



CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE 06/20/2006

SUBJECT: LAND DEVELOPMENT CODE TEXT AMENDMENT/BUILDING COVERAGE REQUIREMENT WITHIN THE "PC-A" (PLANNED COMMERCIAL-AGRICULTURAL) NEIGHBORHOOD DISTRICT, CHAPTER 17 SECTION 29(D) AND SECTION 29(M).
CASE NO: 06-2500001

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION:

To adopt Ordinance No. 2006-18, amending Chapter 17, Section 29(d) and Section 29(m) of the City of Port Orange Land Development Code (LDC), as recommended by the Planning Commission at its May 25, 2006 meeting.

SUMMARY:

PLANNING COMMISSION ACTION: 05-25-2006

Recommended approval, 6-1 (McMasters dissenting), to amend Chapter 17, Section 29(d) and Section 29(m) of the City of Port Orange Land Development Code, to allow an optional increase of the maximum residential building coverage in the "PC-A" (Planned Commercial-Agricultural) Neighborhood District from 35% of the total lot area to 50%, provided additional requirements pertaining to the amount of open space, recreational amenities, and entry features are met within the development. These changes would apply only to single-family residential developments within the "PC-A" (Planned Commercial-Agricultural) Neighborhood District

ATTACHMENTS: Ordinance Resolution Budget Resolution
 Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	<i>Richard W. Wells</i>	Richard W. Wells, AICP	Date	6/9/06
FINANCE DEPARTMENT	N/A	Approved as to Budget Requirements	Date	
CITY ATTORNEY	<i>M. D. Kist</i>	Approved as to Form and Legality	Date	6-8-06
CITY MANAGER	<i>[Signature]</i>	Approved Agenda Item For:		6/20/06

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Continued to Date Certain Approved with Modification

Second Reading - July 18, 2006

ORDINANCE NO. 2006-18

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 29(d) AND (m), OF CHAPTER 17, RELATING TO PLANNED COMMUNITY-AGRICULTURAL (PC-A) DISTRICT RELATING TO NEIGHBORHOOD DISTRICT DIMENSIONAL REQUIREMENTS, SIGNAGE, PLAY AREAS AND OPEN SPACE; PROVIDING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, for purposes of this Ordinance words with underlined (underlined) type shall constitute additions to the original text and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The City Council hereby amends Section 29(d) of Chapter 17, of the Land Development Code to read as follows:

Sec. 29: Planned community-agricultural (PC-A) district.

- (d) Neighborhood *district*
- (6) Dimensional *requirements*.

<i>STANDARD</i>	<i>DETACHED RESIDENTIAL</i>	<i>ATTACHED RESIDENTIAL</i>	<i>NON-RESIDENTIAL</i>
Max. building height ⁽¹⁾	36 ft.	36 ft.	36 ft.
Min. lot size	5,000 s.f.	1,800 s.f. per unit	10,000 s.f.
Min. lot width	50 ft.	18 ft. per unit	100 ft.
Min. living area	1,000 s.f.	600 s.f.	N/A
<u>Building coverage</u>	<u>35%</u> ⁽²⁾	40%	35%
Setbacks			
Front yard	25 ft.	15 ft.	Equal to width of right-of-way landscape buffer

Side yard	5 ft. for lots \leq 65-ft. wide ⁽³⁾ 7.5 ft. for lots > 65-ft. wide	0 ft. for attached units, 15 ft. between buildings	7.5 ft.
Side corner	20 ft.	Equal to front setback	Equal to front setback
Rear yard	20 ft.	25 ft.	30 ft.
Open Space	40%	40%	40%
Common Open Space	1/3 of min. open space required ⁽⁴⁾	1/3 of min. open space required	1/3 of min. open space required

1. Towers, widow's walks, parapet walls and rooftop equipment screening may extend a maximum of five feet above the maximum building height.

2. Maximum building coverage for detached single-family residential lots may be increased up to 50% of the total lot area provided the development requirements for the subdivision as a whole, as listed in Chapter 17, Section 29(d)(9), Section 29(d)(10), and Section 29(m)(4) are met.

3. The following appurtenances shall be allowed to encroach three feet into the side-yard setback; air conditioning equipment, pool pumps and related equipment, other equipment appurtenant to the residential use where otherwise permitted to be located outside, concrete pads associated with air conditioning equipment, and garage stoops.

4. For lots with a maximum building coverage of 50%, the amount of required common open space will be based on lot size: 100% (lot size 5,000 – 5,999 SF), 75% (lot size 6,000 – 6,999 SF) or 50% (lot size < or equal to 7,000 SF).

(9) *Signage.*

(a) Signage requirements shall be as provided in Chapter 15 of this Code.

(b) Signage for detached residential development with a building coverage greater than 35% per lot and less than or equal to 50% per lot shall be as provided below.

(1) Each residential subdivision or residential development shall be required to design and construct entry signage and entry features along all abutting major collector roads within Planned Community No. 1.

(2) At a minimum, such features shall incorporate similar materials, finishes and colors as used on the majority of houses or principal buildings within the subdivision or project, although higher quality materials are encouraged.

(3) Size (ground area) of the entry features and associated signage shall be required at the rate of 150 square feet per residential lot or unit within a development. Total square footage of the entry feature will be based upon the total number of lots within all phases in the subdivision.

(4) The entry feature area(s) shall be installed with the required subdivision infrastructure and improvements and shall be placed at the main entrance. However, if there are multiple subdivision phases with multiple entrances along the major collector or arterial roads, the square footage may be allocated among the entrances.

(5) The design of the entry feature enhancements proposed by the developer shall be subject to review by staff, the

Planning Commission, and subject to final approval of the City Council.

