



# City of Daytona Beach Shores

*"Life is Better Here"*

*"A Premier, Friendly Place to Be"*

## **AGENDA PLANNING & ZONING BOARD MEETING JANUARY 13, 2025**

**8:30 AM, Shores Community Center, 3000 Bellemead Drive  
Daytona Beach Shores, FL 32118**

Notice is hereby given to all interested parties that if any person should decide to appeal any decision made at the aforementioned meeting of the P&Z Board, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the City Clerk, City of Daytona Beach Shores, at least five working days prior to the meeting.

**1. OPENING REMARKS**

**2. MINUTES**

A. Planning & Zoning Minutes December 9, 2024

**3. QUASI-JUDICIAL HEARING**

A. Conditional Use Permit CUP12024028: To Allow Outdoor Dining at Established Miniature Golf Course Mulligan's Lagoon

**4. ACTION ITEMS**

A. Ordinance 2025-01: Evaluation and Appraisal Report Comprehensive Plan Amendments

**5. OTHER**

**6. BOARD COMMENTS**

**7. ADJOURNMENT**

**MINUTES**  
**PLANNING & ZONING BOARD MEETING**  
**December 9, 2024**  
**3000 Bellemead Drive Daytona Beach Shores, FL 32118**

**1. OPENING REMARKS**

The meeting was called to order at 8:37 am.

**Present:** Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai, Alternate Members Chris Pollard and Joe Monaco. Member Excused: Rick Delange.

**Staff:** City Clerk Cheri Schwab, City Attorney Paul Waters, Community Services Director Stewart Cruz and City Planner Gwyn Herstein.

A. Board Oath for Joseph Monaco

Alternate member Joseph Monaco was sworn in by Attorney Waters.

**2. MINUTES**

A. Planning & Zoning Minutes October 14, 2024

**MEMBER CHUCK HORION MOVED, SECONDED BY BOARD MEMBER CHRIS POLLARD TO APPROVE THE PLANNING & ZONING MINUTES OF OCTOBER 14, 2024.**

**VOTE: MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE (SUMMARY: YES = 5 NO = 0). YES: MEMBER CHUCK HORION, MEMBER JAMES LILLY, MEMBER ROSE ANN TORNATORE, MEMBER GUY DESAI, BOARD MEMBER CHRIS POLLARD**

**3. QUASI-JUDICIAL HEARING**

A. Zoning Variance ZV12024029: 2830 Gladys Terrace - Ramey, Front Yard Setback Variance to Install Patio Canopy

Attorney Waters swore in all the witnesses for the hearings. The board members stated there was no ex-parte communication. City Planner Gwyn Herstein provided the details for the variance. The property owner would like to install a patio canopy in the front yard setback. The project met all seven criteria for a variance and staff recommended approval. No one in the audience wished to speak for or against the project. There were no additional questions from the board.

**BOARD MEMBER CHRIS POLLARD moved, seconded by MEMBER CHUCK HORION to Approve Zoning Variance ZV12024029.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

**Yes:** Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai, Board member Chris Pollard

B. Zoning Variance ZV12024030: 2902 River Point Drive - Mayberry, Front Yard Setback Variance to Extend Garage

City Planner Gwyn Herstein provided the details for the variance request. The applicant would like to construct a garage extension from the existing garage into the front yard setback. It was noted that only four of the required criteria were met for a variance to be granted per the city's code. The applicant stated in the application that no special conditions existed on the property and therefore, two criteria were automatically not met. Staff recommended denial of the project due to not meeting

all seven criteria. Mr. Lilly inquired about the large truck in the picture of the driveway. The construction manager stated that was why the property owners wanted the extension. The truck does not fit in the garage and the owners would like it enclosed. The garage has an 8-foot laundry room that takes up space in the front. The owner was not present to provide any other details on the project. There were no other audience members who wished to speak for or against the project.

**MEMBER CHRIS POLLARD moved, seconded by MEMBER JAMES LILLY to Deny the Zoning Variance ZV12024030 due to the project not meeting the seven required criteria and the owner not being present to provide details.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

**Yes:** Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai, Board member Chris Pollard

#### **4. ACTION ITEMS**

- A. Ordinance 2024-22: Allowing Non-Conforming Land Use for Jet Set of Daytona at 2560 S. Atlantic Avenue

City Planner Gwyn Herstein reviewed the details of the proposed ordinance. The original location of the business was severely damaged during Hurricane Ian in 2022. It was temporarily moved to the existing location while renovations took place. The business owner would like to be able to remain at the existing location as it is not financially feasible to return to his original location. It was explained that due to a timing issue with the holiday meeting schedule, the City Commission had already heard the ordinance on first reading prior to it coming before the board. Staff recommended approval. There were no questions or comments from the board.

**MEMBER CHUCK HORION moved, seconded by MEMBER GUY DESAI to recommend approval of Ordinance 2024-22 to the City Commission.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 1).

**Yes:** Member Chuck Horion, Member Rose Ann Tornatore, Member Guy Desai, Board member Chris Pollard

**No:** Member James Lilly

#### **5. OTHER**

#### **6. BOARD COMMENTS**

#### **7. ADJOURNMENT**

The meeting ended at 9:10 am.

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**Cheri Schwab, Recording Secretary**

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**Rick DeLange, Chairman**



## **PLANNING & ZONING BOARD AGENDA MEMORANDUM JANUARY 13, 2025 AGENDA**

**TO:** The Members of the Planning & Zoning Board

**FROM:** Gwyn Herstein, City Planner

**PREPARED BY:** Gwyn Herstein, City Planner

**SUBJECT:** Conditional Use Permit CUP12024028: To Allow Outdoor Dining at Established Miniature Golf Course Mulligan's Lagoon

### **SYNOPSIS:**

Applicant David Bailey, owner-representative for Mulligan's Lagoon Miniature Golf Course, submitted Conditional Use Permit CUP12024028 to allow outdoor dining at this established business, located at 2504 S. Atlantic Avenue. The applicant has requested to use tables, chairs, and a sitting counter area on the southeast corner of the property. This conditional use is allowable with City Commission approval according to the City's Land Development Code, Section 14-58.2.1.A.2.b.

### **FISCAL IMPACT STATEMENT:**

### **BACKGROUND:**

Mulligan's Lagoon Miniature Golf Course has been operating on this property since March 19, 2024. It features 18 holes of mini-golf and serves food and beverages including pizza, wings, flatbreads, deluxe snow cones with toppings, coffees, beer, and wine.

While some outdoor dining conditional uses may be administratively approved, applications requesting seating areas having more than 6 tables and 25 chairs and those proposed in specific locations such as immediately adjacent to residential locations, must obtain City Commission approval after a recommendation from the Planning and Zoning Board. This application, though not in a residentially sensitive location, proposes 6 tables plus counter-space and 38 chairs.

Five, specific criteria must be met for all conditional use permits, which can be found in the City's Land Development Code, Section 14-58.2.5.b. Eighteen additional criteria must be met for outdoor dining conditional uses, which are detailed in the City's Land Development Code, Section 14-58.2.1.A.4. These criteria and the status of each regarding this application are described in the attached Planning Analysis. Pictures of the outdoor dining furniture and an applicant-submitted diagram of the outdoor seating area have also been provided, along with demonstration that the Public Noticing requirements for this application have been met.

### **LEGAL REVIEW:**

**RECOMMENDATION:**

Based on the information provided in the Planning Analysis, staff recommends that the Planning & Zoning Board provide a recommendation of approval to the City Commission for Outdoor Dining Conditional Use Permit CUP12024028, as presented.

**SUGGESTED MOTION:**

A Planning and Zoning Board Member may make one of the following motions:

1) "I move to recommend approval for Outdoor Dining Conditional Use Permit CUP12024028 as presented."

OR

2) "I move to recommend approval for Outdoor Dining Conditional Use Permit CUP12024028, with the following conditions..."

OR

3) "I move to recommend denial of Outdoor Dining Conditional Use Permit CUP12024028, on the basis of..."

- ATTACHMENT:**
1. Exhibit A - CUP12024028 Mulligan's Lagoon Outdoor Dining Application Package (8 pages)
  2. Exhibits B-C & Planning Analysis - CUP12024028 Mulligan's Lagoon (8 pages)
  3. Exhibit D - CUP12024028 Mulligan's Lagoon Outdoor Dining Seating Plan (1 page)
  4. Exhibit E - CUP12024028 Mulligan's Lagoon Outdoor Dining Furniture Specs and Pics (9 pages)
  5. Exhibit F - CUP12024028 Mulligan's Lagoon Outdoor Dining Noticing Requirements Met (20 pages)



**City of Daytona Beach Shores**  
**COMMUNITY SERVICES DEPARTMENT**  
 2990 S. Atlantic Avenue  
 Daytona Beach Shores, FL 32118  
 Phone (386) 763-5377 Fax (386) 763-5370

Application No. \_\_\_\_\_

Date Received: 10-2-24  
 \$220.00, Check 1108

289394

**RECEIVED**

**SEP 23 2024**  
 BUILDING AND CODES DIVISION  
 CITY OF DAYTONA BEACH SHORES

**12024028**

**APPLICATION FOR CONDITIONAL USE**

Fees must be paid at the time the application is submitted.

**A. Application Type (Check one only)**

- (1) Administrative Request:  Outdoor Dining-25 seats or fewer, and/or, 6 tables or fewer or any application for a site located in the "T" (Hotel/Motel) District facing the Atlantic Ocean  
 Fee: \$110
- Live/Work Facility
- Tour Service Facility

- (2) Non-Administrative Request:  Other Outdoor Dining-application for a site located in a commercial zoning district wherein the outdoor dining is to be located in a side or rear yard abutting a residential zoning district, or, application proposing outdoor dining in commercial zoning districts to be located on or over any building or structure  
 Fee: \$220 + costs

Rental and Sales of Light Recreational Vehicles/Beach Equipment

**B. Property Description**

Property Address: 2504 South Atlantic Ave. Daytona Beach Shores 32118 Parcel No: 532-201-000-266

Existing Property Use: miniature golf course Property Size: 1.4

Property Owner's Name: L79-Surf, LLC

Property Owner's Address: 711 Dolphin Head Lane, Ormond Beach Fl. 32174

Owner's Telephone No: 386-405-0433 Owner's Email: \_\_\_\_\_

**C. Applicant Information**

Applicant's Name: David Bailey Address: 711 Dolphin Head Ln. Ormond Beach, Fl. 32174

Telephone No: 386-405-0433 Email: \_\_\_\_\_

Applicant is:  Contract Purchaser  Property Owner/Developer  Tenant  Agent for Owner

**D. Project Description:**

Business Name: Mulligans Lagoon Business Type: Miniature Golf

Description of Request: outdoor seating

Sept. 12, 2024

RE: Mulligan's Lagoon- Outdoor seating

To City of Daytona Beach Shores,

This is to apply for a conditional use permit for outdoor seating at Mulligan's Lagoon Miniature Golf Course located at 2504 South Atlantic Ave. DBS. As approved by the DBS Building Dept. we currently operate a 18 hole miniature golf course and have a small food and beverage operation. All parking, traffic, access, buffers as well as all food and beverage equipment has been approved in our original site plan submittal . A CO was issued based on the inspection and approval of these items.

Sincerely,



David M. Bailey  
Owner



<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLAR <b>SEAT COLOR</b> ARUBA <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLLE <b>SEAT COLOR</b> LEMON <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLTA <b>SEAT COLOR</b> TANGERINE <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLLI <b>SEAT COLOR</b> LIME <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>48" ROUND FARMHOUSE DINING TABLE</b> SKU: RT248WH <b>POLYWOOD COLOR</b> WHITE	3	\$1,707.00
<b>48" ROUND FARMHOUSE BAR TABLE</b> SKU: RBT248WH <b>POLYWOOD COLOR</b> WHITE	2	\$1,278.00
<b>LA CASA CAFÉ BAR SIDE CHAIR</b> SKU: TD102AR <b>POLYWOOD COLOR</b> ARUBA	4	\$1,156.00
<b>LA CASA CAFÉ BAR SIDE CHAIR</b> SKU: TD102TA <b>POLYWOOD COLOR</b> TANGERINE	3	\$867.00
<b>LA CASA CAFÉ BAR SIDE CHAIR</b> SKU: TD102LI <b>POLYWOOD COLOR</b> LIME	3	\$867.00
<b>LA CASA CAFÉ DINING SIDE CHAIR</b> SKU: TD100LI <b>POLYWOOD COLOR</b> LIME	3	\$747.00

**LA CASA CAFÉ DINING SIDE CHAIR**  
SKU: TD100AR

3

\$747.00

**POLYWOOD COLOR**  
ARUBA

**LA CASA CAFÉ DINING SIDE CHAIR**  
SKU: TD100TA

3

\$747.00

**POLYWOOD COLOR**  
TANGERINE

**LA CASA CAFÉ DINING SIDE CHAIR**  
SKU: TD100LE

3

\$747.00

**POLYWOOD COLOR**  
LEMON

Subtotal \$10,295.00

Shipping & Handling \$0.00

Tax \$669.21

**Grand Total \$10,964.21**

Thank you,  
POLYWOOD

You've received this email because you completed a purchase on <https://www.polywood.com/>.

This email was sent from a notification-only email address that cannot accept incoming messages. Please do not reply to this email. Instead, visit our [Help Center](#) for the fastest way to contact us, check your order status, and get help with your order.







# COMMERCIAL TESTING COMPANY

1215 South Hamilton Street • Dalton, Georgia 30720  
Telephone (706) 278-3935 • Facsimile (706) 278-3936

**Report Number 19-03055**

**JFT C.L.L.C Inc.  
Calhoun Georgia**

**Test Number 5374-1524  
March 7, 2019**

## Flammability Test

**Test Procedure:** The flammability was determined in accordance with Title 16 CFR Chapter II, Subchapter D, Part 1630, *Standard for the Surface Flammability of Carpets and Rugs (FF 1-70)*, commonly referred to as the pill test.

**Terminology:** For purposes of this test, an individual specimen meets the *Test Criteria* if the charred portion does not extend to within 1.0 inch of the edge of the hole in the flattening frame. The *Acceptance Criteria* is based on at least 7 of 8 specimens meeting the Test Criteria in order for the material to conform to this standard.

**Material Tested:**

Identification: Rough II  
Construction: Cut Pile  
Secondary Backing: LX

Color: Two Tone  
Roll Number: 71171267

**Test Result:**

Un-Charred Surface Area (inches)								Test Result
1	2	3	4	5	6	7	8	
0	>3	>3	>3	>3	>3	>3	>3	PASS

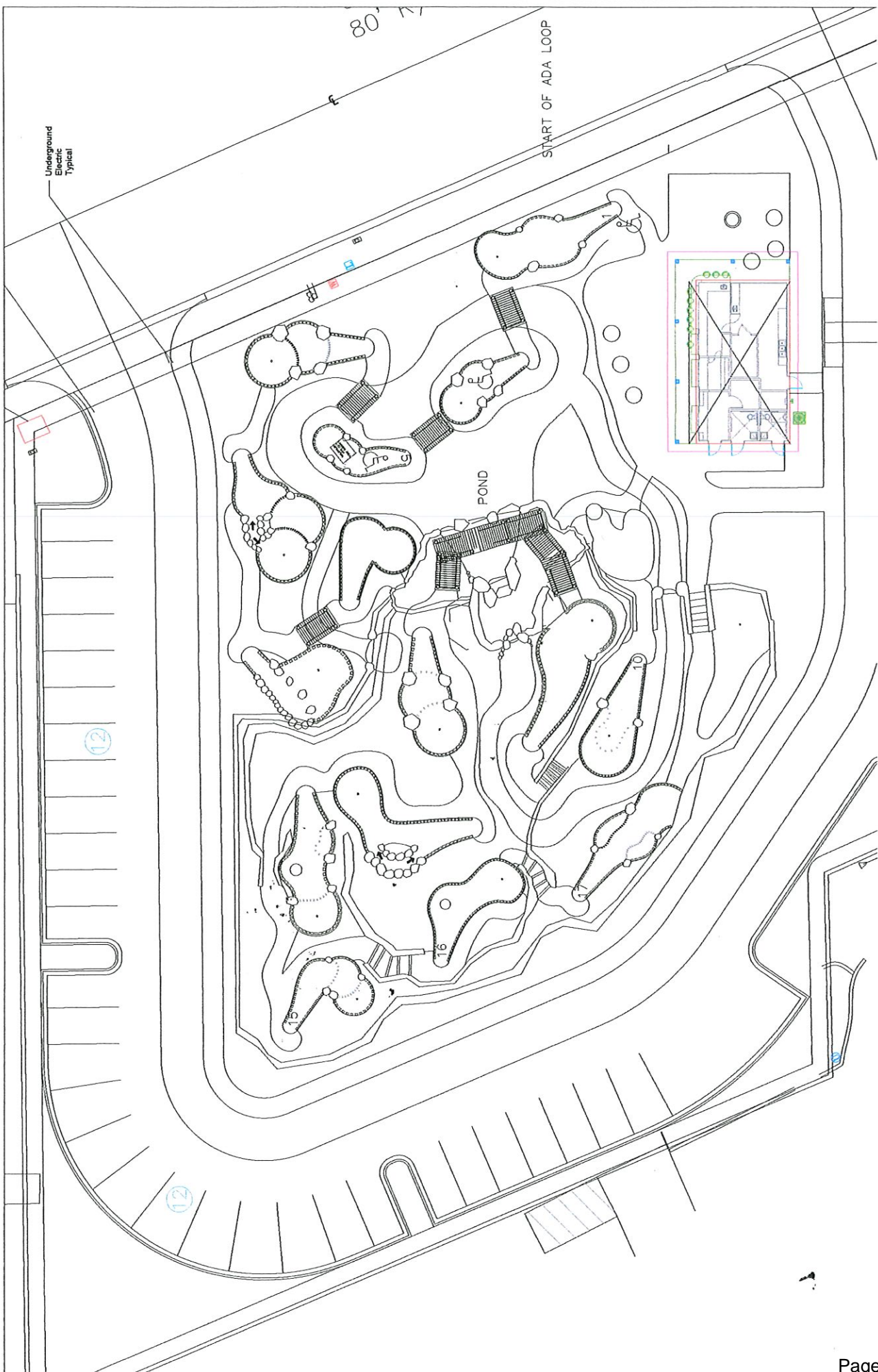
**Requirement:** For machine-made carpets, at least one test is performed after commencement of production, one test after production of the first 25,000 linear yards, and one test after production of the first 50,000 linear yards. If all 24 specimens of the three required tests meet the test criteria (i.e., Pass 8 of 8), then it is necessary to test after each additional 100,000 linear yards are produced.


**Commercial Testing Company**

*(Authorized Signature)*

This report is provided for the exclusive use of the client to whom it is addressed. It may be used in its entirety to gain product acceptance from duly constituted authorities. The test results presented in this report apply only to the samples tested and are not necessarily indicative of apparent identical or similar materials. Sample selection and identification were provided by the client. A sampling plan, if described in the referenced standard, was not necessarily followed. This report, or the name of Commercial Testing Company, shall not be used under any circumstance in advertising to the general public.

**TESTED TO BE SURE® Since 1974**

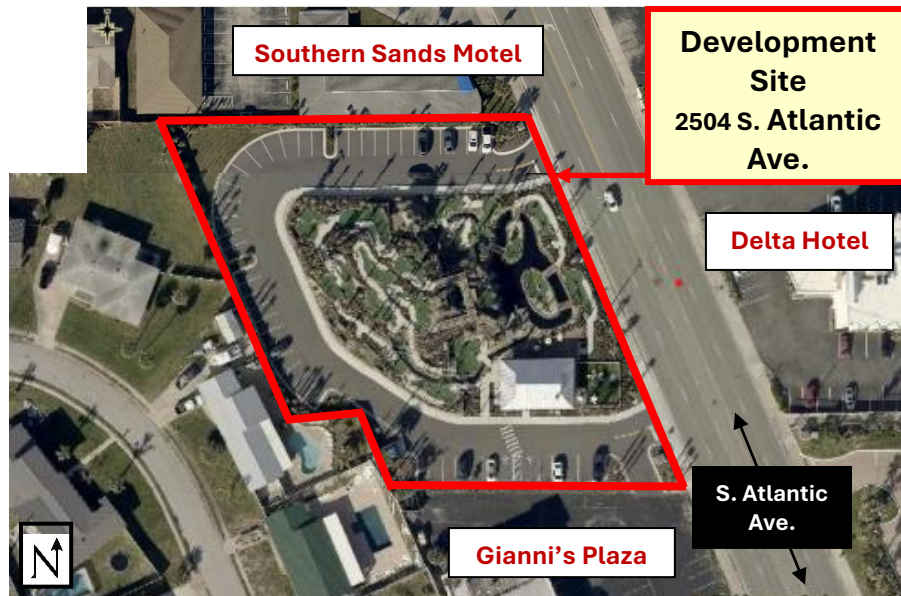


	<h2>PLANNING ANALYSIS</h2>
<b>SUBJECT:</b>	Conditional Use Permit CUP12024028: To allow outdoor dining at established miniature golf course Mulligan’s Lagoon
<b>LOCATION:</b>	2504 S. Atlantic Avenue in Daytona Beach Shores
<b>VOLUSIA CO. PARCEL ID:</b>	5322 0100 0266
<b>PROPERTY OWNER:</b>	LTG-DBS, LLC
<b>APPLICANT:</b>	David Bailey of DJ-MAK Holdings, LLC, a manager of LTG-DBS, LLC
<b>STAFF CONTACT:</b>	Gwyn Herstein, City Planner, PH: 386-763-5376

### I. INTRODUCTION

On September 23, 2024, David Bailey, owner-representative for LTG-DBS, LLC, submitted Conditional Use Application CUP12024028 to allow outdoor dining at Mulligan’s Lagoon Miniature Golf Course located at 2504 S. Atlantic Avenue. The applicant has requested to utilize tables, chairs, and a sitting-counter area on the southeast corner of the property. According to the City's *Land Development Code*, Section 14-58.2.1.A.2.b., this conditional use is allowable with City Commission approval.

#### Exhibit B: Aerial View of 2504 S. Atlantic Avenue in Daytona Beach Shores



Source: Volusia County Property Appraiser, 2025

## II. BACKGROUND

The business operating on this property, Mulligan’s Lagoon Miniature Golf Course, has been open since March 19, 2024. In addition to offering 18 holes of mini golf, this business serves pizza, wings, flatbreads, and snacks along with snowball desserts with toppings, and beverages including coffees, beer, and wine.

Sections 14-58.2.5.b. and 14-58.2.1.A.4. of the City's *Land Development Code* list criteria to qualify a business for an Outdoor Dining Conditional Use Permit. These criteria are detailed in this analysis.

## III. COMPREHENSIVE PLAN (2030), ZONING, AND LAND USE

The Conditional Use sought would be consistent the City’s Comprehensive Plan (2030), specifically, **Policy 1-1.1.3.**

This property is designated "Tourist Oriented Commercial" on the City's Future Land Use Map (FLUM) and is zoned GC-RD (General Commercial - Redevelopment District). The existing use of the property is consistent with the FLUM designation and zoning district.

**Table 1** below provides a description of the zoning district designation and current land use (i.e., existing development) for the subject and abutting properties.

**Table 1:** Zoning and Land Use Area Description

Location	Zoning	Current Land Use
Subject Property	GC-RD	Miniature Golf Course
Northeast	GC-RD	Motel
Northwest	GC-1	Property Management and Real Estate Offices
Southeast	GC-RD	Commercial Plaza with Restaurants & Laundromat
Southwest	Daytona Beach Properties	Single-Family Residences
East	T/RMF-1	Hotels & Condominium Building
West	Daytona Beach Properties	Single-Family Residences

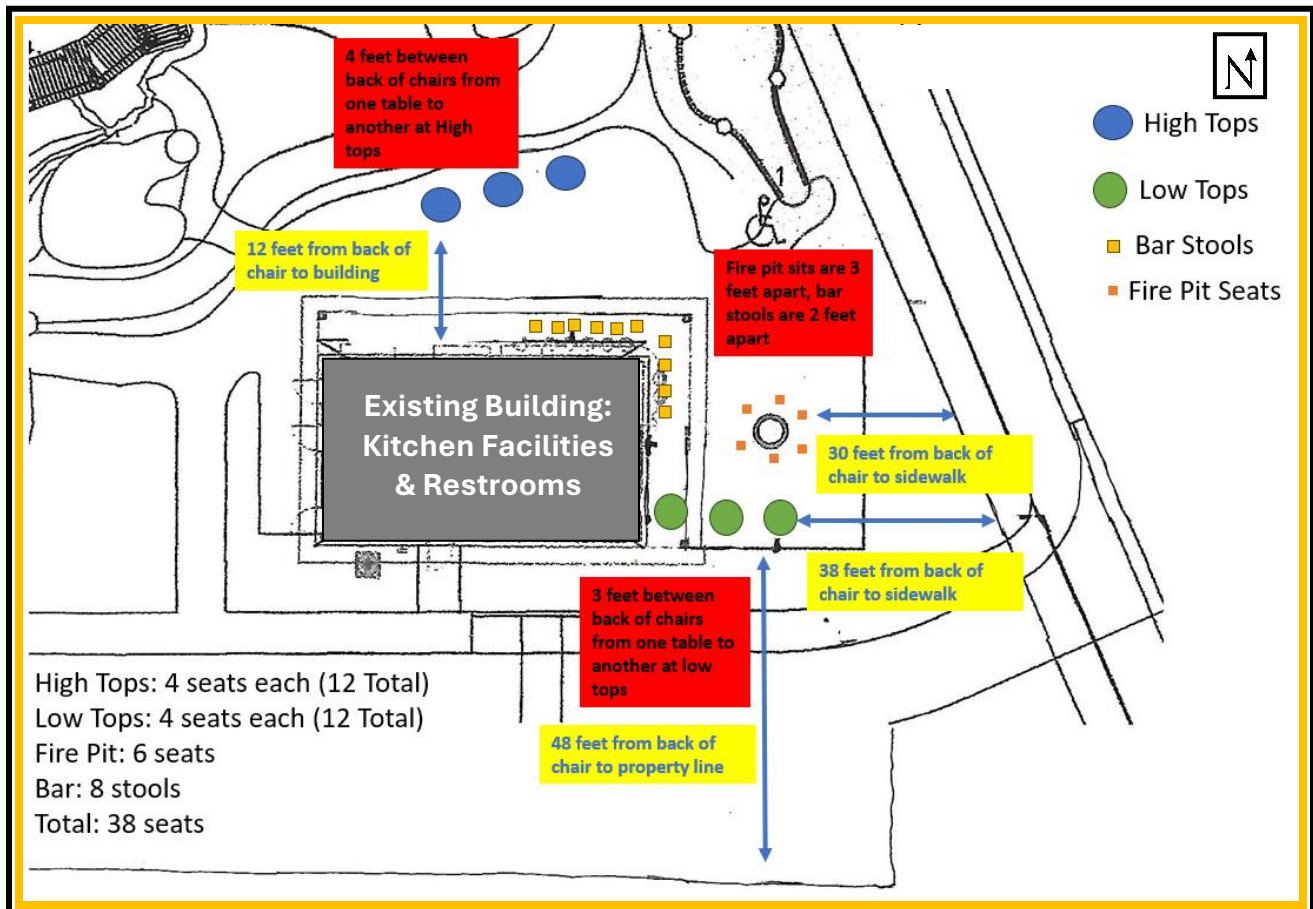
**Notes:** GC-RD: General Commercial Redevelopment District; GC-1: Tourist-Oriented Commercial District; T / RMF-1: Hotel/Motel District / Multifamily Residential District (High Density).

