

STAFF REPORT

City of Ormond Beach Department of Planning

MEETING DATE: April 14, 2022

SUBJECT: Plantation Oaks Subdivision
Planned Residential Development Amendment

APPLICANT: Parker Mynchenberg, P.E., R.L.A., Manager of Plantation Oaks of Ormond Beach LLC

NUMBER: PRD 2021-101

PROJECT PLANNER: Steven Spraker, Planning Director

INTRODUCTION: This is a request from Parker Mynchenberg, P.E., R.L.A., Manager of Plantation Oaks of Ormond Beach LLC., for a Planned Residential Development (PRD) amendment to add 291 single-family homes within the Plantation Oaks development, approved for 1,577 residential units, on land previously identified for a public-school site (53.41 acres) and a golf course (145.68 acres). The amendments propose the following:

1. Phase 1: Convert a portion of the 145.68-acre golf course within Phase 1 to add 80 non-age restricted, fee simple lots. This phase was approved for 669 single-family lots and the amendment seeks to allow 749 lots. This phase is a private community with private streets maintained by the Homeowners' Association (HOA).
2. Phase 2: No changes proposed. Phase 2 allows 427 age-restricted manufactured homes on leased lots. This phase is a private community with private streets maintained by the HOA.
3. Phase 3: Lift age restriction, prohibit manufactured homes, and convert Phase 3 portion of 145.68-acre golf course to add 86 non-age restricted, fee simple lots. This phase was approved for 481 single-family lots and the amendment seeks to allow 567 lots. This phase is a private community with private streets maintained by the HOA.
4. Phase 4: Convert the land area of 53.41 acres, identified as a public-school site, to 125 fee simple lots, with no manufactured housing permitted. There has been a determination by Volusia County Schools that the site is no longer needed for a public-school site. This phase proposes public streets.
5. Remove a tract of land from the Plantation Oaks Planned Residential Development of approximately 33.10 acres purchased by Volusia County from the Plantation Oaks Planned Residential Development.

The property is generally located along Plantation Oaks Boulevard east of Interstate 95, south of Halifax Plantation subdivision, west of Old Dixie Highway, and north of U.S. Highway 1. The property is approximately 1,049.34 acres and currently zoned as Planned Residential Development.

BACKGROUND:

The land area for the Plantation Oaks subdivision has been planned since 1986 when Volusia County adopted the National Gardens Development of Regional Impact (DRI). This section will describe the following past actions related to the Plantation Oaks subdivision as follows:

1. Development of Regional Impact;
2. Volusia County subdivision approvals;
3. Interlocal Service Boundary Agreement;
4. Annexation;
5. Ormond Beach Comprehensive Plan amendments; and
6. Ormond Beach approvals.

1. Development of Regional Impact (DRI):

The following exhibit provides a list of Volusia County approvals of the Development of Regional Impact dating back to 1986.

EXHIBIT 1: National Gardens Development of Regional Impact approvals

Action/Approval date	Description
<p>December 30, 1986 Volusia County Resolution 86-192 Book 2934, Pages 0979-0995</p>	<p>National Gardens Development of Regional Impact (DRI) approved <u>3,930 residential units on 2,009 acres.</u></p>
<p>June 25, 1998 Volusia County Resolution 1998-108 Book 4351, Pages 3321-3323</p>	<p>First Volusia County DRI amendment. Text amendment to reduce the Plantation Oaks internal road ROW width from 200' to 100' within 700' of U.S. Highway 1.</p>
<p>April 13, 2000 Volusia County Resolution 2000-72 Unable to locate recording information</p>	<p>Second Volusia County DRI amendment. Amendments include:</p> <ul style="list-style-type: none"> • Added new phasing map (Map P). • Development Order shall remain in effect for 31 years. Delayed period for 31 years when the property could be down-zoned, the density or intensity reduced.
<p>December 6, 2001 Volusia County Resolution 2001-229 Book 4976, Pages 3426-3432</p>	<p>Third Volusia County DRI amendment. Amendments include:</p> <ul style="list-style-type: none"> • Revised Map H. • <u>Added new zoning map (Map Z), which included density cap of 2,115 units.</u> • Reduced Plantation Oaks' internal road ROW width to 100' for the entire length.

Action/Approval date	Description
<p>November 21, 2002 Volusia County Resolution 2002-197 Book 4976, Pages 3433-3438</p>	<p>Fourth Volusia County DRI amendment. Amendments include:</p> <ul style="list-style-type: none"> • Revised Map H for the Plantation Oaks area of the DRI to: (a) relocate fire station and school site, (b) allow 150 acres for a golf course, and (c) allow 1.3 acres of neighborhood commercial (maximum 25,500 square feet). • Revised Map P for the entire DRI area. • Added subparagraph section B(1)(c), which reads: “All homes constructed within the Plantation Oaks project shall be site built, single-family, standard dwellings on fee simple lots.”
<p>November 11, 2004 Volusia County Resolution 2004-229 Book 5440, Pages 929-942</p>	<p>Fifth Volusia County DRI amendment. Amendments include:</p> <ul style="list-style-type: none"> • <u>Removed 407 acres of land from the DRI adding it to the Tomoka State Park.</u> • Revised Map H. • Eliminated phasing dates (Revised Map P). • Revised Map Z.
<p>February 9, 2012 Volusia County Resolution 2012-37 Book 6683, Pages 509-514</p>	<p>Sixth Volusia County DRI amendment. Amended subparagraph section B(1)(c), to read: All homes constructed within the Plantation Oaks project shall be site built, single-family, standard dwellings on fee simple lots. Development of any mobile home park within a phase shall include a hardened central clubhouse, consistent with Policy 1.1.2.4 of the Volusia County Comprehensive Plan and meeting the requirements of 9J-2.0256(5)(a)(3), F.A.C., and shall be constructed with the development infrastructure. A Certificate of Occupancy for the hardened central clubhouse shall be issued prior to the issuance of any Certificate of Completion for any home sold for use as a residence, except that Certificates of Completion may be issued for model homes that are not occupied as a residence prior to the completion of the clubhouse.</p>

Ormond Lakes: The land area for Ormond Lakes annexed into Ormond Beach and was issued a Development Order in 1990, separating the land area from the National Gardens DRI. Exhibit 2 describes the actions related to Ormond Lakes.

