element, any new and revised goals, objectives and policies for major issues identified within each element [163.3191(2)(i)].



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Special Topics

12. An assessment of the success or failure of the coordination of the future land use map and associated residential development with public schools and their capacities, as well as the joint decision making processes engaged in by the City and the school board in regard to establishing appropriate population projections and the planning and siting of public school facilities [163.3191(2)(k)].
13. An assessments of whether the City has been successful in identifying alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in 373.0361(2)(a) F.S., within the City's jurisdiction. This assessment will include the degree to which the City has implemented the water supply work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in the Public Facilities Element as necessary to serve existing and new development [163.3191(2)(L)].
14. An evaluation of whether any past reduction in land use density within the coastal high-hazard area impairs the property rights of current residents when redevelopment occurs including, but not limited to, redevelopment following a natural disaster. The City will identify strategies to address redevelopment and the property rights of affected residents balanced against public safety considerations [163.3191(2)(m)].
15. An assessment of the extent to which a concurrency exception area designated pursuant to 163.3180(5) F.S., or a multimodal transportation district designated pursuant to 163.3180(15) F.S., has achieved the purpose for which it was created and otherwise complies with the provisions of 163.3180 F.S. [163.3191(2)(o)].
16. An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing a concurrency management system in coordination with the local governments in Volusia County, as appropriate pursuant to 163.3180(10) F.S. [163.3191(2)(p)].



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EAR MAJOR ISSUES – PUBLIC PARTICIPATION

Public participation was initiated through a website created for the City's EAR process (<http://www.port-orange.org/inside/inside59.php>). The site contains a brief overview of the EAR process, information about public workshops and meetings, and links to other EAR related documents. The following workshops and public hearings were held in order to identify the major local issues on which the City will focus its EAR.

January 23rd Joint Workshop with the City Council and Planning Commission

On January 23, 2007, a joint workshop was held in the Council Chambers with the City Council and the Planning Commission. The purpose of the workshop was to review the 1st Draft EAR Major Issues List, which was established internally by staff. The Council and Commission discussed the various issues identified and provide comments and suggestions.

March 7th Public Workshop Summary

Twenty-seven participants attended the EAR public workshop held on March 7, 2007, at the Port Orange Regional Library. The workshops began with a presentation describing the EAR process and schedule, background data regarding the past planning period, population growth, and changes in land area. A discussion of the 1st Draft EAR Issues List followed, which was established internally by staff. It was explained that the list was a draft to be modified through the public workshops and scoping meeting processes. The participants broke into small group discussions, with a facilitator and recorder from the City, to review and possibly modify the initial draft issues list and add any additional issues to the list. Towards the end of the workshops the participants prioritized the top four issues.

May 3rd Review Agencies Scoping Meeting

A Review Agencies Scoping Meeting was held on May 3, 2007; in accordance with 163.191(3) F.S. Five representatives of various review agencies, in addition to seven City staff members, attended the scoping meeting. The purpose of this meeting was to ensure that all important issues were identified, agree on the subject matter of the EAR, and gather additional information and ideas. The result of the meeting was a revised 3rd draft issues list.

The revised issues list was presented to the Planning Commission at a public hearing on June 28, 2007, and subsequently to the City Council at a public hearing on July 17, 2007, in the form of a draft Letter of Understanding (LOU) between the City of Port Orange and the Florida Department of Community Affairs (DCA). Once approved by DCA, the LOU will in a sense become a "contract" between the City and DCA, an understanding which the City EAR will be evaluated against when DCA determines whether the EAR is sufficient.



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EAR MAJOR ISSUES LIST

- 1. Determining what the dominant land use pattern should be for the remaining vacant land**
 - Explore the implication of continuing the existing land use pattern.
 - Explore opportunities and possibilities for mixed-use development in appropriate areas.
 - Explore opportunities and possibilities for Transit Oriented Development (TOD) in appropriate areas.
 - Explore designating more land for industrial uses.

- 2. Determining how the older areas of the City should be maintained and/or redeveloped to avoid decline**
 - Explore opportunities for neighborhood preservation.
 - Identify goals, objectives, and policies for the redevelopment of aging commercial areas.

- 3. Determining which affordable housing practices and methodologies are appropriate to address the housing needs for the City's workforce, elderly and disabled populations**
 - Examine the City's housing stock and identify existing affordable housing opportunities.
 - Assess the impact of the condominium conversion trend.
 - Assess the future of mobile home parks.
 - Examine the regional Jobs/Housing Balance.
 - Examine existing affordable housing initiatives.

