File Number: 1156 Page 1 of 2

Date: 08/22/2013	AGENDA	A ITEM	Item: 30
[X] Ordinance	[] Resolution	[] Budget Resolution	[] Other
Department: Growth An Division: Planning and	d Resource Management Development Services		
-	ng for a large-scale comp designations to SunRail	•	
Relli McGee Director Growth and Resource Management Palmer Panton Director Planning and Development		Legal Ian Williams County Attorney Approved as to Form and Legality	County Manager's Office Charlene Weaver, CPA, CFO Deputy County Manager
Council Action:			
Modification:			
Account Number(s): NA Total Item Budget: NA			
Staff Contact(s): Kelli McGee		Phone 386 8	Ext. 22 5013 12000

Summary/Highlights:

In 2012, the county council directed staff to plan for Transit Oriented Development (TOD) in the area adjacent to the DeLand area SunRail station. On March 14, 2013, the county council approved transmittal of the comprehensive plan map and text amendment for approximately 323 acres. The amendment seeks to change the future land use designation from Urban Low Intensity (ULI) and Industrial (I) to Activity Center (AC), and provides a goal, objectives and policies, which establishes TOD standards for two (2) districts: TOD Core and TOD Transition. Properties may develop under the existing entitlements for the ULI and Industrial designations and zoning, as currently assigned, or opt-in to take advantage of the increased densities and intensities proposed under the Activity Center amendment. This is the second of two (2) required public hearings.

On April 23, 2013, the Volusia Growth Management Commission (VGMC) certified the amendment without comment.

Since transmittal, the state has expressed concerns about the opt-in provision of the ordinance, which allows development to continue under the existing entitlements of the ULI and Industrial designations and zoning. However, in a letter dated July 18, 2013, FDOT states, "...we do not recommend any revisions to the TOD standards or policies in the proposed amendments." The agency further states, "...the Department has no objection to the

File Number: 1156 Page 2 of 2

agricultural uses continuing until development occurs. However, when properties develop in the Activity Center, all properties should develop at uses that are compatible with commuter rail transit service."

The county council may adopt interim amendments as proposed and consider removing the opt-in provisions and amending the TOD standards once the project is fully funded.

Attachments:
Ordinance 2013-04
VGMC Certification
DEO Comments
FDOT Correspondence
PLDRC Staff Report

Recommended Motion: Adopt.

1	ORDINANCE 2013-04
2 3	AN ORDINANCE OF THE COUNTY COUNCIL OF
3 4	VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA
5	COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-
6	10 AS PREVIOUSLY AMENDED, BY AMENDING
7	CHAPTER 1. FUTURE LAND USE ELEMENT, SECTION F.
8	CHAPTER 1. FUTURE LAND USE ELEMENT, SECTION F. LOCAL PLANS, BY ADDING SUBSECTION 15. SUNRAIL DELAND AREA ACTIVITY CENTER (SR); BY AMENDING
9	DELAND AREA ACTIVITY CENTER (SR); BY AMENDING
10	SECTION B FUTURE LAND USE OVERLAYS AND
11	DESIGNATIONS; BY AMENDING SECTION C.
12	INTERPRETATION OF FUTURE LAND USE
13	DESIGNATIONS, SUBSECTION 8. FUTURE LAND
14	USE/ZONING MATRIX; BY AMENDING THE FUTURE
15	DESIGNATIONS, SUBSECTION 8. FUTURE LAND USE/ZONING MATRIX; BY AMENDING THE FUTURE LAND USE MAP, BY CHANGING THE FUTURE LAND
16	USE DESIGNATION FOR APPROXIMATELY 323 ACRES
17	LOCATED SOUTH OF S.R. 44, EAST OF THE SUNRAIL
18	STATION, NORTH OF W. BERESFORD AVE., AND
19	SOUTHWEST OF THE INTERSECTION OF HAZEN RD.
20	AND S.R. 44, DELAND, FROM INDUSTRIAL AND URBAN LOW INTENSITY TO ACTIVITY CENTER; BY AMENDING
21 22	
23	APPENDIX 1 MAPS AND FIGURES, BY ADDING FIGURE 1-120 SUNRAIL DELAND AREA ACTIVITY CENTER; BY
24	AUTHORIZING INCLUSION IN THE VOLUSIA COUNTY
25	COMPREHENSIVE PLAN; BY PROVIDING FOR
26	SEVERABILITY; BY PROVIDING FOR AN EFFECTIVE
27	DATE.
28	
29	WHEREAS, Section 163.3161, et seq., Florida Statutes, creates the Community
30	Planning Act, hereinafter referred to as the "Act;" and
31	WHEREAS, Section 163.3167, Florida Statutes, requires each county in the
32	State of Florida to prepare and adopt a Comprehensive Plan; and
33	WHEREAS, the Volusia County Council has adopted the Volusia County
34	Comprehensive Plan Ordinance No. 90-10, pursuant to the Act; and
35	WHEREAS, Section 163.3184, Florida Statutes, provides for amendments to the
36	adopted Comprehensive Plan by the local government; and