- (6) Entry features shall be maintained by the owners association of the residential subdivision or residential development or specific phase thereof.
- (7) Features that meet the definition of common open space that are incorporated into the entry feature will count toward both the common open space calculation and the entry feature calculation.
- (10) Play area requirements. A residential subdivision or residential development with a building coverage greater than 35% or less than or equal to 50% shall be required to provide 20,000 square feet of open contiguous common area for every 250 or fewer residential lots, within the subdivision or development or phase thereof. Such areas shall consist of the following, at a minimum:
 - (a) A graded, well-drained lawn, sodded with Bahia grass, and regularly mowed. The grade of the lot shall be consistent with the graded height of adjacent lots, so as not to allow excess run-off to drain onto adjacent residential properties.
 - (b) A minimum of four (4) benches provided around the perimeter of the lawn, one on each side. Benches shall be 8 feet long and consist of wood, recycled plastic, or fiberglass seats and backs, with black, green or silver/gray metal framing.
 - (c) A perimeter fence constructed of white PVC. The fence shall be 4 feet in height and include openings for access.
 - (d) Landscaping to meet the requirements of a design type 2 buffer outlined in Chapter 13, Section 5(b) of this code shall be installed around the perimeter fencing. Trees may be placed on either side of the fence, provided a majority are located along the outside. Required shrubs shall be located along the outside perimeter of the fence. This landscaping shall be irrigated per the requirements of Chapter 13 of this code.
 - (e) The size of the required play area may be reduced by 5,000 square feet if playground equipment is installed. Play equipment shall consist of the following:
 - (1) Modular play equipment - minimum 1,400 square feet.
 - (2) Swingset - minimum 12' long, 4 seats.
 - (3) Tot play equipment - minimum 150 square feet.
 - (4) All playground equipment shall be placed in an area that is mulched, or which has a bed of sand, recycled tires, or similar impact-cushioning material.
 - (f) The play area shall be connected to a public street and sidewalk, so that it is accessible to all residents.
 - (g) One paved handicapped parking space shall be provided on-site. The handicapped parking shall comply with all ADA requirements. No other on-site parking shall be required.

- (h) In cases where the size of a residential subdivision or residential development shall require more than one play area, the play areas shall not be amalgamated, but shall be dispersed throughout the residential subdivision or residential development, so as to be within walking distance for the majority of nearby residents.
- (i) All open areas shall be maintained by the owners association of the residential subdivision or residential development or specific phase thereof.
- (11) *Design guidelines.* The architectural design requirements for this district are contained in chapter 14 of this code. In addition, the proposed architectural treatment shall be generally similar to surrounding development with regard to building height and bulk, elevation design, colors and exterior finish materials. The design requirements for gas station pump island canopies shall be the same as for the community district, as described above.

Section 2. The City Council hereby amends Section 29(m) of Chapter 17, of the Land Development Code to read as follows:

- (m) Open space.
- (1) Definition. Open space, for purposes of the PC-A zoning district, shall be defined as the land area which is retained in its natural condition or improved in a manner for the enjoyment of all persons owning property within the PC-A zoning district or any subdivision in the PC-A zoning district. Open space shall include, but shall not be limited to, common open space, trees and environmental preservation areas, water bodies, landscape buffers, undevelopable yard setbacks, and common area parcels, and shall not be developed with impervious surface unless it is common open space. Open space shall also include those portions of the right-of-way that are pervious.
- (2) Common open space. In determining whether an area qualifies as common open space, the following criteria shall apply:

 - (a) Common open space shall be dedicated to and useable by all the residents of the PC-A zoning district or a specific subdivision therein.
 - (b) Common open space may include that land which has been set aside for aesthetic, amenity, buffering or recreational purposes, or for the preservation of natural resources, natural features or listed species habitats.
 - (c) Common open space set aside for the preservation of natural features or listed species habitats, or for buffering purposes shall remain undisturbed and shall be protected by conservation easements dedicated to the city or through city ownership.
 - (d) The location, shape, size and character of common open space shall be depicted in site plan/subdivision submittals.

- (e) Common open space shall not be used for construction of any structures other than recreational facilities, its supporting infrastructure, and incidental maintenance buildings.
- (f) Common open space shall be maintained by the owner's association of a subdivision or by the city if under city ownership.
- (3) Location requirements. All open and common open space required for the PC-A zoning district as a whole or any subdivision thereof shall be located within the boundaries of the PC-A zoning district.
- (4) For residential subdivisions or residential developments within the Neighborhood District with a building coverage greater than 35% per lot or less than or equal to 50% per lot, the following determines whether an area qualifies as common open space:
 - (a) Common open space shall only include that land which has been amenitized and/or set aside for recreational purposes:
 - (b) Stormwater retention ponds may be counted as common open space, provided that they are made accessible to all residents and subdivision property owners, and are designed according to the following criteria:
 - (1) The pond and area sufficient to accommodate the features listed below shall be located in common open space as depicted on the subdivision plat.
 - (2) A walking path shall be provided around the perimeter of stormwater retention areas, and constructed in accordance with the City's Standard Construction Detail for Sidewalks.
 - (3) Walking paths shall be located a minimum of 20 feet from the nearest lot. However, this distance may be reduced to 15 feet if a 4' tall white, PVC fence is installed between the residential lots and the walking paths.
 - (4) Landscaping shall be required along the edge of the pedestrian path. Landscaping materials may be placed on either side of the path, provided the majority of materials are located along the outside edge. Where the path lies adjacent to residential lots, or a street, landscaping for a Type 1 buffer yard shall be required. Where the path lies adjacent to wetlands or forested areas, no additional landscaping shall be required. Where the path lies adjacent to common area, or other areas not otherwise landscaped, two (2) shade trees and three (3) understory trees shall be provided per 100 lineal feet. This landscaping shall be irrigated as required by Chapter 13 of this code.
 - (4) The pedestrian walking paths shall connect to a street and public sidewalk so that the walkway will be accessible to all residents.
 - (5) Benches shall be provided every 500 feet and anchored in cement. Benches shall be a minimum of 6 feet long and

consist of wood, recycled plastic, or fiberglass seats and backs, with black, green or silver/gray metal framing.