EXHIBIT 2: Ormond Lakes approvals

Action/Approval date	Description
<p>October 16, 1990 Ormond Beach Resolution 90-159 Book 3716, Pages 3373-3424</p>	<ul style="list-style-type: none"> • Ormond Beach annexed (Ordinance 89-25) approximately 598 acres, 500 acres of the DRI to become Ormond Lakes. • Established development standards (lot sizes, setbacks, and building height) and infrastructure improvements. • Maximum of 656 residential units and 6,000 square feet of neighborhood commercial uses allowed.
<p>Resolution 94-235 Book 3970, Page 3326 Book 3981, Page 1199</p>	<p>First Ormond Beach amendment to extend the Development Order for the start of construction.</p>
<p>April 18, 2000 Ormond Beach Resolution 2000-64 Book 4545, Pages 1210-1214</p>	<p>Second Ormond Beach DRI amendment for Ormond Lakes. Amendments include:</p> <ul style="list-style-type: none"> • Amended development order for the phasing schedule. • Extended project build-out date. • Established a maximum lot coverage of forty (40%) percent for type B single-family homes.

2. Volusia County approvals. The following approvals have been granted to the Plantation Oaks subdivision. The approvals include actions approved by the Volusia County Council in 2002 and 2012 and a series of minor amendments approved by Volusia County.

EXHIBIT 3: Volusia County approvals related to Plantation Oaks

Action/Approval date	Description
<p>November 21, 2002 Volusia County Council Resolution 2002-199 Book 4988, Pages 140-211</p>	<p>Zoning approval for 1,577 residential units. Key components include:</p> <ul style="list-style-type: none"> • 1,033.75 acres in subdivision. • Units are to be site built, single-family, standard dwellings on fee simple lots. • Adult community with a minimum of 80% of the residents 55 years or older. • Project agreed to pay school impact fee for all dwellings. • Established development standards. • Provided a land area for a golf course. • Required a 100-foot right-of-way from U.S. Highway 1 to Old Dixie Highway. • Internal roadways shall be private.

Action/Approval date	Description
<p>August 9, 2006 Volusia County Minor amendment Book 6281, Page 3136-3161</p>	<p>Utility Service Agreement for Plantation Oaks of Ormond Beach and County of Volusia/State of Florida.</p>
<p>July 18, 2007 Volusia County Minor amendment Book 6100, Pages 2016-2020</p>	<p>Minor amendment to 2002 RPUD to increase the required buffer on Old Dixie Highway to 175 feet.</p>
<p>August 12, 2008 Volusia County Minor amendment Book 6268, Page 3768</p>	<p>Minor amendment to update the project construction phasing and schedule.</p>
<p>September 23, 2009 Volusia County Minor amendment Book 6407, Page 456-477</p>	<p>Minor amendment to 2002 RPUD to Locate regional wastewater treatment facility in the NW corner of the PUD and relocate twelve (12) single-family lots from unit 1A to Unit 2.</p>
<p>January 19, 2012 Volusia County Council Resolution 2001-229 Book 6674, Pages 2025-2069</p>	<p>First major amendment to 2002 RPUD to:</p> <ul style="list-style-type: none"> • Delete the requirement for standard dwelling units and allowed mobile homes. • Required hardened central clubhouse for the development of manufactured homes.
<p>December 4, 2015 Volusia County Minor amendment Resolution 2012-24 Book 7201 Pages 1720-1753</p>	<p>Minor amendment to 2012 RPUD include:</p> <ul style="list-style-type: none"> • The option of constructing lakes and open space in-lieu of a Golf Course. • Revision date for the new RPUD Preliminary Plan. • Revise the project phasing schedule. • Revise several sections to change the project water and sewer provider from Volusia County Utilities to the City of Ormond Beach.
<p>July 15, 2016 Volusia County Minor amendment Book 7285 Pages 4169-4175</p>	<p>Minor amendment to 2012 RPUD to include:</p> <ul style="list-style-type: none"> • Provide alternate school site and prepay school impact fees for entire development. • Release Plantation Oaks of Ormond Beach school site and reserve Future Development Rights on the site. • Donate a 23.44 <u>14.35-acre</u> school site <u>as indicated on the preliminary plan adjacent to Westside Elementary in the City of Daytona Beach</u> to the Volusia County School Board, <u>and prepay the remaining school impact fee for the entire age restricted development prior to December 30, 2016 satisfying school impact fee payment for the entire 1,577 age restricted site.</u>