1	WHEREAS, the County Council of Volusia County, Florida desires to take
2	advantage of this statute and amend the Volusia County Comprehensive Plan; and
3	WHEREAS, the County Council of Volusia County, Florida has provided for
4	broad dissemination of these proposed amendments to this Plan in compliance with
5	Florida Statutes Sections 163.3181 and 163.3184(3), (11); and
6	WHEREAS, pursuant to Section 163.3174, Florida Statutes, Volusia County
7	Code of Ordinances, chapter 72, article II, division 11, section 72-413, has designated
8	the Volusia County Planning and Land Development Regulation Commission as a local
9	planning agency for the unincorporated area of the County of Volusia, Florida.
10	NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF
11	VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:
12	The Volusia County Comprehensive Plan, Ordinance No. 90-10, as previously
13	amended, is further amended as follows:
14	SECTION I: Chapter 1, Future Land Use Element, is hereby amended as
15	presented in Exhibit "A," attached hereto, and by reference made a part hereof.
16	SECTION II: Appendix 1, Maps and Figures, is hereby amended by adding
17	Figure 1-12O Sunrail DeLand Area Activity Center as depicted in Exhibit "B."
18	SECTION III: The Future Land Use Map of the Comprehensive Plan is hereby
19	amended as depicted in Exhibit "C."
20	SECTION IV: SEVERABILITY. Should any section or provision of this Ordinance,
21	or application of any provision of this Ordinance, be declared to be unconstitutional,
22	invalid, or inconsistent with the Volusia County Comprehensive Plan, such declaration
23	shall not affect the validity of the remainder of this Ordinance.

1	SECTION V: EFFECTIVE DATE. V	Vithin ten (10) days after enactment, a
2	certified copy of this Ordinance shall be filed	I in the Office of the Secretary of State by
3	the Clerk of the County Council and transmit	tted to the state land planning agency and
4	any other agency or local government that p	rovided timely comments. This ordinance
5	shall take effect upon the later of the follow	ing dates: a) 31 days after the state land
6	planning agency notifies the County that the	plan amendment package is complete and
7	the issuance of a certificate of consistency	or conditional certificate of consistency by
8	the Volusia Growth Management Commission	on, or b) issuance of a final order by state
9	land planning agency or the State of Florid	a Administration Commission determining
10	this Ordinance to be in compliance.	
11 12 13 14 15	ADOPTED BY THE COUNTY COUNC OPEN MEETING DULY ASSEMBLED IN T THE THOMAS C. KELLY ADMINISTRA AVENUE, DELAND, FLORIDA, THIS	TION CENTER, 123 WEST INDIANA
16 17 18	ATTEST:	COUNTY COUNCIL COUNTY OF VOLUSIA, FLORIDA
19		
20 21	James T. Dinneen, County Manager	Jason P. Davis, County Chair

30-5

Chapter 1 - Future Land Use Element

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Section F. Local Plans

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15. SUNRAIL DELAND AREA ACTIVITY CENTER (SR)

A. BACKGROUND

The SunRail DeLand Area Activity Center envisions compact development that contains a mix of housing, employment, and retail uses in a high-quality, walking environment. This activity center will take advantage of Transit Oriented Design (TOD) concepts to reduce automobile dependency by focusing moderate to higher density growth within an approximate one-half mile radius to the east of the DeLand SunRail station.

Development should incorporate good design principles and include a mix of uses in proximity to this commuter rail station to create opportunities for a compact, pedestrian friendly and vibrant neighborhood center within walking distance of transit. Development of TOD can leverage major investments in public transit infrastructure, contribute to environmentally sound means to accommodate new growth, and enhance transportation choice within the area.

B. DESCRIPTION OF ACTIVITY CENTER DISTRICTS

The districts – TOD Core and TOD Transition– are entirely unique to the SunRail DeLand Area Activity Center plan and are applicable only to the area indicated in Figure 1-12O. These districts are considered urban.

1. TOD Core District

The Transit Oriented Development (TOD) Core district facilitates moderate to higher density development, located within an easy walk of a major transit stop, generally with a mix of residential, employment, and shopping opportunities designed for pedestrians without excluding the automobile.

Minimum density: 9 dwelling units per acre.

Maximum density: 30 dwelling units per acre.

Minimum FAR: 0.5. Maximum FAR: 2.0.

Property within this district may develop under the existing Transitional Agriculture (A-3) and Residential Planned Unit Development (Pelham Square RPUD) zoning classification regulations and Urban Low Intensity (ULI) future land use designation as they existed as of August 22, 2013, without regard to the policies herein.

If however, the property owner wishes to utilize the increases in density or floor area ratio criteria of this activity center (above the ULI standards of a maximum

density of 4 dwelling units per acre and a maximum FAR of 0.50), then any new development shall also be subject to the activity center policies herein. Developing pursuant to this activity center constitutes a waiver of the ability to develop under the ULI designation or the existing zoning classifications as of August 22, 2013.

2. TOD Transition District

The TOD Transition district provides for a transition from the TOD Core to the SR 44 and low density development pattern to the east. This district allows residential, commercial, and office uses.

Minimum density: 2 dwelling units per acre. Maximum density: 15 dwelling units/acre.

Maximum FAR: 0.5.

Property within this district may develop under the existing Transitional Agriculture (A-3), Urban Single Family Residential (R-3), and Light Industrial (I-1) zoning classification regulations and the Urban Low Intensity (ULI) and Industrial future land use designations as they existed as of August 22, 2013, without regard to the policies herein.

If however, the property owner wishes to utilize the increases in density or floor area ratio criteria of this activity center (above the ULI standards of a maximum 4 dwelling units per acre, and a maximum FAR of 0.5), then any new development shall also be subject to the activity center policies herein. Developing pursuant to this activity center constitutes a waiver of the ability to develop under the ULI or Industrial designations or the existing zoning classifications as of August 22, 2013.

C. GOAL, OBJECTIVES, AND POLICIES

GOAL:

SR 1 Provide an alternative to low-density suburban sprawl and automobile dependent land use patterns through utilization of Transit Oriented Development (TOD) design features.

