

ORDINANCE NO: 2016-05

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING *THE CITY OF DAYTONA BEACH SHORES COMPREHENSIVE PLAN*, AMENDING CHAPTER 1, “FUTURE LAND USE ELEMENT”, BY AMENDING POLICY 1-1.1.2(6) TO ELIMINATE BUILDING HEIGHT IN CERTAIN ZONING DISTRICTS; PROVIDING FOR A SAVINGS AND RATIFICATION PROVISION; PROVIDING FOR IMPLEMENTING ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Daytona Beach Shores is committed to planning and managing the future growth of the City; and

WHEREAS, the City of Daytona Beach Shores has the authority to amend its Comprehensive Plan pursuant to Part II, Chapter 163, *Florida Statutes*; and

WHEREAS, on February 24, 2016 the City Council of the City of Daytona Beach Shores held a City Council Visioning Workshop with staff wherein the City Council directed staff to draft the proposed amendment to the *City of Daytona Beach Shores Comprehensive Plan*; and

WHEREAS, the proposed amendment to the *City of Daytona Beach Shores Comprehensive Plan* directly relates to the amendment of the text of a comprehensive plan as provided in Section 163.3184, *Florida Statutes*; and

WHEREAS, the proposed amendment to the *City of Daytona Beach Shores Comprehensive Plan* is being submitted under the expedited state review process as provided in Section 163.3184, *Florida Statutes*; and

WHEREAS, the Volusia County Growth Management Commission (VGMC) has issued a determination of consistency in accordance with Section 202.3 of the *Charter of Volusia County, Florida*, for the proposed amendment to the *City of Daytona Beach Shores Comprehensive Plan*, attached as Exhibit “A”; and

WHEREAS, the proposed comprehensive plan amendment does not conflict with the determination of consistency issued by the VGMC in accordance with Section 202.3 of the *Charter of Volusia County, Florida*; and

WHEREAS, the Planning and Zoning Board, which is the local planning agency of the City, and City Council of the City of Daytona Beach Shores have conducted public hearings and issued notices required by Florida law in the preparation and enactment of this Ordinance; and

WHEREAS, the City Council of the City of Daytona Beach Shores declares that the purpose and intent of the proposed amendment to the *City of Daytona Beach Shores Comprehensive Plan* is to guide future growth and development; encourage and maximize the most appropriate use of the 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 facilities and services; conserve and protect natural resources within the City, while protecting private property rights; and

WHEREAS, the City Council of the City of Daytona Beach Shores finds that this Ordinance serves the best interest of the City of Daytona Beach Shores; and

WHEREAS, underlined words shall constitute additions to the original text of the Comprehensive Plan, *** shall constitute ellipses, and ~~strike through~~ shall constitute deletions to the Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AS FOLLOWS:

SECTION ONE: CHANGE IN TEXT OF FUTURE LAND USE ELEMENT. The text of Chapter 1, “Future Land Use Element,” of the *City of Daytona Beach Shores Comprehensive Plan* is hereby amended to eliminate building height in certain zoning districts as depicted in Exhibit “A”.

SECTION TWO: IMPLEMENTING ADMINISTRATIVE ACTIONS. The Community Services Director is hereby authorized to transmit copies of the adopted amendment to the *City of Daytona Beach Shores Comprehensive Plan* to the appropriate agencies and to any other unit of local government who has filed a written request for a copy in accordance with the provisions of Section 163.3184, *Florida Statutes*, and *Volusia Growth Management Rules*. The City Manager and the City Attorney are hereby authorized to take any and all necessary actions to defend the enactment and implementation of this Ordinance and assert the legal compliance status of this Ordinance.

SECTION THREE: SAVINGS AND RATIFICATION. The City of Daytona Beach Shores hereby ratifies and affirms that action taken by the City Council and the City as a whole to date relative to the comprehensive planning programs action activities of the City. The applicability and effect of the *City of Daytona Beach Shores Comprehensive Plan* are hereby ratified and shall remain in full force and effect consistent with the provisions of this Ordinance.

SECTION FOUR: CONFLICTS. All ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION FIVE: SEVERABILITY. If any section or portion of a section of this Ordinance, or application of any provision of this Ordinance, proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Ordinance.

SECTION SIX. CODIFICATION. This Ordinance shall be codified in the *City of Daytona Beach Shores Comprehensive Plan* as deemed appropriate by the Code codifier.

SECTION SEVEN: EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency (the Florida Department of Economic Opportunity) notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

CITY OF DAYTONA BEACH SHORES, FLORIDA

Mayor, Harry Jennings

ATTEST:

Michael T. Booker, City Manager

Cheri Schwab, City Clerk

Approved as to form and content:

Lonnie Groot, City Attorney

Passed upon first reading this ___ day of _____, 2016.

Adopted on second reading this ___ day of _____, 2016.

EXHIBIT A

**CHAPTER 1: FUTURE LAND USE ELEMENT
(Reference §9J-5.006(3), FAC)**

GOAL 1-1: Effectively manage future development by designating appropriate areas for new growth that does not compromise environmental integrity, is responsive to market needs and is consistent with sound land planning practices.

