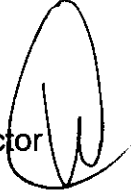





# MEMORANDUM

**TO:** Wayne Clark, AICP, Community Development Director 

**FOR:** Kenneth W. Parker, City Manager

**FROM:** Penelope Cruz, Senior Planner 

**SUBJECT:** SMALL-SCALE LAND USE AMENDMENT/Bipin Rama – Volusia  
Growth Management Commission Certification for VGMC Case 07-026  
Port Orange Case No. 06-20000007

**DATE:** June 1, 2007

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Staff has received a letter from the Volusia Growth Management Commission (VGMC) stating that the VGMC has not received any objection to the above-referenced application for a land use amendment. A copy of the letter is attached to this memorandum. The subject application is to change the Future Land Use Map designation of ± 4.88 acres, from Volusia County *Urban Low Intensity* (0.2 – 4.0 units/acre) to City of Port Orange *Rural Residential/Agriculture* (0 – 2 units/acre). The subject property is located at 812 Airport Road.

The subject application is consistent with the criteria of Ordinance 87-24, Section 6, as amended, of the VGMC Comprehensive Plan Certification Rules, and no objections were received, therefore, the VGMC has certified the subject application without the need for a public hearing.

The subject application has been scheduled for the second (final) reading at the regularly scheduled City Council meeting on June 19, 2007.

## RECOMMENDATION

Staff recommends **approval** of the proposed amendment. 

# VOLUSIA GROWTH MANAGEMENT COMMISSION

Suite 305  
140 S. Beach Street  
Daytona Beach, FL 32114

Phone: (386) 947-1875

Fax (386) 947-1877

E-Mail: [VGMC@co.volusia.fl.us](mailto:VGMC@co.volusia.fl.us)

---

May 29, 2007

Ms. Penelope Cruz  
Senior Planner  
City of Port Orange  
1000 City Center Circle  
Port Orange, FL 32129

**RE: VGMC Case 07-026 – Port Orange  
Small Scale Amendment – City Case No. 06-20000007**

Dear Ms. Cruz,

I am writing this letter to inform you the Volusia Growth Management Commission has not received any objection to the above-referenced application within the required time period after the date of publication of notice thereof. Since this application qualifies under the criteria of Ordinance 87-24, Section 6, as amended, of the Volusia Growth Management Comprehensive Plan Consistency Certification Rules, your application is hereby deemed certified without a need for a public hearing.

If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,



Gerald Brandon  
VGMC Chairman

CC: VGMC Members  
GrayRobinson, P.A.  
MSCW Inc.  
Volusia County & Municipalities  
FDCA



# CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE 03/20/07

**SUBJECT: LAND USE AMENDMENT/BIPIN RAMA  
06-20000007**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**RECOMMENDED MOTION:**

To adopt Ordinance No. 2007-14 amending the Future Land Use Map of the City of Port Orange *Comprehensive Plan-Update '98* for 4.88 acres of property located at 812 Airport Road, from Volusia County *Urban Low Intensity* (0.2-4.0 units/acre) to City of Port Orange *Rural Residential/Agriculture* (0-2 units/acre), as recommended by the Planning Commission.

**SUMMARY:**

**PLANNING COMMISSION ACTION:** At its February 22, 2007 meeting, the Planning Commission recommended approval, 7-0, of an amendment to the Future Land Use Map of the City of Port Orange *Comprehensive Plan-Update '98*. This map amendment is to change the land use designation of approximately 4.88 acres, located at 812 Airport Road, from Volusia County *Urban Low Intensity* (0.2-4.0 units/acre) to City of Port Orange *Rural Residential/Agriculture* (0-2 units/acre). If approved, the owner intends on rezoning the property to "PUD" (Planned Unit Development) and subdividing the property into four single-family residential lots. Please find the staff report attached.

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

**DEPARTMENT HEAD**

Wayne Clark  
Community Development Director

Date

3/9/07

**FINANCE DEPARTMENT**

Approved as to Budget Requirements

Date

**CITY ATTORNEY**

Approved as to Form and Legality

Date

3-9-07

**CITY MANAGER**

Approved Agenda Item For:

3/20/07

**COUNCIL ACTION:**

Approved as Recommended  Disapproved

Tabled Indefinitely

Continued to Date Certain

Approved with Modification

*Second Reading will occur when returned from  
1.62. Growth Management*

ORDINANCE NO. 2007-14

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP OF COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE DESIGNATION FROM VOLUSIA COUNTY URBAN LOW INTENSITY TO CITY OF PORT ORANGE RURAL RESIDENTIAL/AGRICULTURE FOR A 4.88 ACRE PARCEL OF LAND LOCATED ON THE WEST SIDE OF AIRPORT ROAD, ACROSS FROM CREEKSIDE MIDDLE SCHOOL, AND SOUTH OF THE WHISPERING WOODS SUBDIVISION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after careful review and a public hearing, the Planning Commission, sitting as the Local Planning Agency, has forwarded a recommendation to the City Council regarding this proposed amendment to the Comprehensive Plan for the City of Port Orange; and

WHEREAS, the proposed amendment to the Comprehensive Plan directly relates to small scale development activities as provided in Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the City Council of the City of Port Orange has received comments and proposals from the general public and held at least one public hearing with regard to the proposed amendment to the Comprehensive Plan; and

WHEREAS, the amendment to the Comprehensive Plan shall be submitted to the Volusia Growth Management Commission for a determination of consistency in accordance with Section 202.3 of the Charter of Volusia County, Florida; and

WHEREAS, the City Council hereby declares that the purpose and intent of the proposed amendment to the Comprehensive Plan is to guide future growth and

(ORD. NO. 2007- )

development; encourage the most appropriate use of land, water, and other resources, consistent with the public interest; promote and protect the public health, safety, comfort, good order, appearance, convenience, aesthetics, and general welfare; prevent the overcrowding of land and avoid undue concentration of population; provide adequate and efficient transportation, water, sewage, drainage, fire protection, parks, recreational facilities, housing, and other services, facilities and resources; and conserve and protect natural resources within the City, while protecting private property rights.