OBJECTIVE:

SR 1.1 The TOD Core district serves as a defined center, offering multiple destinations and reasons for pedestrians to frequent the area in support of the SunRail commuter rail station, shall comply with the following policies:

POLICIES:

SR 1.1.1	The overall development pattern within the TOD Core should include a
	mix of uses to ensure the efficient use of transit, promote increased
	ridership, and encourage a pedestrian-oriented environment.
SR 1.1.2	First floors should create an environment that is inviting to the walking
	public.
SR 1.1.3	Automobile service stations, gas stations, and any business with a drive-
	thru facility are not allowed in the TOD Core district.
SR 1.1.4	Project design, including site planning and building design should facilitate
	a pedestrian sense of place and feature, as appropriate, well-landscaped
	public spaces such as squares and plazas, urban parks, courtyards, an
	integrated pedestrian system, and street-oriented building forms with a
	pedestrian focus.
SR 1.1.5	High volume traffic lanes and parking lot areas should utilize traffic-
	calming techniques when adjacent to pedestrian routes to increase
	pedestrian safety.
SR 1.1.6	Parking lots should not dominate the view from streets and civic spaces,
	and should be located to the rear or center of building clusters.
SR 1.1.7	Strict parking standards are not applied within the activity center. Rather,
	shared parking or other alternate parking reduction methods are preferred.
SR 1.1.8	The floor area of parking structures shall not be included in the calculation
_	of the minimum or maximum FAR.
SR 1.1.9	Building orientation should be aligned towards a boulevard, which gives
	the station visual prominence from the pedestrian perspective.
SR 1.1.10	New development should include amenities, such as storefront windows,
	awnings, architectural features, lighting, and sheltering trees, to provide a
	comfortable pedestrian environment along and between buildings.
SR 1.1.11	New development should provide secure and convenient bicycle parking.
SR 1.1.12	Residential and nonresidential uses may be mixed vertically or
	horizontally, which means that residential and commercial uses may
	occupy ground floor space in separate buildings or commercial uses may
	occupy the first floor and residential uses may occupy the upper floors in
00.4.4.40	the same building.
SR 1.1.13	Each project must provide a minimum of 40 percent civic space (active or
	passive). Civic space may include pedestrian-oriented streets, stormwater
	systems, parks, buffers, water, access easements, alleys, and other public
00.4.4.4	infrastructure.
SR 1.1.14	Construction of new detached single-family dwellings is not permitted.
	Accessory dwelling units are permitted uses and count towards the
OD 4 4 45	minimum/maximum density requirements of the district.
SR 1.1.15	The SunRail station shall be designed in accordance with the approved
	agreement between Volusia County and the Florida Department of
	<u>Transportation.</u>

OBJECTIVE:

SR 1.2 TOD Transition district shall provide a transition from the TOD Core and surrounding community, and shall comply with the following policies:

POLICIES:

- SR 1.2.1 Accessory dwelling units are permitted uses and count towards the minimum/maximum density requirements of the district.
- SR 1.2.2 New office and job center developments are encouraged to provide an employee transportation management plan and facility options, which may include the following:
 - Transit pass program, bus and train schedules;
 - Bike lockers and racks, shower and changing rooms;
 - Car pool parking and pick-up/drop off lanes; and
 - Weather-protected pedestrian routes, where practicable
- SR 1.2.3 New office and job center building entrances should include a direct connection to the roadway sidewalk by a paved and landscaped path.
- SR 1.2.4 Residential development should provide a prominent green space and several small gathering places for resident use and enjoyment.
- SR 1.2.5 Walled or gated residential communities are not allowed. This does not preclude the fencing of residential yards.
- SR 1.2.6 Garage doors that face directly onto streets are discouraged within residential projects with on-street parking and garage access is encouraged from alleyways within blocks.
- SR 1.2.7 Residential development shall include compact design that includes a system of land subdivision and development, which provides street and pedestrian linkages from one project to another.

OBJECTIVE:

SR 1.3 Planning and implementation of the DeLand area SunRail TOD program is intended to complement the downtown DeLand market area.

POLICIES:

- SR 1.3.1 The county, in conjunction with the City of DeLand, will coordinate with federal, regional, state, and local agencies to plan for a multi-modal transportation network in support of commuter rail.
- SR 1.3.2 The county will continue to coordinate with the City of DeLand in planning any necessary infrastructure improvements and the review of proposed development within the SunRail DeLand Area Activity Center.
- SR 1.3.3 The county will plan to provide convenient access to downtown DeLand via the VOTRAN system.

OBJECTIVE:

SR 1.4 An integrated bicycle, pedestrian and street network shall provide safe and convenient travel for all transportation modes within the SunRail DeLand Area Activity Center.

POLICIES:

- SR 1.4.1 The SunRail DeLand Area Activity Center shall consist of safe, attractive streets that provide connectivity throughout the activity center area. The interconnected system shall include blocks that typically utilize alleys SR 1.4.2 to provide additional site access for parking and service areas. SR 1.4.3 Street design shall incorporate elements such as lighting, appropriate street and sidewalk widths, and intersection dimensions to allow for pedestrian, bicycle, and multi-modal vehicular use. Street design should encourage lower traffic speeds and pedestrian use SR 1.4.4 by providing features such as on-street parking and street trees. Regulations allowing the use of low speed electric vehicles on local streets SR 1.4.5 and on multi-purpose trails (minimum of 12 feet wide) are compatible with
- this activity center area.

 SR 1.4.6 Electric vehicle charging stations are encouraged.
- SR 1.4.7 Development within the SunRail DeLand Area Activity Center should accommodate a bicycle/pedestrian connection between the SunRail station and the proposed Spring-to-Spring Trail.