Objective 1-1.1: Future growth will be managed through the preparation, adoption and implementation of ~~a land development code~~ land development regulations that ~~is~~ are compatible with the ~~land use proposals set forth in~~ this Element and coordinated with the availability of ~~municipal~~ public facilities and services. ~~The Future land development in the City shall~~ discourage urban sprawl through the designation of appropriate densities (see Policy 2 under this Objective) that will retain the compact development already in place and other land use strategies and regulatory provisions. All future development in the City shall ~~be required to~~ maintain at least a 50-foot setback from the ~~existing~~ Coastal Construction Control Line (CCCL). With this requirement, as well as adherence to the controlling provisions of Federal and State law, such as the regulations being promulgated by of the Florida Department of Environmental Protection in the establishment of the new CCCL, new development shall be protected from any storm surge that occurs as a result of tropical storms ~~that impact the area~~. This Objective shall be measured through the implementation of the following policies.

Policy 1-1.1.1 The City shall enact ~~Maintain~~ and enforce land development regulations that, at a minimum:

- a. Regulate the quality of new development through appropriate site plan review and other land use criteria;
- b. Provide for recreational lands and facilities to meet the level of service standards contained in the Recreation and Open Space Element of ~~the~~ this Comprehensive Plan;
- c. Provide for adequate off-street parking and loading facilities;
- d. Provide that all new development with regard to on-site drainage and stormwater management facilities meet the minimum standards set forth in the Stormwater Management Sub-Element of the this Comprehensive Plan;
- e. Regulate signage;
- f. Provide that building permits shall not be issued that result in the reduction of service levels below the standards set forth in this Comprehensive Plan; ~~and~~
- g. Require that all new development maintain a minimum at least a 50-foot setback of 50 feet from the ~~old~~ Coastal Construction Control Line (CCCL), and require, through inclusion in the ~~new Land Development Code and in the building regulations of the City's~~ land development regulations, that all new development take into account the potential for storm surges from the ocean;
- h. Require that, prior to the issuance of a development order or building permit, written assurances shall be obtained from any municipal or County agency providing infrastructure or services, that available capacity exists to support the proposed development at the adopted level of service standard for the relevant facility or service to be provided;
- i. Regulate erosion control and beach and dune stabilization; and
- j. Require the preservation of any significant on-site historical, cultural or archaeological features meeting the National Register Eligibility Criteria.

Standard/Measure: ~~Enact~~ ~~Maintain~~ and enforce land development ~~code~~ regulations.

Time Frame: Continuous.

Policy 1-1.1.2: ~~Enact~~ ~~Maintain~~ and enforce land development regulations consistent with the following density standards:

1. Residential

a. *Low Intensity*: up to 4 units per gross acre.

b. *Low Density*: up to 12.0 units per gross acre.

c. *Low Density-Riverside*: between 12.1 and 15 units per gross acre. Properties shall be developed as a planned unit development (PUD) and meet the following ~~designation~~ criteria: (i) land shall abut the Halifax River, (ii) land shall have a minimum parcel size of ~~three~~ (3) acres, (iii) land must be served by public infrastructure including, but not limited to, potable water and wastewater lines, and (iv) land shall have direct access to a major thoroughfare as determined by the City.

d. *Medium Density*: between 12.1 and 35.0 units per gross acre.

e. *High Density*: between 35.1 and 60 units per gross acre (site specific density to be controlled by ~~Land Development Code~~ land development regulations).

2. High Intensity Uses - Hotel, ~~motel~~ ~~hotels/motels~~ and timeshares developments shall have densities up to a maximum of 70 units per gross acre; ~~condos~~. Condominium, multi-family residential ~~units~~, and apartments developments shall have a maximum density of 60 units per gross acre (site specific density to be controlled by ~~Land Development Code~~ the City's land development regulations).

3. Commercial Facilities - Commercial ~~all commercial~~ intensities shall not exceed ~~be limited to~~ 35% lot coverage, ~~and~~ a building height of 45 feet or a floor area ratio of ~~no greater than~~ 1.4.

4. Public Facilities – Public facilities shall ~~to~~ be regulated by off-street parking requirements (approximately three off-street parking spaces shall be required for every 1,000 square feet of public facility use).

5. Recreational Facilities - Recreational facilities shall be provided in accordance with the level of service standards established within this Comprehensive Plan.

6. Building Height -- Except for large lots, as defined in the City's land development regulations, in PUDs (planned unit development), T (hotel/motel), and RMF-1 (multifamily residential-high density) districts, new buildings shall be limited to a height of ~~twelve~~ (12) stories.

7. View Corridors – View corridors shall be preserved by limiting the north to south width of new buildings and the application of other appropriate land use planning practices and principles.

Standard/Measure: Ensure that adequate land development regulations are in effect to reasonably ensure public views while allowing reasonable development upon properties
~~Maintain and enforce land development code.~~

Time Frame: Continuous.