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

Section 1. For purposes herein, the term "Comprehensive Plan," shall mean the Comprehensive Plan for the City of Port Orange, consisting of the one (1) volume book entitled "City of Port Orange Comprehensive Plan Update '98," and containing nine (9) elements, including Future Land Use; Transportation; Housing; Public Facilities; Coastal Zone Management; Conservation; Recreation and Open Space; Intergovernmental Coordination; and Capital Improvements, all as adopted by Ordinance No. 1999-43, as subsequently amended by Ordinances No. 1999-46, 1999-56, 1999-57, 2000-1, 2000-8, 2000-13, 2000-25, 2000-29, 2000-41, 2001-2, 2001-21, 2001-26, 2001-75, 2001-76, 2001-89, 2002-7, 2002-20, 2003-3, 2003-1, 2003-22, 2003-39, 2004-34, 2004-39, 2005-1, 2005-3, 2005-13, 2005-15, 2005-25, 2005-27, 2005-30, 2005-31, 2005-49, 2006-16, 2006-24, 2006-41, 2006-51, 2006-53, 2007-4 and this ordinance.

Section 2. The Future Land Use Map of the Comprehensive Plan is hereby amended for the parcel of land as described in Exhibit "A", and as shown on the Map depicted in Exhibit "B", attached hereto and by reference made a part hereof.

Section 3. All ordinances or resolutions or parts of ordinances or resolutions 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 the 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 as provided by general law, Department of Community Affairs rule, and Volusia County Charter.

\_\_\_\_\_  
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

C:\Legal\ORD\sm sc future land use b1pin rama.wpd

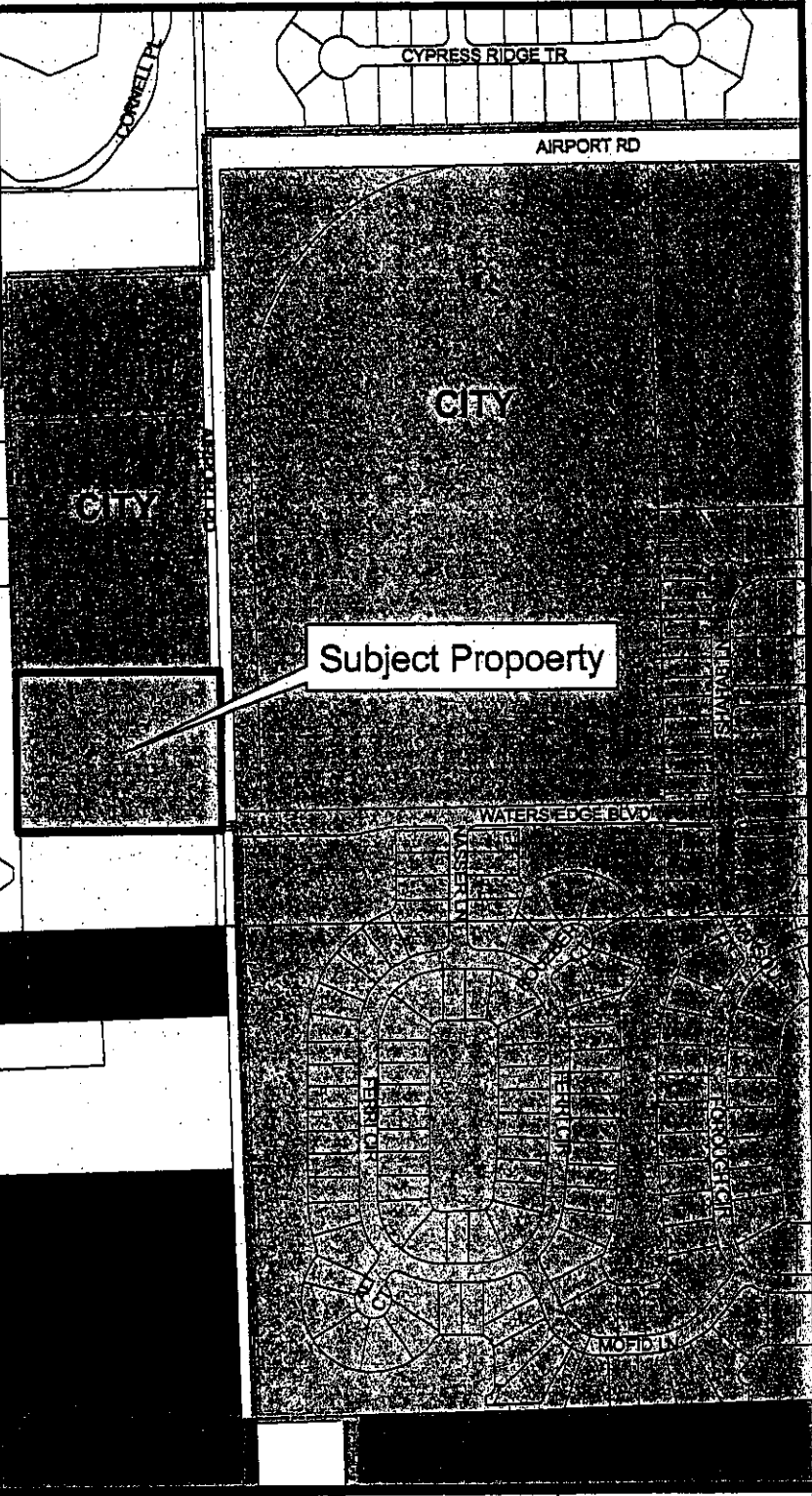
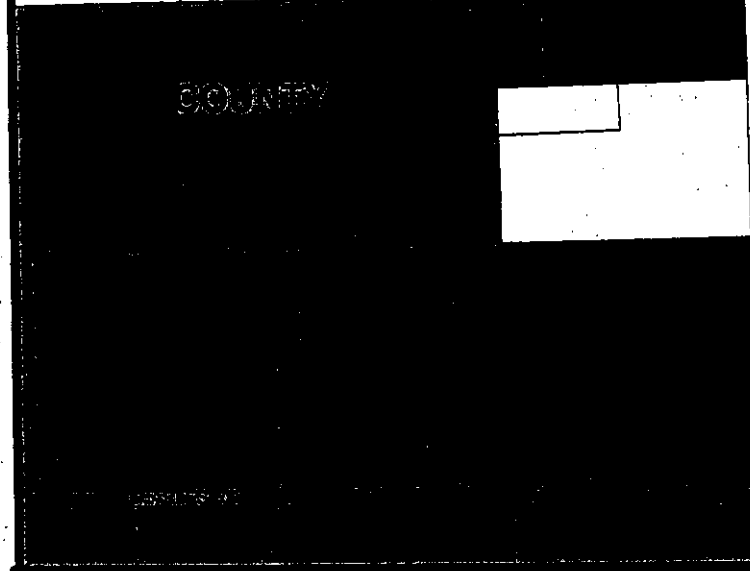
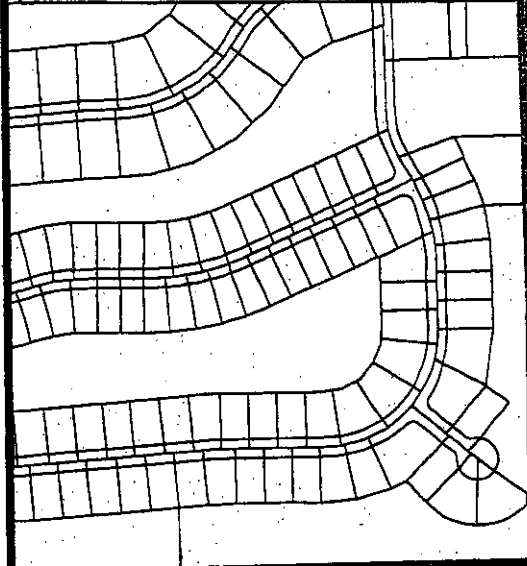
EXHIBIT "A"