OBJECTIVE:

SR 1.5 Development within the SunRail DeLand Area Activity Center shall promote high standards for water and energy efficiency.

POLICIES:

- SR 1.5.1 Landscape plans should incorporate biodiversity using native vegetation with a goal of reducing water usage.
- SR 1.5.2 Building design, construction, and operation should incorporate green building practices to promote energy conservation.
- SR 1.5.3 Residential and nonresidential development shall connect to central utilities for both potable and non-potable water uses, including irrigation.
- SR 1.5.4 Residential development should meet ENERGY STAR and Florida Water Star standards.
- SR 1.5.5 Solar panels are allowed and encouraged on all buildings, in adherence to design guidelines that may adapt to changing technologies.

OBJECTIVE:

SR 1.6 Development within the SunRail DeLand Area Activity Center area shall ensure that adequate school capacity can be timely planned and constructed to serve the anticipated population.

POLICIES:

- SR 1.6.1 In order to plan for school capacity, no more than 581 residential dwelling units may be constructed unless there is a finding of school adequacy issued by the school district.
- SR 1.6.2 In the event that the School District reports that there is not adequate school capacity to serve the proposed increase in residential density above 581 units, but not to exceed 3,000 residential dwelling units, then the county shall not approve any rezoning, which increases the number of allowed residential uses, unless and until such time as the School District can issue a finding that adequate school capacity will exist.
- SR 1.6.3 In order to issue a finding that adequate school capacity will exist the School District reserves the right to condition a finding of adequate school capacity on the Developer's ability to ensure that adequate school capacity can be timely planned and constructed to serve the anticipated students. The School District will require terms and conditions for such an agreement. The Developer's commitment to fund adequate school capacity will be set forth in a development agreement between the developer and the School District.
- SR 1.6.4 Applications for rezoning for proposed additional residential housing within the activity center area shall be coordinated with the Volusia County School District to determine if adequate school capacity can be timely planned and constructed to meet the requirements of the new development pursuant to the standards and procedures as more fully set forth in the Interlocal Agreement for Public School Facility Planning (ILA).

Chapter 1 - Future Land Use Element

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Section B. FUTURE LAND USE OVERLAYS AND DESIGNATIONS.

- - -

n. Multiple Use Areas (MUA)

. . .

(2) Activity Center (AC) - An area planned to accommodate a range of activities from including employment-based office, mixed use, and industrial activities to support and ancillary uses such as commercial services, recreational facilities, and housing. Design, aesthetics and environmental protection and enhancement are emphasized as part of the development proposed within these areas. These Activity Centers are intended to be high-intensity design unified areas which that will contain a concentration of different urban functions.

The concentration of these economic uses provides the chance for the efficient provision of public facilities and by concentrating these uses, the need to provide buffers for incompatible uses is minimized.

Activity Centers do not necessarily develop on their own, but require a cooperative effort between both the public and private sector to ensure that local services and infrastructure meet the anticipated demand. The location of Activity Centers has been is targeted near major transportation nodes, such as airports, railroads, or interstate interchanges. Public transportation also should be a key ingredient in a successful Activity Center.

Activity Centers at interchanges generally should contain limited amounts of retail type commercial development within the extent of one-half (½) mile to the interchange. The area closest to the interstate is a high visibility area that should be designed in a manner that utilizes the interchange to its best advantage. More extensive retail commercial uses may be permitted if these uses are consistent with the economic development strategies stated in the County's Overall Economic Development Plan. Certain interchanges or quadrants of an interchange will be oriented to the traveling public such as service stations, hotels and restaurants while others will be developed as high profile employment centers.

Activity Centers may be are designated to serve many different property owners, but should function in a manner to share facilities and services. Coordination among the various projects provides better efficiency of governmental services. One of the more important aspects of the Activity Center is the manner in which traffic patterns are designed. Service or frontage roads, shared or limited access, street patterns, safe pedestrian routes, transit design, shared parking and interconnecting parking areas should all be used in the general planning of these Centers and then followed through during the actual site plan stage. These Centers can provide a high development quality which emphasizes pleasant, convenient, and satisfying work conditions along with amenities, such as recreational areas, conference facilities, business oriented lodging facilities, restaurants, retail services, day care, health care and convenient location relative to residential areas, if designed properly. Activity Centers may also

Page 7 of 9

provide the County with opportunities to provide for unique land uses, such as the fairgrounds.

The Future Land Use Map indicates both existing and proposed Activity Centers in the unincorporated areas. The new Activity Centers are encouraged in areas having the following qualities: excellent county-wide accessibility; compatibility with future surrounding development; and programmed provision of public services. This designation indicates that Volusia County should encourage and support such development. The County should give emphasis to providing public mass transit service to all Activity Centers.

Three Four areas have been identified in the unincorporated portions of Volusia County as initial Activity Centers.

- (a) Howland Boulevard/I-4 interchange (Southwest)
- (b) US 92/I-95/I-4/airport (Halifax)
- (c) SR 44/I-95 interchange (Southeast)
- (d) SunRail DeLand Area (SunRail)

The above Activity Centers have their own individual Plans that describe how the Centers will be developed. The Plans are located in the Local Plans section of this Element. Some of these Plans contain phases that do not have designated land uses. Until these Plans are complete, the following procedures may be used for individual projects.