**STAFF REPORT TO THE
CITY COUNCIL
APRIL 26, 2016**

ORDINANCE:	Ordinance 2016-05
SUBJECT:	Comprehensive Plan Building Height Text Amendment
APPLICANT:	City of Daytona Beach Shores
STAFF CONTACT:	Stewart Cruz; City Planner (386) 763-5361
REQUEST:	To Approve Ord. 2016-05, which would amend the Daytona Beach Shores Adopted Comprehensive Plan, Future Land Use Element: Policy 1-1.1.2(6) to <i>eliminate the maximum building height requirement from the Hotel/Motel "T", Multifamily Residential (High Density) "RMF-1" and planned unit development zoning districts.</i>

A. INTRODUCTION

At the annual City Council-Staff Workshop held on February 24, 2016, the City Council of the City of Daytona Beach Shores directed staff to initiate the process that would eliminate building height within certain areas of the City (**Exhibit 1**). The purpose of this direction is to foster and optimize competitive redevelopment/infill on the limited potential redevelopment/infill sites within City limits. In Daytona Beach Shores building height is regulated by both the City's Adopted Comprehensive Plan (Update 2020) and the Land Development Code. Therefore, eliminating building height would require amending both of the aforementioned land use regulatory documents. The subject comprehensive plan amendment is the first step in realizing the direction provided by the City Council. This proposal would amend the text contained in Comprehensive Plan's Future Land Use Element Policy 1-1.1.2(6) and therefore falls under the state land planning agency's expedited review process pursuant to Sec. 163.3184, *Florida Statutes*.

B. BACKGROUND

In 1998 building height was restricted to 12 stories within City Limits. The impetus behind this restriction was a successful straw ballot vote in 1997. Prior to the aforementioned restriction, which currently exists today, there was no building height cap within the City's Comprehensive Plan. Instead, building height was regulated and limited by setbacks, density and other land development code (LDC) standards relative to lot size. Considering the limited redevelopment and infill opportunities in the city, a building height analysis (**Exhibit 2**) was conducted and the issue presented at the 2016 City Council-Staff Visioning Workshop. After extensive discussion at the workshop, staff was directed to move forward with the necessary comprehensive plan amendment to eliminate building heights. In addition, two conceptual plan applications were submitted in 2015. These conceptual plans and their respective projects appear to meet all applicable LDC standards except building height. If approved, the subject comprehensive plan amendment will be transmitted to and reviewed by the state land planning and other agencies. Subsequently, staff will generate the specific LDC language to effectuate the amendment in question. The implementing LDC amendment will be reviewed by both the Planning and Zoning Board and the City Council.

C. PROPOSED AMENDMENT ITEM(S)

Currently, the Daytona Beach Shores Comprehensive Plan (Update 2020) restricts building height via Policy 1-1.1.2(6) which reads as follows:

6. Building Height -- new buildings shall be limited to a height of twelve (12) stories

The proposed amendment would revise the above-stated policy to read as follows:

6. Building Height -- Except for large lots, as defined in the City's land development regulations, in PUDs (planned unit development), T (hotel/motel), and RMF-1 (multifamily residential-high density) districts, new buildings shall be limited to a height of 12 stories.

OVERVIEW

Potential Areas Impacted

The amendment proposes removing the 12 story building height cap on large lots in PUDs (planned unit development), T (hotel/motel), and RMF-1 (multifamily residential-high density) zoning districts. The “T” and “RMF-1” districts are located on the east side of S. Atlantic Avenue (**Exhibit 3**). PUDs may vary in location throughout the city but are generally located to multifamily residential or hotel zoning district. In addition to satisfying location requirements, PUDs must successfully undergo a rezoning process, which involves multiple public hearings.

Large Lot Threshold

In addition to the zoning district location limitation, the City will amend the LDC to provide a minimum lot frontage threshold. Properties satisfying the requirement will qualify as a large lot and become eligible for a building height above 12 stories. Variances from the large lot threshold will not be permitted.

Description, Data and Analysis:

A standard comprehensive plan amendment staff analysis is provided in **Exhibit 4** attached. The analysis demonstrates the amendment’s compliance with the City’s Comprehensive Plan and the Florida Administrative Code for comprehensive plan amendments.

D. PLANNING AND ZONING BOARD

On April 11, 2016 the Daytona Beach Shores Planning and Zoning Board voted 3-2 “to disapprove *Comprehensive Plan Amendment CPA2016011*,” which is the amendment in question.

E. STAFF RECOMMENDATION

Staff recommends **approval** of Ord. 2016-05 as presented.

EXHIBIT 1



Minutes
City Council/Staff
Visioning Workshop
February 24, 2016
8:30 a.m. to 1:30 p.m.

Location: Residence Inn Marriott, 3209 S. Atlantic Avenue

Attendees: Mayor Harry Jennings, Vice Mayor Peggy Rice, CMBR Dr. Jennie Celona, CMBR Lorraine Geiger, CMBR Billie Wheeler, City Manager Michael Booker, City Attorney Lonnie Groot, City Clerk Cheri Schwab, Executive Assistant Janice McMahan, City Planner Stewart Cruz, Community Services Director Fred Hiatt, Finance Department Director Steve Whitmer, Public Safety Director Stephan Dembinsky, and Recreation/Senior Center Director Roni Jackson

CALL TO ORDER: Mayor Harry Jennings called the workshop to order at approximately 8:30 a.m.

UPDATES : City Manager Michael Booker provided information on the following issues and Council/staff discussed the topics.