(6) The use of pedestrian walklights, while not required, is encouraged. Pedestrian walklights shall be in the form of bollards. The bollard style shall be Hanover Model No. 6346 with a black finish, or equivalent. Pedestrian walklights shall be spaced at 250-foot intervals.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. This ordinance shall become effective immediately upon adoption by the City Council.

MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Passed on first reading on the _____ day of _____

Passed and adopted on second and final reading on the _____ day of _____

Reviewed and Approved: 
City Attorney



REVISED-STAFF REPORT

**Amendment to the Land Development Code, Chapter 17,
Section 29(d) and Section 29(m) – Building Coverage
Requirements within the PC-A Zoning District**

Richard Olson, Tomoka Farms Development, LLC, applicant
June 2, 2006

INTRODUCTION:

Richard Olson, Tomoka Farms Development, LLC., applicant, proposes to amend Chapter 17, Section 29(d) and Section 29(m) of the City of Port Orange Land Development Code (LDC). If approved, the amendment would allow an optional increase of the maximum residential building coverage in the Planned Commercial-Agricultural *Neighborhood District* from 35% of the total lot area to 50%, provided additional requirements pertaining to the amount of open space, recreational amenities, and entry features are met within the development. These changes would apply only to detached residential units within the Planned Commercial-Agricultural *Neighborhood District* (see map attached as Exhibit "A").

BACKGROUND:

The subject property, also known as Planned Community No. 1, is located west of Interstate 95 and north of Taylor Road, and is envisioned as a mixed-use area, including suburban residential, New Urbanist residential, a neo-traditional town center and commercial and industrial development. In 2002, the City Council approved the Future Land Use and rezoning of this property.

As shown on Exhibit "A", the "PC-A" zoning classification actually consists of four separate districts, with four sets of development guidelines to reflect the unique character of a given area. The *Neighborhood District* is intended to accommodate a variety of standard suburban housing types at varying densities. Single-family, two-family and multi-family housing are permitted. Neighborhood-scale office and commercial developments are appropriate for this District. Such non-residential developments are intended to be pedestrian-friendly, and are therefore located relatively close to the street.

The proposed amendment to increase the building coverage would only affect single-family detached residential properties located within the *Neighborhood District*. Staff has also included additional requirements to offset the negative impacts that would be caused by increasing the building coverage and to increase the overall quality of the subdivision, such as decorative entry features, play/open areas and amenitized common open space with recreational amenities.

Staff met with the contract purchaser of the subject property, Centerline Homes, on February 14, 2006 to discuss the proposed amendment. At the meeting, staff discussed the concerns the Planning Commission and the City Council expressed during last year's workshops regarding subdivision design and suggested that additional

~~open space with recreational amenities, decorative entry features and play area would be required to offset the increase in building coverage. The proposal to increase the building coverage is related to the design of Phase II and III of Coquina Cove and will not effect subdivisions already designed and developed within the *Neighborhood District* of the "PC-A" zoning district.~~

DISCUSSION:

In the letter submitted by the contract purchaser, Centerline Homes, supporting the amendment request (Exhibit "B"), the contract purchaser cites market conditions as the reason for the proposed changes. According to the contract purchaser, many homebuyers are choosing to build and/or buy larger homes on smaller lots. By increasing the maximum building coverage, to 50% on a minimum lot within the *Neighborhood District* (5,000 square feet), an additional 750 square feet would be gained in building coverage on a single story dwelling,

When reviewing the applicant's amendment request, staff considered the impacts that might result from the change proposed by the applicant and formulated design strategies that could be implemented to reduce or eliminate potential impacts. Staff also took into consideration concerns raised during the joint workshops between the Planning Commission and City Council in the spring of 2005. These concerns centered primarily on quality of life and aesthetic issues, which are directly influenced by the following:

- Aesthetics, including the use of entry features and signage to delineate projects and provide them with a distinct identity;
- Provision of useable common open space; and
- Provision of on-site amenities, such as play areas and clubhouses, which would decrease reliance on City parks and promote neighborhood-oriented pedestrian activity.

As indicated by the proposed changes shown in Exhibit "C", staff has attempted to incorporate solutions to these concerns within the draft amendment. The changes and additions to Chapter 17, Section 29(d) and Section 29(m), of the LDC are highlighted in yellow. Staff's explanation of the proposed changes is discussed in detail in the following paragraphs.

The proposed changes to the LDC are intended to provide an option to developers or homebuilders. Instead of changing the building coverage for the entire *Neighborhood District* staff has given the developer an option on the design of the subdivision. A developer could still develop a subdivision under the current requirements of Chapter 17, Section 29, of the LDC with the maximum building coverage being 35%, or the developer could choose to increase the building coverage up to 50% provided the requirements in the revised version of Chapter 17, Section 29 of the LDC are met. Staff believes that the additional open space with recreational amenities and upscale entry feature are sufficient upgrades to offset the increase in building coverage.

Aesthetics

In recent years, the City has approved several subdivisions along Williamson Boulevard, South Williamson Boulevard, and Airport Road that contain rather substantial decorative entry features including walls, signs, fountains, clock towers and extensive landscaping. While these items were not required by Code, developers provided them in an effort to make their projects stand out and to entice future residents to buy within their developments. As a result, these types of entry features have become expected within the City, and thus the new standard by which future developments are measured. However, because of recent housing demand in recent years, many developers are no longer required by market conditions or motivated to raise the quality of their projects to attract homebuyers.