All projects shall be developed as Planned Unit Developments consistent with the Comprehensive Plan in order to coordinate proposed developments with the Activity Center Plans. A developer may apply to the County for a conceptual PUD in the area covered by the Activity Center. With the exception of PUD's located within the Southwest Activity Center, applications shall be submitted for consistency review with this Plan and the plans of adjoining local governments by the Volusia Growth Management Commission prior to submittal of application for rezoning to PUD.

The three identified locations on the Future Land Use Map do not preclude the proposal of Activity Centers in other locations. If proposals for the development of Activity Centers in locations other than those shown on the Future Land Use Map meet the appropriate concepts and policies of the Comprehensive Plan, amendments could be initiated.

Chapter 1 - Future Land Use Element

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Section C. INTERPRETATION OF FUTURE LAND USE DESIGNATIONS

•••

8. Future Land Use/Zoning Matrix.

•	•	•	

FUTURE LAND USE DESIGNATION	A Assumed Compatible	B Conditionally Compatible				
Multiple Use Areas (MUA)	MUA is considered a primary future land use designation, A secondary land use designation will also be associated with MUA. The compatible zoning classifications shall correspond to secondary land use.					
a. Mixed Use Zone (MXZ)	All PUDs	P, C, Existing zoning, provided however, that any new development is consistent with applicable provisions of the Comprehensive Plan.				
b. Activity Center (AC)						
Southwest AC Halifax AC Southeast AC	All PUDs	P. C. Existing zoning, provided however, that any new development is consistent with applicable provisions of the Comprehensive Plan.				
SunRail AC	TOD Core District: P, C, and all PUDs; A-3 and RPUD zoning existing as of XXX, 2013. TOD Trans District: P, C, and all PUDs; A-3, R-3, and I-1 zoning existing as of XXX, 2013.	TOD Core District: R-6, R-7, R-8, B-1, B-2, B-3, B-4 TOD Trans District: R-3, R-4, R-5, R-6, R-7, R-8, B-1, B-2, B-3, B-4, B-5, B-6, B-8				
b. Activity Center (AC)	All PUD's	P, C, Existing zoning, with the exception of the Southwest Activity Center, provided however, that any development is consistent with applicable provisions of the Comprehensive Plan.				

Figure 1-12O Sunrail DeLand Area Activity Center

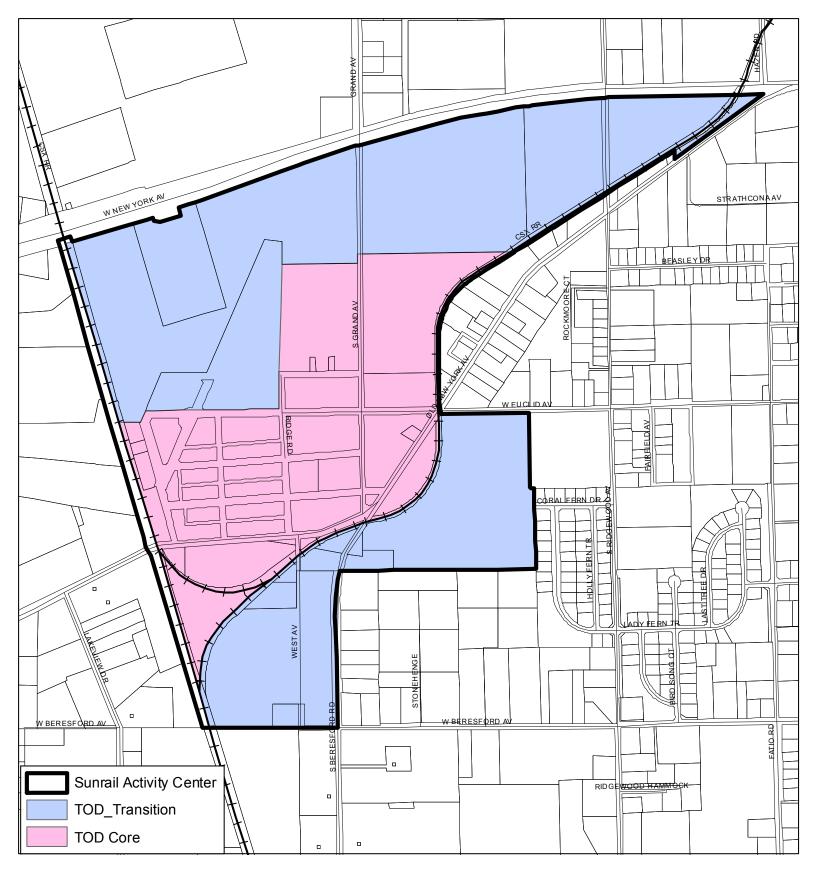
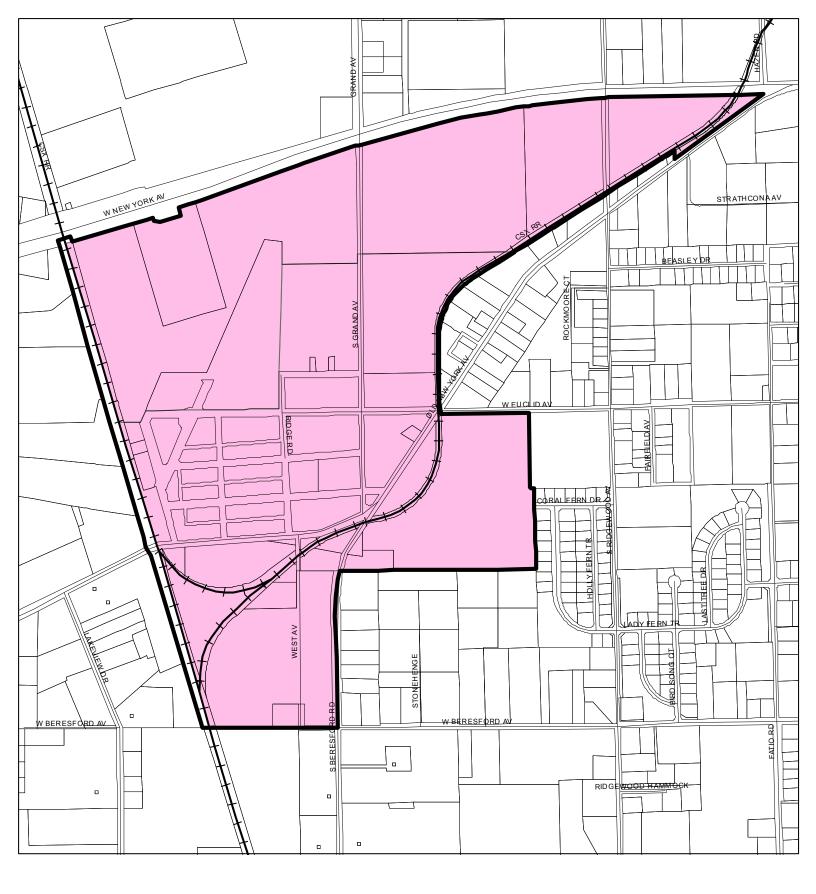