This land parcel is required to have a minimum front yard setback of 20 feet, and a minimum side yard setback of 10 feet according to the City's *Land Development Code*, Section 14-31.1.8. This conditional use permit, if approved, would not place any outdoor dining elements within these setbacks.

#### IV. OUTDOOR DINING CONDITIONAL USE PERMIT REQUEST

As demonstrated in **Exhibit C** below, the requested conditional use permit, if approved, will allow outdoor dining in the southeast corner of the property in the form of thirty-eight chairs and six tables. Twelve of these chairs will be placed at three high-top tables, twelve chairs will be at three low tables, eight chairs will be placed at a bar-like counter, and six chairs will be positioned around the existing fire pit.

#### Exhibit C: Outdoor Dining Conditional Use Permit Request



Source: Volusia County Property Appraiser, 2024

The above diagram is an expanded view of the orange-boxed area of 2504 S. Atlantic Avenue shown at left

## V. EVALUATION CRITERIA

Section 14-58.2. of the City's *Land Development Code* outlines the criteria to be considered when evaluating outdoor dining conditional use permit applications. Required criteria are indicated in italics, with responses directly below each one. For additional information, see conditional use application (**Exhibit A** in Agenda Item Packet):

**14-58.2.5.b. Review Criteria.** *When reviewing an application for a conditional use, the city shall consider the following requirements and criteria:*

- (1) Traffic generation and access for the proposed use shall not adversely impact adjoining properties, businesses or general public safety;*

Traffic generation and access is not expected to increase beyond that which was anticipated and accommodated through the initial site plan approval process, as the kitchen facility was approved at that time.

- (2) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties beyond those generally experienced in the zoning district from permitted uses;*

Criterion met during 2022 site plan approval process.

- (3) Required yards, screening or buffering, and landscaping shall be consistent with the zoning district in general and the specific needs of the abutting land uses resulting from the impacts of the proposed development;*

Criterion met during 2022 site plan approval process.

- (4) Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the zoning district and minimize impacts to abutting development; and*

Criterion met during 2022 site plan approval process.

- (5) The size, location, or number of conditional uses in an area of the proposal shall be considered in order to limit the proliferation of conditional uses and in order to maintain the overall character of the zoning district as intended by the uses permitted by this Code.*

This proposed conditional use area of just under 500 square feet makes up less than 1% of the overall property, which is about 58,478 square feet.

While administrative approval is currently being sought for an outdoor dining conditional use permit to accommodate four tables and eight chairs at the northernmost unit (Shawarma and More) of the plaza immediately south of this property (Gianni’s Plaza), two rows of parking spaces and two driveways (which total at least 100 feet in distance) separate the conditional use areas. No other outdoor dining conditional use permits are currently approved in the GC-RD district.

Based on City staff’s interpretation of the facts and evidence provided, **Table 2** (below) is presented to assist in the Planning & Zoning Board’s decision-making process for the above-listed criteria, which are applicable to all conditional use permits:

**Table 2:** Outdoor Dining Conditional Use Criteria Summary, per *LDC*, Section 14-58.2.5.b.(1)-(5)\*

<b>Criteria within Sec. 14-58.2.5.b.</b>	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>	<b>Totals</b>
Criteria Met	X	X	X	X	X	5
Criteria Not Met						0
Criteria N/A						0

\* **NOTE:** Pursuant to prior and current legal counsel, a successful conditional use permit application can only be achieved if all evaluation criteria are met.

**14-58.2.1.A.4. Review Criteria.** *When reviewing an application for an outdoor dining conditional use, the city shall also consider the following requirements and criteria.*

- a. *In commercial districts, outdoor dining may only be permitted where a restaurant or retail establishment serving prepared food generates over fifty (50) percent of its gross sales from the sale of food as determined by the City Manager. Establishments may be required by the City Manager to provide quarterly reports to the City Manager certifying the aforementioned. A registered state certified public accountant shall provide the required certification in accordance with sound and generally accepted accounting practices and principles.*

The subject business operates an existing restaurant on the property, near the proposed conditional use area. This criterion was acknowledged by Applicant and Owner-Representative David Bailey.

- b. *All facilities proposing outdoor dining shall have been awarded a current and valid business tax receipt and certificate of use permit.*

Existing business possesses a valid Business Tax Receipt and Certificate of Use. Criterion met.

c. *Permanent improvements associated with outdoor dining may be permitted in required front and side yards (setbacks), providing any permanent improvement, except for ground treatment and safety features, shall be located no less than three (3) feet from the property line. For the purposes of this section, a permanent improvement shall mean any structure, furniture, accessory or ground treatment that is anchored and/or permanently affixed on or to the ground.*

Criterion met.

d. *Outdoor dining shall not be located in required parking or driveway elements.*

Criterion met.

e. *Outdoor dining shall not impede or obstruct the flow of pedestrian traffic. In no case shall an unobstructed walkway or sidewalk be less than five (5) feet in width.*

Criterion met.

f. *Umbrellas shall maintain seven (7) feet of vertical clearance from ground level.*

Criterion met.

g. *Temporary stanchions with chains or ropes may be approved for the outdoor dining facility, the extent and nature of which shall be set out in the conditional use permit.*

Non-Applicable.

h. *No fencing, railings, plantings or other barriers may be installed or erected to delineate the outdoor seating area in the public right-of-way.*

Criterion met.

i. *Outdoor dining areas shall not occupy an area more than fifty (50) percent of the total area of the primary restaurant or food preparation establishment, unless otherwise approved by the City Commission.*

Food preparation areas occupy 1,213 square feet. Outdoor seating, as currently positioned, occupies less than 500 square feet. Criterion met.

- j. Outdoor dining facilities shall not create a parking deficiency inconsistent with the required off-street parking requirements of this Code. Additional parking demand created by outdoor dining shall be provided consistent with section 14-48.6(15) of this Code, providing that an outdoor dining area which is less than one hundred (100) square feet in any district is exempt from providing additional parking.*

Though the business required 7 parking spaces, this property was developed with 46, creating an excess of 39 parking spaces. As 10 parking spaces are required to accommodate this conditional use according to LDC, Section 14-48.6(15)., no parking deficiency will be created. Criterion met.

- k. With the exception of menu boards that are conditionally approved by the city, no additional signage, including but not limited to umbrellas and furniture with signage, are allowed in the outdoor dining area.*

Though the six umbrellas in the outdoor dining area previously carried advertisements, this signage has been removed. Criterion met.

- l. With the exception of outdoor dining in the hotel/motel districts, food preparation and kitchen service equipment shall be located inside.*

Food preparation and kitchen service equipment are roofed and, where not fully walled, roll-down metal shutters are provided and utilized nightly. Criterion met.

- m. All outdoor dining elements including, but not limited to, furniture and accessories, elements shall be of quality design, materials and workmanship, as determined by the City Manager, to ensure the safety and convenience of users and to enhance the visual and aesthetic quality of the urban environment. All elements shall be of significant and adequate weight to prevent easy toppling in significant winds as determined by the City Manager. All elements shall be of commercial grade.*

All outdoor dining elements are crafted of heavy and durable materials, are designed for outdoor use, and may be used commercially. Criterion met.

- n. All outdoor dining elements including, but not limited to, furniture and accessories, shall be of uniform design and style.*

All outdoor dining elements are crafted from a material called Polywood, are of a uniform style, and utilize a complementary color scheme. Criterion met.

- o. Outdoor dining areas shall not intrude upon designated components of egress such as exit discharge, exit discharge being defined as that portion of a means of egress between the termination of an exit and a public way.*

Egress pathways of between three and ten feet are maintained in all areas. Criterion met.

p. *Outdoor dining furniture and accessories shall be located a minimum of five (5) feet from driveways and other vehicular use areas. Use separation devices may be required to ensure a safe outdoor dining experience.*

All outdoor dining furniture and accessories are located more than five feet from driveways and vehicular use areas. Criterion met.

q. *Lighting shall complement the existing building and outdoor dining design and shall not cause a glare to passing pedestrians or vehicles or residential districts. Seasonal lighting and decoration shall be approved by the Building Official. Lighting must be preapproved by the Volusia County sea turtle lighting staff.*

Criterion met during 2022 site plan approval process.

r. *All outdoor dining areas shall include adequate and proportional landscaping to enhance the patron experience. Existing landscaping may be used to satisfy this requirement as determined by the City Manager.*

Criterion met during 2023 development of the property. This outdoor dining area may be viewed from the public right-of-way, as it is raised slightly above the provided landscaping.

Based on City staff’s interpretation of the facts and evidence provided, **Table 3** (below) is presented to assist in the Planning & Zoning Board’s decision-making process for the above-listed criteria, which are applicable specifically to outdoor dining conditional use permits:

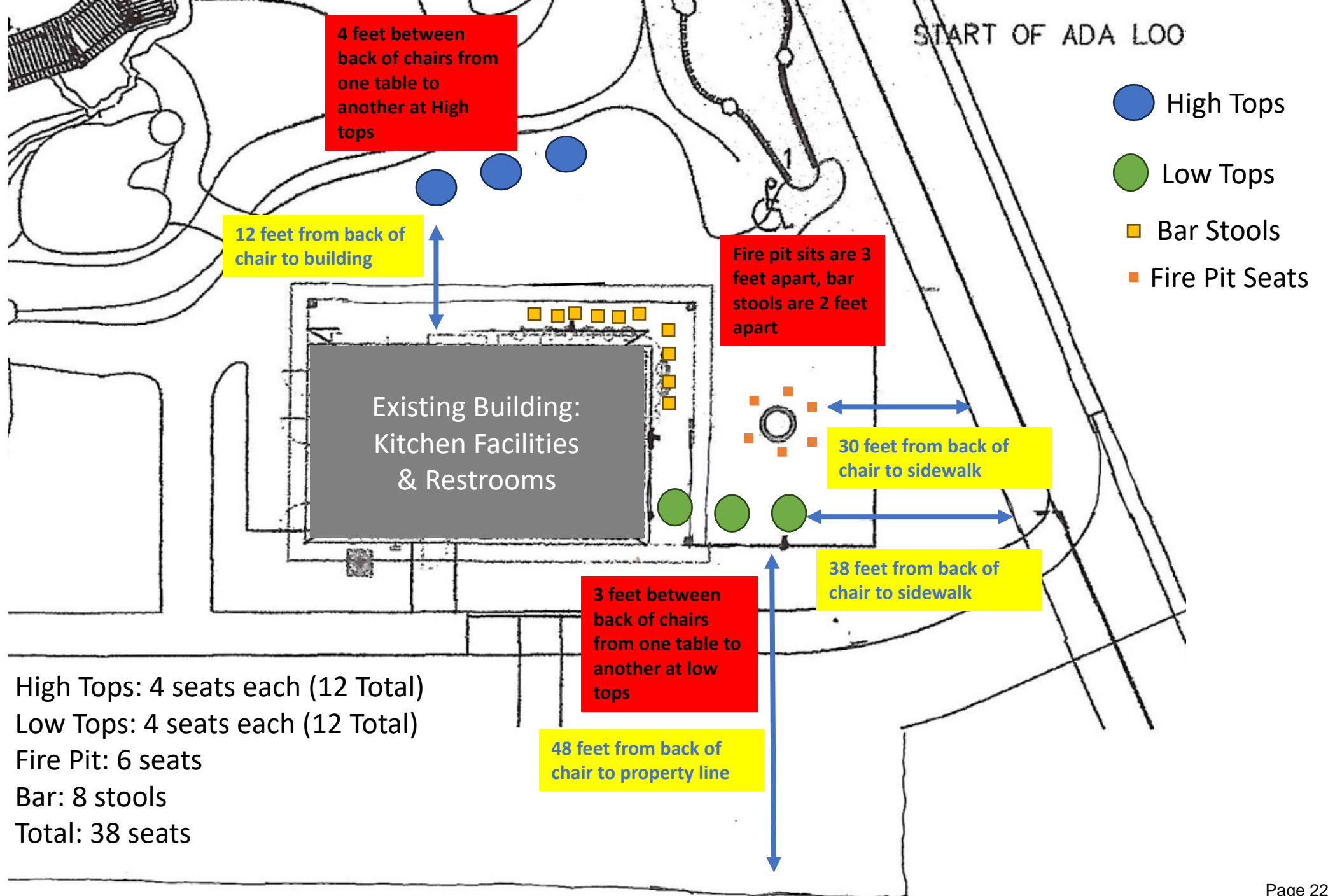
**Table 3:** Outdoor Dining Conditional Use Criteria Summary, per LDC, Section 14-58.2.1.A.4.a. – r.

<b>Criteria</b> within Sec. 14-58.2.1.A.4.	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.	l.	m.	n.	o.	p.	q.	r.	Totals
Criteria Met	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	17
Criteria Not Met																			0
Criteria N/A							X												1

\* **NOTE:** Pursuant to prior and current legal counsel, a successful conditional use permit application can only be achieved if all evaluation criteria are met.

**VI. STAFF RECOMMENDATION**

Based on the analysis herein, staff recommends that the Planning & Zoning Board provide a recommendation of approval to the City Commission of Outdoor Dining Conditional Use Permit CUP12024028 as presented.



**From:** Thomas Horne tom@billygoatpf.com  
**Subject:** Fwd: Your POLYWOOD order confirmation  
**Date:** August 8, 2024 at 10:28 AM  
**To:** Chris Bethea gotogood22@gmail.com, David Bailey david@miniaturegolfsolutions.com



Sent from my iPad

Begin forwarded message:

**From:** POLYWOOD <noreply@polywood.com>  
**Date:** December 8, 2023 at 3:52:17 PM EST  
**To:** Thomas Horne <tom@billygoatpf.com>  
**Subject:** Your POLYWOOD order confirmation

# POLYWOOD

CATEGORIES   COLLECTIONS   SPACES   NEW & FEATURED

Hi Thomas Horne,

Thank you for your order from POLYWOOD.

**Your order is estimated to ship out from our location on 12/20 - 12/27. Transit times from our location will vary depending on your delivery location.**

Please note that the shipping date above is provided as an estimate and is not a guaranteed shipping date. Once your order has been shipped, we will send an email with tracking information.

You can check the status of your order here: <https://www.polywood.com/order-status/>.

We're always here to help. If you have questions about your order, visit our [Help Center](#).

## Your Order #000892986

Placed on Dec 8, 2023, 3:49:39PM

### SHIPPING INFO

Tom Horne  
Mulligan's Lagoon  
2504 S ATLANTIC AVE  
DAYTONA BEACH, Florida, 32118-5503  
United States  
T: 18653663035

### PAYMENT METHOD

Bolt-Amex

**Credit Card Type** AMEX  
**Credit Card Number** xxxx-9006  
**CVV Response** pass - match  
**AVS Response** pass:pass - zip5\_match\_address\_match

### SHIPPING METHOD

Freight - Free Curbside Delivery

ITEMS	QTY	PRICE
-------	-----	-------

<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLAR <b>SEAT COLOR</b> ARUBA <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLLE <b>SEAT COLOR</b> LEMON <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLTA <b>SEAT COLOR</b> TANGERINE <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>CONTEMPO 30" SADDLE BAR STOOL</b> SKU: 2012-FBLLI <b>SEAT COLOR</b> LIME <b>POLYWOOD COLOR</b> BLACK	2	\$358.00
<b>48" ROUND FARMHOUSE DINING TABLE</b> SKU: RT248WH <b>POLYWOOD COLOR</b> WHITE	3	\$1,707.00
<b>48" ROUND FARMHOUSE BAR TABLE</b> SKU: RBT248WH <b>POLYWOOD COLOR</b> WHITE	2	\$1,278.00
<b>LA CASA CAFÉ BAR SIDE CHAIR</b> SKU: TD102AR <b>POLYWOOD COLOR</b> ARUBA	4	\$1,156.00
<b>LA CASA CAFÉ BAR SIDE CHAIR</b> SKU: TD102TA <b>POLYWOOD COLOR</b> TANGERINE	3	\$867.00
<b>LA CASA CAFÉ BAR SIDE CHAIR</b> SKU: TD102LI <b>POLYWOOD COLOR</b> LIME	3	\$867.00
<b>LA CASA CAFÉ DINING SIDE CHAIR</b> SKU: TD100LI <b>POLYWOOD COLOR</b> LIME	3	\$747.00

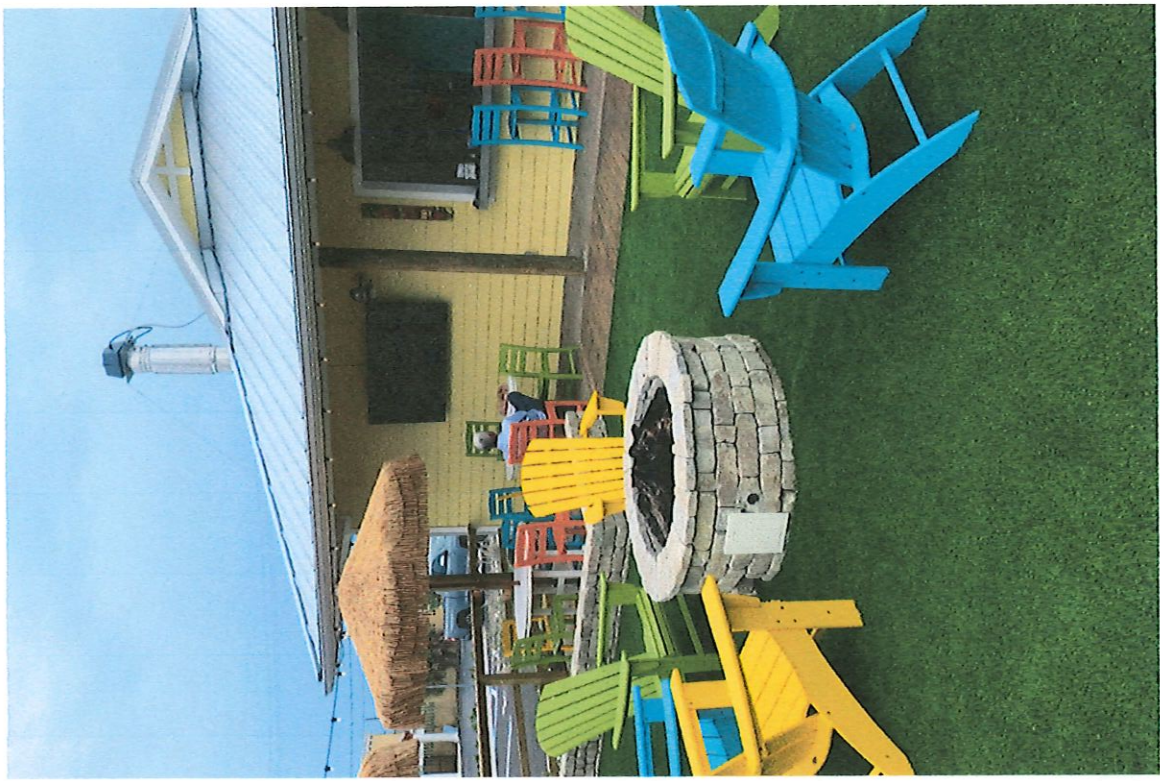
<b>LA CASA CAFÉ DINING SIDE CHAIR</b>	3	\$747.00
SKU: TD100AR		
<b>POLYWOOD COLOR</b>		
ARUBA		
<b>LA CASA CAFÉ DINING SIDE CHAIR</b>	3	\$747.00
SKU: TD100TA		
<b>POLYWOOD COLOR</b>		
TANGERINE		
<b>LA CASA CAFÉ DINING SIDE CHAIR</b>	3	\$747.00
SKU: TD100LE		
<b>POLYWOOD COLOR</b>		
LEMON		
	Subtotal	\$10,295.00
	Shipping & Handling	\$0.00
	Tax	\$669.21
	<b>Grand Total</b>	<b>\$10,964.21</b>

Thank you,  
POLYWOOD

You've received this email because you completed a purchase on <https://www.polywood.com/>.

This email was sent from a notification-only email address that cannot accept incoming messages. Please do not reply to this email. Instead, visit our [Help Center](#) for the fastest way to contact us, check your order status, and get help with your order.







# COMMERCIAL TESTING COMPANY

1215 South Hamilton Street • Dalton, Georgia 30720  
 Telephone (706) 278-3935 • Facsimile (706) 278-3936

Report Number 19-03055

JFT C.L.L C Inc.  
 Calhoun Georgia

Test Number 5374-1524  
 March 7, 2019

## Flammability Test

**Test Procedure:** The flammability was determined in accordance with Title 16 CFR Chapter II, Subchapter D, Part 1630, *Standard for the Surface Flammability of Carpets and Rugs (FF 1-70)*, commonly referred to as the pill test.

**Terminology:** For purposes of this test, an individual specimen meets the *Test Criteria* if the charred portion does not extend to within 1.0 inch of the edge of the hole in the flattening frame. The *Acceptance Criteria* is based on at least 7 of 8 specimens meeting the Test Criteria in order for the material to conform to this standard.

**Material Tested:**

Identification: Rough II  
 Construction: Cut Pile  
 Secondary Backing: LX

Color: Two Tone  
 Roll Number: 71171267

**Test Result:**

Un-Charred Surface Area (inches)								Test Result
1	2	3	4	5	6	7	8	
0	>3	>3	>3	>3	>3	>3	>3	PASS

**Requirement:** For machine-made carpets, at least one test is performed after commencement of production, one test after production of the first 25,000 linear yards, and one test after production of the first 50,000 linear yards. If all 24 specimens of the three required tests meet the test criteria (i.e., Pass 8 of 8), then it is necessary to test after each additional 100,000 linear yards are produced.

Commercial Testing Company

(Authorized Signature)

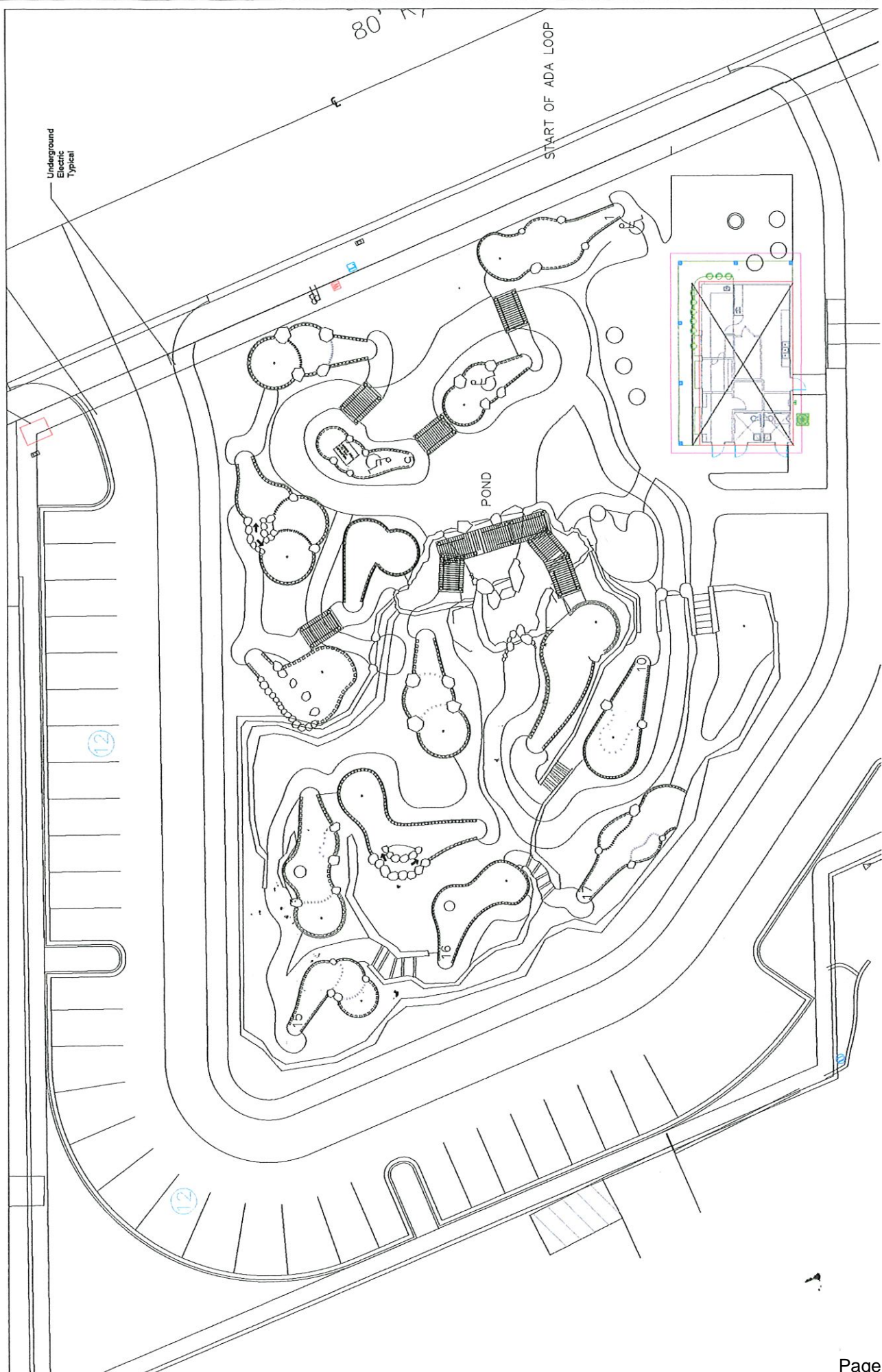
This report is provided for the exclusive use of the client to whom it is addressed. It may be used in its entirety to gain product acceptance from duly constituted authorities. The test results presented in this report apply only to the samples tested and are not necessarily indicative of apparent identical or similar materials. Sample selection and identification were provided by the client. A sampling plan, if described in the referenced standard, was not necessarily followed. This report, or the name of Commercial Testing Company, shall not be used under any circumstance in advertising to the general public.