When the Planned Community area was created and its regulations drafted, it was envisioned that this area would become a showcase area that would at least meet the quality of previous projects, and most likely exceed minimum expectations. However, as discussed in the context of proposed projects in this area, as well as other areas within the City, this is currently not the case.

Staff is proposing to amend Chapter 17, Section 29(d), LDC, to require developers increasing the building coverage up to 50% to install upscale entry features along all abutting major collector roads within Planned Community No. 1. Staff's proposal is to tie the size of the entry feature to the number of lots or units within the subdivision. When constructing a ratio, staff reviewed entry features in other subdivisions and used an average of the entry feature size to number of lots. In many instances, the reviewed entry features were extremely extravagant and well beyond the norm, and included amenitized retention ponds and boulevard landscaping. In these cases, staff included only the front-most portions of these features when calculating the ratio. For example, Water's Edge has over 14 acres in its entry area, which includes two landscaped retention ponds with paved walkways around each pond. At 1,128 lots, the average entry feature square footage per lot would be 550 square feet. In order to limit skewing of the results, staff excluded the retention pond areas, which resulted in an average of 30 square feet per lot. The average entry feature size per lot including all of the entry feature area is 440 square feet per lot, while the average front entry feature size per lot is 60 square feet. The following table presents staff's rough calculations of average entry feature size per lot.

Table 1: Entry Feature Size Per Lot

	Pinnacle	Sanctuary on Spruce Creek	Water's Edge	Town Park	Average
Number of Lots	139	310	1,128	322	1,899
Size of Front Entry Features (SF)	11,610	14,400	36,580	56,000	118,590
Square Footage Per Lot	80	50	30	170	60
Total Size of Entry Features (SF)	11,610	23,600	627,260	178,600	841,070
Square Footage Per Lot Based on Total Entry Feature Size	80	80	560	550	440

Staff is proposing a minimum entry feature size of 150 square feet per lot, which represents a compromise between the two numbers (60 square feet and 440 square feet). This required area may be allocated among multiple entrances. Square footage would be based upon the total number of lots within the entire subdivision, and could be installed in multiple phases, if those phases had entrances on to a major collector road. For comparison, Phase II and III of Coquina Cove is proposed to have 329 residential lots, and the proposed entrances for Phase II and III will consist of 302,842 square feet. Therefore the ratio for these two phases would be 920.5 square feet per residential lot. Attached is an illustration of the proposed entrance off Town West Boulevard for Phase II of Coquina Cove and a site plan indicating the size and location of the three proposed entrances, proposed by Centerline Homes (See Exhibit "D").

Useable Common Open Space

The proposed amendment to increase the building coverage would not reduce the amount of required open space or common open space within a subdivision constructed in the *Neighborhood District* of the PC-A zoning district. However, the increase in building coverage will result in property owners having less usable yard space and the overall visual open space within the subdivision would be decreased. This in turn begins to affect the character of the neighborhood and the function of its open and common space areas. In small-lot subdivisions, such as this, the presence and function of *usable* common open space becomes critical, where the area on each lot remaining after the homes, driveways and screened rooms are built has little, if any, value for recreation. If designed properly, usable common open space areas can not only provide a needed recreational amenity, but also greatly enhance property values and the residents' quality of life.

Currently, Chapter 17, Section 29(m), LDC, allows land that has been set aside for aesthetic or buffering purposes or for the preservation of natural resources, natural features or listed species habitats to be counted as common open space. However, staff has found from recent experience that these preservation areas cannot be easily amenitized. The issue is that permitting agencies outside of the City consider the installation of walkways in these areas as secondary impacts, which require further mitigation. As a result, developers are reluctant to include such amenities. Additionally, developers often cite residents' security concerns as an additional argument against providing such upgrades where they abut residential lots.

Staff recommendations will still allow developers to use the 35% building coverage requirement in Chapter 17, Section 29(m), of the LDC to define common open space. However, developers that desire to increase the building coverage for residential lots to 50% would be required to devote up to 100% of the required open space to be common open space with recreational amenities. Staff has created the following guidelines to determining the amount of common open space with recreational amenities that will need to be provided based on lot proposed size. These guidelines are indicated as a footnote to Chapter 17, sec 29(d)(6) (See Exhibit "C"). Therefore, the open space will need to be assessable and usable to residents within the subdivision. Staff has proposed requirements within Chapter 17, Section 29(m) that would ensure that "common areas" are truly open and accessible to all residents within a subdivision or residential development. If these areas cannot be made accessible, staff does not

believe that they should be counted as common open space. Features, such as tot lots, docks, play fields, picnic areas, sitting areas, swimming pools, clubhouse and pedestrian paths around retention ponds will be counted as common open space. Features that meet the definition of common open space that are incorporated into the entry feature will count toward both the common open space calculation and the entry feature calculation. Attached is a conceptual drawing and details of the recreational amenities areas, proposed by Centerline Homes for Phases II & III of Coquina Cove, to meet the common open space with recreational amenities requirement of the proposed amendment (Exhibit "E").

Provision of on-site amenities

If the applicant's proposed text amendment is approved, future residents within the *Neighborhood District* of the "PC-A" zoning district will be able to build larger homes on lots that were originally designed to accommodate smaller homes. As a result, the amount of yard space available for children to play in will decrease proportionately. While a 12-acre and a 36-acre City park are proposed within the Planned Community district, these parks have not yet been designed and constructed. Additionally, these parks may not be within convenient walking distance for younger children, which could lead to parents driving their children to the parks, and generating additional vehicular traffic along the internal subdivision streets and the new collector roads.