- **Treasure Island:** Great deal of interaction between city staff, owners and legal representatives. Owners are marketing the facility at present. Three to four hotel chains have expressed interest. Building Department and Code Enforcement are monitoring the structure to ensure meeting safety and building code regulations.
- **Pedestrian Safety:** Four crosswalks will be enhanced. DOT funding will be used for material costs. Crosswalks to be worked on: Crosswalk in front of ABC Liquor, Florida Shores, Publix and an audible signal at Dunlawton and A1A. Work will begin this spring. How to make people not be so careless in crossing A1A: Publicize safety awareness re crosswalk safety. Blast fax to condos re safety. Investigate moving bus stop on east side in front of Publix further from crosswalk area.
- **Daytona Beach Sewer Project:** Awaiting contract from Daytona Beach.
- **West Side Development:** Explore use of Apartment/commercial type structures. Use focus groups to help develop conceptual plans for development

DISCUSSION: Staff and council held discussion on the following issues:

- **New Community Center**
 - Universal Signage for City Buildings, including the Pavilion
 - Refurbishing Senior Center Building

Investigate tearing down the older portion of the existing Community Center and building a new area was discussed. The issue of mold remediation in the structure and age were mentioned. The architect will be asked to provide an estimated cost of removal and building a new structure tied into the existing Senior Center. Grants would be pursued to help augment the cost of the new Community Center.
- **Building Height Analysis:** Community Services Director Fred Hiatt made a presentation on possible areas in the City that might be available for increased height development. He advised that there were only 3-4 sites that would fit in this category. Council and staff discussed the issue and were advised that if there were to be a change in the height limit, a first step would be to amend the City's Comp Plan and this would take approximately 6-12 months to accomplish. Other issues on this topic could be handled locally through the City's Land Development Code. Council consensus was for staff to initiate a Comp Plan Amendment removing the height limit and bring before Council.
- **Marketing:** New Projects, venues were discussed. If/when new video presentations were to be developed, the work would be placed out for bid. Extension of the annual Christmas Parade to Oceans West Blvd. was mentioned. Cherise Wentz will be consulted on extending the parade route.
- **Recreation:** The need for universal parking signs in city parks was discussed.

The workshop adjourned at approximately 12:00 noon

EXHIBIT 2

POSSIBLE SCENARIOS FOR REDEVELOPMENT SITES- EAST SITE OF S. ATLANTIC AVE.

1. 3837-3843 S. Atlantic Ave- These are four parcels that currently have single family homes on them that are valued near 1 million dollars and above. The four houses combined would create a 1.24 Acre parcel (200x270).
2. 3717/3721 S. Atlantic Avenue- These are two sites that are currently the Royal Holiday Beach and Four Seasons Motel s. Site Plans are currently under staff review for the proposed Aruba Condominium (12 stories, 84 Units). With the demolition of the two motels, the site would be 1.36 acres (220x270).
3. 3631/3637 S. Atlantic Ave- 3631 is currently the renovated Tuscan Villas Cottages and sits on a .93 acre (150x270) site. This site could be combined with the .31 Acre (50x270) vacant site to form a 1.24 acre site (200x270).
4. 3619 S. Atlantic Ave- is currently the Sand Castle Motel and sits on a .62 acre site (100x270). The site could be renovated into a small 6 story or less project similar to the proposed Towers 14 Condominium. This property could also be combined with the now vacant Volusia County property to create a 1.24 acre (200x270) site, which would allow a larger development project. But as noted above, the County is hopeful to rezone this area into off-beach parking.
5. 3513/3515 S. Atlantic Avenue- These are two parcels that currently have single family homes on them that are valued upwards of \$800,000 each. The two houses combined would create a .61 acre (110x240) could be redeveloped into a small 6 story or less condominium/hotel property.
6. 3357/3411 S. Atlantic Ave- 3357 is the 76 unit, Tropical Seas Motel and sits on .79 acre (150x230). This site could be combined with the vacant 1.24 acre (200x230) site to the south to create a 1.89 acre (350x230) site that would create a larger development site.
7. 3309 S. Atlantic Ave- is currently the Beachside Motel and sits on a .54 acre (100x235) site. Redevelopment of this site would allow a small 6 story project. This site could be combined with the recently renovated Holiday Inn Express (3301 S. Atlantic) although it is not very likely this would be financially feasible at this time.
8. 3247 S. Atlantic Ave- site is currently the Ocean Palm in and sits on a .85 acre (115x320) site and would allow a small 6 story project.
9. 3221/3225 S. Atlantic Ave- These two sites are currently the South Shore and Beach House Motels. Combined they sit on a 1.1 acre (150x320)site and could be redeveloped into a small/medium sized project.
10. 3217 S. Atlantic Ave- is currently the Dream Inn and sits on a .55 acre (75x320) site and could possibly be redeveloped into a very small project. The site to the north is the recently completed Marriott Fairfield Inn and it's considered unlikely that this would be redeveloped anytime in the near future.
11. 3135/3137 S. Atlantic Ave- is currently the Hampton Inn and a small apartment building to the south. They sit on a combined site of 1.3 acres (180/300x240) and if redeveloped would permit a medium sized project. Although the Hampton is in currently being renovated and it is considered unlikely any redevelopment would occur here for many years.