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## Notice of Public Hearing

The owners of the property located at 2504 S. Atlantic Avenue, in Daytona Beach Shores, FL (Volusia County Parcel ID No. 5322-01-00-0266) has submitted an application to the City of Daytona Beach Shores for Conditional Use for Outdoor Dining which would allow for outdoor seating for 38 customers.

The City will hold public hearings to consider the application submitted by Lost Treasure Management, by Matthew Haggadone and by Mini Golf Solutions, by Dave Bailey, on behalf of LTG-DBS LLC, Owner of the subject property.

The Planning and Zoning Board will hold a Public Hearing on January 13, 2025 at 8:30a.m. Thereafter, the Daytona Beach Shores City Commission will hold a Public Hearing on February 4, 2025 at 6:00pm. All meetings will be held in the City Commission Chambers in Community Center located at 3000 Bellemead Drive, Daytona Beach Shores. If it will be necessary to reschedule any public meeting to a later date, it will be your responsibility to obtain the time, date and place of the rescheduled meeting.

All interested parties may appear at the public hearing and will be given an opportunity to be heard. All interested parties are invited to appear at the public hearings and submit oral or written objections or comments. The application is available for public review or copying at the City of Daytona Beach Shores, Community Services Department, Planning Division, 2990 S. Atlantic Avenue Daytona Beach Shores, Florida. In accordance with the American Disabilities Act (ADA), persons needing special accommodations to participate in the proceedings should contact the City Clerk's Office no later than five days prior to the hearing. For more information, please contact City Planner at 386-763-5376.

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
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LAKE MARY, FL 32746

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Your item was delivered to an individual at the address at 4:04 pm on December 9, 2024 in DAYTONA BEACH, FL 32118.

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DAYTONA BEACH, FL 32118

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.75
Total Postage and Fees	\$2.30

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Jupiter, FL 33408

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
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Daytona Beach, FL 32113

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.75
Total Postage and Fees	\$2.30

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JUPITER, FL 33458

December 10, 2024, 2:10 pm

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### Latest Update

Your item was delivered to an individual at the address at 3:48 pm on December 9, 2024 in DAYTONA BEACH, FL 32118.

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Daytona Beach, FL 32115

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.75
<b>Total Postage and Fees</b>	<b>\$5.30</b>

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 Street and Apt. No., or PO Box No.  
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Ormond Beach, FL 32176

Certified Mail Fee	\$4.55
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.75
<b>Total Postage and Fees</b>	<b>\$5.30</b>

Sent To SS 2500 LLC  
 Street and Apt. No., or PO Box No.  
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



**RECEIVED**  
 DEC 06 2024  
 BUILDING AND CODES DIVISION  
 CITY OF DAYTONA BEACH SHORES

Tracking Number:

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## 9589071052702556476848

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### Latest Update

Your item was delivered to an individual at the address at 12:39 pm on December 9, 2024 in DAYTONA BEACH, FL 32118.

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USPS Tracking Plus<sup>®</sup>

Feedback

### Delivered

Delivered, Left with Individual

DAYTONA BEACH, FL 32118

December 9, 2024, 12:39 pm

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### Latest Update

Your item was picked up at the post office at 2:07 pm on December 12, 2024 in ORMOND BEACH, FL 32176.

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USPS Tracking Plus<sup>®</sup>

Feedback

### Delivered

Delivered, Individual Picked Up at Post Office

ORMOND BEACH, FL 32176

December 12, 2024, 2:07 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus<sup>®</sup>



Product Information



See Less ^

[Track Another Package](#)



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Fwd: Thank you for placing your order with us.

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From Matthew Haggadone <losttreasuremgmt@gmail.com>  
Date Fri 1/3/2025 11:02 AM  
To Herstein, Gwyn <GHerstein@cityofdb.org>

----- Forwarded message -----  
From: **Daytona Beach Legals** <[SSLegals@news-jrnl.com](mailto:SSLegals@news-jrnl.com)>  
Date: Fri, Dec 13, 2024 at 8:23 AM  
Subject: Thank you for placing your order with us.  
To: <[losttreasuremgmt@gmail.com](mailto:losttreasuremgmt@gmail.com)>


### THANK YOU for your ad submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

We appreciate you using our online self-service ads portal, available 24/7. Please continue to visit Daytona Beach News-Journal's online Classifieds [HERE](#) to place your legal notices in the future.

**Changes and/or cancellations may not be honored up to 2 business days prior to your first publication date.**

#### Job Details

Order Number: **LDTB0208207**  
Classification: **Public Notices**  
Package: **General Package**  
Additional Options: **2 Affidavits \$4.00**  
Base amount: **\$257.12**  
Service fee: **\$10.26**  
Cash/Check/ACH   
Discount: **-\$0.00**  
Total payment: **\$267.38**

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save! In no event are service fees refundable.

Payment Type: **visa**

#### Account Details

Matthew Haggadone  
1335 44th Ave N Suite 202  
Myrtle Beach, SC  29577  
810-614-0267  
[losttreasuremgmt@gmail.com](mailto:losttreasuremgmt@gmail.com)  
Lost Treasure Management  
Credit Card - visa \*\*\*\*\*8661

#### Schedule for ad number LDTB02082070

**Mon Dec 30, 2024**  
**Daytona Beach News- Journal** *All Zones*

## Hearing Notice

### Notice of Public Hearing

The owners of the property located at 2504 S. Atlantic Avenue, in Daytona Beach Shores, FL (Volusia County Parcel ID No. 5322-01-00-0266) has submitted an application to the City of Daytona Beach Shores for Conditional Use for Outdoor Dining which would allow for outdoor seating for 38 customers.

The City will hold public hearings to consider the application submitted by Lost Treasure Management, by Matthew Haggadone and by Mini Golf Solutions, by Dave Bailey, on behalf of LTG-DBS LLC, Owner of the subject property.

The Planning and Zoning Board will hold a Public Hearing on January 13, 2025 at 8:30a.m. Thereafter, the Daytona Beach Shores City Commission will hold a Public Hearing on February 4, 2025 at 6:00pm. All meetings will be held in the City Commission Chambers in Community Center located at 3000 Bellemead Drive, Daytona Beach Shores. If it will be necessary to reschedule any public meeting to a later date, it will be your responsibility to obtain the time, date and place of the rescheduled meeting.

All interested parties may appear at the public hearing and will be given an opportunity to be heard. All interested parties are invited to appear at the public hearings and submit oral or written objections or comments. The application is available for public review or copying at the City of Daytona Beach Shores,

Community Services Department,  
Planning Division, 2990 S. Atlantic  
Avenue Daytona Beach Shores,  
Florida. In accordance with the  
American Disabilities Act (ADA),  
persons needing special accom-  
modations to participate in the  
proceedings should contact the City  
Clerk's Office no later than five days  
prior to the hearing. For more infor-  
mation, please contact City Planner  
at 386-763-5376.

December 30 2024

LDTB0208207

**AFFIDAVIT OF COMPLIANCE WITH THE CONDITIONAL USE PUBLIC NOTICE  
REQUIREMENTS OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA**

I, the undersigned, hereby certify that I have mailed or caused to be mailed by First Class, Certified Mail, to the named property owners listed below whose property is abutting the property which is the subject of an application and public hearing pursuant to the City of Daytona Beach Shores Code of Ordinances, a notice containing the time, date and purpose of the public hearing and address of the subject property. The notices were sent at least thirty (30) days prior to the meeting date. A copy of the notice and signed certified mail return cards are attached. The subject property was also posted with a placard on 12/31/24. A legal advertisement of the type and size required by the Daytona Beach Shores Code of Ordinances was placed in the Daytona News-Journal on 12/30/24. A proof of publication affidavit is attached.

The names and addresses of the following property owners were obtained from the Volusia County Property Appraiser's Office and mailed to said property owners on 12/16/24.

Name	Address
<u>Initium Investments LLC</u>	<u>2435 S Atlantic Ave Daytona Beach Shores, FL 32118</u>
<u>SS 2500 LLC</u>	<u>PO Box 4221 Ormond Beach, FL 32175</u>
<u>Goodwin Morris W</u>	<u>150 Dundee Rd Daytona Beach Shores, FL 32118</u>
<u>2505 South Atlantic LLC</u>	<u>4000 Rinehart Rd suite 1060 Lake Mary, FL 32746</u>
<u>Daytona Ocean Retail LLC</u>	<u>2601 S Atlantic Ave Daytona Beach Shores, FL 32118</u>

Hearing Date: Monday January 13<sup>th</sup> 2025  
 Printed Name: Mulligan's Lagoon Pizza Pub, Puff Matthew Haggadone  
 Address: 2404 S Atlantic Ave Daytona Beach Shores, FL 32118

Signature: *Matthew Haggadone*

STATE OF ~~FLORIDA~~ SOUTH CAROLINA  
 COUNTY OF ~~VOLUSIA~~ HORRY

The foregoing instrument was acknowledged before me this 3rd day of January, 25 by Matthew HAGGADONE, who is personally known to me or who has produced S. DL as identification.

Martha J. Blumling  
 Signature

Printed or Type Name  
 Commission #  
 My Commission Expires

Martha J. Blumling  
9-23-2030



# NOTICE OF PUBLIC HEARINGS

THE CITY OF DAYTONA BEACH SHORES WILL HOLD THE FOLLOWING PUBLIC HEARINGS AT THE DAYTONA BEACH SHORES COMMUNITY CENTER LOCATED AT 3000 BELLEMEAD DRIVE:

Planning & Zoning Board: Mon, JANUARY 13<sup>th</sup> AT 8:30 A.M.

City Commission (Adoption): Tues, FEBRUARY 17<sup>th</sup> AT 6:00 P.M.

THE OWNER OF THIS PROPERTY HAS SUBMITTED THE FOLLOWING APPLICATIONS:

Conditional Use Permit - Outdoor Dining - 38 Seats

FOR MORE INFORMATION, PLEASE CONTACT THE CITY OF DAYTONA BEACH SHORES PLANNING DEPARTMENT AT (386) 763-5376

Anyone who wishes to appeal any decision by the Planning and Zoning Board or City Council with respect to any matter considered at said Public Hearings will need a record of Public Hearing proceedings, including all testimony and evidence, and should arrange in advance for the making of a verbatim transcript of the Public Hearing. The Public Hearing may be continued to one or more dates. If it will be necessary to reschedule this public meeting to a later date, it will be your responsibility to obtain the time, date and place of the rescheduled meeting.

In accordance with the Americans with Disabilities Act (ADA), persons needing special accommodations to participate in the proceedings should contact the City Clerk's Office no later than seven days prior to the hearing.

01/03/2025



## PLANNING & ZONING BOARD AGENDA MEMORANDUM JANUARY 13, 2025 AGENDA

**TO:** The Members of the Planning & Zoning Board

**FROM:** Stewart Cruz, Community Services Director

**PREPARED BY:** Stewart Cruz, Community Services Director

**SUBJECT:** Ordinance 2025-01: Evaluation and Appraisal Report Comprehensive Plan Amendments

### SYNOPSIS:

Pursuant to Section 163.3191(1), Florida Statutes, at least once every seven (7) years, local governments are required to evaluate and appraise their land use comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the comprehensive plan and notify the state land planning agency as to its determination.

On March 12, 2024, the City of Daytona Beach Shores notified the state land planning agency, the Florida Department of Commerce (FDC), that the City intends to transmit the appropriate amendments in accordance with Sec. 163.191(2), Florida Statutes.

City staff has completed review of the Daytona Beach Shores Comprehensive Plan Update (2030) relative to changes in state law since the 2017 adoption of the most recent Evaluation and Appraisal Report comprehensive plan amendments. Ordinance 2025-01, if adopted, amends the Comprehensive Plan Update (2030) by making the following changes (**Exhibit A**).

1. Extend the comprehensive plan planning horizon to the year 2045.
2. Chapter 1-Future Land Use Element: (a) Minor Housecleaning text amendments, including, but not limited to, references to the new planning horizon. (b) Policy 1-1.4.2: Including off-beach parking lots as a permitted use in the Public/Quasi-Public Land Use Category.
3. Chapter 5-Coastal Management Element: (a) Minor Housecleaning text amendments. (b) Policy 5-1.1.1: Amend policy to remove outdated community redevelopment area off beach parking reference and replace with commitment to maintain existing city off-beach parking spaces. (c) Policy 5-1.3.1: Promote the introduction of an engineered beach in Volusia County. (d) Policy 5-1.7.4: Update the sanitary sewer, solid waste and potable water level of service standards consistent with the City of Port Orange. (e) Policy 5-1.11.1: Update to include increase in boat slips subject to additional boat slip entitlements via the voluntary annexation process per Sec. 171.044, Florida Statutes.
4. Chapter 9-Capital Improvements Element: (a) Update the Daytona Beach Shores 5-Year Capital Improvement Plan per Sec. 163.3177(3)(b), Florida Statutes. (b) Update the Volusia County School District Five-Year Work Program per the Volusia County School District

Interlocal Agreement. (c) Policy 9-1.3.1: Update the sanitary sewer, solid waste and potable water level of service standards consistent with the City of Port Orange.

5. Chapter 11-Public School Facilities Element: (a) Minor Housecleaning text amendments.

In accordance with Section 163.3191(2), Florida Statutes, the City is transmitting the plan amendments to the FDC and other state review agencies for a State Coordinated Review per Sec. 163.3184(4), Florida Statutes. Per Volusia Growth Management Commission (VGMC) Rules, the amendments will also be transmitted for VGMC review. The deadline for transmittal is March 12, 2024 (**Exhibit B**).

**FISCAL IMPACT STATEMENT:**

**BACKGROUND:**

**PLANNING ANALYSIS:** Attached is the staff planning analysis (**Exhibit C**).

**PUBLIC NOTIFICATION:** Due public notice has been issued as required and seen in **Exhibit D**.

**LEGAL REVIEW:**

**RECOMMENDATION:**

Staff recommends approval of Ordinance 2025-01 as presented.

**SUGGESTED MOTION:**

A Planning and Zoning Board Member may motion as follows:

1. "I move to recommend approval of Ordinance 2025-01 as presented."

OR

2. "I move to recommend approval of Ordinance 2025-01, with the following amendments..."

- ATTACHMENT:**
1. Ord. 2025-01-EAR-CPA Update
  2. Exhibit A-Proposed EAR Comprehensive Plan Amendments-1-7-25
  3. Exhibit B-Florida Department of Commerce Acknowledgement Letter
  4. Exhibit C-Planning Analysis
  5. Exhibit C-Planning Analysis Exhibit III.A-Statutory Analysis
  6. Exhibit C-Planning Analysis Exhibit III.B-Draft DIA-FLUM
  7. Exhibit D-NJ Notice Confirmation

**ORDINANCE NO. 2025-01**

**AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA RELATING TO COMPREHENSIVE PLANNING; ENACTING AMENDMENT(S) TO THE CITY'S *COMPREHENSIVE PLAN UPDATE 2030* TO, AMONG OTHER THINGS, ENSURE CONSISTENCY WITH THE COMMUNITY PLANNING ACT AS SET FORTH IN THE FLORIDA STATUTES; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS SUCH AS TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE AND OTHER AGENCIES OF GOVERNMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS/RATIFICATION OF PRIOR ACTIONS; PROVIDING FOR INSTRUCTIONS RELATIVE TO CODIFICATION AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS,** pursuant to Section 163.3191, *Florida Statutes*, the City timely prepared an evaluation and appraisal notification letter and transmitted said letter to the Department of Commerce; and

**WHEREAS,** the City of Daytona Beach Shores determined an amendment to its *Comprehensive Plan Update 2030* (hereinafter the "*Comprehensive Plan*") is necessary to reflect changes in state requirements; and

**WHEREAS,** pursuant to Section 163.3191(2), *Florida Statutes*, the City of Daytona Beach Shores is required to transmit within one (1) year such amendment or amendments for review pursuant to Section 163.3184, *Florida Statutes*; and

**WHEREAS,** the City of Daytona Beach Shores Planning and Zoning Board has held a public hearing on January 13, 2025 to receive public input and comment on the proposed amendments to the *Comprehensive Plan*; and

**WHEREAS,** the City Commission has held a transmittal public hearing on February 4, 2025, to receive public input and comment on the proposed amendments to the *Comprehensive Plan*; and

**WHEREAS,** the City Commission has held an adoption public hearing on \_\_\_\_\_, 2025, to receive public input and comment on the proposed amendments to the *Comprehensive Plan*; and

**WHEREAS,** pursuant to Chapter 163, Part II, *Florida Statutes*, the City Commission accepted the proposed *Comprehensive Plan* amendments and authorize their transmittal to the Florida Department of Commerce and other agencies as required by controlling State law; and

**WHEREAS**, the City of Daytona Beach Shores has complied with all requirements and procedures of controlling Florida law in processing this amendment to the *Comprehensive Plan* including, but not limited to Section 163.3184(4), *Florida Statutes*; and

**WHEREAS**, the City Commission of the City of Daytona Beach Shores hereby adopts and incorporates into this Ordinance the City staff report and City Commission agenda memorandum relating to the application relating to the proposed amendments to the *Comprehensive Plan*; and

**WHEREAS**, the Exhibit to this Ordinance is incorporated herein as if fully set forth herein verbatim; and

**WHEREAS**, the City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

**WHEREAS**, this Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan*.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AS FOLLOWS:**

**SECTION 1. ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.** The package of amendment(s) to the *Comprehensive Plan*, attached hereto as Exhibit “A,” are hereby enacted.

**SECTION 2. IMPLEMENTING ACTIONS.** The Community Services Director is hereby authorized to transmit copies of the adopted amendment to the *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 transmittal, potential enactment and implementation of this Ordinance and assert the legal compliance status of this Ordinance.

**SECTION 3. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity or effect of any other action or part of this Ordinance.

**SECTION 4. CONFLICTS/RATIFICATION OF PRIOR ACTIONS.**

(a). All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(b). The City of Daytona Beach Shores hereby ratifies and affirms that action taken by the City Commission 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 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.** This Ordinance shall be codified in the City of Daytona Beach Shores Comprehensive Plan as deemed appropriate by the Code codifier.

**SECTION 6. 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 Commerce) 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**

\_\_\_\_\_  
**NANCY MILLER, MAYOR**

\_\_\_\_\_  
**KURT SWARTZLANDER, CITY MANAGER**    **CHERI SCHWAB, CITY CLERK**

**Approved as to form and legality:**

\_\_\_\_\_  
**GRETCHEN R. H. "BECKY" VOSE, CITY ATTORNEY**

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

# **EXHIBIT “A”**

***DAYTONA BEACH SHORES***



***COMPREHENSIVE PLAN (UPDATE) 2045***

**CHAPTER 1: FUTURE LAND USE ELEMENT**

**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 land development regulations that are compatible with this Element and coordinated with the availability of public facilities and services. 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 maintain at least a 50-foot setback from the Coastal Construction Control Line (CCCL). With this requirement, as well as adherence to controlling provisions of Federal and State law, such as the regulations of the Florida Department of Environmental Protection, new development shall be protected from any storm surge that occurs as a result of tropical storms. This objective shall be measured through the implementation of the following policies.

**Policy 1-1.1.1** The City shall enact 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 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 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;
- g. Require that all new development maintain a minimum setback of 50 feet from the Coastal Construction Control Line (CCCL), and require, through inclusion in 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 and enforce land development regulations.

Time Frame: Continuous

**Policy 1-1.1.2:** Enact 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 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 regulations)

**2. High Intensity Uses** – Hotel, motel and timeshare developments shall have densities up to a maximum of 70 units per gross acre. Condominium, multi-family residential, and apartment developments shall have a maximum density of 60 units per gross acre (site specific density to be controlled by City’s land development regulations).

**3. Commercial Facilities** - Commercial intensities shall not exceed 35% lot coverage, a building height of 45 feet or a floor area ratio of 1.4.

**4. Public Facilities** – Public facilities shall 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 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.

Time Frame: Continuous

**Policy 1-1.1.3:** Maintain and enforce land development regulations consistent with the location and extent of land uses as discussed within the Element and indicated on the Future Land Use Map. To this end, the map that accompanies the new Land Development Regulations shall reflect the Future Land Use Plan Map 2045 2020, in terms of ensuring that zoning districts shall be consistent with the map. All new development and redevelopment activities shall be required to be consistent with the zoning district classifications.

Standard/Measure: Maintain and enforce land development code.

Time Frame: Continuous

**Policy 1-1.1.4:** The land development regulations shall maintain and enforce performance standards that address buffering and open space requirements, especially between condominium and hotel/motel developments.

Standard/Measure: Maintain and enforce land development code.  
Time Frame: Continuous

**Policy 1-1.1.5:** (a) The City shall maintain at least the Level of Service standards prescribed in Policy 2-1.1.1 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.

Standard/Measure: Monitoring of annual traffic counts from the Florida Department of Transportation for S.R. A1A, including the Dunlawton Boulevard.  
Time Frame: Continuous

**Policy 1-1.1.6: Coordinate Hazard Mitigation Reports with Development and Redevelopment.** Should Daytona Beach Shores be included in a Presidential Disaster Declaration, the City shall use the interagency hazard mitigation report as the basis for prohibiting redevelopment of uses which are inconsistent with the report recommendations. Additionally, the City shall use the interagency hazard mitigation report to prevent new uses which are inconsistent with the report recommendations from locating in the area included in the Presidential Disaster Declaration. Finally, should an interagency hazard mitigation report be issued for Daytona Beach Shores, the City shall consider adopting a program for eliminating existing uses which are inconsistent with the report recommendations.

**Policy 1-1.1.7: Condo-Hotels and Timeshares.** The City of Daytona Beach Shores shall have adopted land development regulations governing condo-hotels and timeshares. These regulations shall include minimum standards for both new construction and the conversion of existing units to either condo-hotels or timeshares.

**Policy 1-1.1.8:** ~~By December 31, 2012 the~~ The City of Daytona Beach Shores shall maintain the following establish criteria allowing and regulating assisted living facilities within the City, including but not limited to the following:

1. Assisted living facilities shall only be permitted in the medium and low density residential future land use classifications.
2. Facilities shall not be permitted on parcels with an area less than one (1) acre.

**Objective 1-1.2:** Future redevelopment activities shall take the form of replacing the outmoded and inefficient existing hotels and motels that were built in the 1950s and early 1960s. These uses are found primarily on the east side of S.R. A1A, north of Florida Shores Boulevard to the City limits at the north end, and south of Van Avenue to the south City limits ending at the Wilbur-by-the-Sea area. These redevelopment activities shall be consistent with the goals, objectives, and policies set forth in this Element.

Additionally, no land development shall be permitted that is detrimental to the natural resources of the City. In this context, no land development order shall be issued that denigrates existing topographic or soil conditions. Additionally, prior to the issuances of any development order, written assurances shall be obtained from the appropriate municipal agency providing infrastructure that available capacity exists to properly support the proposed development activity at the adopted Level of Service standard for the relevant facility or service to be provided.

**Policy 1-1.2-1:** The Land Development Regulations will maintain and enforce provisions for mixed land use development that allows for office, residential, hotel, and commercial designations. The City shall encourage mixed use development along the westside of A1A with Daytona Beach Shores.

Standard/Measure: Maintain and enforce mixed use regulations in the LDC.  
Time Frame: Continuous

**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.

Standard/Measure: Maintain and enforce this policy in the Land Development Code.  
Time Frame: Continuous

**Policy 1-1.2.3:** The City shall continue to enforce regulations that require that any new development protects and enhances all natural resources.

Standard/Measure: Maintain and enforce this policy into the Land Development Code.  
Time Frame: Continuous

**Policy 1-1.2.4:** ~~By December 31, 2010 the~~ The City of Daytona Beach Shores shall establish maintain guidelines for the drafting of land development regulations that will encourage land uses that contribute to the economic vitality of the redevelopment areas within the City, including but not limited to the following:

1. Adverse land uses such as body art, spirituals, mediums and palm readers, shall be prohibited.
2. Mixed uses shall be permitted in the town center.
3. Incentives shall be provided for the development of LEED certified facilities.

**Objective 1-1.3.** The economic base of the City shall be broadened by allowing within the tourist oriented commercial and retail/service commercial future land use categories mixed use developments that allow for office uses, as well as residential, hotel and commercial facilities.

**Policy 1-1.3.1:** The above-mentioned land shall be designated in the new land development code.

Standard/Measure: Maintain and enforce this policy in the Land Development Code.  
Time Frame: Continuous

**Policy 1-1.3.2:** The City administration, working in coordination and cooperation with the Chamber of Commerce, or any other entity shall initiate a promotional campaign to effectively market this land to private developers.