FIGURE 1-120
SUNRAIL DELAND AREA ACTIVITY CENTER



PREPARED BY: VOLUSIA COUNTY GROWTH & RESOURCE MANAGEMENT DEPARTMENT

Future Land Use Map Amendment



ACTIVITY CENTER



PREPARED BY: VOLUSIA COUNTY GROWTH & RESOURCE MANAGEMENT DEPARTMENT



Volusia Growth Management Commission

April 23, 2013

Palmer M. Panton, Director Planning and Development Services County of Volusia 123 W. Indiana Avenue, Room 200 DeLand, FL 32720-4604

RE: VGMC Case #13-015, County of Volusia Large Scale Amendment Application – CPA-13-001 SunRail DeLand Area Activity Center

Dear Mr. Panton,

VGMC Case #13-015 qualifies under the criteria of Ordinance 87-24, Section 6, as amended, of the Volusia Growth Management Comprehensive Plan Consistency Certification Rules. Based upon the review by VHB-MillerSellen, VGMC Case #13-015 is hereby deemed certified without a need for a public hearing.

The Volusia Growth Management Commission appreciates the efforts of Volusia County to further intergovernmental cooperation and coordination in Volusia County. If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

Gerald T. Brandon

Guald T. Brandon/mcs

Chairman

VHB-MillerSellen has been engaged by the Volusia Growth Management Commission to review VGMC Case No. 13-015. I hereby find that the proposed amendment is in compliance with the consistency review criteria stipulated in Section 90-37(c) of the Volusia County Code.

James A. Sellen, Princip

cc:

Paul Chipok, VGMC Legal Counsel Volusia County & Municipalities FDEO

> 140 South Beach Street, Suite 305, Daytona Beach, FL 32114 Tel: 386-947-1875 ■ Fax: 386-947-1877 ■ Email: vgmc@volusia.org

Rick Scott



Jesse Panuccio

April 24, 2013

The Honorable Jason P. Davis Chairman, Volusia County Board of County Commissioners 123 West Indiana Avenue DeLand, Florida 32720-4604

Dear Chairman Davis:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Volusia County (Amendment No. 13-2ESR), related to the SunRail Deland Activity Center, which was received on March 25, 2013. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified one comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if it is adopted as proposed. The Agency's comment regarding these amendments is listed in the attached Comment Report.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. We recommend the County consider appropriate changes to the amendment based on our comments as well as the comments of other reviewing agencies. If unresolved, Agency comments under the heading "Important State Resources and Facilities that will be Adversely Impacted", or comments from reviewing agencies, could form the basis for a challenge to the amendment after adoption. The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment.

Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Laura Regalado, at (850) 717-8508, or by email at laura.regalado@deo.myflorida.com.

Sincerely,

William B. Killingsworth

Director, Division of Community Development

WBK/Imr

Enclosure(s): Comment Report

Procedures for Adoption

cc: Palmer Panton, Director, Planning and Development Services, Volusia County

Hugh Harling, Executive Director, East Central Florida Regional Planning Council

Volusia County

Proposed Amendment 13-2ESR

Comment Report

Department of Economic Opportunity

April 24, 2013

The Department provides the following comment related to important state resources and facilities within the Department's authorized scope of review that, if not resolved, may result in a challenge by the State Land Planning Agency pursuant to Section 163.3184, Florida Statutes (F.S.):

Amendment: The County has proposed Future Land Use Map (FLUM) and text revisions regarding 323 acres located adjacent to the proposed location of the SunRail Deland station. The FLUM amendment proposes to change the future land use designation from Urban Low Intensity (ULI) and Industrial (I) to Activity Center (AC). The accompanying text amendments create the SunRail Deland Activity Center (SR), which provides Transit Oriented Development (TOD) standards for two districts: TOD Core and TOD Transition. The purpose of the TOD standards is to facilitate moderate to higher density development ½ mile to the east of the Deland SunRail station. However, the County included a provision in the proposed activity center policies to allow properties within the area to develop consistent with either the proposed SunRail Deland Activity Center policies or the existing entitlements of the Urban Low Intensity and Industrial designations and zoning. By allowing the property owners to develop under the existing land use designations, the area could fail to develop the types of uses and the densities and intensities of uses that will support the commuter rail station.