THE SOUTHERLY FOUR HUNDRED TWENTY (420) FEET OF THE  
NORTHERLY ONE THOUSAND SEVEN HUNDRED TEN (1710) FEET OF THE  
WESTERLY FIVE HUNDRED TWENTY-FIVE (525) FEET OF THE EASTERLY  
FIVE HUNDRED FIFTY (550) FEET OF THE SOUTHERLY THREE-FOURTHS  
(3/4) OF THE SOUTHEASTERLY ONE-FOURTH (1/4) O SECTION 36,  
TOWNSHIP, 16 SOUTH, RANGE 32 EAST, VOLUSIA COUNTY, FLORIDA.

"TOGETHER WITH 100% SUBSURFACE RIGHTS."

**Future Land Use**

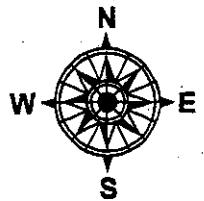
- Volusia County Agriculture Resource
- Volusia County Rural
- Volusia County Urban Low Intensity
- Agriculture/Residential 0-2 Units/Acre
- Residential 2-4 Units/Acre
- Residential 4-8 Units/Acre
- City Boundary



**EXHIBIT B** Future Land Use  
Case No. 06-20000007

**CITY OF PORT ORANGE**

DEPARTMENT OF COMMUNITY DEVELOPMENT







## **STAFF REPORT**

**CASE NO. 06-20000007**

**Small-Scale Future Land Use Amendment/ Bipin Rama**

Bipin Rama, owner/applicant

812 Airport Road

February 14, 2006

---

### **INTRODUCTION:**

Bipin Rama, owner/applicant, requests approval of a small-scale amendment to the City of Port Orange *Comprehensive Plan – Update '98*. If approved, the amendment will change the future land use designation of approximately 4.88 acres from Volusia County *Urban Low Intensity* (0.2-4.0 units/acre) to City of Port Orange *Rural Residential/Agriculture* (0-2 units/acre). If approved, the owner intends on rezoning the property to "PUD" (Planned Unit Development) and subdividing the property into four single-family residential lots. The property is located at 812 Airport Road, on the west side of Airport Road, across from Creekside Middle School, just northwest of Water's Edge Boulevard and the Water's Edge subdivision, east of the Reserve at Spruce Creek subdivision, and south of the Whispering Woods subdivision (Exhibit A).

### **BACKGROUND:**

Staff first met with the applicants on March 17, 2006, during which the four-lot subdivision of the subject property was first proposed. Also discussed at this meeting were annexation, Future Land Use, zoning, and the subject property's location in relation to Volusia County's Samsula Local Plan area. It was determined by staff that the subject property was not within the Samsula Local Plan area and the proposed use and density would be consistent with the surrounding land uses and zoning. Staff also met with the applicants on June 8, 2006, to review the annexation, Future Land Use amendment and rezoning process, and to review a proposed subdivision layout. The annexation petition was received on August 17, 2006, and the subject property was annexed into the City on November 14, 2006. The complete Future Land Use Amendment application was received on January 22, 2007.