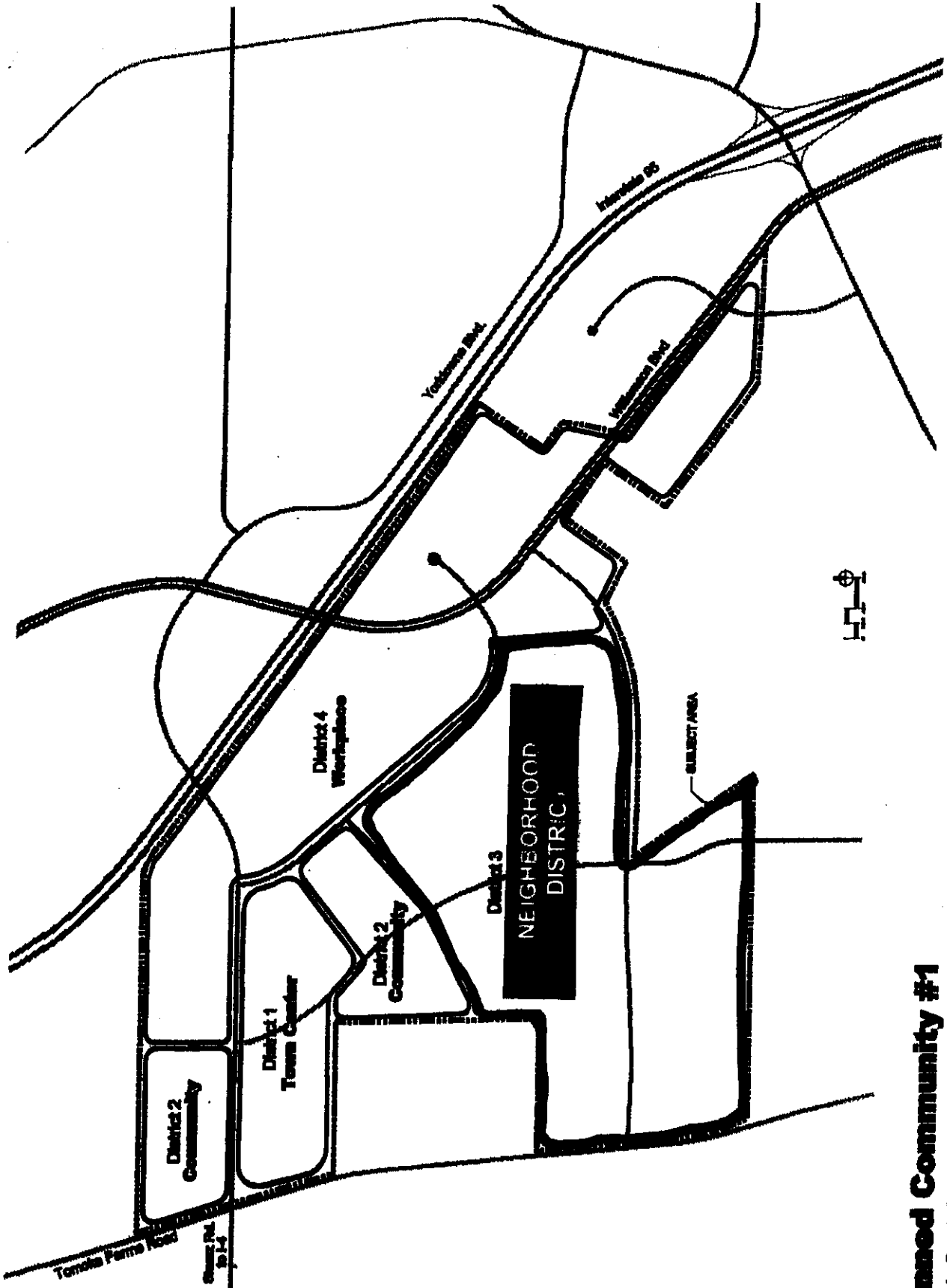
To minimize the need for this, staff proposes to amend Chapter 17, Section 29(d), to require residential developments to provide 20,000 square feet of open play areas for every 250 or fewer lots or units. These open areas would be level, graded, regularly mowed areas, which would be fenced and landscaped. Alternatively, if the developer chose to include play equipment in these areas, the total square footage could be reduced by 5,000 square feet. Requirements for minimum playground equipment are also included in staff's proposed amendment. The decision to require 20,000 square feet of play field is based upon the City's level of service standard for playfields. The City's *Comprehensive Plan – Update '98*, requires one 40 yard x 60 yard (21,600 SF) playfield for every 2,500 residents. However, this level of service standard is outdated and is based upon requirements that were established at a time when lot sizes were typically 8,000 – 10,000 square feet, which is larger than today's industry standard of 5,000 – 6,000 square feet. A 20,000-square foot area is the same size as only two 10,000-square foot lots. For that reason, staff believes that the requirement for a 20,000 square foot play area is sensible. Attached is a conceptual drawing and details of the two play areas, proposed by Centerline Homes for Phases II & III of Coquina Cove, to meet the play area requirement of the proposed amendment (Exhibit "E").

CONCLUSION:

The proposed amendment to the Land Development Code that has been requested by the applicant is significant, as it would alter the suburban character of the single-family detached homes within the *Neighborhood District* in the "PC-A" zoning district. While increased building coverage is not inherently inconsistent with good planning, such changes should not be made without considering the possible consequences. Furthermore, alternative design options must be developed to lessen these potential impacts. Staff believes that the proposed requirement to increase the building

coverage will alleviate the negative effects to residents' quality of life that will occur if the applicant's changes are approved.

Staff supports the developer's requested amendment, provided that appropriate measures are taken to ensure that quality of life is not negatively impacted for residents within these communities. Therefore, staff recommends **approval** of the proposed request with the condition that the staff-proposed mitigation solutions also be approved.