Action/Approval date	Description
<p>August 17, 2018 Volusia County Minor amendment Book 7610 Pages 240-250</p>	<p>Minor amendments as follows: Amendments to RES#2002-199</p> <ul style="list-style-type: none"> • Amend Exhibit A “Legal Description”. • Amend exhibit B “typical 65x110 lot irrigation plan” RES#2012-24 Amendment. • Exhibit C “Signage” <u>adjacent to Plantation Oaks Boulevard, north of intersection with Pennsylvania Avenue. Minimum 10-foot setback from Plantation Oaks Boulevard right-of-way, two (2) 9-foot tall brick columns with two (2) signs (1 per column), at the sales center and maintenance yard and will be monument signs, or 9-foot column, with a maximum copy area of 12 square feet.</u>
<p>January 10, 2019 Volusia County Minor amendment Book 7644 Pages 2820-2831</p>	<p>Amendments to RES#2002-199</p> <ul style="list-style-type: none"> • 100-foot right-of-way Median Roadway Section Typical Landscape Plan is eliminated and the addition of four specific median landscape plans for Plantation Oaks Boulevard is shown in "Exhibit C" Median Landscape As-Built Plan. <p>Amendments to RES#2002-199 and RES#2012-24</p> <ul style="list-style-type: none"> • Development Standards <ul style="list-style-type: none"> ○ Lots adjacent to Lake #32 may provide the 15ft landscape perimeter buffer plantings prior to the issuance of a Certificate of Occupancy for single-family dwellings. • Open Space <ul style="list-style-type: none"> ○ <u>Adjacent to Plantation Oaks Boulevard: allow areas to remain unplanted as to retain the existing views of Lakes #32, #47, #56, #65, #70 and #71, as delineated on Exhibit B, Preliminary Plan, Sheets 9 and 10, Order and Resolution #2002-199, as amended; plantings within the required 50-foot open space corridor may be completed with the construction of individual development phases; and retain the existing native vegetation adjacent to the bank areas of these lakes which do not directly front on this roadway.</u>

3. Interlocal Service Boundary Agreement (ISBA): The ISBA allowed the City of Ormond Beach to obtain jurisdictional authority of land use planning, zoning, permitting and code enforcement of the ISBA area for properties within Ormond Beach and unincorporated Volusia County. The planning process for the North U.S. 1 corridor dates back to 1992 and continues today.

EXHIBIT 4: Interlocal Service Boundary Agreement approvals related to Plantation Oaks

Action/Approval Date	Description
<p>April 7, 1992 Resolution 1992-70</p>	<p>Authorized the construction of potable water and sanitary sewer force mains along North U.S. Highway 1 from the south terminus going north to 1899 North U.S. Highway 1 for the City Provisioners project and the execution of a joint project agreement between Ormond Beach and Volusia County.</p>
<p>September 7, 2010 Resolution 2010-131</p>	<p>Ormond Beach initiated the process to create an Interlocal Service Boundary Agreement area established by Chapter 171, Part II, Florida Statutes.</p>
<p>August 19, 2014 Ordinance 2014-27</p>	<p>Authorized the execution of the Interlocal Service Boundary Agreement (ISBA) with Volusia County regarding the North US 1 Joint planning area. The Ordinance also approved a Planning and Services Delivery Sub-Agreement, and itinerant vendor criteria. Ormond Beach took control of land use planning, zoning, permitting and code enforcement of the ISBA for properties within Ormond Beach and unincorporated Volusia County. The agreement specified Volusia County would continue to maintain stormwater conveyance systems and when roadways would transfer to Ormond Beach.</p>
<p>January 20, 2015 Ordinance 2014-42</p>	<p>Amended the Future Land Use, and the Intergovernmental Comprehensive Plan Elements to be consistent with the Interlocal Service Boundary Agreement.</p>
<p>January 20, 2015 Ordinance 2015-5</p>	<p>Amended the City's Future Land Use Map designation with respect to lands in the ISBA/Joint Planning Area.</p>

Action/Approval Date	Description
<p>June 23, 2015 Ordinances 2015-13&14</p>	<p>Amended the City's Official Zoning map to rezone lands in the ISBA/Joint Planning Area.</p>
<p>June 23, 2015 Ordinance 2015-27</p>	<p>Amended the Land Development Code to include itinerant merchant regulations for recognized special events and outdoor entertainment activity and temporary campsites in two categories:</p> <ol style="list-style-type: none"> 1. All properties operating year-round businesses with documented Business Tax Receipts with Volusia County were placed on the "Recognized Special Event Host" list and allowed to continue operating itinerant activities with approved City permits. 2. The vacant or unimproved properties had a five (5) year period to establish a permanent business to be classified as a recognized special event host. Failure to establish a permanent business would not allow any itinerant vending activities after the five (5) year amortization period.
<p>June 23, 2015 Resolution 2015-136</p>	<p>Ormond Beach acknowledges the completion of land use and zoning actions and established the City of Ormond Beach as the jurisdictional authority over the lands within the ISBA.</p>
<p>August 20, 2019 Ordinance 2019-19</p>	<p>Approved the First Amended Interlocal Service Boundary Agreement for the purpose of expanding the boundary of the Municipal Service Area to include Plantation Oaks subdivision and 11 parcels that are enclaves.</p>

4. Annexation: There are three (3) actions that annexed the Plantation Oaks subdivision into Ormond Beach:

EXHIBIT 5: Annexation approvals

Action/Approval date	Description
<p>August 18, 2015 Resolution 2015-168 Book 297155, Pages 4437-4462</p>	<p>Annexation agreement was approved to serve utilities to Plantation Oaks. Annexation was required as a condition of providing utility services. The property was not contiguous and could not be annexed in 2015.</p>

<p>October 1, 2019 Ordinance 2019-30 Book 7760 Page 3724</p>	<p>Annexation of 1,055.36± acres that is the Plantation Oaks subdivision. The annexation contains a condition that the number of units allowed to be constructed until additional utility improvements are made is 427 units.</p>
<p>May 26, 2020 Ordinance 2020-016</p>	<p>There are three parcels totaling 0.44± that were not included in the original annexation legal description that are owned by Plantation Oaks that were annexed on May 26, 2020.</p>

5. Comprehensive Plan amendments: The following Comprehensive Plan amendments established the city land use for the Plantation Oaks subdivision as well as incorporated the First Amended Interlocal Service Boundary Agreement into the Comprehensive Plan.