### **OVERVIEW:**

The property is vacant, with the exception of a 384 square-foot storage shed. The current County Future Land Use (FLU) and Zoning designations on the property are *Urban Low Intensity* (0.2-4 units/acre) and "A-2" (Rural Agriculture), respectively. The surrounding future land use designations and zoning classifications are depicted graphically on Exhibit B. The subject request is to change the FLU to City *Rural Residential/Agriculture* (0-2 units/acre). The proposed future land use designation is shown on Exhibit C.

### **IMPACTS OF THE PROPOSED AMENDMENT:**

The current Volusia County *Urban Low Intensity* designation would allow a theoretical maximum density of 4 units/acre. Under the proposed City of Port Orange *Rural Residential/Agriculture* designation, the theoretical maximum density is decreased to 2 units/acre. Given the 4.88-acre size of the property, the proposed amendment would theoretically allow up to 9 residential units to be developed.

In accordance with standard practice from the Florida Department of Community Affairs (DCA) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the theoretical maximum development potential under the current future land use designation versus the designation proposed. The following seven public facilities and services were examined:

1. Transportation
2. Sanitary Sewer
3. Potable Water
4. Solid Waste
5. Stormwater Drainage
6. Recreation
7. Schools

#### IMPACT ANALYSIS (THEORETICAL MAX.)

DEVELOPMENT VARIABLE	CURRENT LAND USE (0.2-4 UNITS/ACRE)	PROPOSED LAND USE (0-2 UNITS/ACRE)
Residential Units	19	9
Population <sup>1</sup>	48.02	23.22
AM / PM Peak Hour Trips <sup>2</sup>	14.25/19.19	6.75/9.09
Sanitary Sewer (gallons/day) <sup>3</sup>	3,800	1,800
Potable Water (gallons/day) <sup>4</sup>	4,845	2,295
Solid Waste (lbs./person) <sup>5</sup>	157.35	74.54
Stormwater Drainage <sup>6</sup>	n/a	n/a
Recreation/Open Space <sup>7</sup>	0.19	0.09

**Notes:**

1. Population: 2.58 persons per single-family dwelling
2. Transportation: Rates are for peak hour of adjacent street traffic  
Single-family Residential unit = 0.75 AM trips, 1.01 PM trips
3. Sanitary Sewer: 200 gallons per day per Equivalent Residential Unit
4. Potable Water: 255 gallons per day per Equivalent Residential Unit
5. Solid Waste: 3.21 pounds per person per day
6. Stormwater Drainage: LOS standard = 25 year, 24 hour event. Drainage system will be designed to meet the requirements of the Land Development Code.
7. Rec. & Open Space: 1 acre/250 persons (0.004 acres/person)

**Sources:**

ITE Trip Generation Manual, 7<sup>th</sup> Edition  
2006 Port Orange Concurrency Management Report

#### TRANSPORTATION

At its adopted Level-Of-Service (LOS) standard of "E", the segment of Airport Road between Williamson Boulevard and Pioneer Trail has a maximum capacity of 16,400 vehicles per day. According to the latest 2005 traffic counts taken by the County, added to the City's total vested trips for this segment, this segment of Airport Road experiences approximately 12,307 daily vehicle trips. This figure is below the maximum capacity. The current Future Land Use designation allows a theoretical maximum of 182 daily trips. Theoretically, the proposed land use could generate 86 average daily trips (6.75 A.M. and 9.09 P.M. peak hour trips). Therefore, the proposed land use amendment would decrease the theoretical impact on the network by 96 less daily trips. The addition of 86 vehicular trips would not cause this segment to reach its

adopted LOS of "E". Moreover, based on the proposed rezoning to allow for four single-family residences, the actual impact would be an additional 38 average daily trips (3 A.M. and 4 P.M. peak hour trips).

#### **SANITARY SEWER**

For sanitary sewer, the City's adopted LOS standard is 200 gallons per day per Equivalent Residential Unit (ERU). Using the 200-gallon standard, the proposed land use would theoretically create a demand of 1,800 gallons per day. Based on the proposed rezoning to allow for four single-family residences, the actual demand created would be 800 gallons per day. The City currently has sufficient sewer capacity to accommodate the proposed amendment and future development of the property.

#### **POTABLE WATER**

For potable water, the City's adopted LOS standard is 255 gallons per day per ERU. Using the 255-gallon standard, the proposed land use would theoretically create a demand of 2,295 gallons of water per day. Based on the proposed rezoning to allow for four single-family residences, the actual demand created would be 1,020 gallons per day. Even though the City may have the technical capability to pump 15 MGD from its wells, prohibitions within the City's 20-year Consumptive Use Permit (CUP) issued by the St. Johns River Water Management District (SJRWMD) significantly limit the amount of water that is permitted to be withdrawn. The City's CUP allows for an average daily withdrawal of 7.10 MGD in 2007. Actual average daily flow during the 2006 Calendar year was 6.77 MGD. When SJRWMD reviews future land use amendments they consider the current year CUP allocation, consumption in the previous calendar year, reserved capacity, and projected consumption by proposed land use amendment to determine the amount of permitted water capacity available for all other future uses. Based upon this measure, the City is close to exceeding the maximum permitted water withdrawal allowed by the CUP.

#### **SOLID WASTE COLLECTION**

The City's collection standard is 1,350 residential units per curbside collection crew, per day, and a weight standard of 3.21 pounds per person per day. The proposed land use would theoretically allow for 9 units that can be expected to support a population of 23.22 persons, which together would generate 74.54 pounds of garbage per day. The 4 units actually proposed for the subject property can be expected to support a population of 10.32 persons, which together would generate 33 pounds of garbage per day. Solid waste generated within the City of Port Orange is picked up by Veolia Environmental Services, which delivers it to the Volusia County landfill. The 3,000-acre landfill is a Class I facility with a projected life span to the year 2050.