12. 3101/3065 S. Atlantic Avenue- Two vacant lots (227x220) that could be combined with the Sage and Sand Motel to form one large lot for the proposed Bella Brisa Condominium. The combined 3 sites will have 412 feet of frontage along S. Atlantic Avenue. Staff recently completed a preliminary review of the conceptual plan for the proposed project.
13. 2601 S. Atlantic Ave- is currently the SeaScape Motel and sits on a .77 acre (90x375) site and could be combined with the two small vacant parcels to the south to form a 1.2 acre (140x375) site that would permit a small/medium sized project.
14. 2505/2501/2435 S. Atlantic Ave- These three sites are currently the Acapulco Inn, Cabana Cottages, Shoreline Motel and they sit on sites that are 1.79 acres (215x362), .86 acres (100x375), and .88 acres (109x350) respectively. Combined they would form a large parcel of approximately 3.5 acres (424x362) and could be redeveloped into a large condominium/hotel project. While the two smaller properties are ideal candidates for redevelopment, the biggest question is whether it would be financially feasible to demolish and add the Acapulco (which recently sold for 8.8 million and is soon to embark on a large renovation). Based on the recent sale and anticipated renovation, I think the smaller site (209x362) is more likely and would allow a medium sized project.
15. 2411 S. Atlantic Ave- This is currently the Sun Viking in and has two buildings that sit on a 1.75 acre (200x382) site and if redeveloped would allow a medium sized project.
16. 2315/2323 S. Atlantic Ave- These two sites are currently the Ocean Court Motel and the Quality Inn. They sit on a combined site of 2.49 acres (289x375). This site could be redeveloped into a medium/large sized project.
17. 2237/2241/2245 S. Atlantic Ave- These 3 sites involve the Tropical Manor Motel which sits on a 1.21 acre (150x350) site, a single family home that sits on a .59 acre (73x353) site, and another single family home that sits on a .63 acre (78x354) site. Combined these three sites are 2.42 acre (301x350) and could be redeveloped into a medium/large project.
18. 2101-2225 S. Atlantic Ave- is the city's east side Towncenter Future Land Use district. This district includes, AkuTiki, Perry's, ElCaribe, Silver Sands, Beach Haven Motels and a vacant parcel to the north. This is a very large tract of land that could be redeveloped into a very large project and is eligible for the TC-MUPUDE zoning district.
19. 2025 S. Atlantic Ave- is the former Treasure Island Motel site and if combined with the two vacant parcels to the south would involve a large site with more than 400 feet of frontage. This would permit the development of a large project.
20. 2009/2011/2015 S. Atlantic Ave- This site is currently an apartment building, the Flamingo Inn and the Grand Prix Motel. They sit on .39 acre (56x307), .43 acre (60x310), and .81 acre (112x315) sites respectively. Combined they form a 1.62 acre (228x310) and would allow a medium sized project.

Note: The above scenarios are based on several assumptions: Given the difficulty involved in purchasing condominiums and time share resorts, it is unlikely developers will pursue these sites for redevelopment purposes.

- Large Hotels that involve recent renovations are not considered financially feasible for renovation anytime in a 10-15 year window.
- The scenarios are based on staff's opinion on how properties would be assembled/combined given past projects and how they were put together.

VACANT SITES ON EAST SIDE OF S. ATLANTIC AVENUE AVAILABLE FOR RMF/HOTEL DEVELOPMENT

(These are sites where no development activity is currently underway)

1. 3637 S. Atlantic Ave- Small lot with only 50 feet of frontage. (50x270)- .31 Acres
2. 3411 S. Atlantic Ave- Medium size lot with 200 feet of frontage. (200x230)- 1.05 Acres
3. 3159 S. Atlantic Ave- Small lot with 100 feet of frontage. (100x300)- .69 Acres
4. 2613 S. Atlantic Ave- Small non-conforming lot with 24.8 feet of frontage. (24.8x378)- .21 Acres
5. 2601 S. Atlantic Ave- Small non-conforming lot with 24.8 feet of frontage. (24.8x378)- .21 Acres
6. 2101 S. Atlantic Ave- Small lot with 100 feet of frontage. (100x305) - .7 Acres
7. 2041 S. Atlantic Ave- Small lot with only 50 feet of frontage. (50x300)- .34 Acres
8. 2037 S. Atlantic Ave- Small/Med lot with 100 feet of frontage. (100x300)- .69 Acres
9. 1903 S. Atlantic Ave- Small/Med lot with 110 feet of frontage. (110x250)- .63 Acres
10. 1901 S. Atlantic Ave- Small/ Med lot with 126 feet of frontage. (126x250)- .72 Acres

Note:

Sites #'s 1,4,5,7 are not viable development sites for a variety of reasons (min. density, setbacks, parking, loading zones, etc.)

Sites #'s 7&8 and #'s 9&10 will likely be joined/ combined into 2 sites total.

Therefore there are only 5 vacant sites left that could be developed into small to medium sized condominium/hotel projects.

VACANT SITES THAT ARE CURRENTLY ACTIVELY ASSOCIATED WITH PROPOSED PROJECTS

11. 3797 S. Atlantic- Small lot with 100 feet of frontage with an approved site plan for the Towers 14 Condominium Project- 7 stories, 26 units.
12. 3621 S. Atlantic Ave- Small lot purchased by Volusia County. Following their purchase the County contracted to demolish the existing Jasmine Motel. The County wants to rezone the property to permit the construction of surplus off-beach parking that will most likely be combined with Dahlia Park. (100x270)- .62 Acres
13. 3169/3167 South Atlantic Ave- Two vacant lots purchased by Volusia County. The County wants to rezone the properties to permit the construction of surplus off-beach parking. (210x340)- 1.64 Acres.
14. 3101/3065 S. Atlantic Avenue – Two vacant lots (227x220) that could be combined with the Sage n Sand Motel to form one large lot for the proposed Bella Brisa Condominium. The combined three sites will have 412.05 feet of frontage along Atlantic Avenue. Staff is currently reviewing the Conceptual Site Plan for this proposed project.