EXHIBIT 6: Comprehensive Plan approvals

Action/Approval Date	Description
<p>January 21, 2020 Ordinance 2019-43</p>	<p>Amended the Future Land Use Map designations for the Plantation Oaks subdivision and the 11 enclaves within the First Amended Interlocal Service Boundary Agreement Area.</p>
<p>January 21, 2020 Ordinance 2019-44</p>	<p>Amended the Future Land Use, Transportation, and the Intergovernmental Comprehensive Plan Elements to be consistent with the First Amended Interlocal Service Boundary Agreement. Table 5 of the Future Land Use Element established a <u>maximum of 1,947 dwelling units</u> for the Plantation Oaks project.</p>

EXHIBIT 7: Ormond Beach actions regarding Plantation Oaks

Action/Approval date	Description
<p>February 2, 2021 Ordinance 2021-03 Book 7985 Pages 4080-4339</p>	<p>Planned Residential Development approval. Applied city zoning to Plantation Oaks using Volusia County approvals. Deleted the age restriction for Phase 1 and required only single-family construction.</p>
<p>August 27, 2021 Minor modification Book 8113, Page 4003</p>	<p>Minor amendment to relocate 76 lots within the Phase 1 conceptual development plan based upon the sale of a land area to Volusia County – west of Old Dixie Highway, east of the FPL easement, and north of Plantation Oaks Boulevard.</p>

Application process:

Since submission, the application has been available on the city’s website at: <https://www.ormondbeach.org/247/Development-Projects>. The submittal is required to undergo the following application process:

EHIXIBIT 8: Summary of application process

Reviewing entity/action	Date	Required advertising
SPRC pre-application meeting	June 3, 2021 June 23, 2021	General SPRC notice.
Distribution e-mail & news and notice of pre-application	June 24, 2021	Not required.
Distribution e-mail & news of 1 st SPRC submittal	September 24, 2021	Not required.
SPRC 1 st submittal	September 24, 2021	Not required.
SPRC comments (1 st review)	October 7, 2021	Not required.
Distribution e-mail & news of neighborhood meeting	November 9, 2021	Not required.
Neighborhood meeting	December 6, 2021	1. Mail notice, 600’ radius. 2. Newspaper advertisement.
SPRC 2 nd submittal	March 9, 2022	Not required.
Distribution e-mail & news of 2 nd SPRC submittal	March 11, 2022	Not required.
SPRC comments (2 nd review)	March 23, 2022	Not required.
Distribution e-mail & news of Planning Board meeting	March 25, 2022	Not required.
SPRC 3 rd submittal	April 1, 2022	Not required.
Planning Board	April 14, 2022	1. Mail notice, 300’ radius. 2. Newspaper advertisement. 3. Site posting.
City Commission (tentatively)	May 17, 2022 (1 st reading) June 7, 2022 (2 nd reading)	1. Mail notice, 300’ radius. 2. Newspaper advertisement.
SPRC review for subdivision phase	To be determined	
Preliminary Plat (Planning Board and City Commission)	To be determined	
Construction of subdivision improvements	To be determined	
Final plat	To be determined	

The application seeks the following amendments to the Planned Residential Development that allows 1,577 residential units:

1. Phase 1: Convert a portion of the 145.68-acre golf course within Phase 1 to add 80 non-age restricted, fee simple lots. This phase was approved for 669 single-family lots and the amendment seeks to allow 749 lots.
2. Phase 3: Convert Phase 3 portion of 145.68-acre golf course to add 86 non-age restricted, fee simple lots. This phase was approved for 481 single-family lots and the amendment seeks to allow 567 lots.
3. Phase 3: Lift age restriction for this phase
4. Phase 3: Prohibit manufactured homes for this phase.
5. Phase 4: Land identified as public-school site of 53.41 acres to be converted to 125 fee simple lots, with no manufactured housing.
6. Phase 4: Allow public streets.
7. Remove a tract of land from the Plantation Oaks Planned Residential Development of approximately 33.10 acres purchased by Volusia County from the Plantation Oaks Planned Residential Development.

A summary of the proposed zoning map amendment is shown below:

EXHIBIT 9: Summary of PRD amendment

Land area	Approved # of lots /Square Footage	Proposed # of lots/ Square Footage	Difference	Age Restricted	Type of housing	Private/ Public Streets
Phase 1	669	749	80	No	Single-Family	Private
Phase 2	427	427	0	Yes	Manufactured	Private
Phase 3	481	567	86	Existing: Yes; Proposed: No	Existing: Manufactured & SFH; Proposed: Single-Family	Private
Phase 4	Public School	125	125	No	Single-Family	Public
Commercial area	25,500	25,500	0	NA	NA	NA
Golf Course	145 acre, 18 holes	Deleted	NA	NA	NA	NA
Totals	1,577 units 25,000 SF School Golf Course	1,868 units 25,500 SF	291 units	Only Phase 2 age restricted	Only Phase 2 manufactured housing	Only Phase 4 with public streets

Key points of the amendment request:

1. The amendment seeks to increase the number of lots by 291 units and delete the public-school site and the golf course.
2. Phase 1 is proposed to add 80 lots and eliminate the golf course area. The existing development order has no age restriction for Phase 1 and prohibits manufactured housing. The streets within this phase are private. Phase 1 includes a 2,500 square foot clubhouse, pool, spas, four pickleball courts, dog walk, and walking trails.
3. Phase 2 would remain unchanged with 427 manufactured homes on lease lots. Phase 2 has an existing private access from Plantation Oaks Boulevard and recreational amenities (10,300 square foot clubhouse, pool, spas, pickleball courts, tennis courts, and dog walks) are exclusively for Phase 2 residents.
4. Phase 3 is proposed to add 86 lots and eliminate the golf course area. The existing development order has an age restriction which is sought to be eliminated. The amendment would seek to prohibit manufactured housing and required single-family fee simple lots. The streets within this phase are private. Phase 3 includes a 2,500 square foot clubhouse, pool, spas, four pickleball courts, dog walk, and walking trails.
5. Phase 4 was proposed for a former Volusia County school site under the Development of Regional Impact. The total land area is 53.41 acres and includes the 23.11 acres of the school site and the borrow pit that would provide stormwater retention. The applicant has indicated that the School Board did not need the site in Plantation Oaks and traded for a site in Daytona Beach next to Westside Elementary along Jimmy Ann Drive. Staff contacted Volusia County Schools regarding this site and was provided the 2016 adopted Memorandum of Understanding that provided a determination by Volusia County Schools that the Plantation Oaks school site was not needed for school purposes. The 2016 Memorandum of Understanding included:
 - a. Acknowledged that the age restricted units of Plantation Oaks met the exemption for school impact fees;
 - b. Developer exchanged a 14.35-acre site located adjacent to Westside Elementary to Volusia County Schools;
 - c. Developer agreed to pay \$500,000 in school impact fees for the age restricted residential lots; and
 - d. School Board released the Plantation Oaks school site back to the developer.The school site decision is made by Volusia County Schools and the property was released to Plantation Oaks in 2016 and has no current use. Phases 1, 3, and 4 would be subject to Volusia County School impact fees. Phase 4 is now proposed as 125 residential units with public streets. See ATTACHMENT 1.
6. Volusia County purchased a 33.10-acre tract of land from Old Dixie Highway to the FPL easement, north of Plantation Oaks Boulevard (See ATTACHMENT 1). The land area includes the 175-conservation area required in the Plantation Oaks Volusia County development order along Old Dixie Highway. The land area was part of a minor modification (ATTACHMENT 2) that relocated the 76 lots of the land area purchased by Volusia County into the remainder of Phase 1. Part of the

Plantation Oaks amendment would be to remove this land area from the Plantation Oaks development order. The land would be assigned a city land use and zoning designation through a separate process.

7. The Plantation Oaks land area is 1,048.57± acres. The gross density of the existing development order is 1.50 units per acre.
8. The amendment seeks to (1) add 291 units and (2) remove 33.10 acres from the Plantation Oaks land area. The land area of the amendment is 1,015.47± acres. The gross density of the proposed amendment is 1.84 units per acre.
9. The applicant has identified that the project area contains 109.45 acres of wetlands and 59.11 acres of wetland buffers, totaling 168.56 acres. This land area is within conservation easements. The project impacted 6.56 acres of wetlands in past development approvals and the impacts have occurred and been mitigated. No additional wetland impacts are anticipated with the proposed amendments.
10. The net density (land area minus the wetlands) would be 1.68 for the existing approved development order and 2.06 for the proposed development order.
11. The area preserved for the project is 198.56 acres or 19.55% of the project area.
12. The project has natural buffer of 50' along Plantation Oaks where the city requirement would be 20'.
13. The project has a Greenbelt preservation area along Interstate 95.
14. The Future Land Use element of the Comprehensive Plan limits the residential density to 1,947 residential units.
15. The Development of Regional Impact limits the residential density of the National Gardens Development of Regional Impact to 2,115. Staff is aware of a Volusia County application of the Dixie Ridge subdivision within the National Gardens Development of Regional Impact. Adding the Plantation Oaks approved units (1,577), Plantation Oaks proposed units (291), and the Dixie Ridge proposed units (144) the total number of residential units would be 2,012 or 103 less than the Development of Regional Impact density limitation allowed.
16. The applicant has provided an annotated master development plan and an overall exhibit.
17. Project has approximately 210 acres of stormwater ponds.
18. Lot sizes and setbacks:

Phase	Existing zoning	Proposed zoning	Setbacks
Phase 1	50' X 100' minimum	55' X 100' minimum 55' & 65' X125 typical	Front = 20', Rear = 20', Side =7.5'
Phase 2	50' X 100' minimum Single-Family 65' X 100' minimum Manufactured homes	65' X 100' minimum	Front = 20', Rear = 20', Side =7.5'
Phase 3	50' X 100' minimum	55' X 100' minimum 55' & 65' X125 typical	Front = 20', Rear = 20', Side =7.5'
Phase 4	None	50' X 100' minimum 50' X125 typical	Front = 20', Rear = 20', Side =5'

ANALYSIS:

The background section provides a summary of the previous development order approvals. The following are key aspects of the project:

1. Volusia County Resolution 86-192 established the approved development entitlements for the National Gardens Development of Regional Impact (DRI) of a maximum of 3,930 residential units on 2,009 acres. The Development of Regional Impact land owners also provided 2,000 acres to VOLT to expand the state park east of Old Dixie Highway.
2. Ormond Beach Resolution 90-169 authorized the Ormond Lakes development with a maximum of 656 residential units and 6,000 square feet of neighborhood commercial uses allowed.
3. Resolution 2004-229 dedicated 407 acres of land from the DRI adding it to the Tomoka State Park.
4. Original Volusia County zoning Resolution (2002-199) was approved and allowed 1,577 residential units and neighborhood commercial of 25,500 square feet. The residential was designed to be an adult community with 80% of the residents being 55 years or older. The Resolution established development standards. The Resolution included plans for golf course, public school and required the construction of Plantation Oaks Boulevard. Finally, the Resolution required all internal roadways for the development be private.
5. A minor amendment in 2007 to increase the required buffer on Old Dixie Highway to 175 feet.
6. In 2012, a major amendment occurred that modified the requirement for standard dwelling units and allowed mobile/manufactured homes. As part of the approval a hardened central clubhouse was required for the development for manufactured homes.
7. In 2015, the City of Ormond Beach was requested to become the utility provider for the development. The city consented and Ormond Beach required an annexation agreement that required annexation once the project became contiguous with the city boundaries.
8. Construction started in 2016 for Plantation Oaks, Unit 2A, including the hardened clubhouse.
9. In 2019, the First Amended Interlocal Service Boundary Agreement was approved by Ormond Beach and Volusia County for the purpose of expanding the boundary of the Municipal Service Area to include Plantation Oaks subdivision and 11 parcels that are enclaves.
10. In 2019 and 2020, annexation of the Plantation Oaks land area into Ormond Beach occurred.
11. In 2021, Plantation Oaks was assigned a city Planned Residential Development zoning designation utilizing the previous Volusia County approvals. The zoning map amendment did delete the age restriction for Phase 1 and required only single-family construction.

12. Staff is aware that there is a project submitted to Volusia County titled Dixie Ridge that is located between Halifax Plantation and Plantation Oaks. The project is within the National Gardens Development of Regional Impact and is seeking Comprehensive Plan and zoning amendments to allow 144 single-family units. If both amendments (Plantation Oaks and Dixie Ridge) are approved there would be 103 residential units remaining in the National Gardens Development of Regional Impact.

Below is the abutting land uses and zoning classification of the Plantation Oaks subdivision.

EXHIBIT 10: Future Land Use designation and zoning classifications

	Current Land Uses	Future Land Use Designation	Zoning Classifications
North	Residential	Volusia County R (Rural) Volusia County ULI (Urban Low Intensity)	Volusia County RA (Rural Agricultural Estate) Volusia County R-3 (Urban Single-Family Residential) Volusia County PUD (Planned Unit Development)
South	Vacant land	Volusia County C (Commercial) Volusia County UMI (Urban Medium Intensity)	Volusia County R-4 (Urban Single-Family Residential)
East	State of Florida conservation lands Village of Pine Run	Volusia County C (Conservation) Volusia County ULI (Urban Low Intensity) Volusia County R (Rural)	Volusia County C (Conservation) Volusia County R-3 (Urban Single-Family Residential) Volusia County RAE (Rural Agricultural Estate)
West	Halifax Plantation I-95 Destination Daytona	Volusia County ULI (Urban Low Intensity) LIC (Low Intensity Commercial)	Volusia County PUD (Planned Unit Development) OB PBD (Planned Business Development)

A neighborhood meeting was conducted on December 6, 2021 with approximately 30 individuals in attendance. The applicant has provided a meeting summary within the applicant provided information, ATTACHMENT 5. The meeting included a presentation from the applicant describing the history of the project, past land donation, current

approvals, and a summary of the proposed amendments. The discussion at the meeting included the following topics:

1. Traffic, including Old Dixie Highway and Plantation Oaks Boulevard.
2. Types of proposed housing.
3. Development of the former school site.
4. Timing of construction.
5. Proposed house prices.
6. Timing of Phase 4 improvements.

With the zoning map amendment to convert the Volusia County zoning to city zoning, there were individuals who provided e-mails and testimony at the public hearings. Below is a summary of correspondence and testimony previously received with the city assignment of zoning regarding the Plantation Oaks subdivision:

- No additional development should occur on the loop. Concern with impacts to users of the loop and animals within this corridor.
- The amendment to delete the age restriction would result in higher traffic.
- The project should be preserved and Volusia Forever and Florida Forever could be possibilities.
- There has been too much development along the loop.
- The 175-foot buffer is a large natural buffer and greater than the Halifax Plantation buffer of 50'.
- Single-family houses would provide a more stable tax base than manufactured housing.
- The existing age restriction should not be removed.
- Natural beauty of the loop is being taken away and can never be restored.
- Everything is negotiable and the project should be changed.
- Close off access onto Old Dixie Highway.
- Concerned about impacts to schools if the age restriction is removed.
- Concerned with impacts to on-site wetlands.
- There is no market for manufactured homes which has led to the request to delete the age restriction and allow only single-family houses.

Ormond Beach residential development

City staff reviewed the residential development trend in Ormond Beach since 2010 and a summary is provided below (See ATTACHMENT 4):

EXHIBIT 11: Summary of Residential Development

Calendar Year	SFH lots platted - recorded ⁽²⁾	Single-Family Houses Permits ⁽³⁾	Multi-Family Permits ⁽³⁾	Manufactured & Mobile Home Permits ⁽³⁾
1980-1989	2,442	No data	No data	No data
1990-1999 ⁽¹⁾	1,952	1,449 ⁽¹⁾	218 ⁽¹⁾	427 ⁽¹⁾
2000-2009	1,261	1,833	350	510
2010-2019	502	911	268	7
2020- 03/31/22	143	292	46	22

(1) No permit data available for 1990-1992.

(2) SFH lots plat is taken from the Volusia County Clerk of Court website.

(3) Single-Family, multi-family, manufactured and mobile home permits from the Ormond Beach Building Department.