Standard/Measure: Development of marketing program.  
Time Frame: Continuous

**Objective 1-1.4.** Land uses that are inconsistent with the character and overall Future Land Use Plan of the City shall be discouraged. This shall take the form of not allowing any objectionable uses (industrial, warehousing, etc.) in the new Land Development Code that will be adopted subsequent to this Comprehensive Plan.

**Policy 1-1.4.1:** The City shall maintain and enforce land development regulations, including minimum requirements for parking, landscaping, open space, buffering, and lot coverage, to ensure consistency between land uses.

Standard/Measure: Maintain and enforce this policy in the Land Development Code.  
Time Frame: Continuous

**Policy 1-1.4.2: Location of Public/Quasi-Public Land Uses.** The City of Daytona Beach Shores shall allow public/quasi-public land uses within all land use categories shown on the Future Land Use Map and regulated by the Land Development Code. Public and quasi-public land uses include, but are not limited to: governmental administration buildings; off-beach parking lots, public schools and not-for-profit educational institutions; hospital facilities and supportive health care units; arts and cultural or civic facilities; essential public services and facilities; cemeteries; fire and emergency operation facilities; utilities; and religious institutions.

**Policy 1-1.4.3: High Intensity Uses.** The City of Daytona Beach Shores Future Land Use Map shall indicate a land use category of “High Intensity.” This land use category shall allow hotels/motels; condos; multi-family residential units; apartments; and timeshares. The maximum density for hotels/motels and timeshares shall be 70 units per gross acre, while condos, multi-family residential units, and apartments shall have a maximum density of 60 units per gross acre. The density of each specific development site shall be controlled by Land Development Code.

**Policy 1-1.4.4: Future Land Use Map Designations for Public Schools.** The City of Daytona Beach Shores shall allow elementary, middle and other similar low-intensity schools to be located within the Public and Quasi-Public, Low Density Residential, Medium Density Residential, High Density Residential, Retail/Service Commercial, and High Intensity Uses Land Use categories shown on the Future Land Use Map (FLUM). High schools and similar high-intensity schools shall be allowed in Public and Quasi-Public, Medium Density Residential, High Density Residential, Retail/Service Commercial, and High Intensity Uses Land Use categories shown on the FLUM. Due to the fact that the City of Daytona Beach Shores is located entirely within the Coastal High Hazard Area, it is unlikely that any new public schools would be located within the City.

**Policy 1-1.4.5: Coordination with Volusia County School Board.** The City will meet with the Volusia County School Board and staff to establish Policies and Standards for locating new schools.

**Policy 1-1.4.6: School Siting Criteria.** The following criteria shall be used in locating public schools within Daytona Beach Shores:

**I. General Guidelines.**

- A. Proposed school sites shall be located away from industrial uses, limited access roadways, railroads, and similar land uses to avoid noise, odors, dust, and traffic impacts and hazards.
- B. Disrupting influences caused by school yard noise and traffic indicate that schools be sensitive to adult communities, nursing homes and similar land uses through site design.
- C. Schools shall be designed to minimize the impacts to adjacent neighborhoods through control of site aspects including traffic access, landscaping, buffers, and site design and layout provided by the Volusia County School District.

## **II. Site Acceptability**

- A. School size and land area requirements for elementary, middle, and high schools shall meet the minimum standards established by the Volusia County School Board.
- B. Schools should be centrally located within their intended attendance zones, to the maximum extent possible, and be consistent with walking and bus travel time standards of the school district. High schools shall be exempted from this provision due the large land area requirement.
- C. The site should be of sufficient size to ensure that buildings and ancillary facilities, and future expansions can be located away from floodplains, flood prone areas, wetlands and other environmentally sensitive areas, coastal high hazard areas and will not interfere with historic or archaeological resources.
- D. Public utilities (e.g., water, sewer, stormwater) must be available to the site.
- E. Access to the site should be from a collector road (local roads for elementary schools) and avoid the need for slow down zones, if possible.
- F. Ingress and egress should not create detrimental impacts on roads adjacent to the site.
- G. Approaches to the site should be safe for pedestrians, bicycles, cars and buses.
- H. A mass transit or bus stop should be located near the site.

## **III. School Specific Site Location Recommendations**

- A. **Elementary Schools.** Elementary schools serve a neighborhood or group of neighborhoods where students have a short distance to walk. Land uses should be predominately residential and include housing types and densities sufficient to meet the school's enrollment capacity with students that are predominately within walking distance of the school.
- B. **Middle Schools.** Middle schools have a community orientation and the mix of land uses can include more commercial uses than would be allowed in a neighborhood. Enrollment comes from two or more elementary schools.
- C. **High Schools.** High schools should be buffered from residential areas. Enrollment for high schools comes from two or more middle schools. The campus should be large enough to

encourage students to remain onsite and to ensure sufficient parking or parking controls to avoid disruptive offsite parking.

**Policy 1-1.4.7: Collocation of Facilities.** The City of Daytona Beach Shores shall seek to co-locate public facilities, such as parks, libraries, and community centers, with schools to greatest extent possible. In collocating facilities, the City shall use the following guidelines:

- **Elementary Schools.** Playgrounds can be collocated with elementary schools. In areas with densities high enough to support them, a neighborhood park with facilities for the elderly, a neighborhood recreation center, and a library sub-branch can be included.
- **Middle Schools.** A community park and athletic fields are appropriate to locate with middle schools. A community center, if the school will not be used for this purpose, and a library sub-branch or branch can be included depending on the school's location and the population served.
- **High School.** Community parks with a community center, if the school will not be used for this purpose, and athletic field can be collocated with high schools. A main or branch library is also appropriate. If justified by the population to be served, a district park could be collocated with the school.

**Policy 1-1.4.8 Town Center (TC) Future Land Use Designation:** The Town Center future land use category is intended to be a convenient and flexible special character district that authorizes horizontal and vertical mixed-use development within an existing redevelopment area where the comprehensive redevelopment of large tracts of land is envisioned.

Individual development within the TC shall follow consistent standards and coordinate with each other in order to create a cohesive area with a strong sense of place and identity. Development on land designated TC is intended to feature high quality architecture and well designed urban form that promotes pedestrian activity spread throughout the day which reduces transportation impacts and a-balances a mix of land uses.

#### *Criteria for TC Designation*

- 1) Lands designated TC must be in the South Atlantic Corridor Redevelopment Area.
- 2) The initial area designated TC must be no less than 25 acres in size to allow sufficient land for a functional mix of uses. Once established smaller tracts of lands contiguous to the Town Center may be added so long as the Town Center remains compact and functional.
- 3) Lands designated TC must be served by public infrastructure including but not limited to potable water and wastewater lines.
- 4) The land area designated TC shall be served by South Atlantic Avenue and at least one existing or proposed collector roadway.

#### *Mix of Uses*

The Town Center shall incorporate a mixture of the following land uses up to the maximum units or gross square footages identified below:

Residential (up to 1250 units with no single site exceeding 70 units per acre)  
Hotel (up to 500 rooms with no single site exceeding 70 units per acre)

Commercial (up to 250,000 square feet)  
Office (up to 130,000 square feet)  
Public/Quasi-Public (52,000 sq feet)

The land uses within the Town Center shall be mixed horizontally and/or vertically. The overall composition of the Town Center shall comply with the following ranges based on the gross aggregate area of the Town Center:

40% to 60% Residential  
20% to 30% Commercial  
10% to 40% All Other Uses

*Character Guidelines*

Development within the Town Center future land use designation shall meet the following guidelines intended to ensure that the character of the Town Center is high quality, urban, pedestrian-oriented and functional.

- The core of the Town Center will be oriented towards the intersection of existing or proposed collector roadways, not South Atlantic Avenue.
- The core street(s) shall be lined with buildings in order to create a consistent street wall.
- The core street(s) and South Atlantic Avenue shall feature sheltered transit stops.
- Street-level uses will be reserved for nonresidential development with active street fronts.
- The core streets of the Town Center shall feature wide sidewalks to encourage the development of a lively streetscape and accommodate sidewalk cafes and other similar activities.
- Onsite parking shall be placed either underground, in above ground parking structures wrapped by habitable structures or surface lots on the interior of properties screened by buildings.
- High quality architecture designed to help form a lively urban space and identify the Town Center as a distinctive place shall be required.

**Objective 1-1.5:** The City shall promote the compatibility of between low and higher density development. This Objective shall be achieved through the implementation of the following Policies.

**Policy 1-1.5.1:** Projects should be designed with special consideration given to compatibility with the surrounding uses and any adjacent developments. Compatibility is defined as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other.

**Policy 1-1.5.2:** The City shall require planned unit developments for parcels three (3) acres or more undergoing future land use changes yielding a greater density.

**Policy 1-1.5.3:** The City shall require planned unit developments provide compatible architecture and adequate setbacks when adjacent to lower density development.

**Policy 1-1.5.4:** The City shall adopt a future land use – zoning compatibility matrix. The matrix shall be consistent with the comprehensive plan.

**Policy 1-1.5.5:** The City shall require compatibility between commercial areas and adjacent lower intensity uses through the use of landscape and open space buffering.

**Objective 1-1.6:** The City shall promote the compatibility of land use with that of adjoining jurisdictions. This Objective shall be achieved through the implementation of the following Policies.

**Policy 1-1.6.1:** The City shall consider adjoining existing land use and plans when reviewing development proposals adjacent to the City limits.

**Policy 1-1.6.2:** The City shall continue to participate in available intergovernmental coordination committees such as the Metropolitan Planning Organization (MPO), Volusia Council of Governments (VCOG), the Volusia Growth Management Commission (VGMC) and associated technical committees.

**Policy 1-1.6.3:** The City shall work with adjacent jurisdictions and intergovernmental coordination committees to develop and utilize a system of intergovernmental negotiation for siting locally unpopular public and private land uses. Such a system should consider the area of population served, the impact on land development patterns or important natural resources, and the cost-effectiveness of service delivery.

**Policy 1-1.6.4:** The City shall consider compatible architecture and setbacks when a new development is proposed adjacent to a lower density development in an adjoining jurisdiction.

**Objective 1-1.7** The City shall promote the redevelopment of properties located along South Atlantic Avenue and included in the redevelopment plan for the former Treasure Island Resort, known as Volusia County Property Appraiser Parcel ID Nos. 531618000010, 531618000090 531618000110, 531618000270, 531618000250, 531618000240, 531618000230, and 531621000090, and 531621000080 by adopting a redevelopment based overlay that will provide additional flexibility in the redevelopment of the Treasure Island properties within the City.

**Policy 1-1.7.1.** The Redevelopment Overlay shall allow for a convenient and flexible special character district that authorizes horizontal and vertical mixed-use development within an area of existing development where the comprehensive redevelopment of a blighted parcel of land is envisioned.

**Policy 1-1.7.2.** Development on land designated by the Redevelopment Overlay is intended to feature high quality architecture and well-designed urban form that promotes pedestrian activity, reduces transportation impacts, and creates a balance of land uses.

**Policy 1-1.7.3.** Within the Redevelopment Overlay, density associated with a parcel of land may be transferred from the existing parcel to another parcel of land within the Redevelopment Overlay, subject to the requirements set forth herein. In order to transfer density associated with a parcel, (i) the owner of the “sending” parcel and the owner of the “receiving” parcel must enter into a written agreement evidencing such transfer, which shall act to restrict density within the sending parcel to the extent of the transfer. (ii) The Agreement shall be approved by resolution of the City ~~Commission~~ Council of the City of Daytona Beach Shores and (iii) recorded in the Public Records of Volusia County and (iv) will constitute a restriction on future development of the sending parcel.

**Policy 1-1.7.4.** Properties located within the Redevelopment Overlay shall be permitted a density bonus of 25% for redevelopment projects that are enrolled in the City’s Alternative Tax Relief program, provided that the total combined density (including residential and hotel density) associated with a redevelopment project does not exceed five hundred (500) units within the Development.

**Goal 1-2: To ensure that development patterns are energy efficient and reduce green house gas emissions by reducing the need to travel by private car, supporting public transit and promoting the development of renewable energy resources and use of holistic design principles.**

**Objective 1-2.1:** To promote compact, mixed-use, and energy efficient development to encourage pedestrian, bicycle and transit use, leading to a more energy efficient community and a reduction in greenhouse gas emissions.

**Policy 1-2.1.1:** The City shall encourage an urban design pattern in redevelopment areas, where appropriate, that will minimize travel requirements among living, working, shopping and recreation areas.

**Policy 1-2.1.2:** The City shall develop land use policies that will encourage energy efficiency and the use of renewable energy sources.

**Policy 1-2.1.3:** The City shall encourage the maintenance, restoration and adaptive reuse of existing urban areas, including buildings, infrastructure and other assets, to reduce energy use and Vehicle Miles Traveled (VMTs).

**Policy 1-2.1.4:** The City shall encourage urban design strategies that maximize the use of renewable, sustainable, active and passive sources of energy design in architecture.

**Policy 1-2.1.5:** The City shall identify and remove obstacles to energy conservation and renewable energy systems in the City's Land Development Code.

**Goal 1-3: To protect private property rights by allowing certain limited changes to nonconforming uses that are fair and reasonable.**

**Objective 1-3.1:** The City shall allow limited expansion of single-family residential uses and structures, even when non-conforming, with regard to properties which are designated a High Intensity Future Land Use Classification.

**Policy 1-3.1.1:** ~~By December 31, 2020 the~~ The City shall ~~amend~~ maintain the Land Development Code ~~regulation to allowing~~ the expansion of single-family residential structures pursuant to Objective 1-3.1 to expand within and up to the existing building footprint of the existing structure but in no case shall expansion extend beyond the existing building height of the highest part of the roof structure.

**CHAPTER 5: COASTAL MANAGEMENT ELEMENT**

**Introduction.** The value of coastal lands and their vulnerability to damage from natural and man instigated events are causes of concern to local, regional and State officials and other parties. Therefore, the enhancement of the coastline's beauty, the protection of the natural environment, and the utilization of those resources are all issues that particularly require intergovernmental coordination.

This Element is intended to agree with the general direction of the coastal plans of adjacent jurisdictions, since Daytona Beach Shores recognizes the similarities in resources and interests with Daytona Beach, Ormond Beach, Ponce Inlet, New Smyrna Beach and the coastal areas of unincorporated Volusia County. The goals, objectives and policies set forth in this plan are consistent with the issues addressed in the East Central Florida Regional Policy Plan and State plans.

This document specifically includes programs for the protection of the coastal resources from adverse development impacts; the preservation of the beaches as public lands through the maintenance of public access points; and the protection of human and material resources in the case of a natural disaster.

**GOAL 5-1: To protect the City's coastal resources from natural harm and adverse development while enhancing its aesthetic appearance and economic value and to assure the protection of human and material resources from natural disasters through the preparation of evacuation and post disaster management plans. Additionally, no public expenditures of funds shall be made in areas subject to destruction by natural disasters.**

**Objective 5-1.1:** The City of Daytona Beach Shores shall continue to coordinate with Volusia County (who actually has regulatory control of the beach) to implement a Beach Management Plan in order to protect the beach and dunes from pedestrian and vehicular traffic.

**Policy 5-1.1.1:** The City shall protect the beach and dunes from vehicular traffic and enhance public access to the beach by maintaining the existing city off-beach parking spaces providing 500 off beach parking spaces by the year 2015.

**Policy 5-1.1.2:** The City shall incorporate, where necessary, dune walkovers within the plans for all new beachfront parks that are proposed to be developed during the planning period. These beachfront parks and dune walkovers shall be appropriately identified as public beach access points.

**Policy 5-1.1.3:** Continue to enforce the Coastal Construction Control Line throughout the planning period.

**Policy 5-1.1.4:** Continue the City's participation in Volusia County's Coastal Zone Coordination Committee.

**Policy 5-1.1.5:** The City shall initiate be open to discussions with Volusia County to develop an interlocal agreement to implement the Beach Management Plan and assess its impacts on Daytona Beach Shores to ensure City involvement in issues related to the beach.

**Objective 5-1.2:** The City of Daytona Beach Shores shall continue to enhance the aesthetic and economic value of the beach through the landscaping of beach approaches and regulation of adjacent land uses.

**Policy 5-1.2.1:** Beautify beach entrances through the placement of planters and/or other landscaping.

**Policy 5-1.2.2:** The City shall require, in coordination with the County, all new development, where the excavation of any site is necessary to accommodate any structure, that the sand removed from the excavation shall, when necessary, be used for the said restoration and redevelopment of a dune system. This requirement shall be maintained in the Land Development Regulations.

**Policy 5-1.2.3:** The City appreciates that its economic base is built on tourism, and that maintaining a high level of tourist interest depends, to a great extent, on the quality of the beach. Therefore, the City shall not allow any use to be built on the east side of SR A1A and South Atlantic Avenue that is not compatible with the recreation/aesthetic function of the beach. This includes industrial, warehousing, distribution, "heavy" commercial (i.e., gasoline service stations, automotive repair facilities, etc.) This shall be controlled through the Land Development Regulations that were completed in 1990, and shall be in force throughout the planning period.

**Objective 5-1.3:** ~~By December 31, 2003, the City of Daytona Beach Shores shall have developed a method for maintaining or restoring, where necessary, the natural condition of the coastal environment.~~ Promote the vitality and resiliency of the coastal environment.

**Policy 5-1.3.1:** Continue to encourage the County, and State and Federal government to allocate resources for beach renourishment programs, including vegetation restoration for sand dunes and the introduction of an engineered beach in Volusia County.

**Policy 5-1.3.2: Promote Propagation of Fish and Wildlife.** The City shall incorporate criteria in the land development regulations which require consideration of the impact of development on submerged lands and other habitats for fish and wildlife. The criteria shall be implemented to ensure maintenance of essentially natural conditions in order to further the propagation of fish and wildlife as well as public recreation opportunities.

**Objective 5-1.4:** Ensure the provision of safe and adequate public access to the beach. These existing public access areas will be improved to provide safe and adequate access to the beach.

**Policy 5-1.4.1:** The public access requirements of the Coastal Zone Protection Act of 1985 shall be enforced.

**Policy 5-1.4.2:** Encourage developers, through incentives, to provide space for public pedestrian accessways.

**Policy 5-1.4.3:** Acquire rights-of-way for pedestrian beach access and public parking facilities.

**Policy 5-1.4.4:** Coordinate private/public joint ventures to provide parking lots west of A1A that would be linked to the beachside through pedestrian access points.

**Policy 5-1.4.5:** Examine all financial resources available, including the use of tax increment financing, to provide municipal parking lots west of A1A (where land values are more appropriate for this use), that would be linked to the beach side through pedestrian crossovers.

**Objective 5-1.5:** Protect human life from the hazards of a natural disaster in the coastal zone.

**Policy 5-1.5.1:** (a) Ensure the continued adequacy of evacuation routes by comparing current capacity to demand periodically. The level of service standard shall not be allowed to be lower than LOS “D” during the time of a hurricane in any category storm. This should ensure the efficient removal of all residents and visitors from the City back to the mainland in the event of a major storm. (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 objective 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. These standards shall be maintained throughout the planning period and shall be demonstrated by utilizing acceptable scientific modeling.

**Policy 5-1.5.2:** Distribute information on hurricane evacuation procedures, shelter availability, etc. to the public.

**Policy 5-1.5.3:** Increase information distribution regarding hazard mitigation during the months of June through October.

**Policy 5-1.5.4:** Develop a redevelopment plan that would set guidelines for future relocation, replacement, and replacement of damaged structures in case of a natural disaster. This post-disaster redevelopment plan shall be completed as determined by the City Commission Council, but no later than December 31, 2030 2045. Any post-disaster redevelopment plan must distinguish between immediate repair and clean-up actions vs. long-term repair and redevelopment activities. This redevelopment plan must also address limiting redevelopment in areas of repeated damage and incorporate the recommendations of inter-agency hazard mitigation reports.

**Policy 5-1.5.5:** The City shall require that all infrastructure is available to serve development or redevelopment in its coastal area at the densities proposed in the Future Land Use Element, consistent with coastal resource protection and safe evacuation, by assuring funding for infrastructure that will be phased to coincide with the demands generated by development or redevelopment. The City recognizes that its entire land area falls within the Hurricane Vulnerability Zone. Therefore, it has a policy that it has already adopted through its building code that requires all new development to be built to withstand hurricane force winds. This policy shall remain in effect throughout the planning period.

**Policy 5-1.5.6:** Advise handicapped individuals to pre-register with Emergency Management to assure their safe and timely evacuation, when necessary.

**Policy 5-1.5.7:** The City shall maintain and enforce the Land Development Code which states that public funds shall not be used to contribute to the expansion of any hazardous condition in the community. However, this shall not be construed to include any project that would restore or enhance any of the City’s natural resources.

**Policy 5-1.5.8:** Proposed comprehensive plan amendments shall be consistent with state coastal high-hazard provisions as follows:

1. The level of service for out-of-county hurricane evacuation shall be no greater than sixteen (16) hours for a category 5-storm event as measured on the Saffir-Simpson scale.
2. Proposed Comprehensive Plan amendments shall demonstrate that a 12-hour evacuation time to the nearest shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and

shelter space is reasonably expected to accommodate the residents of the development contemplated; or

3. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. The City and developer shall enter into a binding agreement to memorialize the mitigation plan.

**Policy 5-1.5.9:** Voluntary redevelopment within the CHHA or the build back of existing residential development destroyed in a disaster shall be limited to the pre-disaster density or intensity.

**Policy 5-1.5.10:** The City's Land Development Code shall continue to maintain ~~be amended by Dec-~~ ~~31, 2011 to reflect~~ Policy 5-1.5.9 above and ~~to~~ by December 31, 2025 establish a vested rights process intended to safeguard private property rights within the CHHA.

**Objective 5-1.6:** The City shall continue to require all new development and any redevelopment of an existing development which is adding 5,000 square feet of impervious area to fully comply with all requirements of Chapter 9, Stormwater Management, of the Land Development Code.

**Policy 5-1.6.1:** Continue to require stormwater runoff retention/detention sites within all developments.

**Policy 5-1.6.2:** Continue to require minimum green areas within development sites.

**Policy 5-1.6.3:** The City shall encourage the Florida Department of Transportation to continue to maintain all storm drain structures within the City throughout the planning period.

**Objective 5-1.7:** On an annual basis, the City of Daytona Beach Shores shall incorporate into the Capital Improvement Program (CIP) public infrastructure expenditures that promote responsible development of the area due to the City's vulnerability to a natural disaster, while providing the roads and other necessary infrastructure to serve existing demand and guarantee the adequate availability of evacuation and hazard mitigation routes and systems.

**Policy 5-1.7.1:** Through coordination with State and County transportation agencies, allocate necessary resources to improve all existing deficiencies in the road system.

**Policy 5.1.7.2:** The City of Daytona Beach Shores shall investigate funding opportunities to develop a comprehensive, basin-wide stormwater management plan in conjunction with Volusia County and other local governments. The plan shall provide a basis for adopting regulatory measures for enhancing water quality and preventing flooding.

**Policy 5-1.7.3:** Continue to participate in intergovernmental coordination actions to avoid duplicity of services and regional over-expenditures.

**Policy 5-1.7.4:** The following level of service standards shall be applied for all facilities within the coastal area:

- Sanitary sewers - ~~250 gallons per dwelling unit per day~~ 160 gallons per equivalent residential unit per day. 1/10 gallon per square foot per day of commercial development
- Solid Waste - 10 pounds per capita per day. 10 lbs/1,000 square feet of non-residential development

- Potable water - The main residual pressure shall be 20 pounds per square inch during fire flow
  - Area Served by Port Orange 110 gallons per capita per day-180 gallons per day per equivalent residential unit. 1/10 gallon per square foot per day of commercial development
  - Area Served by Daytona Beach 150 gallons per capita per day
- Drainage facilities - 25 year, 24-hour design storm (per FDOT Drainage Manual)

**Policy 5-1.7.5: Existing Infrastructure in the CHHA.** The City shall maintain a priority list of infrastructure facilities located in the Coastal High Hazard Area (CHHA) which could be relocated, mitigated or replaced should state funding become available for such activities.

**Policy 5-1.7.6:** The coastal high-hazard area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

**Objective 5-1.8:** The City shall continue to work with Volusia County beach and shoreline stabilization program to ensure the protection and redevelopment of the beach and dune system and shall urge the County to buildup breached areas of the dune system. All re-established dunes shall meet the minimum standards established in the County's beach and dune protection ordinance.

**Policy 5-1.8.1:** The City shall require all developers in new development activities to either store sand materials for a beach renourishment program or deposit the sand on the beach to begin to re-establish a dune system. This shall be included as a regulation in the new Land Development Code that will be developed subsequent to the adoption of this Comprehensive Plan.

**Objective 5-1.9:** The City shall undertake the measures identified in the following policies, and by December 31, 2004, the City will have coordinated with Volusia County in revising and updating the peacetime emergency plan, in order to reduce the exposure of human life and property to natural hazards and disasters.

**Policy 5-1.9.1:** This peacetime emergency plan establishes that temporary housing accommodations may include:

1. Unoccupied, available government owned housing;
2. Unoccupied, available housing units financed totally or in part with government funds;
3. Privately owned rental properties;
4. Mobile homes;
5. Minimal repairs to the victim's home to make it habitable until permanent restoration can be made; and
6. Rental or mortgage payments to or on behalf of individuals or families who have received written notice of eviction or foreclosures due to financial hardship caused by the major disaster.

**Objective 5-1.10:** The City shall continue to coordinate with Volusia County to implement the Beach Habitat Conservation Plan and Beach Lighting Ordinance.

**Policy 5-1.10.1:** The City shall encourage the enforcement of the adopted Volusia County legislation with regards to lighting on the beach during the nesting season for sea turtles. The City shall maintain the County's standards or more restrictive standards.

**Policy 5-1.10.2:** The City shall encourage oceanfront properties to engage in “light-dimming” during the sea turtle nesting season.

**Objective 5-1.11:** The City shall protect the environmental resources of the Halifax River within its jurisdiction by regulating boating impacts.