Comment 1:

The SunRail Deland Station, along with the SunRail Transit line, are part of a coordinated effort between Federal, State, and local governments to provide transportation alternatives that will facilitate safe travel and economic development. There has been a significant state investment in the SunRail system. Therefore, the SunRail Deland Station and its viability are an important state facility and resource.

The inclusion of the option to allow property owners to develop under either the proposed SunRail Deland Activity Center land use with increased densities and intensities or under the existing land uses of Urban Low Intensity and Industrial is inconsistent with the County's intent for the area as stated in the proposed language for the SunRail Deland Activity Center (Future Land Use Element Section F. Local Plans 15.A.):

The SunRail DeLand Activity Center envisions compact development that contains a mix of housing, employment, and retail uses in a high-quality, walking environment. This activity center will take advantage of Transit Oriented Design (TOD) concepts to reduce automobile dependency by focusing moderate to higher density growth within an approximate one-half mile radius to the east of the Deland SunRail station.

The proposed TOD Core District would require residential densities ranging from nine to 30 dwelling units per acre and non-residential intensities ranging from 0.5 and 2.0 FAR. The TOD Transition District would require residential densities ranging from two to 15 dwelling units per acre and non-residential intensities with no minimum and a maximum of 0.5 FAR. The existing

land uses have no minimum density and intensity requirements and allow a range of one dwelling per five acres up to a maximum of four dwelling units per acre and non-residential intensities up to 0.6 FAR. Therefore, the development pattern that could result under the current land use designations or a mix of the current and proposed land use designations would result in an inefficient land use pattern that would not be supportive of the SunRail Deland commuter rail station and is inconsistent with the description of the Activity Center.

Section: 163.3184(3)(b)4.H., Florida Statutes

Recommendation: Remove the provisions that allow properties within the area to develop consistent with the existing entitlements of the Urban Low Intensity and Industrial designations and zoning. In addition, the County could adopt interim policies that allow existing uses to continue in the designated SunRail DeLand Activity Center until development in the area commences. The policies should require that as development commences in the area, all properties within the SunRail Deland Activity Center develop in accordance with the TOD Core District and TOD Transition District densities and intensities when seeking development approval.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

______ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

1

Effective: June 2, 2011 (Updated March 11, 2013)

ADOPTION AMENDMENT PACKAGE: Please include the following information in the
amendment package:
In the case of text amendments, changes should be shown in strike-through/underline format.
In the case of future land use map amendments, an adopted future land use map, in color format, clearly depicting the parcel, its future land use designation, and its adopted designation.
A copy of any data and analyses the local government deems appropriate.
Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;
Copy of the executed ordinance adopting the comprehensive plan amendment(s);
Suggested effective date language for the adoption ordinance for expedited review:
The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity 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. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.
List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;
List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;
Statement indicating the relationship of the additional changes not previously eviewed by the Department of Economic Opportunity in response to the comment etter from the Department of Economic Opportunity.

Effective: June 2, 2011 (Updated March 11, 2013)



RICK SCOTT GOVERNOR 605 Suwannee Street Tallahassee, FL 32399-0450 ANANTH PRASAD, P.E. SECRETARY

April 1, 2013

Mr. Palmer M. Panton Director, Planning and Development Services Volusia County 123 W. Indiana Ave., Room 202 DeLand, FL 32720-4262

SUBJECT: VOLUSIA COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

LARGE SCALE AMENDMENT CPA-13-2

Dear Mr. Panton:

The Department of Transportation has completed its review of the above proposed Comprehensive Plan Amendment. Pursuant to F.S. 163.3184(3)(b), the Florida Department of Transportation (FDOT) has no comments regarding the County's proposed future land use amendment. The proposed change does not appear to adversely impact designated transportation resources and facilities of state importance; therefore, FDOT has no comments on the proposed amendment. The FDOT respectfully requests a copy of the adopted plan amendment following adoption.

We appreciate the opportunity to participate in this review process and we offer our comments and recommendations with this letter. If you have any questions, please contact me at (407) 482-7880 or email at judy.pizzo@dot.state.fl.us.

Sincerely,

Judy Pi<mark>zzo,</mark> GISP Systems Planner

Attachment

C: Becky Mendez, Volusia County
Melissa Winsett, Volusia County
John G. Thomson, Volusia County
Jon Cheney, Volusia County

Andrew Landis, ECFRPC Rob Magee, FDOT Ray Eubanks, DEO James Stansbury, DEO

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COMPREHENSIVE PLAN AMENDMENT EXPEDITED STATE REVIEW COMMENTS

Local Government: Volusia County

DEO Amendment #: Volusia County 13-2ESR

Date FDOT Received: March 22, 2013

Review Comments Deadline: April 5, 2013

Today's Date: April 1, 2013

GENERAL BACKGROUND INFORMATION

Volusia County has submitted a Comprehensive Plan Amendment for the SunRail DeLand Activity Center. The proposed activity center allows for affected properties to develop under the currently adopted future land use designations (Urban Low Intensity and Industrial) or as transit-oriented development (TOD).

The supporting transportation study analyzed transportation conditions within a two-mile radius of the proposed SunRail station. There are two state roads within this study area: SR 44 and SR 15A. SR 15A is part of the Strategic Intermodal System.

AMENDMENT - SunRail DeLand Area Local Plan

Elements: **Future Land Use Element**

Statutory Reference: Chapter 163.3177, F.S., Required and optional elements of comprehensive plan

Chapter 163.3168, F.S., Planning innovations and technical assistance

Chapter 163.3180, F.S., Concurrency

Chapter 163.3184, F.S., Process for adoption of plan amendment

Background:

The Transportation Analysis supporting the proposed amendment evaluated near-term (2017) and longterm (2025) conditions for both the adopted future land use and the proposed future land use scenarios.