Planned Community #1
District Map
Port Orange, Florida
Revised 07/24/01

Exhibit A

Thomas T. Cobb
(1916-2004)

Jonathan D. Kaney Jr.
J. Lester Kaney
T. Allen Watts
Harold C. Hubka
Thomas S. Hart
Scott W. Cichon
Robert A. Merrell III
Bruce A. Hanna
John P. Ferguson
Rhoda Bess Goodson
Jonathan D. Kaney III
Thomas J. Leek
Michael P. Olivari
Mark A. Watts

Cobb & Cole

Law Offices • Daytona Beach • DeLand

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351 East New York Avenue
Suite 200

DeLand, Florida, 32724

(386) 736-7700

CobbCole.com

March 23, 2006

Heather Bond Vargas
Robert Taylor Bowling
Joshua J. Pope
Andrea M. Kurak
Andrew C. Grant
Kathryn D. Weston
Elan R. Kaney
R. Brooks Casey
Christopher N. Challis
Kelly V. Parsons
Michael J. Woods
Maja S. Sander

RETIRED
W. Warren Cole, Jr.
Jay D. Bond, Jr.

VIA HAND DELIVERY

Michael E. Disher, AICP
Senior Planner/Long-Range Planning
City of Port Orange
1000 City Center Circle
Port Orange, FL 32129

RE: Proposed PC-A Text Amendment

Dear Mike:

Attached please find our application on behalf of Tomoka Farms Development, LLC for a text amendment to the Neighborhood District of the PC-A zoning classification. As we have previously discussed, our client and their partner, Centerline Homes, are applying for this amendment in an effort to respond to market demand for larger homes on smaller lots. In keeping with the overall intent of the workshops between the Planning Board and City Council, we are proposing to offset our request for additional building coverage by maximizing both the open space and common open space within the development.

After reviewing the existing regulations for the Neighborhood District, I believe an amendment to Section 29(d)(6) of the Land Development Code would accomplish our clients' goals. For purpose of incorporating the requested amendment into the dimensional requirement table provided in the above referenced section, I suggest adding the following as a footnote in the single family detached column:

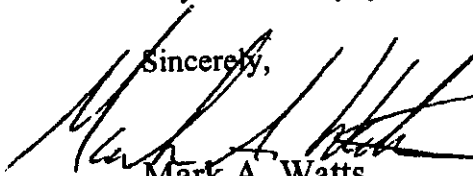
Cobb & Cole

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March 23, 2006

Maximum building coverage may increase to 50% of the total lot area provided open space is increased to 50% of the total project area and common open space improved with recreational amenities is increased to 20% of the total project area.

Please review our application and contact me if you have any questions or concerns.

Sincerely,



Mark A. Watts

Direct Dial (386) 736-7700

Email Mark.Watts@CobbCole.com

Telecopier (386) 785-1549

MAW:jnl
Enclosures

cc: Mr. Jim Graham
Mr. Nick Gluckman
Mr. Mike Hale

Sec. 29: Planned community-agricultural (PC-A) district.

- (d) *Neighborhood district*
- (6) *Dimensional requirements.*

STANDARD	DETACHED RESIDENTIAL	ATTACHED RESIDENTIAL	NON-RESIDENTIAL
Max. building height ⁽¹⁾	36 ft.	36 ft.	36 ft.
Min. lot size	5,000 s.f.	1,800 s.f. per unit	10,000 s.f.
Min. lot width	50 ft.	18 ft. per unit	100 ft.
Min. living area	1,000 s.f.	600 s.f.	N/A
<u>Building coverage</u>	<u>35%</u> ⁽²⁾	40%	35%
Setbacks			
Front yard	25 ft.	15 ft.	Equal to width of right-of-way landscape buffer
Side yard	5 ft. for lots < 65-ft. wide ⁽³⁾ 7.5 ft. for lots > 65-ft. wide	0 ft. for attached units, 15 ft. between buildings	7.5 ft.
Side corner	20 ft.	Equal to front setback	Equal to front setback
Rear yard	20 ft.	25 ft.	30 ft.
Open Space	40%	40%	40%
Common Open Space	1/3 of min. open space required ⁽⁴⁾	1/3 of min. open space required	1/3 of min. open space required

1. Towers, widow's walks, parapet walls and rooftop equipment screening may extend a maximum of five feet above the maximum building height.

2. Maximum building coverage for detached single-family residential lots may be increased up to 50% of the total lot area provided the development requirements for the subdivision as a whole, as listed in Chapter 17, Section 29(d)(9), Section 29(d)(10), and Section 29(m)(4) are met.

3. The following appurtenances shall be allowed to encroach three feet into the side-yard setback; air conditioning equipment, pool pumps and related equipment, other equipment appurtenant to the residential use where otherwise permitted to be located outside, concrete pads associated with air conditioning equipment, and garage stoops.

4. For lots with a maximum building coverage of 50%, the amount of required common open space will be based on lot size: 100% (lot size 5,000 – 5,999 SF), 75% (lot size 6,000 – 6,999 SF) or 50% (lot size < or equal to 7,000 SF).

(9) **Signage.**

- (a) Signage requirements shall be as provided in Chapter 15 of this Code.
- (b) Signage for detached residential development with a building coverage greater than 35% per lot and less than or equal to 50% per lot shall be as provided below.