**Policy 5-1.11.1:** Based upon data and research contained in the Volusia County Manatee Protection Plan, the City shall not allow more than 128 boat slips to exist along the Halifax River shoreline, including both existing and future slips (i.e. single family docks, wet slips, dry slips, or boat trailer parking spaces at boat ramps), unless the City acquires additional boat slip entitlements via the Florida voluntary annexation process, Sec. 171.044, Florida Statutes.

**Policy 5-1.11.2:** Single-family residential lots with Halifax River frontage shall be guaranteed their riparian rights to have a minimum of one dock per lot.

**Policy 5-1.11.3:** The City shall encourage public marina services or storage operations which provide public dry storage for motorized boats along the Halifax River shoreline.

**Policy 5-1.11.4:** The City and Volusia County shall sign a memorandum of understanding outlining the procedure for permitting new docks, boat ramps and marinas within the City consistent with the Volusia County Manatee Protection Plan.

**Policy 5-1.11.5:** All docking facilities applications, including marinas, shall demonstrate compliance with all applicable state and federal law.

**Policy 5-1.11.6:** No less than ten (10) percent of the future slip allocation shall be applied to public use facilities.

**Policy 5-1.11.7:** Where the opportunity exists, the sharing of multi-slip facilities and aggregation of slips shall be encouraged during development and redevelopment, including for single-family residences.

**Objective 5-1.12:** The City shall coordinate with Volusia County to establish a new quasi-public marina along the Halifax River.

**Policy 5-1.12.1:** The first priority for providing new boat slips is the creation of a new quasi-public marina, utilizing the criteria in Policy 5-1.12(2), and all new boat slips shall be consistent with the Volusia County Manatee Protection Plan as approved on October 19, 2005, as amended.

**Policy 5-1.12.2:** Utilize as part of the land development regulations, standards for marina siting or expansion to include the following criteria with priority given to existing or expanding marinas:

- A. Marinas shall be located in areas where the least dredging and maintenance are required and where aquatic resources shall not be adversely affected.
- B. Sufficient upland areas to accommodate needed support facilities such as adequate parking, dry storage, work areas, stormwater management facilities, and other non-water dependent uses.
- C. The location of marinas and docking facilities in areas which require minimal or no dredging or filing to provide access by either canal, channel or road.
- D. The marina areas and navigation access channels shall not be dredged to depths greater than necessary to prevent prop dredging.

- E. Marina basins shall be located where there is an existing basin and access channel and adequate depths to accommodate the proposed use. A minimum existing depth of four feet below mean low water shall be required.
- F. Facilities shall be designed to maximize or improve water circulation patterns and shall not adversely affect existing circulation pattern.
- G. Any buffer zones established by FDEP's Shellfish Environmental Assessment Section shall be maintained and where necessary, enhanced or expanded.
- H. Marinas shall not be permitted in areas where approved or conditionally approved shellfish harvesting would be severely impacted and/or sections closed to shellfish harvesting.
- I. Marinas should not be permitted in areas which have been determined by FDEP and USFWS to be critical to the survival of the protected manatee.
- J. Prior to the operation of any new marina fueling facility or expansion of an existing facility, a fuel management/spill contingency plan shall be developed. The plan shall describe methods to be used in dispensing fuel and all the procedures, methods, and materials to be used in the event of a spill.
- K. Sewer pump-out service and facilities shall be available and accessible to all new boat slips constructed or renovated inside marinas.
- L. All new or expanded marinas shall provide water quality monitoring data which complies with state water quality standards under a program approved by the FDEP.
- M. The City will participate in the manatee protection through the continued use of manatee protection criteria in development regulations, in accordance with the provisions of the Conservation Element, and the Volusia County Manatee Protection Plan.
- N. Quasi-public marinas shall only be located on properties south of Dunlawton Boulevard (S.R. A1A) and shall not have a Low Density or Low Intensity Residential Future Land Use classification.

**Policy 5-1.12.3:** New or expanded marina facilities shall utilize dry storage to the fullest extent possible in addition to wet slips.

**Objective 5-1.13:** The City shall eliminate inappropriate and unsafe development, and mitigate the flood risk to existing and future development, in the coastal areas that are of high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff and sea level rise. The City's Land Development Code shall maintain the following requirements ~~be amended to reflect corresponding requirements by December 2018.~~

**Policy 5-1.13.1:** New development and redevelopment in areas at high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff and sea level rise shall be required to utilize building design specifications, engineering solutions, site development techniques, and management practices (ie requiring higher minimum floor elevations, retrofitting buildings for increased flood risk, deigning infrastructure that can withstand higher water levels such as raising seawalls and installing tidal valves, implementing natural drainage feathers such as bioswales) that reduce risk and loses due to flooding.

**Policy 5-1.13.2:** New development and redevelopment in areas at high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise shall meet or exceed the flood-resistant construction requirements of the Florida Building Code (i.e. requiring higher minimum floor elevations, retrofitting buildings, requiring the use of flood damage-resistant materials).

**Policy 5-1.13.3:** New development and redevelopment shall be consistent with flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

**Policy 5-1.13.4:** Construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 shall be consistent with chapter 161.

**Policy 5-1.13.5:** The City shall continue to participate in and comply with the National Flood Insurance Program (NFIP) regulations.

**Policy 5-1.13.6:** The City shall continue to participate in the Community Rating System (CRS) administered by the Federal Emergency Management Agency (NFIP) to achieve flood insurance premium discounts for residents.

**CHAPTER 9: CAPITAL IMPROVEMENTS ELEMENT**

**Goal 9-1: The City shall continue to provide needed public facilities to its businesses and residents in a manner that maximizes existing City infrastructure investments, and promotes orderly urban growth.**

**Objective 9-1.1:** Capital improvements will be accomplished to correct deficiencies and accommodate desired future growth as indicated in the 5-Year Schedule of Improvements. This Capital Improvements Element will supplement the Capital Improvements Program that is in existence in the City and is required to be updated annually according to the City charter. Both the Capital Improvements Program and this Capital Improvements Element will be used as a means to meet the needs of the City for the construction of capital facilities necessary to address existing deficiencies, accommodate future growth, and to replace obsolete or worn out facilities.

**Policy 9-1.1.1:** The City shall include all projects identified in the other elements of this Plan estimated to cost \$15,000 or more as capital improvements projects to be included in the 5-Year Schedule of Improvements.

**Policy 9-1.1.2:** A Capital Improvements Coordinating Committee, consisting of the City Manager, City Planner, Finance Director and Community Services/Public Works Director, shall be maintained to evaluate and prioritize projects proposed to the City Council for inclusion in the Capital Improvements Program.

**Policy 9-1.1.3:** Proposed capital improvements projects shall be evaluated and prioritized according to the following guidelines:

- (a) whether the project is needed to protect public health and safety, to fulfill the City's legal obligations to provide facilities and services, or to achieve full use of existing facilities; and
- (b) whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement costs.

**Policy 9-1.1.4:** The City shall adopt the following 5-year Capital Improvements Schedule which shall be used to effectively stage the timing, estimated cost, and revenue sources of the capital improvements projected for the future.

**TABLE 11: FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS**  
(in thousands)

<b>Project Number</b>	<b>Project Name</b>	<b>FY17-18 Current Budget</b>	<b>FY18-19</b>	<b>FY19-20</b>	<b>FY20-21</b>	<b>FY21-22</b>	<b>Total Project Cost</b>
<b>Parks &amp; Recreation</b>							
1	Renovate Beach Walkovers	\$491,100					\$491,100
<i>Parks &amp; Recreation Total</i>		\$491,100					\$491,100
-	-	-	-	-	-	=	=
<b>Transportation</b>							
2	Road Improvements	\$34,100	\$15,000	\$15,000	\$15,000	\$15,000	\$94,100
3	A-1-A Crosswalks	\$60,000					\$60,000
<i>Transportation Total</i>		\$94,100	\$15,000	\$15,000	\$15,000	\$15,000	\$154,100
-	-	-	-	-	-	=	=
<b>Physical Environment</b>							
4	Sewer Line R&R	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000	\$300,000
<i>Physical Environment Total</i>		\$100,000	\$50,000	\$50,000	\$50,000	\$50,000	\$300,000
-	-	-	-	-	-	=	=
<b>TOTAL ALL CATEGORIES</b>		<b>\$685,200</b>	<b>\$65,000</b>	<b>\$65,000</b>	<b>\$65,000</b>	<b>\$65,000</b>	<b>\$945,100</b>
-	-	-	-	-	-	=	=

Note: Any project not identified as CRA or Sewer Fund is a General Fund project.

Project ID	PROJECT	TOTAL EXPENDITURE	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029
<b>Transportation</b>							
1-308	CROSSWALKS	\$172,900	\$172,900	\$0	\$0	\$0	\$0
2-308	FLORIDA SHORES REPAVE	\$40,000	\$0	\$0	\$40,000	\$0	\$0
3-308	OCEANS WEST BLVD REPAVE	\$340,000	\$0	\$0	\$100,000	\$120,000	\$120,000
	<i>Transportation Total</i>	\$552,900	\$172,900	\$0	\$140,000	\$120,000	\$120,000
<b>Parks and Recreation</b>							
4-322	DUNE WALKOVERS	\$615,000	\$615,000	\$0	\$0	\$0	\$0
5-322	TENNIS COURT CLAY RESURFACE	\$70,000	\$0	\$70,000	\$0	\$0	\$0
	<i>Parks and Recreation Total</i>	\$685,000	\$615,000	\$70,000	\$0	\$0	\$0
<b>Physical Environment</b>							
6-409	FORCEMAIN PROJECT-PHASE 1	\$14,000,000	\$1,000,000	\$10,000,000	\$3,000,000		
7-409	MASTER REHABILITATION	\$4,500,000	\$500,000		\$4,000,000		
8-409	MASTER ROOF REPLACEMENT	\$24,000		\$24,000			
9-409	MASTER STATION ODOR CONTROL	\$568,000	\$568,000				
10-409	SLIP LINING SEWER LINES	\$1,337,000	\$337,000	\$250,000	\$250,000	\$250,000	\$250,000
11-409	STATION 3 ROOF REPAIRS	\$28,500	\$28,500				
12-409	STATION 5 REHABILITATION	\$200,000		\$200,000			
13-409	STATION 5 SPARE PUMP	\$200,000	\$100,000	\$100,000			
14-409	STATION 6,7,9,10 GENERATOR REPLACEMENT	\$475,000	\$375,000	\$100,000			
15-409	STATION RENOVATIONS	\$11,000,000	\$8,000,000	\$3,000,000			
16-409	MANHOLE REPLACEMENT	\$6,000,000		\$5,000,000	\$1,000,000		
	<i>Physical Environment Total</i>	\$38,332,500	\$10,908,500	\$18,674,000	\$8,250,000	\$250,000	\$250,000
	<b>TOTAL</b>	<b>\$39,570,400</b>	<b>\$11,696,400</b>	<b>\$18,744,000</b>	<b>\$8,390,000</b>	<b>\$370,000</b>	<b>\$370,000</b>

**Policy 9-1.1.5:** The City shall adopt the following Volusia County School District Five-Year Work Program:

**Volusia County School District Five-Year Work Program**

	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
<b>Major Projects – New Construction</b>					
Bonner Elm – Master Plan-		10,000,000	1,000,000		
Chisholm Elm – Replacement-	14,000,000	2,000,000			
Chisholm Elm – Additional Capacity	5,000,000				
Deltona Middle – Master Plan-	2,000,000		50,000,000	3,000,000	
George Marks Elm – Master Plan-	2,000,000	17,000,000	2,000,000		
George Marks Elm – Additional Cpety-		3,000,000			
Pierson Elm – Replacement FF&E	2,000,000				
Read Pattillo K-8 – Replacement				2,000,000	19,000,000
Read Pattillo K-8 – Additional Cpety					6,000,000
Tomoka Elm – Master Plan		2,000,000		18,500,000	2,500,000
Tomoka Elm – Additional Capacity				1,500,000	
<b>Total New Construction</b>	<b>25,000,000</b>	<b>34,000,000</b>	<b>53,000,000</b>	<b>25,000,000</b>	<b>27,500,000</b>
<b>Projects at Existing Schools &amp; Facilities</b>					
Atlantic HS – HVAC Units & Chiller Upgrade-	1,800,000				
Brewster Center – Interior Renovations				3,000,000	
Charter School Capital Outlay from LCIF-	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Creekside Mid – HVAC Bldgs 6,8,2,10-	1,200,000	1,200,000			
DeLand Warehouse – Lease	103,000	105,060	107,161	109,304	111,490
DeLand HS – Upgrade Fire Alarm & Intercom		1,300,000			
DeLand Mid – HVAC, Ceiling Lighting	10,500,000				
Deltona HS – ADA Accessibility-			2,000,000		
Deltona Trans/Maint – Pavement Improvements-				1,500,000	
Enterprise Elm – Renovations-				1,000,000	5,000,000
Freedom Elm – Renovate Parent			380,000		

Loop/Parking					
Heritage Mid - HVAC	1,600,000	1,600,000	1,600,000	1,600,000	
High Banks Lm Ctr - Renovate North-Parking Lot			140,000		
Hinson Mid - Media HVAC & Bldg AC-Units	1,300,000				
Indian River Elm - Replace Heat Pump & Piping	1,500,00				
Longstreet Elm - Renovate Admin & Media Center				1,000,000	5,000,000
New Smyrna Beh Mid - Renovations & Additions				1,000,000	10,000,000
Orange City Elm - Renovations & Additions		1,500,000	12,000,000	1,500,000	
Ortona Elm - Reno & Site Imprvmnts				1,000,000	4,000,000
Osecola Elm - Renovations			1,500,000	12,000,000	1,500,000
Pathways Elm - Campus Reroof	1,150,000				
Pine Ridge HS - Campus Reroof	260,000	3,000,000			
Pine Ridge HS - Chiller 3 & 4 & Bldg 2-HVAC	1,650,000				
Portables - Lease	100,000	100,000	100,000	100,000	100,000
Portables - Moves & Compliance	400,000	400,000	400,000	400,000	400,000
Seabreeze HS - Chilled Water Plant	180,000	180,000	180,000		
Spruce Creek Elm - Replace all Campus-Windows			1,000,000		
Spruce Creek HS - Master Plan	2,000,000		20,000,000		
Starke Elm - Renovations				500,000	4,000,000
Sunrise Elm - Reroof Campus	120,000	1,300,000			
Various Facilities - Facilities Review-Projects	10,644,000	11,000,000	11,000,000	11,000,000	11,000,000
Various Schools - High School Athletics	1,640,000	1,470,000	1,510,000	1,565,000	1,565,000
Various Schools - Infrastructure for-Technology	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Various Schools - Media Center Retrofits	500,000	500,000	500,000	500,000	500,000
Various Schools - Minor Projects	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Various Schools - Security	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Westside Elm - Reno & Addition	13,000,000		1,500,000		
Westside Elm - Additional Capacity	2,000,000		500,000		
Woodward Elm - Reno & Addition		1,000,000		10,000,000	2,000,000
<b>Total Major Projects at Existing Schools &amp; Facilities</b>	<b>58,147,000</b>	<b>32,775,060</b>	<b>62,537,161</b>	<b>54,274,304</b>	<b>51,676,490</b>
<b>Facilities Management</b>					
Facilities Mngmt - Various Projects	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
<b>Technology</b>					
ERP Software - Enterprise Resource-Planning	7,000,000	966,563	966,563	966,563	966,563
Network EDP & Communications-Equipment	4,876,000	9,000,000	9,000,000	9,000,000	9,000,000
New District Financial & Student Software-Systems	4,000,000				
<b>Total Technology</b>	<b>15,876,000</b>	<b>9,966,563</b>	<b>9,966,563</b>	<b>9,966,563</b>	<b>9,966,563</b>
<b>System-Wide Equipment &amp; Vehicles</b>					
Various Schools & Dept Furn. & Equip-	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total Equipment &amp; Vehicles</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>
<b>Buses-</b>					
Transportation Dept - Bus Rplemnt-	2,868,408	2,760,176	2,760,176	2,760,176	2,760,176
<b>PROJECT TOTALS</b>	<b>105,391,408</b>	<b>83,001,799</b>	<b>131,763,900</b>	<b>95,501,043</b>	<b>95,403,229</b>
<b>Transfers-</b>					
Transfers - To General Fund-	6,962,268	4,962,268	2,962,268	2,962,268	2,962,268
Transfers - To Debt Service-	24,743,921	38,477,338	38,478,188	38,476,013	38,472,188
<b>Total Transfers</b>	<b>31,706,189</b>	<b>43,439,606</b>	<b>41,440,456</b>	<b>41,438,281</b>	<b>41,434,456</b>

<b>GRAND TOTAL</b>	<b>137,097,597</b>	<b>126,441,405</b>	<b>173,204,356</b>	<b>136,939,324</b>	<b>136,837,685</b>
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**Volusia County Schools  
2025-2029 Capital Five-Year Work Program Forecast  
(Detail)**

**Capital Projects Funds - Consolidated**

	<u>2024-2025</u>	<u>2025-2026</u>	<u>2026-2027</u>	<u>2027-2028</u>	<u>2028-2029</u>
<b>Sources - revenues</b>					
<b>State sources:</b>					
CO&OS distributed	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000
Interest on undistributed CO & OS	16,500	16,500	16,500	16,500	16,500
<b>Total state sources</b>	<b>2,266,500</b>	<b>2,266,500</b>	<b>2,266,500</b>	<b>2,266,500</b>	<b>2,266,500</b>
<b>Local sources:</b>					
Ad valorem property taxes	99,170,467	94,018,320	97,250,400	102,439,152	106,686,288
Local Sales tax Investment	65,626,997	65,539,629	67,064,953	68,403,144	69,354,383
Income Impact fees	1,580,000	1,370,000	1,160,000	950,000	740,000
	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
<b>Total local sources</b>	<b>176,377,464</b>	<b>171,927,949</b>	<b>175,475,353</b>	<b>181,792,296</b>	<b>186,780,671</b>
<b>Total sources</b>	<b>178,643,964</b>	<b>174,194,449</b>	<b>178,141,853</b>	<b>184,058,796</b>	<b>189,047,171</b>

**Uses - expenditures**

**New Construction**

Central Warehouse	=	=	2,500,000	15,000,000	=
Enterprise Elm - K-8 Replacement School	65,000,000	=	=	=	=
Hinson Mid - Classroom Addition	=	=	=	1,000,000	10,000,000
Indian River Elm - Classroom Addition	=	=	=	=	500,000
Manatee Cove Elm - 11 Classroom Addition	700,000	12,000,000	500,000	=	=
Pathways Elm - 11 Classroom Addition	700,000	12,000,000	500,000	=	=
Pine Ridge HS - 14 Classroom Addition	700,000	16,000,000	500,000	=	=
Port Orange Elm - Renovations	=	=	750,000	8,500,000	10,000,000
Read Pattillo Elm - K-8 Replacement School	2,000,000	62,000,000	2,000,000	=	=
Mid - Renovate Kitchen and Multipurpose Spruce Creek	6,000,000	=	=	=	=
Elm - Campuswide HVAC and Lighting Starke Elm - Renovations and Additions	1,750,000	=	1,200,000	15,500,000	=
Volusia Pines Elm - Classroom Addition	=	=	=	=	700,000
Woodward Avenue Elm - Finishes and Infrastructure Bldgs	4,500,000	=	=	=	=
<b>Total New Construction</b>	<b>82,350,000</b>	<b>102,000,000</b>	<b>7,950,000</b>	<b>40,000,000</b>	<b>21,200,000</b>

**Projects at Existing Schools and Facilities**

All High Schools - Athletic Facility Leases	180,000	180,000	180,000	180,000	180,000
Atlantic HS - Press Box and Restroom Buildings	1,383,000	=	=	=	=
Atlantic HS - Renovate Group Restrooms Campus Wide	2,160,000	=	=	=	=
Atlantic HS - Upgrade HVAC, Ceiling and Lighting Bldg. 4	=	2,786,400	=	=	=
Atlantic HS - Technology Lab Conversion	=	=	=	500,000	=
Blue Lake Elm - Renovate Basketball Courts	318,324	=	=	=	=
Brewster Center - Replace Emergency Generator	601,200	=	=	=	=
Center - Repair Floor Joists	=	117,600	=	=	=
Brewster Center - Upgrade Main Electrical Distribution	=	=	2,000,000	=	=
Campbell Mid - Replace Emergency Generator	=	597,600	=	=	=
Campbell Mid - Upgrade HVAC Bldgs. 1 and 2	=	=	1,129,086	=	=
Campbell Mid - Upgrade HVAC Bldgs. 5 and 9	=	1,817,016	=	=	=
Campbell Mid - Upgrade HVAC Bldgs. 8 and 10	=	=	518,906	=	=
Citrus Grove Elm - Upgrade Fire Alarm and Intrusion Monitor	174,000	=	=	=	=
Creekside Mid - Replace Stage Lighting and Sound System	=	=	900,000	=	=
DeBary Elm - Upgrade HVAC, Ceiling and Lighting Bldgs. 1	=	=	4,277,362	=	=
a DeLand Warehouse - Lease	238,122	250,028	262,529	275,655	=
DeLand Administrative Complex - Upgrade Data Center	250,000	=	=	=	=
Bac Deltona HS - Upgrade Stage Lighting	900,000	=	=	=	=
Deltona HS - Rebuild Chillers, Cooling Tower and Piping	=	2,700,000	=	=	=
DeLand Mid - Remodel Science Labs Bldgs. 16 and 17	1,740,000	=	=	=	=
Deltona HS - Foundation Repairs Bldg. 2	3,000,000	=	=	=	=

**Volusia County Schools  
2025-2029 Capital Five-Year Work Program Forecast  
(Detail)**

**Capital Projects Funds - Consolidated**

	<u>2024-2025</u>	<u>2025-2026</u>	<u>2026-2027</u>	<u>2027-2028</u>	<u>2028-2029</u>
<u>Deltona HS - Replace Intercom Wiring</u>	786,000	-	-	-	-
<u>DeLand Mid - School Envelope Improvement</u>	-	3,900,000	-	-	-
<u>DeLand HS - Upgrade HVAC Bldg. 17</u>	-	-	1,890,850	-	-
<u>Deltona HS - Technology Lab Conversion</u>	-	-	-	500,000	-
<u>Discovery Elm - Replace Chillers 1 and 2</u>	1,500,000	-	-	-	-
<u>Edgewater Public Elm - Renovate Media Center Edgewater Public</u>	360,000	-	-	-	-
<u>Elm - Upgrade Parking Lot and Bus Loop Edgewater Public Elm -</u>	-	-	400,000	-	-
<u>Replace Stage Lighting and Sound S Forest Lake Elm - Parent Loop</u>	-	600,000	-	-	-
<u>Extension</u>	1,000,000	-	-	-	-
<u>Freedom Elm - Replace DOAS Bldgs. 3 and 4</u>	1,300,000	-	-	-	-
<u>Freedom Elm - Replace Stage Lighting and Sound System Freedom</u>	-	600,000	-	-	-
<u>Elm - Replace DOAS Bldgs. 1 and 2</u>	-	1,400,000	-	-	-
<u>Friendship Elm - Upgrade HVAC Bldg. 3 and Cooling Towers</u>	3,235,445	-	-	-	-
<u>Friendship Elm - Upgrade HVAC Bldgs. 1 and 2</u>	-	-	3,368,400	-	-
<u>Friendship Elm - Replace Switchgear Bldg. 4</u>	-	284,000	-	-	-
<u>Heritage Mid - Replace Roof Campus Wide</u>	3,750,000	-	-	-	-
<u>Heritage Mid - Upgrade HVAC, Ceiling and Lighting Bldg. 2 Herbert</u>	-	3,500,000	-	-	-
<u>Street Center - Upgrade HVAC</u>	-	-	-	1,969,859	-
<u>Heritage Mid - New Marquee</u>	-	216,000	-	-	-
<u>Heritage Mid - Convert Computer Lab to Science Lab Bldg. Hinson</u>	-	648,000	-	-	-
<u>Mid - Upgrade HVAC and Lighting Bldg. 7</u>	-	1,800,000	-	-	-
<u>Hinson Mid - Upgrade HVAC, Ceiling and Lighting Bldgs. 3 a Horizon</u>	-	3,778,307	-	-	-
<u>Elm - Replace Chiller Bldg. 11</u>	-	345,000	-	-	-
<u>Indian River Elm - Upgrade HVAC, Ceiling and Lighting Bldg Indian</u>	-	-	3,115,348	-	-
<u>River Elm - Replace Switchgear Bldg. 4</u>	-	360,000	-	-	-
<u>Mainland HS - Stormwater Upgrades</u>	1,500,000	-	-	-	-
<u>Mainland HS - Upgrade Site Lighting</u>	-	-	900,000	-	-
<u>Mainland HS - Renovate Cafeteria</u>	-	2,640,000	-	-	-
<u>New Smyrna Transportation - Vehicle Lift Foundation New Smyrna</u>	111,840	-	-	-	-
<u>Beach HS - Upgrade BAS Bldgs. 1-4</u>	-	1,488,044	-	-	-
<u>New Smyrna Beach Mid - Replace Millwork Campus Wide Osceola</u>	-	-	1,500,000	-	-
<u>Elm - Reroof Bldgs. 4 and 8</u>	94,000	-	-	-	-
<u>Osceola Elm - Renovation for Riverview Move</u>	-	3,426,000	-	-	-
<u>Osteen Elm - Replace Gutters and Downspouts</u>	556,390	-	-	-	-
<u>Palm Terrace Elm - Upgrade CTP</u>	-	2,159,740	-	-	-
<u>Parking Lot Lease - City of DeLand</u>	28,665	28,665	28,665	28,665	28,665
<u>Pathways Elm - Replace Outside Air Units</u>	1,000,000	-	-	-	-
<u>Pathways Elm - Upgrade Parking Lot Lighting</u>	-	-	258,000	-	-
<u>Pine Ridge HS - Repair Wall Flashings Bldg. B</u>	319,200	-	-	-	-
<u>Pine Ridge HS - Upgrade HVAC, Ceiling and Lighting Bldg. A Bldg. 3,967</u>	-	-	-	-	-
<u>Ridge HS - Replace Intercom</u>	-	834,000	-	-	-
<u>Pine Ridge HS - Technology Lab Conversion</u>	-	-	-	500,000	-
<u>Portables - Moves and Compliance</u>	900,000	400,000	400,000	400,000	400,000
<u>R.J. Longstreet Elm - Upgrade Parking Lot and Canopy Light River</u>	-	200,000	-	-	-
<u>Springs Mid - Replace Gutters and Downspouts River Springs Mid -</u>	648,000	-	-	-	-
<u>New Chiller Plant</u>	-	-	3,500,000	-	-
<u>River Springs Mid - Convert Three Classrooms to Science La</u>	-	1,656,000	-	-	-
<u>Seabreeze HS - Reroof Bldg. 13</u>	630,672	-	-	-	-
<u>Seabreeze HS - Upgrade HVAC Bldgs. 7 and 15</u>	3,800,000	-	-	-	-
<u>Seabreeze HS - New Marquee</u>	-	216,000	-	-	-
<u>Seabreeze HS - Upgrade Parking Lot Lighting</u>	-	546,000	-	-	-
<u>Silver Sands Mid - Renovate Media Center</u>	-	456,000	-	-	-
<u>Silver Sands Mid - Replace Stage Lighting and Sound System</u>	900,000	-	-	-	-
<u>Silver Sands Mid - Replace WSHP and Pumps Bldg. 11</u>	1,000,000	-	-	-	-
<u>Sands Mid - Replace Gymnasium Bleachers</u>	-	400,000	-	-	-
<u>South Daytona Elm - Upgrade Fire Alarm and Intrusion Mo</u>	174,000	-	-	-	-