-small projects

-medium projects

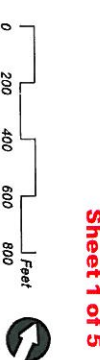
-large projects

EXHIBIT 3

Zoning Map

City of Daytona Beach Shores, FL

- Daytona Beach Shores
- 1985 Address Numbers
- R-9 County Zoning
- Zoning Category
- RSF-1
- RSF-2
- RMF-1
- RMF-2
- RMF-3
- T-RMF-1
- MXD
- PUD
- GC-1
- GC-2
- GC-RD
- P



CERTIFICATE OF AUTHENTICITY

This is to certify that this Official Zoning Map was prepared and adopted in accordance with the provisions of Ordinance No. 57-21 of Daytona Beach Shores, Florida.

By: _____
Mayor

Attest: _____
City Manager

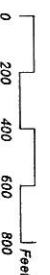
[City Seal]

Prepared by the Daytona Beach Shores County Supervisor's Office, City of Daytona Beach Shores, Florida, 1985. Revisions: April 20, 2005; June 19, 2006; July 2, 2008; August 11, 2008; January 11, 2009; August 11, 2009; and August 2, 2010.

Zoning Map

City of Daytona Beach Shores, FL

- Daytona Beach Shores
- 1925 Address Numbers
- R-9 County Zoning
- Zoning Category
- RSF-1
- RSF-2
- RMF-1
- RMF-2
- RMF-3
- T-RMF-1
- MXD
- PUD
- GC-1
- GC-2
- GC-RD
- P



CERTIFICATE OF AUTHENTICITY

This is to certify that this Official Zoning Map is accurate and reflects the Official Zoning Ordinance No. 8721 of Daytona Beach Shores, Florida.

By: _____
 Mayor

Attest: _____
 City Manager

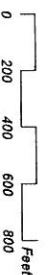
[City Seal]

Prepared by: Urban Design Associates Planning Corporation for the City of Daytona Beach Shores, Florida. 2/2007. Revised December 2008, June 11, 2009, April 2, 2008, March 11, 2008, January 15, 2008 and January 2, 2018.

Zoning Map

City of Daytona Beach Shores, FL

- Daytona Beach Shores
 - 1935 Address Numbers
 - R-9 County Zoning
- | Zoning Category | Color |
|-----------------|---------------|
| RSF-1 | Light Yellow |
| RSF-2 | Yellow |
| RMF-1 | Light Brown |
| RMF-2 | Orange |
| RMF-3 | Dark Brown |
| T-RMF-1 | Light Yellow |
| MXD | Purple |
| PUD | Blue |
| GC-1 | Dark Brown |
| GC-2 | Red |
| GC-RD | Red with Grid |
| P | Green |



CERTIFICATE OF AUTHENTICITY

This is to certify that this Official Zoning Map has been prepared and adopted in accordance with the provisions of the City of Daytona Beach Shores, Florida, Ordinance No. 87-21 of Daytona Beach Shores, Florida.

By: _____ Mayor

Attest: _____ City Manager

[City Seal]

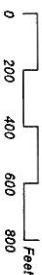
Prepared by the Urban Growth Management Planning Commission, City of Daytona Beach Shores, November 1, 2005. Revisions: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025.

Zoning Map

City of Daytona Beach Shores, FL

- Daytona Beach Shores
1995
Address Numbers
- R-9
County Zoning
- Zoning Category
- RSF-1
- RSF-2
- RMF-1
- RMF-2
- RMF-3
- T-RMF-1
- MXD
- PUD
- GC-1
- GC-2
- GC-RD
- P

Sheet 4 of 5



CERTIFICATE OF AUTHENTICITY

This is to certify that this Official Zoning Map supercedes and replaces the Official Zoning Map adopted on April 22, 1987 as part of Ordinance 97-21 of Daytona Beach, Shores, Florida.

By: _____
 Attest: _____
 Mayor _____
 City Manager _____

[City Seal]