(1) Each residential subdivision or residential development shall be required to design and construct entry signage and entry

- features along all abutting major collector roads within Planned Community No. 1.
- (2) At a minimum, such features shall incorporate similar materials, finishes and colors as used on the majority of houses or principal buildings within the subdivision or project, although higher quality materials are encouraged.
 - (3) Size (ground area) of the entry features and associated signage shall be required at the rate of 150 square feet per residential lot or unit within a development. Total square footage of the entry feature will be based upon the total number of lots within all phases in the subdivision.
 - (4) The entry feature area(s) shall be installed with the required subdivision infrastructure and improvements and shall be placed at the main entrance. However, if there are multiple subdivision phases with multiple entrances along the major collector or arterial roads, the square footage may be allocated among the entrances.
 - (5) The design of the entry feature enhancements proposed by the developer shall be subject to review by staff, the Planning Commission, and subject to final approval of the City Council.
 - (6) Entry features shall be maintained by the owners association of the residential subdivision or residential development or specific phase thereof.
 - (7) Features that meet the definition of common open space that are incorporated into the entry feature will count toward both the common open space calculation and the entry feature calculation.
- (10) Play area requirements. A residential subdivision or residential development with a building coverage greater than 35% or less than or equal to 50% shall be required to provide 20,000 square feet of open contiguous common area for every 250 or fewer residential lots, within the subdivision or development or phase thereof. Such areas shall consist of the following, at a minimum:
- (a) A graded, well-drained lawn, sodded with Bahia grass, and regularly mowed. The grade of the lot shall be consistent with the graded height of adjacent lots, so as not to allow excess run-off to drain onto adjacent residential properties.
 - (b) A minimum of four (4) benches provided around the perimeter of the lawn, one on each side. Benches shall be 8 feet long and consist of wood, recycled plastic, or fiberglass seats and backs, with black, green or silver/gray metal framing.
 - (c) A perimeter fence constructed of white PVC. The fence shall be 4 feet in height and include openings for access.
 - (d) Landscaping to meet the requirements of a design type 2 buffer outlined in Chapter 13, Section 5(b) of this code shall be installed

around the perimeter fencing. Trees may be placed on either side of the fence, provided a majority are located along the outside. Required shrubs shall be located along the outside perimeter of the fence. This landscaping shall be irrigated per the requirements of Chapter 13 of this code.

- (e) The size of the required play area may be reduced by 5,000 square feet if playground equipment is installed. Play equipment shall consist of the following:
 - (1) Modular play equipment - minimum 1,400 square feet.
 - (2) Swingset - minimum 12' long, 4 seats.
 - (3) Tot play equipment - minimum 150 square feet.
 - (4) All playground equipment shall be placed in an area that is mulched, or which has a bed of sand, recycled tires, or similar impact-cushioning material.
- (f) The play area shall be connected to a public street and sidewalk, so that it is accessible to all residents.
- (g) One paved handicapped parking space shall be provided on-site. The handicapped parking shall comply with all ADA requirements. No other on-site parking shall be required.
- (h) In cases where the size of a residential subdivision or residential development shall require more than one play area, the play areas shall not be amalgamated, but shall be dispersed throughout the residential subdivision or residential development, so as to be within walking distance for the majority of nearby residents.
- (i) All open areas shall be maintained by the owners association of the residential subdivision or residential development or specific phase thereof.

(11) *Design guidelines.* The architectural design requirements for this district are contained in chapter 14 of this code. In addition, the proposed architectural treatment shall be generally similar to surrounding development with regard to building height and bulk, elevation design, colors and exterior finish materials. The design requirements for gas station pump island canopies shall be the same as for the community district, as described above.

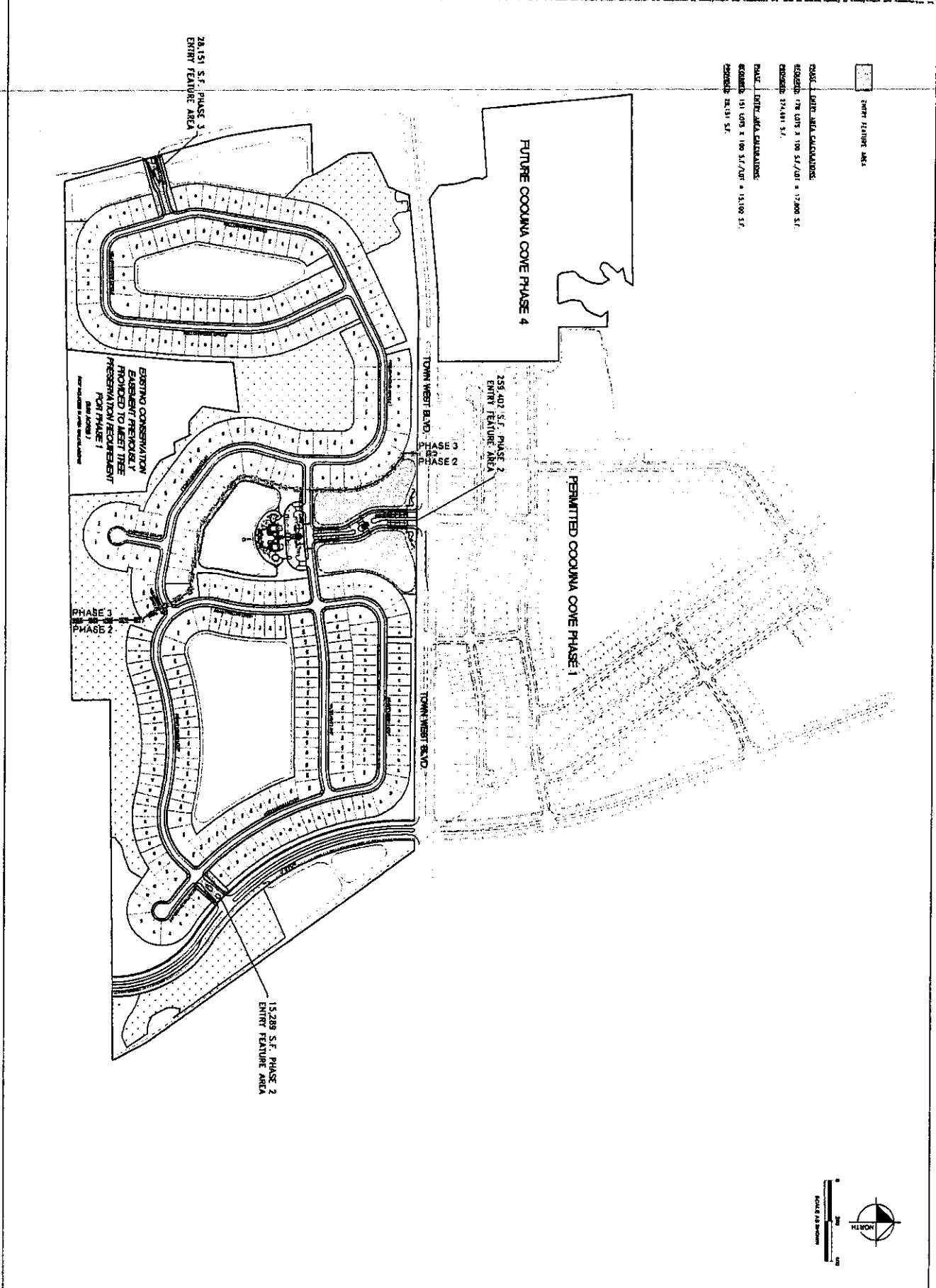
(m) Open space.