#### **STORMWATER DRAINAGE**

Stormwater management in the City of Port Orange deals with both quality and quantity. The City's adopted LOS standard for stormwater is the 25-year, 24-hour storm event. More specifically, the stormwater facilities must be capable of treating and conveying the runoff from such a storm without causing flooding of adjacent properties or polluting any receiving water bodies. In addition, the Comprehensive Plan requires that there be no net loss of stormwater retention function as a result of development. In other words, a given parcel must have the same ability to store and discharge water

after development as it does before development occurs. The applicants will be required to address stormwater retention on the property in accordance with these City standards. Therefore, no impact to the City's drainage system is anticipated by the proposed development.

#### **RECREATION AND OPEN SPACE**

According to the City's Comprehensive Plan, development of this property will require 0.09 acres of parkland. According to the City's 2006 Concurrency Management Report, the City currently has an excess of 391 acres. The closest park facilities are across the street at Creekside Middle School and Airport Road Park. The 2006 Concurrency Management Report does identify a deficiency in ball fields and racquetball courts, and basketball courts are at their capacity. However, it should be noted the City is currently in the process of designing two new parks with the intent to provide ball fields with these facilities. In addition, as of January 30, 2007, the effective date of recent Comprehensive Plan amendments (part of the 2006 Capital Improvements Element Annual Update), there is no longer a racquetball court LOS requirement in the Comprehensive Plan.

#### **SCHOOLS**

With passage of Senate Bill 360 in 2005, school concurrency will be required in Volusia County by 2008. In the meantime, the Volusia County School Board has asked local governments to analyze school capacity as part of their review of future land use amendments, rezonings, and development plans. Over the past two years, the School Board planning staff have made the City aware of existing school capacity shortages in Port Orange. The shortage was made worse from a regulatory standpoint with passage of the school class size amendment to the state constitution.

Based on the School District's student generation rate for a single family dwelling unit, the proposed land use change could generate approximately four (4) full time students. However, School Board staff acknowledges that the applicant has proposed to rezone the subject property to allow for four (4) single family units, which would generate approximately two (2) students. The schools that will be impacted are indicated on the attached letter from Volusia County Schools (Exhibit D).

Due to the existing conditions at the area schools, School Board staff is concerned about changes that increase residential densities and/or students in the Port Orange area. The impacted schools are over capacity with no programmed capacity currently planned in the five (5) year capital budget. However, School Board staff acknowledges that the subject Future Land Use amendment is not an increase in residential density. Therefore, based on School Board Policy 613, School Board staff is not requesting mitigation at this time.

#### **LAND USE COMPATIBILITY:**

The surrounding area is primarily residential low-density in character. The subject property is surrounded by single-family dwellings (0-2 units per acre) to the east, multi-family dwellings (4-8 units per acre) to the north, a middle school and single-family dwellings (0.2-4 units per acre) to the west, and single-family dwellings (0.2-4 units per acre) to the south. According to the Future Land Use Element of the City's

Comprehensive Plan, the proposed *Rural Residential/Agriculture* (0-2 units/acre) designation is appropriate for "rural scale or large lot (usually 1 to 2 acres) residential development that may also include accessory and primary agricultural uses, based on the appropriate surrounding land use." The proposed future land use amendment is compatible with the surrounding residential low-density uses. The surrounding future land use designations and zoning classifications are depicted graphically on Exhibit B.

**APPLICABLE PLANS, CODES AND REGULATIONS:**

**PORT ORANGE COMPREHENSIVE PLAN – UPDATE '98 GOALS, OBJECTIVES, AND POLICIES:**

**Future Land Use Element**

*Policy 1.1.2:* The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.

*Objective 1.4:* The City will ensure that existing and proposed population densities, housing and employment patterns, and land uses are consistent with the transportation modes and services proposed to serve these areas.

*Policy 1.4.3:* The City shall discourage proposed amendments to the Future Land Use Map which would reduce the efficient functioning of transportation facilities.

*Policy 1.5.1:* Require that land use intensity designations be based on an analysis of adequate existing and planned road and utility capacity utilizing the level-of-service standards set listed in the Capital Improvements Element.

*Policy 1.6.1:* Continue to require development to be located in areas where urban services are available or will be provided while maintaining the adopted level-of-service standards concurrent with the impacts of development as outlined in the Capital Improvements Element.

*Policy 1.9.1:* Consider adjoining existing land use and plans when reviewing development proposals adjacent to the City limits.

*Goal 3:* Provide for residential development that assures a "quality" living environment for the citizens of Port Orange.

*Policy 3.1.1:* Residential land uses shall be established at a variety of densities in order to create a wide range of housing choices and costs. This variety shall be reflected on the Future Land Use Map.

*Objective 3.2:* Promote the protection of lower-intensity housing uses.

**REVIEW CRITERIA AND STAFF FINDINGS:**

1. The land use proposal is consistent with the goals, objectives, and policies of the adopted Port Orange *Comprehensive Plan – Update '98*.

**Staff finding:** The proposed land use amendment is consistent with Goals, Objectives, and Policies of the Future Land Use Element, as listed above.

2. Amendments shall not result in incompatible land use designations for adjacent parcels or a neighborhood. Compatibility shall be determined by scale of development, intensity, density, and type of use, and the juxtaposition of uses.

**Staff finding:** The proposed amendment will not result in incompatible land use designations for adjacent parcels or a neighborhood. The proposed Rural *Residential/Agriculture* (0-2 units/acre) designation is compatible with the surrounding residential low-density uses.

3. An amendment shall not result in negative economic, social, or other impacts to the city of Port Orange.

**Staff finding:** The proposed amendment will not result in any negative impacts to the City's infrastructure and services.

4. An amendment shall be approved only if the parcel can subsequently be developed in full compliance with any and all applicable standards of the Port Orange Land Development Code.