The exhibit shows the number of lots platted (subdivided for construction of single-family houses). Each decade since 1980, the number of platted single-family lots have decreased from 2,442 lots to 502 lots platted from 2010-2020. The number of platted single-family lots since 2020 has 143 lots including Pellicer Acres, Pineland Phases 4 & 5, and Ormond Grande. The twelve-year average of single-family home permits from 2010 to 2021 was 98 permits per year. Since 2020, the two primary areas of single-family house permits were Cypress Trails and Pineland subdivisions. With the completion of these two subdivisions, there are no subdivisions remaining with vacant lots for construction of single-family houses. Phase 1A in Plantation Oaks, Tiger Oaks (121 lots), is currently under construction and expect to be completed in the summer of 2022 would provide lots for development of single-family houses. Plantation Oaks, Phase 2 (427 leased lots) which is the manufactured home portion of the development, is expected to be built out in this decade. Below are the residential projects with approvals but not yet completed:

EXHIBIT 12: Approved Residential Development

Project	Units	Status
Ormond Renaissance Condo	28 units constructed; 252 units remaining	Approved and vested.
Ormond Grande	12 permitted 48 units remaining	Approved and vested.
Plantation Oaks	1,577 units	Phase 2 (manufactured housing) under construction; Phase 1 A under infrastructure improvements.
Ormond Crossings	2,950 units	Approved, vested. No construction activity for residential.

CONCLUSION/CRITERIA FOR APPROVAL:

Section 1-15(e) of the Land Development Code provides the development order criteria that the Planning Board shall review Planned Residential Development amendment. The criteria are provided in **bold** with the review of city staff following.

1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

The Plantation Oaks project dates back to 1986 and has approvals as a Development of Regional Impact and was assigned a city zoning designation based upon past Volusia County approvals. The amendment seeks to add 291 residential units on land areas that were identified as a golf course and school site. Development of Regional Impacts are a process for large developments that are reviewed by local jurisdictions and state agencies that include a review of regional impacts. These development orders contain requirements and improvements by applicants as part of the overall development plan. The National Gardens Development of Regional Impact has preserved a total of 2,407 acres of land directly along Old Dixie Highway and constructed Plantation Oaks Boulevard.

As the Development of Regional Impact progressed, Ormond Lakes was removed and the density limitation was reduced from 3,930 residential units to 2,115 residential units. The proposed amendment request is within the density range approved by the Development of Regional Impact and city Comprehensive Plan on land areas identified for other uses. Based on the above information, a conclusion can be made that the amendment will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare, or quality of life.

Another perspective is that the density requested is not justified based on changing conditions of area wide development and impacts on area roadways. As provided in testimony during the assignment of city zoning and past e-mails, there is a position that no additional units should be allowed on the Plantation Oaks subdivision. The land area for the school and golf course could be additional preserved area, recreational areas, or stormwater.

2. The proposed development is consistent with the Comprehensive Plan.

The property's future land classification is "Low Density Residential" and the Land Use Element of the Comprehensive Plan states:

Purpose: To protect and encourage the continued development of typical single-family residential areas and stabilize and protect the character of such neighborhoods. Institutional uses may be permitted in accordance with the maximum floor area ratio.

Density: up to 4.3 units per acre

Maximum FAR: 0.2

Table 5 of the Land Use Element of the Comprehensive Plan contains a density restriction of 1,947 residential units for the Plantation Oaks project.

The Comprehensive Plan provides the following Goals, Objectives and Policies to consider:

Objective 1.1.	Ensure the availability of adequate lands to meet the residential land use needs of the community.
Future Land Use Element	
Policy 1.1.2	Continue to promote sound planning for the location and design of new residential developments including on-site common open space and recreation facilities.
Future Land Use Element	
Goal 1	ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE HOUSING UNITS OF DIFFERENT TYPES, SIZES, AND PRICE RANGES TO MEET THE NEEDS OF ALL CURRENT AND FUTURE RESIDENTS.
Housing Element	
Objective 1.1.	The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element.
Housing Element	
Policy 1.2.1.	The general residential development pattern in the city should be in accord with the community's growth strategy for residential densities, as stipulated within the Future Land Use Element.
Housing Element	

Both the Comprehensive Plan and Development of Regional Impact allow the overall density sought by the amendment.

3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.

The environmental impacts of the Plantation Oaks Subdivision have been reviewed and approved with the Volusia County approvals. The project also has St. Johns River Water Management District (SJRWMD) approvals (project number 92254). The Saint Johns River Water Management District approvals performed site analysis of environmental features, permitted wetland impacts, wetland mitigation, and preservation of on-site wetlands. The Saint Johns River Water Management District approval also noted the impacts of the 1998 wildfires to the southern half of the Plantation Oaks property. As stated previously, the historic approvals have preserved (1) 2,000 acres to VOLT for incorporation into the state park system, (2) 407 acres dedicates in 2004, and (3) the land purchased by Volusia County of 33.10 acres.

The conclusion of the Site Plan Review Committee is that the land area for the additional residential units were proposed for development by other uses. Conversion of the uses, if approved, would not create any additional environmental impact other than what the existing development order allows. It can be argued that not developing the land area of the school site and golf course would allow for additional preserved land and recreational areas.

4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.

The review of the Site Plan Review Committee concluded that the additional residential units are within the ranges allowed by the Comprehensive Plan and the Development of Regional Impact. City staff views the conversion of the phase 3 allowance of manufactured homes to single-family homes as a positive action. The single-family uses proposed are consistent with abutting uses and are not expected to negatively impact surrounding property value, create a nuisance or have other negative impacts on existing properties in the area.

Past e-mails and correspondence have indicated that any additional residential units should not be approved based on the impact to the Loop and Old Dixie Highway.

5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.