**Volusia County Schools  
2025-2029 Capital Five-Year Work Program Forecast  
(Detail)**

**Capital Projects Funds - Consolidated**

	<u>2024-2025</u>	<u>2025-2026</u>	<u>2026-2027</u>	<u>2027-2028</u>	<u>2028-2029</u>
Southwestern Mid - Convert Classroom to Science Lab Bldg	1,040,000	-	-	-	-
South Daytona Elm - Upgrade Kitchen Flooring, Lighting an	-	354,000	-	-	-
Spirit Elm - Upgrade HVAC Bldg. 6	-	1,668,455	-	-	-
Spirit Elm - Upgrade HVAC Bldg. 7	-	-	539,918	-	-
Spirit Elm - Upgrade HVAC Bldgs. 1 and 2	-	-	2,780,780	-	-
Spirit Elm - Upgrade HVAC Bldgs. 3 and 5	-	-	2,799,215	-	-
Spruce Creek HS - Upgrade Main Electrical Switchgear Spruce	115,200	-	-	-	-
Creek Elm - Replace 60 Ton Chiller	-	321,359	-	-	-
Spruce Creek HS - Auditorium Seating and Flooring Sunrise Elm -	-	1,290,000	-	-	-
Upgrade HVAC, Ceiling, Lighting Bldg. 2 and C Sweetwater Elm -	-	2,733,566	-	-	-
Replace 60 Ton Chiller	308,827	-	-	-	-
I. Dewitt Taylor Mid-HS - Upgrade Chiller Plant University HS - New	-	-	-	1,500,000	-
Marquee	102,000	-	-	-	-
University HS - Press Box	507,360	-	-	-	-
University HS - Upgrade Fire Booster Pump and Controls University	534,000	-	-	-	-
HS - Upgrade Fire Alarm and Intrusion Monitor In Various - Security	252,000	-	-	-	-
Various - Infrastructure for Technology	2,543,670	2,543,670	2,543,670	2,543,670	3,000,000
Various - Minor Projects	250,000	250,000	250,000	250,000	250,000
Various Schools - High School Athletics	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
Various Schools - BDA	1,802,200	2,377,200	1,000,000	1,000,000	1,000,000
Various Schools - Playgrounds	945,938	945,938	-	-	-
Various Schools - Leased Portables	300,000	300,000	300,000	300,000	300,000
Volusia Pines Elm - Replace Fire Alarm	100,000	100,000	100,000	100,000	100,000
Volusia Pines Elm - Upgrade HVAC Bldgs. 1, 2 and 6 Volusia Pines Elm - Upgrade	1,880,000	-	-	-	-
Elm - Upgrade HVAC Bldgs. 3, 5 and 7 Volusia Pines Elm - Upgrade	1,000,000	-	-	-	-
HVAC Bldgs. 4 and 8 Woodward Avenue Elm - Upgrade HVAC Bldg.	-	2,978,000	-	-	-
1 Pod 11 Total Projects at Existing Schools and Facilities	-	-	1,100,000	-	-
	-	819,422	-	-	-
<b>Facilities Management</b>	<b>56,999,020</b>	<b>61,012,020</b>	<b>40,042,729</b>	<b>14,047,850</b>	<b>9,258,665</b>
Contingency	-	-	-	-	-
Contingency - Operations	-	-	-	-	-
Facilities Management	8,500,000	8,500,000	9,000,000	9,000,000	9,000,000
<b>Total Facilities Management</b>	<b>2,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	2,800,000	2,800,000	2,800,000	2,800,000	2,800,000
<b>Technology</b>	<b>13,300,000</b>	<b>11,300,000</b>	<b>11,800,000</b>	<b>11,800,000</b>	<b>11,800,000</b>
Various Secondary Schools - CTE Technology Equipment Centerix	-	-	-	-	-
Various Schools & Depts - District Wide Technology Equipm	-	-	-	-	-
<b>Total Technology</b>	<b>650,000</b>	<b>650,000</b>	<b>650,000</b>	<b>650,000</b>	<b>650,000</b>
	456,330	456,330	456,330	456,330	-
<b>System Wide Equipment and Vehicles</b>	<b>9,286,935</b>	<b>10,000,000</b>	<b>10,000,000</b>	<b>10,000,000</b>	<b>10,000,000</b>
Furn, Fix, Equip, Veh	10,393,266	11,106,330	11,106,330	11,106,330	10,850,000
White Fleet	-	-	-	-	-
<b>Total System Wide Equipment and Vehicles</b>	<b>1,200,000</b>	<b>1,200,000</b>	<b>1,200,000</b>	<b>1,200,000</b>	<b>1,200,000</b>
	910,000	910,000	910,000	910,000	910,000
<b>Buses</b>	<b>2,110,000</b>	<b>2,110,000</b>	<b>2,110,000</b>	<b>2,110,000</b>	<b>2,110,000</b>
Bus and Safety	-	-	-	-	-
<b>Total Buses</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	2,590,000	2,590,000	2,590,000	2,590,000	2,590,000
<b>Charter School Disbursements</b>	<b>2,590,000</b>	<b>2,590,000</b>	<b>2,590,000</b>	<b>2,590,000</b>	<b>2,590,000</b>
Charter School Capital Outlay LCIF Disbursements	-	-	-	-	-
<b>Total Charter School Disbursements</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	1,034,127	1,313,192	1,938,308	2,753,078	3,010,532
<b>Roll Forward</b>	<b>1,034,127</b>	<b>1,313,192</b>	<b>1,938,308</b>	<b>2,753,078</b>	<b>3,010,532</b>

**Volusia County Schools**  
**2025-2029 Capital Five-Year Work Program Forecast**  
**(Detail)**

	<u>Capital Projects Funds - Consolidated</u>				
	<u>2024-2025</u>	<u>2025-2026</u>	<u>2026-2027</u>	<u>2027-2028</u>	<u>2028-2029</u>
<u>Prior Year Carryover Encumbrances</u>	138,347,335	-	-	-	-
<u>Prior Year Carryover Appropriations</u>	62,629,713	-	-	-	-
<b>Total roll forward</b>	<b>200,977,048</b>	-	-	-	-
<b>Total uses</b>	<b>369,753,461</b>	<b>191,431,542</b>	<b>77,537,367</b>	<b>84,407,258</b>	<b>60,619,197</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>(191,109,497)</b>	<b>(17,237,093)</b>	<b>100,604,486</b>	<b>99,651,538</b>	<b>128,427,974</b>
<b>Other financing uses</b>					
<u>Transfers - General Fund</u>	(32,394,774)	(33,015,595)	(34,416,175)	(35,886,784)	(37,430,924)
<u>Transfers - Debt Service Funds Proceeds</u>	(46,249,606)	(51,263,163)	(51,266,200)	(51,272,913)	(51,268,988)
<u>of Lease-Purchase Agreements Premiums</u>	151,800,000	-	-	-	-
<u>on Long-term Debt</u>	12,200,000	-	-	-	-
<b>Total other financing uses</b>	<b>85,355,619</b>	<b>(84,278,758)</b>	<b>(85,682,375)</b>	<b>(87,159,697)</b>	<b>(88,699,911)</b>
<b>Net change in fund balances</b>	<b>(105,753,877)</b>	<b>(101,515,851)</b>	<b>14,922,111</b>	<b>12,491,841</b>	<b>39,728,063</b>
<b>Fund balances</b>					
<u>Beginning Balance</u>	257,350,388	151,596,511	50,080,660	65,002,770	77,494,611
<u>Ending Balance</u>	\$ 151,596,511	\$ 50,080,660	\$ 65,002,770	\$ 77,494,611	\$ 117,222,674

**Policy 9-1.1.6:** The City’s adopted 5-year Capital Improvements Schedule shall be reviewed and updated annually to ensure financial feasibility of public facilities needed to support adopted LOS standards.

**Objective 9-1.2:** The City will manage its fiscal resources to ensure the provision of needed capital improvements already identified and for future development and redevelopment. The existing sewer impact fee for all new development in the community shall be maintained and kept in effect throughout the planning period.

**Policy 9-1.2.1:** In providing capital improvements, the maximum ratio of outstanding indebtedness to total property tax base shall be limited to five percent.

**Policy 9-1.2.2:** The City shall adopt a 5-Year Capital Improvements Program and an annual capital budget as part of its budgeting process.

**Policy 9-1.2.3:** Efforts shall be made to secure grants or private funds, wherever possible, to finance the provision of capital improvements.

**Policy 9-1.2.4:** The City shall integrate energy cost reduction measures into the budget process.

**Policy 9-1.2.5:** The City shall continue to incorporate energy management practices into building, facility, and fleet maintenance and operations.

**Objective 9-1.3:** Decisions regarding the issuance of development orders and permits will be based upon coordination of development requirements included in this Plan, the revised land development regulations and the availability of necessary public facilities to support such development. All land use decisions shall be coordinated to the availability of fiscal resources and with this schedule of capital improvements and succeeding years capital improvements programs to maintain adopted levels of service that are included in this Comprehensive Plan.

**Policy 9-1.3.1:** 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 160 gallons per equivalent residential unit per day. 1/10 gallon per square foot per day of commercial development
- (b) **Solid Waste:** 10 pounds per capita per day. 10 lbs/1,000 square feet of non-residential development
- (c) **Drainage:** 25-year, 24-hour design storm
- (d) **Potable Water:** The main residual pressure shall be 20 pounds per square inch during fire flow  
-110 gallons/capita/day (ged) 180 gallons per day per equivalent residential unit.  
1/10 gallon per square foot per day of commercial development for Port Orange Service Area  
-150 ged gallons per capita per day for Daytona Beach Service Area
- (e) **Roadways:** Major Arterials: LOS "D" at peak hour  
 Minor Arterials: LOS "E" at peak hour  
 Collectors: LOS "E" at peak hour
- (f) **Recreation:**

Type of Park/ Recreational Facility	Unit of Measure	Type of Park/ Recreational Facility	Unit of Measure
Playgrounds	one per 10,000 people	Tennis Courts	one per 2,000 people
Neighborhood Park	one per 10,000 people	Community Center	one per 20,000 people
Community Park	one per 25,000 people	Exercise Trail	one per 14,000 people
Children’s Play Areas	one per 10,000 people	Nature Study Trail	one per 14,000 people
Baseball/Softball Field	one per 15,000 people		

**Policy 9-1.3.2:** The City shall maintain its facilities ordinances to ensure that, at the time a development order or permit is issued, sufficient capacities at the adopted Levels of Service are available or will be available when required to serve the development and coordinate with the other jurisdictions providing services.

**Policy 9-1.3.3:** The Criteria used to evaluate local capital improvements projects that would include the consideration of the accommodation of new development and redevelopment of needed facilities shall be based upon the level of service standards as are indicated in Policy 9-1.3.1 of these goals, objectives, and policies in the Capital Improvements Element of this Comprehensive Plan.

**Policy 9-1.3.4:** The expenditure of public funds for all capital improvements shall recognize the policies of the other Plan elements contained within this Comprehensive Plan.

**Objective 9-1.4:** No public monies shall be spent to subsidize development in high hazard coastal areas.

**Policy 9-1.4.1:** Public funds shall not be used to contribute to the expansion of any hazardous condition in the community.

**Objective 9-1.5:** The City of Daytona Beach Shores shall continue to require that, when a private developer is seeking approval for his new project, written communication shall be in hand for the Planning and Zoning Board (the City's designated land planning agency) and the City Council that indicates that those adjoining municipalities providing public services and facilities have sufficient capacity to accommodate this proposed new development.

**Policy 9-1.5.1:** The City shall maintain its agreement with Port Orange in providing sewage treatment services throughout the planning period.

**Policy 9-1.5.2:** The City shall continue to work and coordinate with Volusia County in attempting to reduce the volume of solid waste and thereby not endanger the capacity of the Tomoka Road Landfill site. This shall be done throughout the planning period.

**Policy 9-1.5.3:** To maintain public health and safety and ensure the orderly implementation of this comprehensive plan consistent with the levels of service contained herein, sanitary sewer, solid waste, drainage, and potable water facilities shall be in place and available to serve new development no later than the issuance of a certificate of occupancy. To ensure adequate water supplies and facilities available to serve new development consistent with this policy, the City shall consult with the applicable water supplier prior to the issuance of a building permit, as set forth in this policy [s. 163.3180(2)(a), F.S., effective July 1, 2005] and as follows:

- A. Prior to approval of a building permit or its functional equivalent, the City shall consult with the applicable water supplier to determine whether adequate water supplies will be available to serve the new development no later than the anticipated date of issuance of a certificate of occupancy.
- B. The City shall seek and obtain from the water supplier a written statement regarding the availability of water to serve the proposed development. The City shall consider information such as the current potable water demand, including capacity for approved projects not yet built, the amount of water necessary to meet the growth projections for the year; the amount of water withdrawals allowed and remaining through the consumptive use permit issued by the water management district; the capacity of available facilities; and any capital improvements schedule projects scheduled to come online during the development time frame of the project.
- C. If adequate water supplies and facilities cannot be demonstrated prior to the approval of a building permit, the developer, water supplier and/or the City shall certify whether adequate water supplies will be available to serve the new development no later than the anticipated date of issuance of a certificate of occupancy by the City.

All applications for future land use map amendments may be required to provide data and analysis consistent with Policy 9-1.5.3(b) to demonstrate that adequate water supply and adequate public water facilities will be available for future population water demand associated with the land use map amendment.

## GOAL 9-2

Provide for a financially feasible public school facilities program.

**OBJECTIVE 9-2.1 LEVEL OF SERVICE STANDARDS**

The City of Daytona Beach Shores shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service standard. This level of service standard shall be consistent with the level of service standard adopted in the interlocal agreement entered into by the School Board and the local governments within Volusia County.

**Policy 9-2.1.1:** The level of service standard adopted by City of Daytona Beach Shores shall be applied consistently by all local governments within Volusia County and by the School Board district-wide to all schools of the same type.

**Policy 9-2.1.2:** Consistent with the interlocal agreement, the uniform, district-wide level of service standards are set as follows using FISH capacity based on the traditional school calendar:

Elementary Schools: 115% of permanent FISH capacity for the concurrency service area

K- 8 Schools: 115% of permanent FISH capacity for the concurrency service area.

Middle Schools: 115% of permanent FISH capacity for the concurrency service area

High Schools: 120% of permanent FISH capacity for the concurrency service area

Special Purpose Schools: 100% of permanent FISH capacity

**Policy 9-2.1.3:** The following schools shall achieve the designated level of service no later than the identified date.

School	LOS	DATE
Orange City Elementary	117%	July 1, 2012
Horizon Elementary	158%	July 1, 2012
Freedom Elementary	126%	July 1, 2012
Osceola Elementary	117%	July 1, 2012
Ortona Elementary	150%	July 1, 2012
Ormond Beach Elementary	116%	July 1, 2012
Southwestern Middle	120%	July 1, 2013
New Smyrna Beach Middle	122%	July 1, 2014

**OBJECTIVE 9-2.2 SCHOOL CAPITAL FACILITIES PLANNING**

The City of Daytona Beach Shores shall cooperate with the School Board to ensure existing deficiencies and future needs are addressed consistent with adopted level of service standards for public schools.

**Policy 9-2.2.1:** By December 1 of each year, the City of Daytona Beach Shores shall adopt as part of its Capital Improvement Element the Volusia County School District five year work program approved in September of each year as part of the School District budget including planned facilities and funding sources

to ensure a financially feasible capital improvements program and to ensure the level of service standards will be achieved by the end of the five-year period.

**Policy 9-2.2.2:** The City of Daytona Beach Shores shall coordinate with the School Board and adopt development conditions to ensure that future development pays a proportionate share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining the adopted level of service standards via impact fees and other legally available and appropriate methods.

**CHAPTER 11: PUBLIC SCHOOL FACILITIES ELEMENT**

**GOALS, OBJECTIVES AND POLICIES PUBLIC SCHOOL FACILITIES ELEMENT:** This section stipulates the goals, objectives and implementing policies for the Public School Facilities Element pursuant to §163.3180

**GOAL 11-1:**

**Collaborate and coordinate with the School Board of Volusia County to provide and maintain a public education system which meets the needs of Volusia County's current and future population.**

**OBJECTIVE 11-1.1: COORDINATION AND CONSISTENCY**

The City of Daytona Beach Shores shall implement and maintain mechanisms designed to coordinate with the School Board to provide consistency between local government comprehensive plans and public school facilities and programs.

**Policy 11-1.1.1:** Pursuant to the procedures and requirements of the adopted interlocal agreement, the City of Daytona Beach Shores shall coordinate with the School Board on growth and development trends, general population and student projections to ensure that the plans of the School Board and the City of Daytona Beach Shores are based on consistent data.

**Policy 11-1.1.2:** At the time of transmittal of the Public Schools Facilities Element, the City of Daytona Beach Shores shall develop a report of projects not subject to school concurrency and submit the report to the School Board within thirty (30) days of transmittal. The report shall include the type, number and location of residential units that have received subdivision or site plan approval and provide a projected annual rate of growth for such projects.

**Policy 11-1.1.3:** The City of Daytona Beach Shores shall provide the representative of the School Board with copies of all meeting agendas and staff reports.

**Policy 11-1.1.4:** The City of Daytona Beach Shores shall meet at least annually with representatives from the School District and the other local governments in Volusia County to review the Public School Facilities Element including enrollment projects. The timing and content of these meetings shall be done according to the requirements and procedures set forth in the adopted interlocal agreement.

**OBJECTIVE 11-1.2: SCHOOL FACILITY SITING AND AVAILABILITY**

The City of Daytona Beach Shores shall coordinate with the School Board on the planning and siting of new public schools and ancillary facilities to ensure school facilities are coordinated with necessary services and infrastructure and are compatible and consistent with the comprehensive plan.

**Policy 11-1.2.1:** The City of Daytona Beach Shores shall coordinate with the School Board to assure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan.

**Policy 11-1.2.2:** Coordination of the location, acquisition, phasing and development of future school sites and ancillary facilities shall be accomplished through the procedures adopted in the

interlocal agreement.

**Policy 11-1.2.3:** The City of Daytona Beach Shores and School Board will jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school. If deemed necessary, the parties may enter into a written agreement as to the timing, location, and party or parties responsible for constructing, operating and maintaining the required improvements.

**Policy 11-1.2.4:** The City of Daytona Beach Shores shall encourage the School Board to land bank sites for future use as school facilities. The City shall coordinate with the School Board on the acquisition and use of land banked sites in the same manner as established for other sites in order to ensure adequate infrastructure is planned and constructed in advance of school construction.

**Policy 11-1.2.5:** The City of Daytona Beach Shores shall protect schools and land banked school sites from the adverse impact of incompatible land uses within the City by providing the School District with the opportunity to participate in the review process for all proposed development adjacent to schools.

**Policy 11-1.2.6:** In developing capital improvements plans and programs for public services, the City of Daytona Beach Shores shall consider required infrastructure to service existing and proposed schools and any land banked school sites within the City.

### **OBJECTIVE 11-1.3 ENHANCE COMMUNITY DESIGN**

The City of Daytona Beach Shores shall enhance community and neighborhood design through effective school facility design and siting standards and encourage the siting of school facilities in order to serve as community focal points and are compatible with surrounding land uses.

**Policy 11-1.3.1:** The City of Daytona Beach Shores shall coordinate with the School Board on opportunities for the expansion and rehabilitation of existing schools so as to support neighborhoods and redevelopment.

**Policy 11-1.3.2:** The City of Daytona Beach Shores shall collaborate with the School Board on the siting of public facilities such as parks, libraries, and community centers near existing or planned public schools within the City, to the extent feasible.

**Policy 11-1.3.3:** The City of Daytona Beach Shores shall look for opportunities to co-locate and share the use of public facilities when preparing updates to the comprehensive plan's schedule of capital improvements and when planning and designing new or renovating existing, community facilities. Co-located facilities shall be governed by a written agreement between the School Board and the City specifying operating procedures and maintenance and operating responsibilities.

**Policy 11-1.3.4:** The City of Daytona Beach Shores shall reduce hazardous walking conditions consistent with Florida's safe ways to school program where feasible. In conjunction with the School Board, the City shall implement the following strategies:

1. New developments adjacent to schools shall be required to provide a right-of-way and direct safe access path for pedestrian travel to existing and planned schools and shall connect to the neighborhood's pedestrian network.
2. New development and redevelopment within two miles of a school shall be required to provide sidewalks within or adjacent to the property for the corridor that directly serves the school or qualifies as an acceptable designated walk or bicycle route to the school.
3. In order to ensure continuous pedestrian access to public schools, the City shall consider infill sidewalk and bicycle projects connecting networks serving schools as part of the annual capital budget process. Priority shall be given to hazardous walking conditions pursuant to Section 1006.23, Florida Statutes.
4. The City shall coordinate with the Metropolitan Planning Organization to maximize the funding from the Florida Department of Transportation and other sources that may be devoted to improving pedestrian networks serving schools.

**Policy 11-1.3.5:** The City of Daytona Beach Shores and School Board shall coordinate with Volusia County Emergency Services on efforts to build new school facilities, and facility rehabilitation and expansion, to be designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes.

#### **OBJECTIVE 11-1.4: COORDINATE COMPREHENSIVE PLAN AMENDMENTS AND DEVELOPMENT ORDERS WITH SCHOOL CAPACITY**

Manage the timing of new development to coordinate with adequate school capacity as determined by the Volusia County School District.

**Policy 11-1.4.1:** The City of Daytona Beach Shores shall take into consideration the School Board comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments and other land use decisions including but not limited to developments of regional impact. School Board review shall follow the policies and procedures set forth in the interlocal agreement.

**Policy 11-1.4.2:** Amendments to the future land use map shall be coordinated with the School Board and the Public School Facilities Planning Maps.

**Policy 11-1.4.3:** Where capacity will not be available to serve students from the property seeking a land use change or other land use determination that increases residential density, the City of Daytona Beach Shores shall not approve the proposed land use change until such time as the School Board can find that adequate public schools can be timely planned and constructed to serve the student population or that the applicant has provided adequate mitigation to offset the inadequacies in anticipated school capacity.

#### **GOAL 11-2: IMPLEMENT PUBLIC SCHOOL CONCURRENCY**

**The City of Daytona Beach Shores shall assure the future availability of public school facilities to**

serve new development consistent with the adopted level of service standards. This goal will be accomplished recognizing the School District's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools and the City's authority for land use, including the authority to approve or deny comprehensive plan amendments, re-zonings or other development orders that generate students and impact the public school system. The City shall operate and maintain in a timely and efficient manner adequate public facilities for both existing and future populations consistent with the available financial resources.

#### OBJECTIVE 11-2.1: LEVEL OF SERVICE STANDARDS

The City of Daytona Beach Shores through coordinated planning with the School District and implementation of its concurrency management system shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service standard within the period covered by the five-year schedule of capital improvements. These standards and the concurrency management system shall be consistent with the interlocal agreement approved by the School Board and the local governments in Volusia County.

**Policy 11-2.1.1:** The level of service standards for schools shall be applied consistently by all the local governments in Volusia County and by the School Board district-wide to all schools of the same type.

**Policy 11-2.1.2:** Consistent with the interlocal agreement, the uniform, district-wide level-of-service standards are set as follows using FISH capacity based on the traditional school calendar:

1. Elementary Schools: 115% of permanent FISH capacity for the concurrency service area
2. K-8 Schools: 115% of permanent FISH capacity for the concurrency service area.
3. Middle Schools: 115% of permanent FISH capacity for the concurrency service area
4. High Schools: 120% of permanent FISH capacity for the concurrency service area
5. Special Purpose Schools: 100% of permanent FISH capacity

**Policy 11-2.1.3:** The following schools shall achieve the adopted level of service no later than the identified date. The level of service presented in the following table is the tiered level of service that shall apply to that school unit the date noted in the table.

School	LOS	DATE
Orange City Elementary	117%	July 1, 2012
Horizon Elementary	158%	July 1, 2012
Freedom Elementary	126%	July 1, 2012
Osceola Elementary	117%	July 1, 2012
Ortona Elementary	150%	July 1, 2012
Ormond Beach Elementary	116%	July 1, 2012
Southwestern Middle	120%	July 1, 2013
New Smyrna Beach Middle	122%	July 1, 2014

(Note: This policy designates a tiered LOS for those schools that exceed the desired levels at the end of  
Comprehensive Plan Goals, Objectives and Policies

the first five-year capital improvements program.)