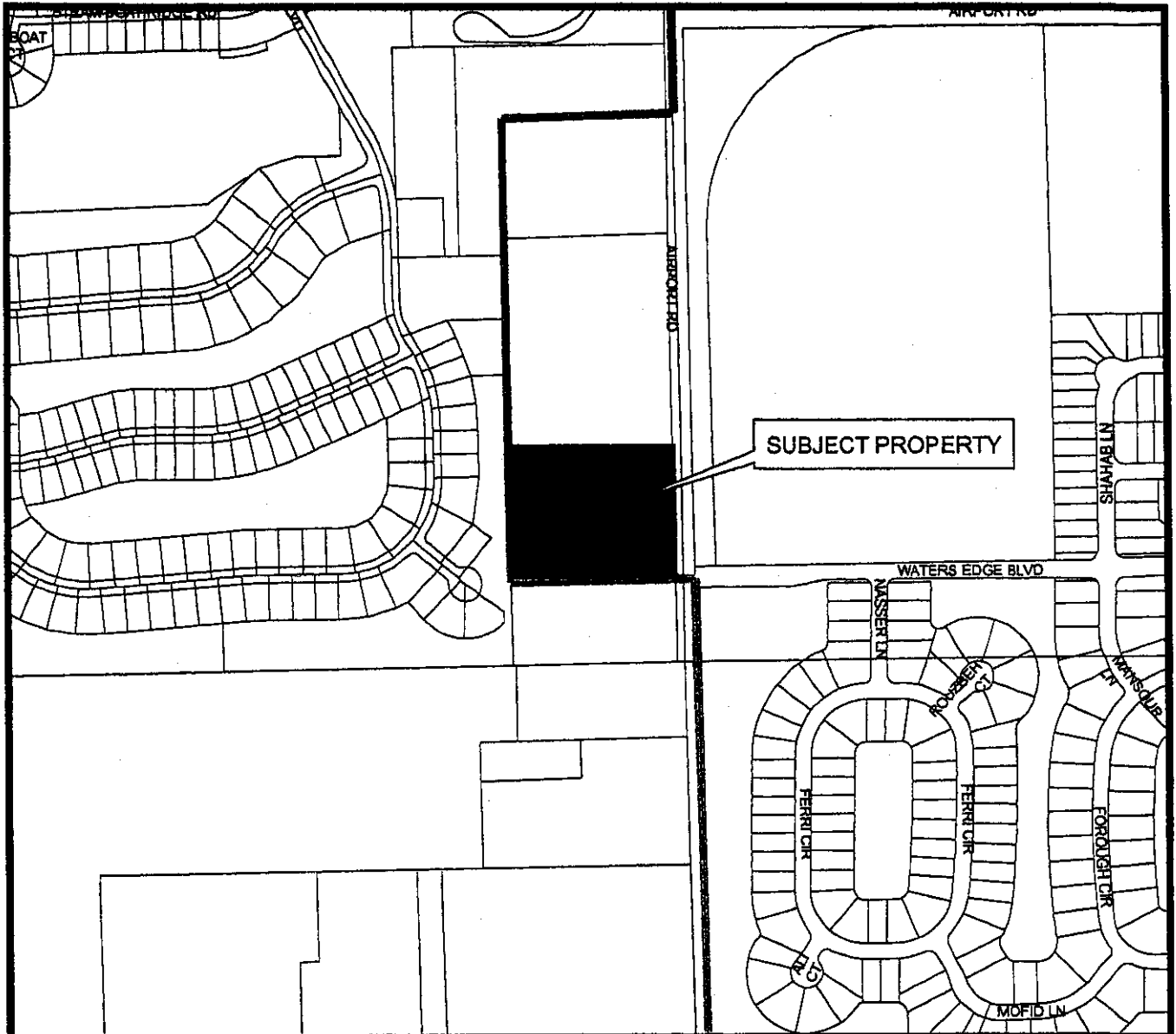
**Staff finding:** Development of the property will be required to comply with all applicable standards of the Port Orange Land Development Code.

5. An amendment shall not increase the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above six hours.

**Staff finding:** The subject property does not lie on an official hurricane evacuation route, nor within the Hurricane Vulnerability Zone. Therefore, the proposed amendment will not increase the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above 6 hours.

**STAFF RECOMMENDATION:**

Based on the findings of this report, staff recommends **approval** of the request to change the future land use designation of 4.88 acres, located at 812 Airport Road, from Volusia County *Urban Low Intensity* (0.2-4 units/acre) to City of Port Orange *Rural Residential/Agriculture* (0-2 units/acre).