The public facilities needed to serve the additional 291 residential units have been reviewed by the Site Plan Review Committee and determined that there are adequate public facilities to serve the project. Specific analysis of public facilities include:

- a. The project has constructed the Plantation Oaks roadway providing access to the property. The site design of the subdivision has limited access points to Old Dixie Highway and Plantation Oaks Boulevard.
- b. Sidewalks have been provided along the Plantation Oaks Boulevard roadway and internal to the subdivision.
- c. Water and sewer lines were constructed by the developer within Plantation Oaks Boulevard and are adequate for service to the project. Additionally, each residential unit shall pay water and sewer impact fees.
- d. The project is providing on-site recreational sites for each phase of development. In addition, each residential unit shall pay city recreational impact fees.
- e. A determination of adequate school capacity has been issued (See ATTACHMENT 1) . School concurrency is reviewed as each subdivision phase is platted.
- f. The project traffic is vested through the Development of Regional Impact. Both city staff and Volusia County Traffic Engineering have acknowledged that the Development of Regional Impact vested 2,115 residential units. As part of this amendment, the Site Plan Review Committee require a traffic analysis (See ATTACHMENT 3) of the entire project.

6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.

The traffic impacts of the development have been reviewed through the Development of Regional Impact and the Volusia County zoning approvals. Part of the requirement for the Development of Regional Impact and the subdivision was the construction of Plantation Oaks Boulevard by the applicant.

The requested increase in residential units caused the Site Plan Review Committee to require a Traffic Impact Analysis (See ATTACHMENT 3). The scope of the analysis included the entire subdivision even though the 1,577 residential units have Development of Regional Impact and zoning approvals. The Traffic Impact Analysis was prepared by a Professional Engineer and reviewed by Volusia County Traffic Engineering, the Site Plan Review Committee, and Traffic Engineering Data Solutions (TEDS) as an independent traffic reviewer employed by Ormond Beach. Both city staff and Volusia County Traffic Engineering have verified that the Development of Regional Impact vested 2,115 residential units.

Key findings of the traffic include:

- a. The National Gardens Development of Regional Impact approved and vested for concurrency 2,115 residential units. The Plantation Oaks project has zoning approval for 1,577 residential units and seeks to add 291 residential units. There would be 247 residential units remaining within the National Gardens Development of Regional Impact.
- b. The Plantation Oaks proposed development will generate 14,058 new daily trips of which 1,411 will occur in the P.M. peak hour. The daily trips and P.M. peak hour trips are less than what was approved in the Development of Regional Impact.
- c. The National Gardens Development of Regional Impact required the construction of Plantation Oaks Boulevard at the sole expense of the developer.
- d. In the existing conditions, all roadways are operating at satisfactory Level of Service standards and will continue to operate at acceptable Level of Services upon full build out of Plantation Oaks.
- e. All study intersections are currently operating at satisfactory Level of Service standards and expected to continue to operate at acceptable Level of Services upon full build out of the development.

In summary, the National Gardens Development of Regional Impact provided vesting of 2,115 residential units. If the amendment is approved, the National Gardens Development of Regional Impact residential units would be 1,868. Based on the zoning increase of residential units, the Site Plan Review Committee required a traffic study which demonstrated the project would not cause roadway segments or intersections to fail.

7. The proposed development is functional in the use of space and aesthetically acceptable.

The amendment seeks to utilize land areas that were identified for other uses. The applicant has stated that the additional units would make for efficient use of infrastructure and provide needed housing units in north Ormond Beach. The standards of previous development orders (See ATTACHMENT 2) shall be maintained.

8. The proposed development provides for the safety of occupants and visitors.

The approved subdivision has been previously reviewed and approved by the County of Volusia and indicates safety for occupants and visitors. The zoning amendment shall continue and incorporate the development standards approved by Volusia County and the proposed layout provides safe access for occupants and visitors. The Site Plan Review Committee concludes that the development plan provides safe movement for occupants and visitors.

9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

The amendment will not alter the architectural or landscape design standards of the approved development.

10. The testimony provided at public hearings.

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

The Plantation Oaks subdivision is part of the National Gardens Development of Regional Impact that authorized certain entitlements and required developer improvements. A portion of the 2,115 residential units (1,577 residential units) allowed in the National Gardens Development of Regional Impact have been approved through zoning actions. The amendment proposes several amendments that increases residential density by 291 units. The gross density of the project would be 1.84 if approved. The amendments have been reviewed by the Site Plan Review Committee and comply with Development of Regional Impact, Comprehensive Plan, and Land Development Code. Staff recommends that the Planning Board recommend **APPROVAL** to the City Commission for:

1. Phase 1: Convert a portion of the golf course within Phase 1 to add 80 non-age restricted, fee simple lots. This phase was approved for 669 single-family lots and the amendment seeks to allow 749 lots.
2. Phase 3: convert Phase 3 portion of golf course to add 86 non-age restricted, fee simple lots. This phase was approved for 481 single-family lots and the amendment seeks to allow 567 lots.
3. Phase 3: Lift age restriction for this phase.
4. Phase 3: Prohibit manufactured homes for this phase.
5. Phase 4: Land identified as public-school site to be converted to 125 fee simple lots, with no manufactured housing.
6. Phase 4: Allow public streets.
7. Remove a tract of land from the Plantation Oaks Planned Residential Development of approximately 33.10 acres purchased by Volusia County from the Plantation Oaks Planned Residential Development.

The Planning Board can act upon the amendment items as one motion or act upon each request individually. Each item may be (1) approved as requested, (2) approved with conditions, or (3) denied. The application is tentatively scheduled for the City Commission on May 17, 2022 for first reading and if approved, on June 7, 2022 for second reading.

Attachments:

- Attachment 1: Maps, School information, and park information
- Attachment 2: Approved Plantation Oaks development order
- Attachment 3: Traffic Impact Study
- Attachment 4: Ormond Beach residential development summary
- Attachment 5: Application information
- Attachment 6: Correspondence received