- 4. Balancing development, environmental resources and habitat protection**
 - Explore developing a "green" building ordinance and enabling policies in the Comprehensive Plan. Identify regulatory barriers and consistency with the Florida Building Code.
 - Explore opportunities to protect existing natural areas and create more green space, such as acquiring additional lands along Spruce Creek for preservation purposes and in the recharge area for water management purposes.
 - Assess whether provisions of the Comprehensive Plan promote and encourage low-impact development (LID) techniques, and innovative or alternative methods of stormwater treatment and reuse.
 - Identify updates to the Recreation and Open Space Element and Coastal Management Element that may be needed to address the



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revised requirements of 163.3177 and 163.3178 F.S., regarding waterways and recreational and commercial working waterfronts.

5. Examining the demographics of the community and facility usage patterns to determine the best mix of recreation facilities

- Incorporate findings from the 2004 Recreation and Open Space Element Update, revising the LOS standards and create new standards for trails.
- Explore partnerships to meet community recreational needs.

6. Addressing increasing traffic congestion, especially at key intersections, including exploring opportunities to increase modal choice and mobility

- Examine the proximity and availability of transit to key services.
- Explore opportunities and possibilities to increase modal choice.
- Work with VOTRAN to increase and facilitate access to public transportation, especially for seniors and the disabled.
- Explore opportunities and possibilities for Transit Oriented Development (TOD) in appropriate areas.
- Establish timeframes for the completion of corridor plans for major arterials.
- Explore opportunities to construct well designed, shaded, and safe trails and bike paths to interconnect and link the City of Port Orange together, as well as with other cities.
- Examine Traffic Demand Management tools such as ridesharing, carpools, vanpools, park and ride facilities, and High-Occupancy Vehicle (HOV) lanes in appropriate areas, to reduce the number of vehicles on the roads and provide low-cost travel to City residents.
- Shift emphasis from building roads to making intersections safer and functioning the best they can.
- Explore replacing the Traffic Impact Analysis with a Transportation Impact Analysis that addresses all modes of transportation, enhances mobility in existing communities, and provides incentives for transit-friendly development in urbanized areas.

7. Disaster Planning, Mitigation, and Recovery

- Assess whether provisions of the Comprehensive Plan have been successful in directing growth and development away from hazardous areas.
- Assess provisions of the Comprehensive Plan regarding disaster recovery and post-disaster redevelopment planning. Initiate and complete an “all-hazards” Post-disaster Redevelopment Plan (PDRP).



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- Examine fire-wise best management practices that may be appropriate for incorporation into the Comprehensive Plan.
- Explore opportunities to incorporate the Local Mitigation Strategy (LMS) into the Comprehensive Plan.

RESOLUTION NO. 07- 56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA RELATING TO COMPREHENSIVE PLANNING; ACCEPTING THE PROPOSED LIST OF ISSUES THAT WILL SERVE AS THE BASIS FOR THE LETTER OF UNDERSTANDING BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR THE PREPARATION OF THE CITY'S EVALUATION AND APPRAISAL REPORT; AUTHORIZING TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port Orange has adopted the Comprehensive Plan Update 1998, as amended from time to time, in accordance with Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Growth Management Act, Chapter 163, Part II, Florida Statutes, mandates that local governments periodically review their comprehensive plans through the preparation of an Evaluation and Appraisal Report; and

WHEREAS, the Evaluation and Appraisal Report is a review of the success and failures that have occurred in the implementation of the City's comprehensive plan; and

WHEREAS, the List of Issues – Letter of Understanding will serve as the scope of work for the Evaluation and Appraisal Report; and

WHEREAS, the City of Port Orange Evaluation and Appraisal Report is required to be completed on February 1, 2009, as mandated by the State Department of Community Affairs; and

WHEREAS, the City Council, Planning and Zoning Board, City Staff and citizens of the City of Port Orange have cooperated and worked together in the preparation and development of the comprehensive plan amendments authorized by State law; and

WHEREAS, the City Council and Planning Commission conducted a joint public workshop on January 23, 2007, to receive public input and comment on the proposed List of Issues for the Evaluation and Appraisal Report; and

WHEREAS, a public workshop was conducted by the Community Development Department on March 7, 2007; and

WHEREAS, City Staff held a "scoping meeting" with abutting jurisdictions and state agencies on May 3, 2007, to receive input and comment on the proposed List of Issues for the Evaluation and Appraisal Report; and