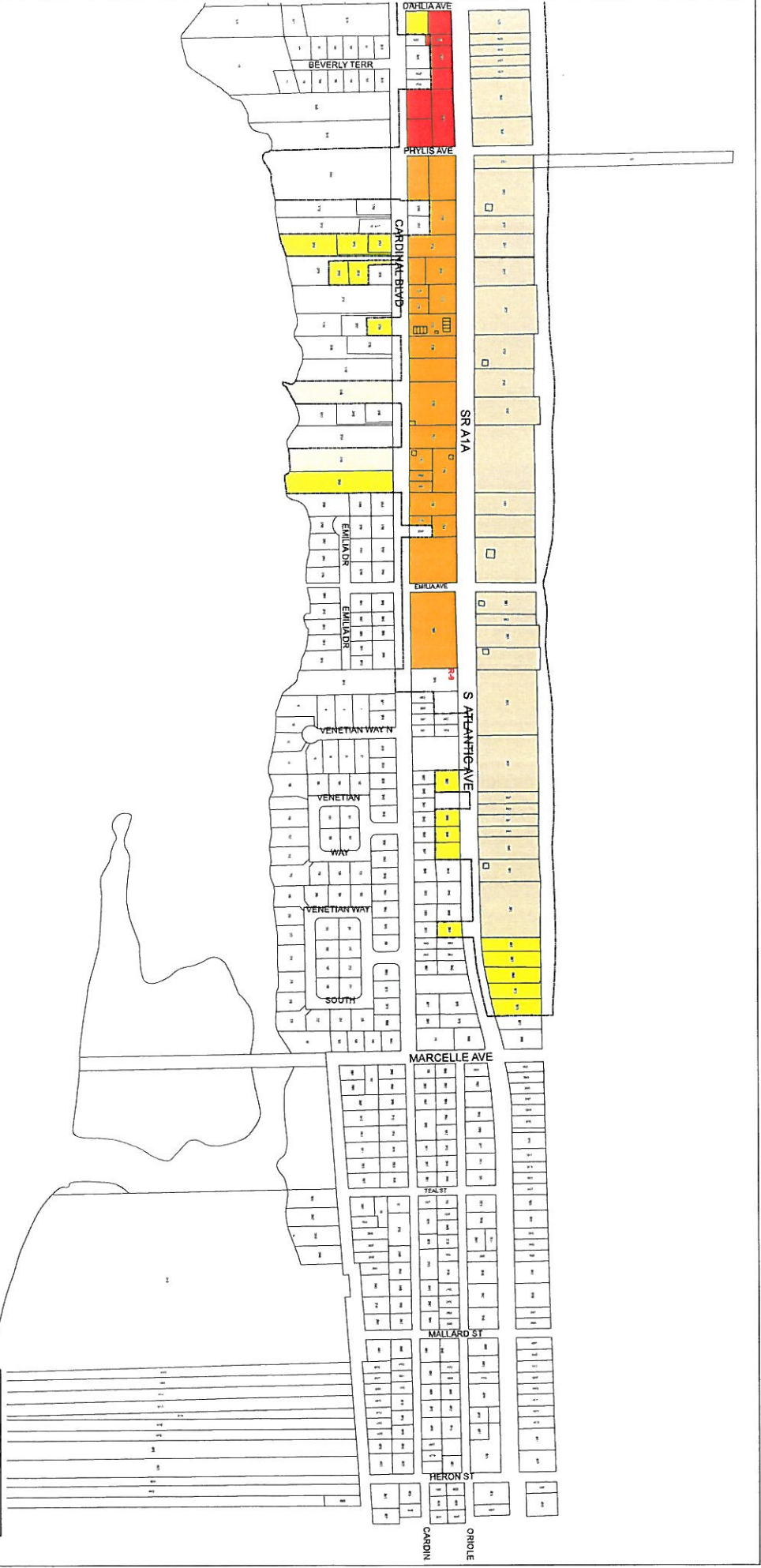
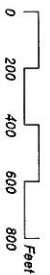
Prepared by the Planning Commission Planning Department for the City of Daytona Beach Shores, November 4, 2003. Reissued August 19, 2007. Amended August 19, 2007. Amended August 19, 2008. Amended August 19, 2010. Amended August 19, 2011.

Zoning Map

City of Daytona Beach Shores, FL

Sheet 5 of 5

-  Daytona Beach Shores
-  Address Numbers
-  County Zoning
- 
 -  RSF-1
 -  RSF-2
 -  RMF-1
 -  RMF-2
 -  RMF-3
 -  T-RMF-1
 -  MXD
 -  PUD
 -  GC-1
 -  GC-2
 -  GC-RD
 -  P



CERTIFICATE OF AUTHENTICITY

This is to certify that the Official Zoning Map heretofore adopted and revised the Official Zoning Map adopted on April 22, 1998 as part of Ordinance No. 97-24 of Daytona Beach Shores, Florida.

By: _____
 Mayor

Attest: _____
 City Manager

[City Seal]

Prepared by the Planning Council, Department of Planning, City of Daytona Beach Shores, November 4, 2003. Revised August 28, 2008. June 11, 2008. April 1, 2008. March 11, 2008. December 11, 2007 and January 2, 2010.

EXHIBIT 4

I. IMPACTS OF PROPOSED AMENDMENT

In accordance with the Daytona Beach Shores Comprehensive Plan (Update 2020) and standard practice from the Florida Department of Economic Opportunity (DEO) and other land use agencies, the following seven public facilities and services were examined and discussed briefly below: (1) Transportation, (2) Sanitary Sewer, (3) Potable Water, (4) Solid Waste, (5) Stormwater Drainage, (6) Recreation, and (7) Public Schools.

Transportation:

Currently the City's transportation network is operating at or above adopted level of service standards (LOS). Further, each project will be evaluated on a case-by-case basis. Any improvements required to the infrastructure in question will be borne by the developer.

Sanitary Sewer:

The City's adopted LOS standard for sanitary sewer is 250 gallons per dwelling unit per day. The City of Port Orange Wastewater Treatment Plant facility currently has over 4.8 million gallons per day excess capacity (Port Orange 2015 Concurrency Management Report). Each project will be evaluated on a case-by-case basis. Any improvements required to the infrastructure in question will be borne by the developer.