**Policy 11-2.1.4:** The following schools shall be considered constrained schools at the designated LOS due to the inability to add capacity at the site and the nature of the communities they serve. Concurrency will be reviewed in the adjacent concurrency service areas and requests to increase residential densities in the constrained concurrency service areas will need to be accompanied by a plan to address school capacity.

School	LOS
Burns-Oak Hill Elementary	115%
Coronado Elementary	115%
Samsula Elementary	165%

Source: Volusia County Interlocal Agreement

**Policy 11-2.1.5:** The City of Daytona Beach Shores and School Board recognize and agree that short-term changes in enrollment unrelated to new development approvals can and do occur, and that students enrolling in their assigned school will be accepted consistent with the School District's constitutional obligations regardless of the utilization levels at the assigned school.

**Policy 11-2.1.6:** If there is a consensus to amend any level of service, the amendment shall be accomplished by execution of an amendment to the interlocal agreement by all parties and the adoption of amendments to each local government's comprehensive plan. The amended level of service shall not be effective until all plan amendments are effective and the amended interlocal agreement is fully executed. No level of service standard shall be amended without showing that the amended level of service standard is financially feasible and can be achieved and maintained within the five years of the capital facilities plan.

## OBJECTIVE 11-2.2: SCHOOL CONCURRENCY SERVICE AREAS

The City of Daytona Beach Shores shall establish School Concurrency Service Areas as the area within which an evaluation is made of whether adequate school capacity is available based on the adopted level of service standard. Maps of the School Concurrency Service Areas are adopted in the Volusia County Interlocal Agreement for Public School Facilities Planning.

**Policy 11-2.2.1:** The concurrency service area for elementary schools shall be the elementary school attendance boundary as represented on the map series "Public School Facilities Element Elementary School Concurrency Service Areas" adopted as part of the Volusia County Comprehensive Plan and which is incorporated herein by reference.

**Policy 11-2.2.2:** The concurrency service area for middle schools shall be the middle school attendance boundary as represented on the map series "Public School Facilities Element Middle School Concurrency Service Areas" adopted as part of the Volusia County Comprehensive Plan and which is incorporated herein by reference.

**Policy 11-2.2.3:** The concurrency service area for K-8 schools shall be the attendance boundary as represented on the map series "Public School Facilities Element K-8 Concurrency Service Areas" adopted as part of the Volusia County Comprehensive Plan and which is incorporated herein by

reference. (Note: no K-8 schools have been established at this time.)

**Policy 11-2.2.4:** The concurrency service area for high schools shall be as represented on the map series “Public School Facilities Element High School Concurrency Service Areas” adopted as part of the Volusia County Comprehensive Plan and which is incorporated herein by reference.

**Policy 11-2.2.5:** The concurrency service area for special use schools shall be district wide.

**Policy 11-2.2.6:** The concurrency service area maps designate three areas where school capacity is not anticipated for the planning period.

**Policy 11-2.2.7:** Within the central concurrency service areas all current and future students shall be assigned to schools designated for them as part of the School District’s normal school assignment procedures. Requests for development orders for new development consistent with the future land use designations and existing residential zoning densities shall be evaluated for concurrency based on the assigned school and that school’s concurrency service area. If adequate capacity is not available in the assigned concurrency service area, the proposed development shall be evaluated in comparison to the concurrency service areas adjacent to the assigned concurrency service area, subject to the limitations of Policy 2.3.7. The school district shall maintain a listing of assigned and adjacent concurrency service areas for each central school concurrency service area.

**Policy 11-2.2.8:** Requests to develop properties within the central school concurrency service areas at residential densities and intensities greater than the current land use or zoning designations shall be done via a comprehensive plan amendment consistent with the Volusia County Charter provision 206 regarding school planning. The comprehensive plan amendment shall demonstrate how school capacity will be met consistent with the terms of the First Amendment to the Interlocal Agreement for Public School Facility Planning effective July 2007 and Section 206 of the Volusia County Charter. If the project area is to be annexed by a municipality, the comprehensive plan amendment shall include an amendment of the central concurrency service area boundary by Volusia County to exclude the subject parcel.

**Policy 11-2.2.9:** Amendments to the School Concurrency Service Areas shall be completed according to the procedures specified in the Volusia County Interlocal Agreement for School Facilities Planning. Amendments to concurrency service areas shall consider the following criteria:

1. Adopted level of service standards shall not exceed the level of service standard within the initial five-year planning period
2. The utilization of school capacity is maximized to the greatest extent possible taking into account transportation costs, court approved desegregation plans, proximity to schools, ethnic and socio-economic diversity, subdivisions and neighborhoods, demographic changes, future land development patterns, crossing guard availability and other relevant factors.

### **OBJECTIVE 11-2.3: PROCESS FOR SCHOOL CONCURRENCY IMPLEMENTATION**

In coordination with the School Board the City of Daytona Beach Shores will establish a process for implementation of school concurrency which includes applicability and capacity determination, availability standards and school capacity methods. The City of Daytona Beach Shores shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with the adopted level of service standards for public schools.

**Policy 11-2.3.1:** School concurrency applies to residential development not otherwise exempt as specified by Policy 2.3.3.

**Policy 11-2.3.2:** Development orders may be issued for residential development where:

1. Adequate school capacity, as determined by the School Board, exists or will be under construction for each level of school in the affected concurrency service area within three years after the issuance of the development order allowing the residential development.
2. Adequate school facilities, as determined by the School Board, are available within an adjacent concurrency service area subject to the limitations of Policy 2.3.7. Where capacity from an adjacent concurrency service area or areas is utilized, the impacts of development shall be shifted to that area. If capacity exists in more than one concurrency service area or school within a concurrency service area, the School District shall determine where the impacts of development shall be allocated based on the School District policies for student assignment.
3. The developer executes a legally binding commitment with the School Board and City of Daytona Beach Shores to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property as provided by Objective 2.4 and its supporting policies.

**Policy 11-2.3.3:** The following residential development shall be considered exempt from the school concurrency requirements:

1. Single family lots of record existing as such at the time School Concurrency implementing ordinance is adopted which otherwise would be entitled to build, shall be exempt from School Concurrency requirements.
2. Any residential development or any other development with a residential component that received approval of a Final Development Order or functional equivalent or is otherwise vested prior to the implementation date of school concurrency is considered vested for that component which was previously approved for construction and shall not be considered as proposed new residential development for purposes of school concurrency.
3. Amendments to residential development approvals which do not increase the number of students generated by the development based on the student generation rates for each school type as determined by the School District.
4. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy by a resident under the age of fifty-five. Such deed restrictions must be recorded and be irrevocable for a period of at least thirty years.
5. Group quarters that do not generate students including residential facilities such as jails, prisons, hospitals, bed and breakfast, hotels and motels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

**Policy 11-2.3.4:** The creation of subdivisions and/or single family lots equal to or less than ten units

shall be subject to school concurrency as part of an annual concurrency management review. The City of Daytona Beach Shores shall report such projects to the School Board as part of the annual planning coordination process established by the interlocal agreement and these units shall be included by the School Board in planning student allocations by school.

**Policy 11-2.3.5:** ~~By February 1, 2008 the~~ The City of Daytona Beach Shores shall ~~adopt a~~ maintain school concurrency ~~ordinance~~ regulations which establishes the application procedures and process for evaluating school capacity and making concurrency determinations consistent with the provisions of the interlocal agreement.

**Policy 11-2.3.6:** The School Board shall conduct a concurrency review that includes findings and recommendations of whether there is adequate capacity to accommodate proposed development for each type of school within the affected concurrency service area consistent with the adopted level of service. The School Board may issue a certificate of school concurrency if sufficient capacity exists for the proposed development or the School Board may set forth conditions required to satisfy the requirements of school concurrency including proportionate share mitigation.

**Policy 11-2.3.7:** If the adopted level of service standard cannot be met within a particular concurrency service area as applied to an application for development order and if the needed capacity is available in one or more contiguous concurrency service areas, then this capacity shall be applied to the concurrency evaluation of the application for development approval subject to the following limitations:

1. Areas established for diversity at schools shall not be considered contiguous.
2. Concurrency service areas generating excessive transportation costs shall not be considered contiguous. Excessive transportation costs are defined as transporting students requiring a transport time of fifty minutes one way as determined by School District transportation routing staff.
3. Concurrency service areas shall not be considered contiguous when the concurrency service areas are separated by a natural or man-made barrier such as a river, water body, or interstate highway that requires indirect transport of students through a third concurrency service area. (Refer to graphic examples.)
4. When capacity in an adjacent concurrency service area is allocated to a development application, assignment of the students to the school with available capacity may be accomplished by applying any of the techniques used to establish school attendance zones including modification of existing attendance zone boundaries or creation of island zones.
5. Student transportation not in conformance with the conditions established in items 1 through 4 above shall be permitted to allow student assignments based on specific educational programming options; to comply with State and Federal mandatory transfer opportunities; or for other transfer opportunities that School Board shall deem appropriate for the specific circumstances of an individual student.

**Policy 11-2.3.8:** If the adopted level of service cannot be met within a particular concurrency service area the School Board may apply one or more of the following techniques to maximize use of available capacity and provide for adequate numbers of student stations to meet current and future demand:

1. Construct new school facilities
2. Construct additions to current facilities
3. Adjust program assignments to schools with available capacity
4. Modify attendance boundaries to assign students to schools with available capacity
5. Eliminate variances to overcrowded facilities that are not otherwise restricted by State or Federal requirements.

#### **OBJECTIVE 11-2.4: PROPORTIONATE SHARE MITIGATION**

The City of Daytona Beach Shores shall provide for mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the School Board's adopted financially feasible work program.

**Policy 11-2.4.1:** In the event that sufficient school capacity is not available in the affected concurrency service area, the developer shall have the option to propose proportionate share mitigation to address the impacts of the proposed development.

**Policy 11-2.4.2:** Mitigation shall be directed toward a permanent capacity improvement identified in the School Board's financially feasible work program, which satisfies the demands created by the proposed development consistent with the adopted level of service standards.

**Policy 11-2.4.3:** Mitigation shall be directed to projects on the School Board's financially feasible work program that the School Board agrees will satisfy the demand created by the proposed development approval and shall be assured by a legally binding development agreement between the School Board, the City of Daytona Beach Shores, and the applicant which shall be executed prior to the City of Daytona Beach Shores issuance of the subdivision or site plan approval. If the School Board agrees to the mitigation, the School Board shall commit in the agreement to placing the improvement required for mitigation in its work plan.

**Policy 11-2.4.4:** The applicant's total proportionate share obligation shall be based on multiplying the number of needed student stations generated from the proposed project times the School Board's current cost per student station plus land cost for each type of school. The applicant's proportionate share mitigation obligation shall be credited toward any impact fee or exaction fee imposed by local ordinance for the same need on a dollar for dollar basis. (For example, if the proportionate share mitigation provides only for land, the credit is applied only against that portion of the impact fee or other exaction devoted to land costs.)

**Policy 11-2.4.5:** The student generation rates used to determine the impact of a particular development shall be the student generation rates adopted in the most recent school impact fee study.

**Policy 11-2.4.6:** The cost per student station shall be the most recent actual costs per student station, and capitalization costs if applicable, paid by the School Board for the equivalent school facility.

**Policy 11-2.4.7:** Mitigation options must consider the School Board's educational delivery methods and requirements and the State Requirements for Educational Facilities and may include, but not be limited to, the following:

1. Donation of buildings for use as a primary or alternative learning facility

2. Renovation of existing buildings for use as learning facilities
3. Funding dedicated to, or construction of permanent student stations or core capacity
4. For schools contained in the School Board's adopted five-year capital facilities work program, upon agreement with the School Board, the applicant may build the school in advance of the time set forth in the five-year work program
5. Dedication of a school site as approved by the School Board
6. Up front lump sum payment of school impact fees
7. Up front payment of interest and other costs of borrowing
8. Payment of off-site infrastructure expenses including but not limited to roads, water, and/or sewer improvements
9. Payment of transportation costs associated with the movement of students as a result of overcapacity school
10. Funding assistance with acquisition of school site
11. Phasing of construction or delay of construction in order to timely plan for the availability of school capacity,
12. Establishment of an educational facilities benefit district
13. Establishment of educational facilities mitigation banks

#### **OBJECTIVE 11-2.5: CAPITAL FACILITIES PLANNING**

The City of Daytona Beach Shores shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for schools.

**Policy 11-2.5.1:** In accordance with the adopted interlocal agreement the City of Daytona Beach Shores shall collaborate with the School Board in locating required school sites as identified in the School Board's five, ten and twenty year capital facilities plan.

**Policy 11-2.5.2:** The City of Daytona Beach Shores shall ensure that future development pays a proportionate share of the costs of capital facilities capacity needed to accommodate new development and to assist in maintaining the adopted level of service standards via impact fees and other legally available and appropriate methods.

**Policy 11-2.5.3:** By December 1 of each year, the City of Daytona Beach Shores shall adopt as part of its Capital Improvement Element the Volusia County School District five year work program approved in September of each year as part of the School District budget including planned facilities and funding sources to ensure a financially feasible capital improvements program and to ensure the level of service standards will be achieved by the end of the five-year period.

March 14, 2024

**RESPONSE VIA E-MAIL ONLY**

Mr. Stewart Cruz, AICP  
Director  
City of Daytona Beach Shores  
2990 S. Atlantic Avenue  
Daytona Beach Shores, Florida 32118

Subject: Daytona Beach Shores Evaluation and Appraisal Notification Letter

Dear Mr. Cruz:

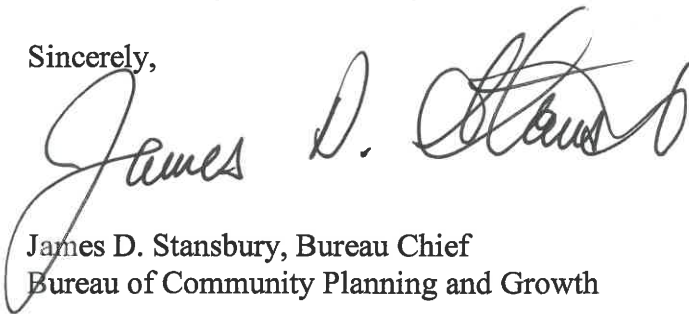
This is to acknowledge receipt of your Evaluation and Appraisal Notification Letter, which was due on January 1, 2024 and received by the Department on March 12, 2024.

Please note that your proposed comprehensive plan amendments based on your Evaluation and Appraisal should be transmitted to the Department by March 12, 2025, within one year of your notification, pursuant to Section 163.3191(2), Florida Statutes (F.S.). The amendments are subject to the **State Coordinated Review Process** as outlined in Section 163.3184(4), Florida Statutes. Please also be aware that Section 163.3191, F.S. was amended to read in part **“updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.”**

I am available to assist and provide technical guidance to your questions concerning the contents of the Evaluation and Appraisal based comprehensive plan amendments and may be reached at (850)717-8512.

If you have any questions concerning the processing of the Evaluation and Appraisal based amendment, please contact Donna Harris, Plan Processor, at (850)71-8491 or by email at [Donna.Harris@Commerce.fl.gov](mailto:Donna.Harris@Commerce.fl.gov).

Sincerely,



James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth

JDS/dh



***City of Daytona Beach Shores***

**Office of the Director  
Department of Community Services  
2990 S. Atlantic Avenue  
Daytona Beach Shores, FL 32118  
Telephone (386) 763-5361  
Fax (386) 763-5370**

March 12, 2024

Donna Harris, Senior Plan Processor  
Bureau of Community Planning and Growth  
Florida Department of Commerce  
107 East Madison Street  
Tallahassee, FL 32399

**RE: Evaluation & Appraisal Report Notification  
City of Daytona Beach Shores, Volusia County**

Dear Ms. Harris:

Pursuant to Section 163.3191(1), Florida Statutes (F.S.), this letter to notify you that the City of Daytona Beach Shores has completed an evaluation of its Comprehensive Plan to determine if plan amendments are necessary to reflect changes in state requirements since the last plan update. The City has determined that a plan amendment is necessary to update the planning horizon pursuant to Section 163.3177(5), F.S. The City intends to transmit the appropriate amendment upon completion in accordance with the requirements of Section 163.3191(2), F.S. If you have any questions or comments please feel free to contact me at your earliest convenience.

Sincerely,

Stewart Cruz, AICP  
Community Services Director

CC: Kurt Swartzlander, City Manager  
Cheri Schwab, City Clerk



## PLANNING ANALYSIS

<b>SUBJECT:</b>	Ordinance 2025-01: EAR-based Comprehensive Plan Amendments
<b>LOCATION:</b>	Citywide
<b>PROPERTY OWNERS:</b>	NA
<b>APPLICANT:</b>	City of Daytona Beach Shores, Volusia County
<b>STAFF CONTACT:</b>	Stewart Cruz, AICP, Community Services Director

### **I. INTRODUCTION/BACKGROUND**

Florida growth management legislation requires local governments to maintain a comprehensive plan that provides the policy foundation for local planning and land use decisions.

Pursuant to Section 163.3191(1), Florida Statutes, at least once every seven (7) years, local governments are required to evaluate and appraise their land use comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the comprehensive plan and notify the state land planning agency as to its determination. The result of this evaluation and appraisal report (EAR) may lead to EAR-based comprehensive plan amendments.

On March 12, 2024, the City of Daytona Beach Shores notified the state land planning agency, the Florida Department of Commerce (FDC), that the City intends to transmit the appropriate amendments in accordance with Sec. 163.191(2), Florida Statutes.

In accordance with Section 163.3191(2), Florida Statutes, the City is transmitting the plan amendments to the FDC and other state review agencies for a State Coordinated Review per Sec. 163.3184(4), Florida Statutes. Per Volusia Growth Management Commission (VGMC) Rules, the amendments will also be transmitted for VGMC review. The deadline for transmittal is March 12, 2024.

### **II. BACKGROUND**

The primary purpose of the Comprehensive Plan is to provide a guide for growth and development while also preserving environmental features and community character of the area through the City's goals, objectives, and policy guidelines that describe how land-use decisions should be made on a day-to-day basis, along with a future land use map to show what type of land use is desirable within the City's current boundary. The Comprehensive

Plan is a blueprint for future commercial and residential land uses, housing, conservation, and cultural and recreational amenities. An essential component of the Comprehensive Plan is to identify the new infrastructure and growth demands needed to support the community's future physical and economic development.

### **III. ANALYSIS DISCUSSION**

#### Methodology

To inform the 2025 Daytona Beach Shores Evaluation and Appraisal Report (EAR) Comprehensive Plan Update, staff reviewed the Comprehensive Plan Update (2030) relative to changes in state law since the 2017 adoption of the most recent EAR comprehensive plan amendments. **Exhibit III.A** attached to this report provides a summary of the analysis, which concludes no changes are required as a result of new changes in state statute since 2017.

Additionally, staff performed a Data, Inventory and Analysis Report (**Exhibit III.B**) to determine whether the comprehensive plan's technical basis for existing policies still remain. Typically when trends in the built, natural and economic environments change, amendments become necessary to reflect said changes.

#### Summary

Based on the above methodology, staff's analysis revealed several items had to be amended and update per state law. However, changes in the built, natural and economic environment have not substantially changed to require major changes in the comprehensive plan. Below is a summary of the 2025 EAR-based comprehensive plan amendments proposed.

1. Extending the comprehensive plan planning horizon to the year 2045.
2. Chapter 1-Future Land Use Element: (a) Minor Housecleaning text amendments, including, but not limited to, references to the new planning horizon. (b) Policy 1-1.4.2: Including off-beach parking lots as a permitted use in the Public/Quasi-Public Land Use Category.
3. Chapter 5-Coastal Management Element: (a) Minor Housecleaning text amendments. (b) Policy 5-1.1.1: Amend policy to remove outdated community redevelopment area off beach parking reference and replace with commitment to maintain exiting city off-beach parking spaces. (c) Policy 5-1.3.1: Promote the introduction of an engineered beach in Volusia County. (d) Policy 5-1.7.4: Update the sanitary sewer, solid waste and potable water level of service standards consistent with the City of Port Orange. (e) Policy 5-1.11.1: Update to include increase in boat slips subject to additional boat slip entitlements via the voluntary annexation process per Sec. 171.044, Florida Statutes.
4. Chapter 9-Capital Improvements Element: (a) Update the Daytona Beach Shores 5-Year Capital Improvement Plan per Sec. 163.3177(3)(b), Florida Statutes. (b) Update the Volusia County School District Five-Year Work Program per the Volusia County School District Interlocal Agreement. (c) Policy

- 9-1.3.1: Update the sanitary sewer, solid waste and potable water level of service standards consistent with the City of Port Orange.
5. Chapter 11-Public School Facilities Element: (a) Minor Housecleaning text amendments.

**VI. STAFF RECOMMENDATION**

Staff recommends approval as presented.



## EXHIBIT III.A

Statutory Changes to the Community Planning Act 2016-2022					
ID	Year	Fl. Statute	Summary	Comment	Finding
1	2016	163.3177	Removes language in subsection (6)(a)11., requiring local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent to or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012	No military installations nearby.	N/A
2	2016	163.3175	Modifies subsection (7) to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.	City has no military installations.	N/A
3	2016	163.3175	Amends language of subsection (2)(c) pursuant to changes in section 380.06, F.S., to require a state coordinated review of plan amendments that approve Development of Regional Impact-sized proposed developments; no substantive change. • Adds subsection (5)(e)3 to provide direction that when an administrative law judge issues an order recommending that a plan amendment be found in compliance, the recommended order becomes the final order 90 days after issuance unless the state land planning agency issues a final order finding the amendment in compliance, refers the recommended order to the Administration Commission, or all parties consent in writing to an extension of the 90- day period. • Amends subsection (7)(d), for plan amendment challenges that are subject to mediation or expeditious resolution, to provide that when an administrative law judge issues a recommended order finding an amendment in compliance, except where the parties agree or there are exceptional circumstances, the state land planning agency must issue a final order within 45 days after issuance of a recommended order. If the final order is not issued in 45 days, the recommended order finding the amendment in compliance becomes the final order	Acknowledged.	No CPA required
4	2016	163.3245	Modifies subsection (1) to reduce the minimum amount of total land area required for a sector plan from 15,000 acres to 5,000 acres.	Acknowledged.	No CPA required
5	2018	163.3221	Amends the definition of "development" within subsection (4)(b) to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.	Acknowledged.	No CPA required
6	2018	163.3245	* Updates statutory cross references within subsection (3)(e) and subsection (12). • Revises subsection (6) to amend the requirements associated with a master development approval.	Acknowledged.	No CPA required
7	2018	163.3246	Updates the Local Government Comprehensive Planning Certification Program to modify language of subsections (11), (12), and (14) referencing Developments of Regional Impact.	Acknowledged.	No CPA required
8	2018	163.3164	Renumbers existing subsections (31) through (51) as (32) through (52) and adds a new subsection (31) to define "master development plan" or "master plan".	Acknowledged.	No CPA required
9	2019	163.3177	Updates statutory reference related to affordable workforce housing within subsection (6)(f).	Acknowledged.	No CPA required
10	2019	163.318	Revises the section's title. • Amends language of paragraphs (a) through (d) of subsection (3) to clarify the local government responsibilities related to impact fees. • Adds new paragraphs (e) through (i) to subsection (3) to amend the minimum requirements for the adoption of impact fees by specified local governments and note restrictions to the allowable uses of those impact fees. • Adds a new subsection (6), which exempts water and sewer connection fees from the Florida Impact Fee Act	Acknowledged.	No CPA required

11	2019	163.3175	Redesignates existing paragraphs (i) through (n) of subsection (2) as paragraphs (j) through (o). • Adds new paragraphs (i) and (p) to subsection (2) to specify additional local governments that must coordinate with certain military installations regarding the compatibility of land development.	No military installations nearby.	N/A
12	2019	163.3209	Removes language requiring local government approval of a property owner's request for electric utilities to perform certain right-of-way vegetation and tree maintenance.	Acknowledged.	No CPA required
13	2019	163.3187	Removes subsection (1)(b), which specified the cumulative annual acreage maximum of adopted small-scale comprehensive plan amendments.	Acknowledged.	No CPA required
14	2019	163.3167	Amends subsection (3) to require local governments that have adopted comprehensive plans after January 1, 2019 to incorporate into their comprehensive plans development orders that existed before the comprehensive plan's effective date.	Acknowledged.	No CPA required
15	2019	163.318	Amends subsection (5)(i) to clarify compliance requirements for a mobility fee-based funding system. • Revises subsection (6)(h)2.b. to require a local government to credit certain contributions, constructions, expansions, or payments toward any other impact fee or exaction imposed by local ordinance for public educational facilities and provides the requirements for the basis of that credit	Acknowledged.	No CPA required
16	2019	163.318	Amends subsection (3) to add minimum conditions that certain impact fees must satisfy. • Renumbers existing subsections (4) and (5) as subsections (6) and (7). • Adds a new subsection (4) to require local governments to credit against the collection of an impact fee any contribution related to public education facilities. • Adds subsection (5) so that if a local government increases its impact fee rates then the holder of impact fee credits is entitled to the full benefit of the intensity or density of the credit balance as of the date it was established and renumbers subsequent subsections. • Amends renumbered subsection (7) to provide that in certain actions, the local government has the burden of proving by a preponderance of the evidence that the imposition or amount of certain required dollar-for-dollar credits for the payment of impact fees meets certain requirements and prohibits the court from using a deferential standard for the benefit of the government. • Adds subsection (8) to authorize a local government to provide an exception or waiver for an impact fee for the development or construction of affordable housing, and in doing such is not required to use any revenues to offset the impact. • Adds subsection (9) to clarify that this section does not apply to water and sewer connection fees.	Acknowledged.	No CPA required
17	2019	163.3202	Adds paragraph (j) to subsection (2) to require preexisting development orders to be incorporated into local land development regulations.	Acknowledged.	No CPA required
18	2019	163.3215	Amends subsection (8)(a) to provide that either party is entitled to a certain summary procedure in certain court proceedings. • Adds subsection (8)(b) clarifying how a court may find a summary procedure does not apply. • Adds subsection (8)(c), which provides that a prevailing party in a challenge to certain development orders can be entitled to recover certain fees and costs.	Acknowledged.	No CPA required