**Case No.:** 06-20000007

**Applicant:** Bipin Rama

**Location:** 812 Airport Road

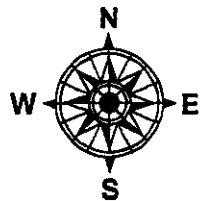
**Requested Action:**

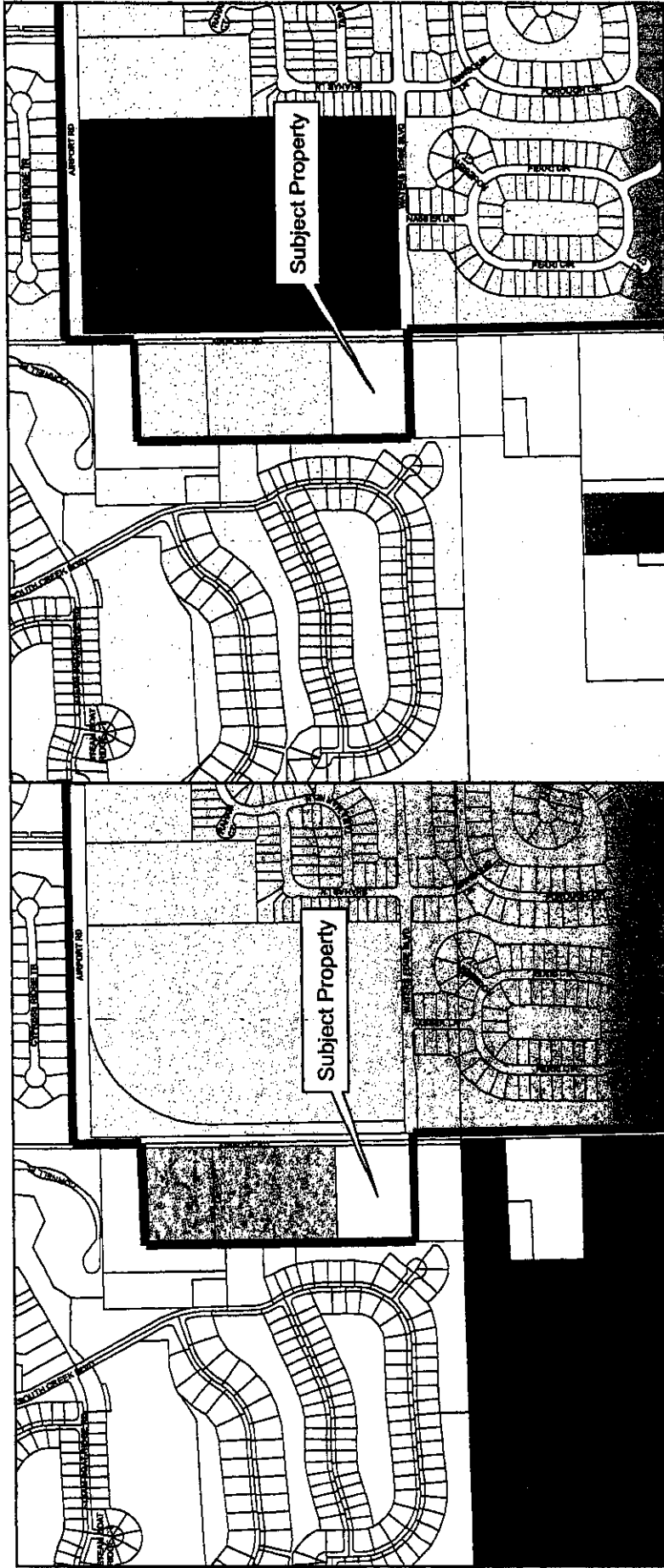
Approval of a request to change the Future Land Use of approximately 4.88 acres from Volusia County Urban Low Intensity (.2-4 units/acre) to City of Port Orange Rural Residential/Agriculture (0-2 units/acre). If approved, the applicant intends to subdivide the property into four single-family residential lots.



Exhibit A - Location Map  
**CITY OF PORT ORANGE**

DEPARTMENT OF COMMUNITY DEVELOPMENT



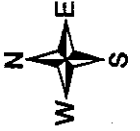


**Existing Zoning Classification**

- GPU Government/Public Use
- PUD Planned Unit Development
- Volusia County Planned Unit Development
- Volusia County Rural Mobile Home
- Volusia County Agriculture

**Current Future Land Use Designations**

- Public/QuasiPublic
- Agriculture/Residential 0-2 Units/Acre
- Residential 4-8 Units/Acre
- Volusia County Agriculture Resource
- Volusia County Rural
- Volusia County Urban Low Intensity