Potable Water:

The City's adopted LOS standard for potable water is 110 gallons per capita per day. Using this standard, the proposed land use would theoretically create a demand of 1,540 gallons of water per day. The City of Port Orange Garnsey Water Treatment Plan has a permitted peak daily flow capacity of over 2.8 million gallons per day (Port Orange 2015 Concurrency Management Report). Each project will be evaluated on a case-by-case basis. Any improvements required to the infrastructure in question will be borne by the developer.

Solid Waste Collection:

Solid waste generated within the City of Daytona Beach Shores is collected by Waste Pro, 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:

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. Therefore, any property that is redeveloped must have the same ability to store and discharge water after development as it does before

development occurs. Each project will be evaluated on a case-by-case basis. Any improvements required to the infrastructure in question will be borne by the developer.

Recreation and Open Space:

The City’s most recent population count was 4,247 (2010 US Census). Policy 7-1.2.1 and Policy 9-1.3.1 in the City’s Comprehensive plan establish the LOS standards for recreation facilities within the City. Considering the City’s population and the City’s recreational LOS standards, it is easy to conclude that Daytona Beach Shores currently has adequate capacity for all recreational facilities as required by the City’s Adopted Comprehensive Plan and seen in **Table 4.1** below.

Table 4.1: Recreation Facilities Analysis

Type of Park/ Recreational Facility	Unit of Measure/LOS Standard	Current LOS (Number of Facilities)	Deficit
Playgrounds	one per 10,000 people	1	None
Neighborhood Park	one per 10,000 people	5	None
Community Park	one per 25,000 people	1	None
Children’s Play Areas	one per 10,000 people	1	None
Baseball/Softball Field	one per 15,000 people	1	None
Tennis Courts	one per 2,000 people	11	None
Community Center	one per 20,000 people	1	None
Exercise Trail	one per 14,000 people	1	None
Nature Study Trail	one per 14,000 people	1	None

Public Schools:

Each project will be evaluated on a case-by-case basis. Any improvements necessary to the public school system due to impact in public student generation by a development will be borne by the developer.

II. LAND USE COMPATIBILITY

The proposed amendment does not impact the use of land. The usage of land will be governed by the underlying zoning and future land use classification in place.

III. APPLICABLE PLANS, CODES AND REGULATIONS

Future Land Use Element (Daytona Beach Shores Comprehensive Plan):

Policy 1-1.1.5: (a) The City shall maintain at least a Level of Service standard "D" at all times on its roadway network throughout the City. This shall include Dunlawton Boulevard, including the bridge. The maintenance of this Level of Service standard is important to ensure that an efficient flow of traffic can be maintained on these primary roads in the event of a hurricane threat. (b) Maintain the clearance time of the population in the Hurricane Vulnerability Zone at sixteen (16)

hours based on a level of service standard “D” during the time of a category 5-storm event as measured on the Saffir-Simpson scale. This policy is consistent with the stated objectives contained in the Coastal Management Element of the Volusia County Comprehensive Plan regarding hurricane evacuation and Section 163.3178 (9) (b), F.S. and based on the most current East Central Florida Regional Planning Council hurricane study.

Policy 1-1.2.2: The City's existing policy of requiring written assurance from any entity providing sewage treatment, potable water, or solid waste disposal shall be maintained throughout the planning period.

Capital Improvement Element

Policy 9-1.3: the City shall use the following Level of Service (LOS) standards in reviewing the impacts of new development and redevelopment on public facility provisions:

- (a) **Sanitary Sewers:** 250 gallons per dwelling unit per day
- (b) **Solid Waste:** 10 pounds per capita per day
- (c) **Drainage:** 25-year, 24-hour design storm
- (d) **Potable Water:** 110 gallons/capita/day (gcd) for Port Orange Service Area
150 gcd for Daytona Beach Service Area
- (e) **Roadways:** Arterials: LOS "D" at peak hour
Collectors: LOS "C" at peak hour
- (f) **Recreation:** See Table A.2 above

IV. REVIEW CRITERIA AND STAFF FINDINGS

1. The land use proposal is consistent with the overall goals, objectives, and policies of the adopted Daytona Beach Shores Comprehensive Plan (2020).

Staff finding: The proposed land use amendment is consistent with overall goals, objectives, and Policies of the Daytona Beach Shores Comprehensive Plan (2020).

2. Policy 1-1.1.5: The amendment shall not decrease the LOS Standard for hurricane evacuation routes below LOS Standard D and (b) the amendment shall not increase the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above 16 hours.

Staff finding: The proposed amendment does not apply to any specific land use amendment proposal or property. However, the City shall maintain the policy in question to ensure on a case-by-case basis that every land use amendment will generate negligible additional traffic relative to the policy and adopted LOS in question.

3. Policy 1-1.2.2: Written assurances from service providers for sewage treatment, potable water, and solid waste shall be provided when there is a future land use map amendment result in an increase in density or intensity.

Staff finding: Policy will be enforced during the site development plan process.

4. Policy 9-1.3: The amendment shall not decrease the LOS Standards for public facilities.

Staff finding: As noted elsewhere in this staff report, impacts on public facilities and infrastructure will be evaluated on a case-by-case basis as projects are presented. Any required upgrade to the City's infrastructure and public facilities will be borne by the developer.