- (1) Definition. Open space, for purposes of the PC-A zoning district, shall be defined as the land area which is retained in its natural condition or improved in a manner for the enjoyment of all persons owning property within the PC-A zoning district or any subdivision in the PC-A zoning district. Open space shall include, but shall not be limited to, common open space, trees and environmental preservation areas, water bodies, landscape buffers, undevelopable yard setbacks, and common area parcels, and shall not be developed with impervious surface unless it is common open space. Open space shall also include those portions of the right-of-way that are pervious.

- (2) Common open space. In determining whether an area qualifies as common open space, the following criteria shall apply:
 - (a) Common open space shall be dedicated to and useable by all the residents of the PC-A zoning district or a specific subdivision therein.
 - (b) Common open space may include that land which has been set aside for aesthetic, amenity, buffering or recreational purposes, or for the preservation of natural resources, natural features or listed species habitats.
 - (c) Common open space set aside for the preservation of natural features or listed species habitats, or for buffering purposes shall remain undisturbed and shall be protected by conservation easements dedicated to the city or through city ownership.
 - (d) The location, shape, size and character of common open space shall be depicted in site plan/subdivision submittals.
 - (e) Common open space shall not be used for construction of any structures other than recreational facilities, its supporting infrastructure, and incidental maintenance buildings.
 - (f) Common open space shall be maintained by the owner's association of a subdivision or by the city if under city ownership.
- (3) Location requirements. All open and common open space required for the PC-A zoning district as a whole or any subdivision thereof shall be located within the boundaries of the PC-A zoning district.
- (4) For residential subdivisions or residential developments within the Neighborhood District with a building coverage greater than 35% per lot or less than or equal to 50% per lot, the following determines whether an area qualifies as common open space:
 - (a) Common open space shall only include that land which has been amenitized and/or set aside for recreational purposes;
 - (b) Stormwater retention ponds may be counted as common open space, provided that they are made accessible to all residents and subdivision property owners, and are designed according to the following criteria:
 - (1) The pond and area sufficient to accommodate the features listed below shall be located in common open space as depicted on the subdivision plat.
 - (2) A walking path shall be provided around the perimeter of stormwater retention areas, and constructed in accordance with the City's Standard Construction Detail for Sidewalks.
 - (3) Walking paths shall be located a minimum of 20 feet from the nearest lot. However, this distance may be reduced to 15 feet if a 4' tall white, PVC fence is installed between the residential lots and the walking paths.
 - (4) Landscaping shall be required along the edge of the pedestrian path. Landscaping materials may be placed on either side of the path, provided the majority of materials are located along the outside edge. Where the path lies

adjacent to residential lots, or a street, landscaping for a Type 1 buffer yard shall be required. Where the path lies adjacent to wetlands or forested areas, no additional landscaping shall be required. Where the path lies adjacent to common area, or other areas not otherwise landscaped, two (2) shade trees and three (3) understory trees shall be provided per 100 lineal feet. This landscaping shall be irrigated as required by Chapter 13 of this code.

- (4) The pedestrian walking paths shall connect to a street and public sidewalk so that the walkway will be accessible to all residents.
- (5) Benches shall be provided every 500 feet and anchored in cement. Benches shall be a minimum of 6 feet long and consist of wood, recycled plastic, or fiberglass seats and backs, with black, green or silver/gray metal framing.
- (6) The use of pedestrian walklights, while not required, is encouraged. Pedestrian walklights shall be in the form of bollards. The bollard style shall be Hanover Model No. 6346 with a black finish, or equivalent. Pedestrian walklights shall be spaced at 250-foot intervals.

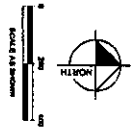


SCALE 1/8" = 1'-0"

DATE 04/11/08

PROJECT NO. 049210001

SHEET NUMBER



<p>PRELIMINARY PLANS COQUINA COVE SUBDIVISION PHASES 2 & 3</p> <p>CITY OF PORT ORANGE FLORIDA</p>		<p>ENTRY FEATURE AREA EXHIBIT</p>		<p>SCALE: AS SHOWN</p> <p>DESIGNED BY: [blank]</p> <p>DRAWN BY: RPS</p> <p>CHECKED BY: LMH</p>	<p>DATE: 04/11/08</p> <p>PROJECT NO.: 049210001</p> <p>SHEET NUMBER: [blank]</p>	<p>DATE: [blank]</p> <p>BY: [blank]</p>	<p>REVISIONS: [blank]</p>
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Kimley-Horn and Associates, Inc.

601 Constitution Ave., Suite 302, Port Orange, FL 32127
Phone: (386) 761-7276 Fax: (386) 761-0441
WWW.KIMLEY-HORN.COM CA 00000008