CASE NO. 06-20000007

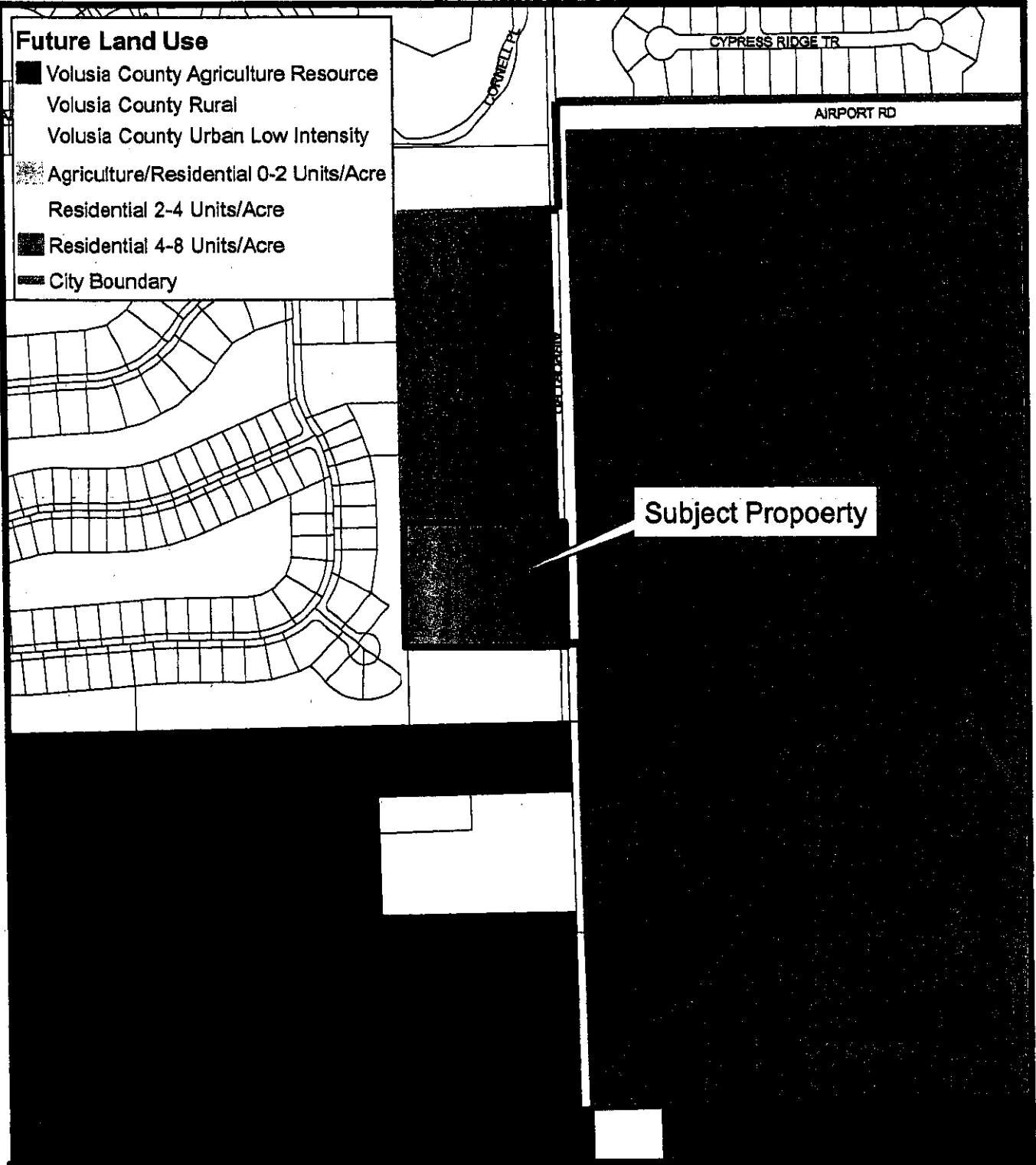
EXHIBIT B

**DEPARTMENT OF COMMUNITY DEVELOPMENT**



**Future Land Use**

- Volusia County Agriculture Resource
- Volusia County Rural
- Volusia County Urban Low Intensity
- ▨ Agriculture/Residential 0-2 Units/Acre
- ▨ Residential 2-4 Units/Acre
- Residential 4-8 Units/Acre
- City Boundary



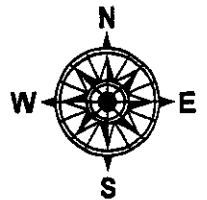
Subject Property

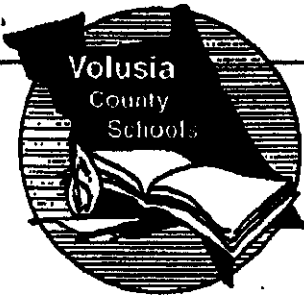


Exhibit C - Proposed Future Land Use  
Case No. 06-20000007

**CITY OF PORT ORANGE**

DEPARTMENT OF COMMUNITY DEVELOPMENT





Dr. Margaret A. Smith  
Superintendent of Schools

## FACILITIES SERVICES

3750 Olson Drive, Daytona Beach, Florida 32124  
PHONE: 386/947-8786 FAX: 386/947-5847

School Board of Volusia County

Dr. Al Williams, Chairman  
Ms. Judy Conte, Vice-Chairman  
Ms. Candace Lankford  
Mr. Stan Schmidt  
Mrs. Diane Smith

February 9, 2007

Ms. Penelope Cruz, Senior Planner  
City of Port Orange  
Community Development Dept.  
1000 City Center Circle  
Port Orange, FL 32129

RE: Kinara PUD -- Case #06-20000007 -- Port Orange

Dear Ms. Cruz: *Penelope*

School District staff is in receipt of the completed *Residential Development Information Summary* form dated January 30, 2007. District staff has reviewed the proposed land use amendment for a 4.88 acre site located on Airport Road in the Port Orange area. Please be advised that in the event of a change of use, redevelopment, expansion or modification of an existing use which requires the issuance of a building permit(s), the impact is based upon the new dwelling units.

The existing land use designation is Urban Low Density. The existing future land use (.2-4 du/ac) designation would currently allow a maximum of nineteen (19) residential units. The requested land use designation is Urban Low Density (0-2 du/ac) and would allow a potential maximum of nine (9) residential units. Therefore, this project would result in a decrease of ten (10) residential dwelling units.

By utilizing the School District's student generation rate for a single family dwelling unit, the proposed land use change could generate approximately four (4) full time students. However, staff acknowledges that the applicant pursuant to the completed *Residential Development Information Summary* form has proposed a specific residential use of four (4) single units, which would generate approximately two (2) students. The schools that will be impacted are indicated in the following capacity information table.

Schools	SY 06/07 Enrollment	% of permanent capacity	Planned Capacity Expansion	Projected 5 year capacity %	Students Generated by Applicants Proposed LU Change	Maximum Students Generated w/LU Change
Samsula Elementary	257	165%	N	165%	1	2
Creekside Middle	1,212	107%	N	112%	0	1
Spruce Creek High	2,816	136%	N	132%	1	1

As you may be aware, because of the existing conditions at the area schools, district staff is concerned about changes that increase residential densities and/or students in the Port Orange area. The impacted schools are over capacity with no programmed capacity currently planned in the five (5) year capital budget. However, staff acknowledges that this land use amendment is not an increase in residential density. Therefore, based on School Board Policy 813, district staff is not requesting mitigation.

The School Planning Charter Amendment will become effective by September 30, 2007 and Florida Statute 163 requiring School Concurrency will become effective by February 2008. Development orders, including but not limited to, site plans and subdivisions will be subject to the school concurrency process. Please be advised that this letter is not intended to be an approval of or an exemption from any regulations adopted pursuant to these directives.

If you should have additional questions please contact Helen LaValley, Planning Specialist at (386) 947-8786, extension 50805 or myself at extension 50772.

Sincerely,



Saralee Morrissey, AICP  
Director of Site Acquisition and  
Intergovernmental Coordination

cc: Patricia Drago, Executive Director  
Helen LaValley, Planning Specialist  
Mike Dieler, Port Orange Planning Mgr.  
Port Orange Project File