19	2020	163.3178	Amends subsection (2)(k) to update statutory references. • Revises paragraphs (b) and (c) within subsection (8) to remove outdated deadlines.	Acknowledged.	No CPA required
20	2020	163.3177	Amends subsections (3) and (4) to allow a local government to adopt an ordinance allowing accessory dwelling units to be located in any area zoned for single family residential use and removes the requirement that the ordinance be conditioned upon a finding that there is a shortage of affordable rentals within the jurisdiction	Acknowledged.	No CPA required
21	2020	163.318	Adds subsection (10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality, or special district.	Acknowledged.	No CPA required
22	2020	163.318	Amends subsection (3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant. • Amends subsection (4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities regardless of any charter provision, comprehensive plan policy, ordinance, or resolution. • Renumbers existing subsections (8) and (9) as subsections (9) and (10). • Adds a new subsection (8) that sets forth the provisions by which impact fee credits are assignable and transferable and rennumbers subsequent subsections.	Acknowledged.	No CPA required
23	2020	163.3168	Adds subsection (4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in section 338.2278, F.S., contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections	Acknowledged.	No CPA required
24	2020	163.318	Amends subsection (2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection	Acknowledged.	No CPA required
25	2021	163.3162	Reenacts subsection (2)(b) to provide a definition for "Farm operation."	Acknowledged.	No CPA required
26	2021	163.3163	Reenacts subsection (3)(b) to provide a definition for "Farm operation."	Acknowledged.	No CPA required
27	2021	163.318	Adds a new subsection (3) to define "Infrastructure" and "Public facilities." • Renumbers existing subsections (3) through (11) and rewords existing subsections (3), (5), (6), (8), and (11) for clarity. • Amends existing subsection (4) to provide additional regulations pertaining to impact fee credits. • Adds a new subsection (6), which prescribes the circumstances under which impact fees may be increased, sets forth limitations on those fee increases, and notes that this section applies retroactively to January 1, 2021.	Acknowledged.	No CPA required
28	2021	163.3168	Repeals existing subsection (4) that directed the state land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less, and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections.	Acknowledged.	No CPA required

29	2021	163.3205	Creates section 163.3205, F.S., which applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021, to encourage renewable solar electrical generation, define “solar facility”, and set forth an allowance for solar facilities in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts in an unincorporated area.	Acknowledged.	No CPA required
30	2021	163.3167	Amends subsection (3) to clarify that requirements pertaining to development orders and their incorporation and interaction with comprehensive plans are specifically related to plans for municipalities incorporated after January 1, 2016.	Acknowledged.	No CPA required
31	2021	163.3177	Adds subsection (6)(i) which requires each local government to include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decisionmaking. The statute also provides a statement of rights local governments may adopt in order to meet these requirements.	City's Comprehensive Plan is currently in compliance.	No CPA required
32	2021	163.3237	Amends this section to allow a party to a development agreement and a local government to amend or cancel a development agreement without consent of other affected property owners unless the amendment or cancellation will modify the allowable uses or entitlements on such owner's property.	Acknowledged.	No CPA required
33	2021	163.3202	Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions.	Acknowledged.	No CPA required
34	2021	163.3167	Revises subsection (5) to allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing concurrency obligations in the development order remain in effect.	Acknowledged.	No CPA required
35	2021	163.3187	Amends subsection (1)(a) to increase the small-scale development amendment limit to 50 acres or fewer. • Revises subsection (3) pertaining to small-scale development amendments for sites within a rural area of opportunity to allow a 100 percent increase to the 50-acre acreage limit now included in subsection (1)(a).	Acknowledged.	No CPA required
36	2022	163.3205	• Creates 163.32051, which provides legislative findings regarding floating solar facilities. • Defines the term “floating solar facility.” • Requires a floating solar facility to be a permitted use in the appropriate land use categories and requires local governments to amend their land development regulations to promote expanded uses of floating solar facilities. • Authorizes a county or municipality to specify buffer and landscaping requirements, which may not exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts. • Provides exceptions to the construction of floating solar facilities in an Everglades Agricultural Area reservoir project if it is determined to have negative impacts on the project.	Acknowledged. The City will amend its Land Development Code accordingly.	No CPA required
37	2022	163.318	Amends subsection (6)(h)2. to revise provisions specifying when school concurrency is deemed satisfied. • Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer's legally binding commitment. • Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified.	Acknowledged.	No CPA required
38	2022	163.3175	Amends paragraph (n) subsection (2) to update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach.	Acknowledged.	No CPA required
39	2022	163.3178	Reenacts Subsections (2)(k), (5), and (6) to incorporate the amendment made to Section 311.09 by Chapter 2022-204, Laws of Florida, adding Putnam County to the Florida Seaport Transportation and Economic Development Council.	City is in Volusia County.	No CPA required

DAYTONA BEACH SHORES  
COMPREHENSIVE PLAN  
EVALUATION & APPRAISAL REPORT  
2025 FLU DATA,  
INVENTORY & ANALYSIS



Cruz, Stewart, AICP

COMMUNITY SERVICES DIRECTOR 2990 S. Atlantic Avenue Daytona Beach Shores, FL 32118

**Introduction**

Pursuant to the requirements of Chapter 163 of the Florida Statutes, the Future Land Use Element consists of data, inventory and analysis (DIA) that informs the overarching goals, objectives, and policies that will guide the growth and development of the City of Daytona Beach Shores. The City’s existing land uses, vacant land, build-out potential, natural resources, historic resources, and population projections were evaluated and analyzed to update the City’s planning horizon and review goals objectives and policies, which will shape how the City will grow in the next 20 years. The 2045 Future Land Use Map (FLUM) is provided as a regulatory tool to direct future development. Maps, as referenced herein, are available in the Map Series, following the Introductory Chapter of the Plan.

**Geography**

The City of Daytona Beach Shores is a small coastal residential retirement and resort community located on the Central Atlantic Peninsula in eastern Volusia County. It is an elongated narrow City that stretches north and south along the Atlantic Ocean for approximately 5.5 miles. In most places, measuring east to west, it is less than 1,000 feet wide. The City’s total land area is approximately 0.9 square miles, and it is bordered by Daytona Beach, Port Orange and unincorporated Volusia County.

**Demographics and Income**

Table 1 below depicts the historical population for Daytona Beach Shores from 1980 to 2020. According to the 2020 Census, the permanent residential population of Daytona Beach Shores was 5,179. From 2010 to 2020 Daytona Beach Shores experienced an 18% increase in total population, which translates to an average annualized growth rate of 1.8% each year.

Table 1: Historical Population Counts

Year	Daytona Beach Shores (DBS)	Volusia County (VC)	Percent of DBS Population in VC	Change In DBS Population
1980	1,324	258,762	0.51%	
1990	2,335	370,737	0.63%	43.3%
2000	4,229	443,343	0.95%	44.8%
2010	4,247	494,593	0.86%	0.4%
2020	5,179	553,543	0.94%	18.0%

Source: US Census Bureau Decennial Census, 1980, 1990, 2000, 2010, 2020

Although most of the high-rise development on the oceanfront occurred between 1970 and 2010, the recent population growth found in the 2020 Census was probably not

attributed to new development but instead, the higher occupancy rate in 2020 (47.5%), compared to 2010 (40.7%), is probably the key reason for the increase in population. In 2010, the city had 2,428 separate households with a small average household size of 1.8 persons. The total number of housing units in 2020 was 3,012 and the average household size was 1.6 persons.

Racially, Daytona Beach Shores is a very homogenous City, similar to Volusia County as a whole. In 2020, the city was 88.9% percent white, and Volusia County was 86.1% white. However, the population of Daytona Beach Shores is much older than Volusia County as a whole. The median age in Daytona Beach Shores in 2020 was 64.8 years, while Volusia County's median age was 46.8 years.

The income of Daytona Beach Shores' residents is also much higher than Volusia County residents. In 2020, the median household income in Daytona Beach Shores was \$70,911 while the collective median household income of Volusia County was \$66,273.

## LAND USE ANALYSIS

### Existing Land Use Conditions

To better guide and direct future land uses within the City of Daytona Beach Shores, it is necessary to first gain an understanding of present land use patterns. The City of Daytona Beach Shores covers approximately 0.9 square miles. Existing land use data retrieved in January 2025 from the Volusia County Property Appraiser underwent review by the City of Daytona Beach Shores staff and provided insight into the current land use conditions and development patterns of the City. To provide a basis for analysis, these existing land uses have been further grouped into the following distinct categories\*:

*Commercial:* Business properties such as supermarkets, shopping centers, office buildings, medical centers, financial institutions, stores, etc., which are intended to operate for profit.

*Hotel/Motel/Timeshare:* Properties with for profit businesses that offer tourist accommodations and are not intended for long term occupancy. These businesses include traditional hotels, motels, timeshares and other tourist accommodations but exclude short term vacation rentals on residential properties.

*Mixed Use:* Properties with a combination of residential and commercial or other land uses.

*Public/Quasi-Public:* (1) All property owned by or leased to the government entities or (2) properties which are not strictly commercial, industrial, agricultural, or residential, but which serves some public purpose, even if privately owned, such as churches.

**Recreation:** Properties used for golf courses and tourist attractions such as miniature golf courses.

**Residential:** Properties with single-family homes, duplexes, assisted living facilities, multifamily apartments and residential condominiums wherein permanent residential occupancy is intended.

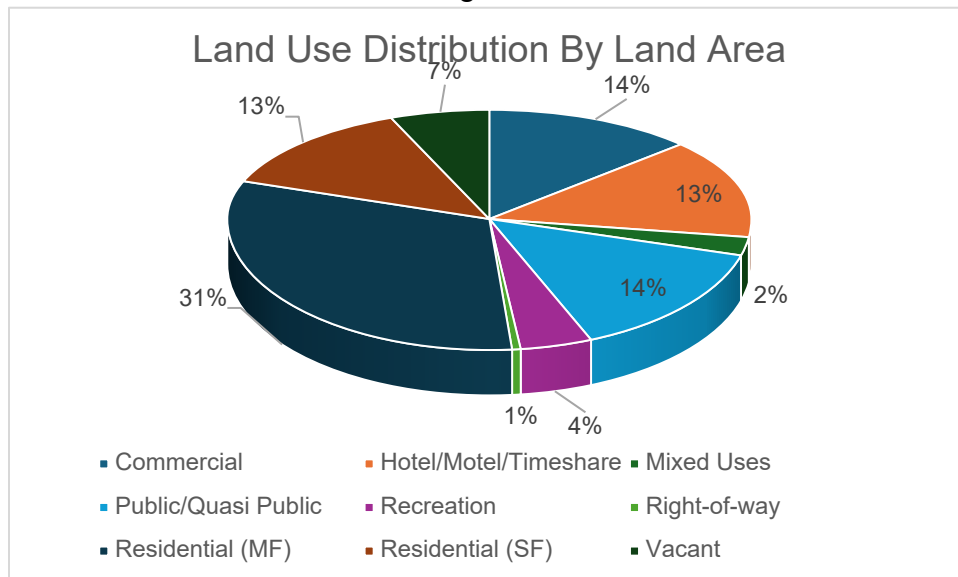
**Right of Way:** Includes property such as right-of-way, water features utilities, submerged land, etc.

**Vacant:** All properties without physical improvements, including vacant government, commercial, residential and other properties.

\*Note: Existing Land Use analyzes what is identified “on the ground” as of the date of the data acquisition and does not reflect Future Land Use which is analyzed separately in Future Land Use Designations and Analysis.

A summary of the existing Daytona Beach Shores land use distribution by land area is displayed in Figure 1 below.

Figure 1



**Existing Land Use Distribution Analysis**

According to the Urban Land Institute (ULI), when determining a balanced land use ratio, context matters as there is no ideal land use ratio but instead, local factors such as population, density, transportation access, existing land use patterns and economic viability drive local land uses in each specific community. However, the ULI does provide

examples of a balanced ratio for utilization as a guide. The ULI land use distribution guide offers a distribution as follows: 60% residential, 30% commercial and 10% open space.

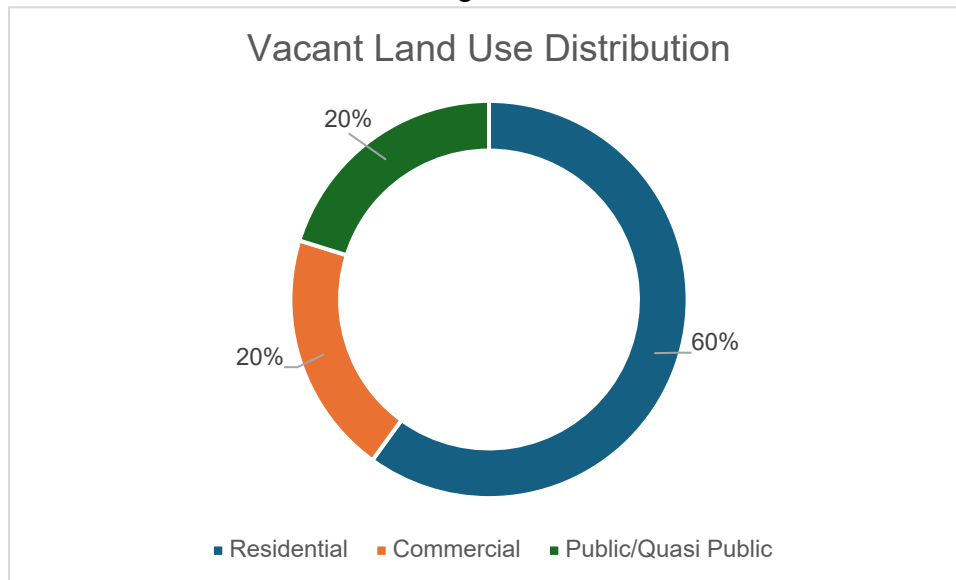
As seen in Figure 1 above, the major land uses by area within the city are multifamily residential (31%), commercial (14%), public/quasi-public (14%), hotel/motel/timeshares (13%) and then single-family residential (13%). Together residential land uses account for 44% of the land area within the city. Based on this distribution, it is clear Daytona Beach Shores is a community dominated by residential land uses followed by commercial/hotel (27%) land uses patterns. This land use distribution is very close to the ULI guide. As expected for a coastal urban area where residential and tourist accommodations are dominant, lands for agriculture and industrial uses are nonexistent.

With a permanent 2020 permanent residential population of 5,179 and unit occupancy rate of 45.5% the city currently has an excess housing supply for permanent residential population. Considering by the year 2045 only 943 people will be added to the city's permanent residential population and the city's 2020 residential housing units totaled 3,012, even with no future residential development, the city's housing permanent resident supply will exceed its demand in 2045 as over 1,500 units are currently available for permanent residential occupation. Much of the additional housing units are presumed to occupy the short-term rental and/or second home market, which will aid local commerce.

### **Vacant Land Analysis**

An analysis of vacant land was conducted using the Volusia County Property Appraiser January 2025 Existing Land Use data. Based on this analysis, the city's total area classified as "vacant" is comprised of 41.6 acres or 7% of the total land area. It is important to note that some of these parcels may be in the development process, while others may be owned by various government entities, etc., and therefore actual vacant land supply may be less than reported at present. The city's vacant land distribution is shown in Figure 2 below.

Figure 2



With only 41.6 acres of vacant land, of which 20% is reserved for government use, the City of Daytona Beach Shores is approaching full build-out. Despite this, there is still potential for future development, redevelopment, and growth. To understand the type of impact these vacant lands could have on the cityscape if eventually developed, it is useful to view their Future Land Use entitlements. In the case of Daytona Beach Shores, the future land use entitlements on vacant properties remain unchanged and are consistent with the current zoning entitlements.

## POPULATION PROJECTIONS & FUTURE GROWTH

### Population and Growth Trends

Projected population is the driving force behind the City’s future facility needs, housing supply and demand, and land use requirements. This population analysis is a major consideration in preparing future land use designations and each of the Comprehensive Plan element’s goals, objectives, and policies. Future population estimates for the city identify the amount of residential land and development density allocations that will be necessary to accommodate the city’s growth.

According to the 2020 US Census, the official population of permanent residents in the city was 5,179 residents. This is a growth of 932 persons (18% growth rate) since the 2010 recorded census population. This change in population equates to an annualized average population growth rate of 1.8% during this period.

Daytona Beach Shores is landlock and therefore can only grow horizontally through voluntary annexation of county properties per Sec. 171.044, Florida Statutes. Since the last EAR based comprehensive plan update in 2017, the city has annexed 17 residential properties (4.35 acres) as seen in Table 2 below. With a 2020 average household size of 1.6 people, this recent annexation could produce an additional 27 permanent residents. However, because only a small percentage of these homes have been homesteaded and adjacent county properties limit vacation rentals on residential properties in this vicinity, it is expected that the additional units annexed will add to the city’s short term rental supply.

Table 2

PROPERTIES ANNEXED INTO DAYTONA BEACH SHORES 2017-2024				
Ord #	Property Address	Parcel No.	Property Size (Acreage)	Number of Residential Units
18-06	3036 Peninsula Dr	5334-02-02-0161	0.42	1
21-03	2924 Speninsula dr	5327-09-00-0200	0.23	1
21-12	104 Broad Avenue	5335-03-05-0240	0.3	1
22-02	3102 Liberty Street	5334-02-08-0010	0.78	1
22-03	6 Carter Terrace	5334-00-02-0190	0.22	1
22-16	2822 SAtlantic Avenue	5327-05-00-0980	0.33	1
22-18	3615 Cardinal Blvd	6302-05-10-0111	0.11	1
22-19	105 Broad Avenue	5335-05-00-0260	0.21	1
23-04	3038 SPeninsula	5334-02-02-0160	0.4	1
23-05	3040 SPeninsula	5334-02-02-0130	0.52	1
24-05	3215 La Paloma Avenue	5335-01-05-0240	0.14	1
24-08	3635 Cardinal Blvd	6302-05-09-0041	0.24	4
24-09	129 Esmeralda Avenue	5335-01-05-0360	0.18	1
24-10	110 Van Avenue	5334-02-05-0020	0.27	1
	<b>Total</b>		<b>4.35</b>	<b>17</b>

It is expected the stated annexation trend will continue at a similar rate over the planning horizon due to Volusia County’s current short term rental regulations. However, the annexation of county properties into the city will not increase housing demand as the properties come occupied with residential structures, typically ready for occupancy.

**Projection and Methodology**

Historical population counts from 1980 through 2020 were collected and analyzed from the US Census. However, due to the inconsistent growth rates during that period, staff elected not to utilize this sole method for the following reasons: (1) During the development boom from 1980 to 2000 the average growth rate was 44%, which is an unsustainable rate by most accounts; (2) Between 2000 and 2010, the city’s growth rate

was less than one percent. This too is considered an unsustainable growth rate and is attributed to the housing crisis and global economic Great Recession.

Instead, population projections for the City of Daytona Beach Shores were calculated using the following methodology:

1. Analyzed the Daytona Beach Shores to Volusia County population historical ratio from 2000-2020. This yielded an average population ratio of 0.92%.
2. Analyzed the BEBR (2023) Daytona Beach Shores to Volusia County projected population ratio from 2020 to 2025. This yielded an average projected population ratio of 0.88%.
3. The above referenced BEBR average projected population ratio was utilized due to its lower and more conservative factor. This ratio was applied to the BEBR (2023) projected Volusia County population for the years 2030, 2035, 2040 and 2025.

The results of the Daytona Beach Shores population projections utilizing the above methodology yielded the below table depicting that the city population would only grow to 6,122 by the year 2045, which equates to 943 additional permanent residents.

Table 3

DBS Population Projections, 2025-2045		
Year	DBS*	** Volusia County
2025	5,251	598,900
2030	5,552	630,900
2035	5,783	657,200
2040	5,972	678,600
2045	6,122	695,700

Sources: \*Based on historical population ratio between DBS and VC; \*\* Based on the BEBR Projections of Florida Population by County, 2025-2050, with Estimates for 2023

### Future Land Use Designations and Analysis

The 2045 Future Land Use Map (“FLUM”) designates future land uses within the existing Daytona Beach Shores city limits through the 2045 planning horizon. The city is not proposing any changes to the current FLUM series as the analysis contained in this DIA demonstrate that no changes are necessary due to an excess housing supply relative to low projected future growth and a healthy mixture of land distribution matching the future land use entitlements.

### Build Out Analysis

To better understand the current level of development potential and the ability of the City of Daytona Beach Shores to accommodate the growth that is expected, a build out analysis was performed utilizing the currently adopted FLUM and vacant lands. Maximum densities and intensities will remain the same for each future land use designation because as noted elsewhere in this DIA, the land use distribution is compatible with the ULI land use distribution guide and the anticipated future residential population is less than the current surplus of housing supply.

## **NATURAL RESOURCES INVENTORY**

### **Floodplains**

Because the City of Daytona Beach Shores is in the Coastal Zone, it is subject to coastal and/or tidal flooding associated with tropical storms, hurricanes, and other storm and tidal events. Less than one percent of the city is within the 100-year floodplain (special flood hazard area). These properties located in the 100-year floodplain have a one percent chance of flooding hazard. Despite this, the city continues to remind all property owners through its flood management outreach programs that, even if not located in a special flood hazard area, localized flooding can occur on properties. Additionally, the city participates in the National Flood Insurance Program/Community Rating System, which due to the city's participation and flood management programs, currently provides a 25% flood insurance discount to flood insurance policy costs.

### **Air Quality**

Air quality sampling is the responsibility of the Florida Department of Environmental Protection (FDEP). FDEP does not presently monitor air quality in Daytona Beach Shores area on a regular or periodic basis. The nearest air quality monitoring station is within Daytona Beach. Pollution generated from commercial and industrial developments within and adjacent to the city is not anticipated to adversely affect the air quality of the city. However, fugitive dust particles and smoke from land cleared for development from mainland areas may occasionally be experienced by the community. Additional but unseen air pollution in city may be attributed to automobile and other fossil fuel emissions from the area.

### **Mineral Resources**

The city has no mining operations for rock or mineral resources. There are no borrow pit areas. There are also no timbering operations within the city.

### **Soils and Topography**

Knowledge of the types of soil present in Daytona Beach Shores is important in assessing the limitations that must be done to develop a site. The United States Department of

Agriculture (USDA) Natural Resources Conservation Service (NCRS) provides soil survey data online, most recently published in 2022. The soil survey provides details of the different soil types in city. The soil classifications are made based upon the water table, slope, erosion potential, permeability, subsidence and organic (muck/peat) content. The soils are also rated as to their potential for development based upon those limiting properties.

The two major soil types in the city are Palm Beach-Urban Land-Paola Complex (slope 0-8%) and Palm Beach-Paola Association (2-8%). Both sand types have very high drainage rates with negligible runoff in its natural setting. These soils occupy the easterly and middle sections of the city. The westerly and riverine areas of the city primary soil type is Turnbull Variant Sand (slope 0-2%), which is poorly drained due to its organic content and profile.

### **Historical Resources Inventory**

Currently, there are currently no properties in Daytona Beach Shores listed on the National Register of Historic Places.

**From:** Daytona Beach Legals <[SSLegals@news-jrnl.com](mailto:SSLegals@news-jrnl.com)>  
**Sent:** Thursday, December 26, 2024 10:03 AM  
**To:** Schwab, Cheri <[cschwab@cityofdb.org](mailto:cschwab@cityofdb.org)>  
**Subject:** Thank you for placing your order with us.

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**Schedule for ad number LDTB02137780**

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**Daytona Beach News-Journal**  
*All Zones*

City of Daytona Beach Shores  
NOTICE OF PUBLIC HEARING

The City of Daytona Beach Shores, Florida, will hold public hearings to consider accepting and transmitting the following ordinance pursuant to the requirements of Chapter 163.3191, Florida Statutes:

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA RELATING TO COMPREHENSIVE PLANNING; ENACTING AMENDMENT(S) TO THE CITY'S COMPREHENSIVE PLAN UPDATE 2030 TO, AMONG OTHER THINGS, ENSURE CONSISTENCY WITH THE COMMUNITY PLANNING ACT AS SET FORTH IN THE FLORIDA STATUTES; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS SUCH AS TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE AND OTHER AGENCIES OF GOVERNMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS/RATIFICATION OF PRIOR ACTIONS; PROVIDING FOR INSTRUCTIONS RELATIVE TO CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

The public hearings will be held in the City Commission Chambers in the Community Center located at 3000 Bellemead Drive, Daytona Beach Shores, Florida as follows:

Planning and Zoning Board:  
January 13, 2025 at 8:30am  
City Commission: February 4, 2025  
at 6:00pm

All interested parties are invited to appear at this public hearing and submit oral or written objections or comments with respect to the proposed amendment. The ordinance and its proposed amendment(s) are available for public inspection at the City of Daytona Beach Shores, Community Services Department, Planning Division, 2990 South Atlantic Avenue, Daytona Beach Shores, Florida.

Anyone who wishes to appeal any decision by the City will need a record of Public Hearing proceedings, including all testimony and evidence, and should arrange in advance for the making of a verbatim transcript of the Public Hearing. The Public Hearings may be continued to one or more dates. The dates, times and places of any continuation of the Public Hearing will be announced at the Public Hearing and no further notice regarding said continuation is required to be published.

In accordance with the Americans with Disabilities Act (ADA), persons needing special accommodations to participate in the proceedings should contact the City Clerk's Office no later than three days prior to the hearing.  
CITY OF DAYTONA BEACH SHORES, FL  
By: /s/ Cheri Schwab, City Clerk  
January 2 2025  
LDTB0213778