In 2017, four roadway segments are projected to operate below (worse than) their adopted level of service (LOS) under the proposed scenario. All of these segments are on SR 44, as identified in Table 1. SR 15A is projected to operate at an acceptable LOS in 2017 under both scenarios.

FDOT Contact: Judy Pizzo, GISP, Systems Planner

FDOT District 5

Office of Intermodal Systems Development

Telephone: 407-482-7880 Fax: 407-275-4188 E-mail:

Judy.Pizzo@dot.state.fl.us H:\OOC\Planning\Growth Management\CPA Project Files\Volusia County\Review\2013\SunRail DeLand 13-2 ESR proposed 040113.doc

Reviewed by: Clif Tate, PE Kimley-Horn and Associates, Inc. 407-898-1511

407-894-4791 clif.tate@kimley-horn.com

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COMPREHENSIVE PLAN AMENDMENT EXPEDITED STATE REVIEW COMMENTS

Local Government: Volusia County

DEO Amendment #: Volusia County 13-2ESR

Date FDOT Received: March 22, 2013

Review Comments Deadline: April 5, 2013

Today's Date: April 1, 2013

Table 1 Near-Term (2017) Roadway Conditions

Road Segment			Level of Service		2017 Adopted Scenario		2017 Proposed Scenario	
			LOS	Service		Service Capacity		Service Capacity
Road	From-To	Lanes	Standard	Capacity	AADT	Exceeded?	AADT	Exceeded?
SR 44	Lake Co. to Shell Rd.	2	С	14,200	16,220	Yes	15,280	Yes
SR 44	Shell Rd. to Grand Ave.	2	D	22,200	21,200	No	25,210	Yes
SR 44	Grand Ave. to Old New York	2	D	22,200	18,700	No	21,200	No
SR 44	Old New York to SR 15A	2	D	22,200	21,090	No	23,470	Yes
SR 44	SR 15A to Stone St.	2	D	15,200	15,010	No	15,660	Yes

In 2025, seven roadway segments are projected to operate below (worse than) their adopted LOS under the proposed scenario. Five of these segments are on SR 44, as identified in Table 2. The other segments projected to operate below their LOS are Euclid Avenue and Old New York Avenue. SR 15A is projected to operate at an acceptable LOS in 2025 under both scenarios.

Table 2 Long-Term (2025) Roadway Conditions

Road Segment			Level of Service		2025 Adopted Scenario		2025 Proposed Scenario	
			LOS Service		Service Capacity			Service Capacity
Road	From-To	Lanes	Standard	Capacity	AADT	Exceeded?	AADT	Exceeded?
SR 44	Lake Co. to Shell Rd.	2	С	14,200	19,380	Yes	17,830	Yes
SR 44	Shell Rd. to Grand Ave.	2	D	22,200	26,290	Yes	32,970	Yes
SR 44	Grand Ave. to Old New York	2	D	22,200	22,180	No	26,500	Yes
SR 44	Old New York to SR 15A	2	D	22,200	23,620	Yes	28,180	Yes
SR 44	SR 15A to Stone St.	2	D	15,200	16,570	Yes	17,000	Yes
Euclid Ave.	Grand to Fatio Rd.	2	Е	9,180	5,350	No	12,110	Yes
Old New York Ave.	Lakeview Dr. to Grand Ave.	2	Е	12,710	13,720	Yes	13,250	Yes

It is noted that some segments have higher AADTs under the Proposed Scenario while other segments have AADTs which are lower than the Adopted Scenario.

Reviewed by:

Kimley-Horn and Associates, Inc.

Clif Tate, PE

FDOT Contact: Judy Pizzo, GISP, Systems Planner

FDOT District 5

Telephone:

Fax:

Office of Intermodal Systems Development

407-482-7880 407-898-1511 407-275-4188 407-894-4791

E-mail: Judy.Pizzo@dot.state.fl.us clif.tate@kimley-horn.com File: H:\OOC\Planning\Growth Management\CPA Project Files\Volusia County\Review\2013\SunRail DeLand 13-2 ESR proposed 040113.doc

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COMPREHENSIVE PLAN AMENDMENT EXPEDITED STATE REVIEW COMMENTS

Local Government: Volusia County

DEO Amendment #: Volusia County 13-2ESR

Date FDOT Received: March 22, 2013

Review Comments Deadline: April 5, 2013

Today's Date: April 1, 2013

Review Comments:

Pursuant to F.S. 163.3184(3)(b), the Florida Department of Transportation (FDOT) has no comments regarding the County's proposed future land use amendment. The proposed change does not appear to adversely impact designated transportation resources and facilities of state importance; therefore, FDOT has no comments on the proposed amendment.

The FDOT respectfully requests a copy of the adopted plan amendment following adoption.

Recommendations:

Per F.S. 163.3168, FDOT may use various means to provide direct and indirect technical assistance to local governments. Recognizing that F.S. 163.3177(6)(b)1.e. requires the local government to identify strategies of how they will meet the projected transportation system needs, FDOT offers the following recommendations for the County's consideration:

- If roadway improvements are not desirable, consider changing the LOS standard at the time of the amendment so that roadway improvements are not needed to achieve the LOS standard.
- Per F.S. 163.3180(5)(f)2, adopt an areawide level of service not dependent on any single road segment function.
- Per F.S. 163.3180(5)(f)5, establish multimodal level of service standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide adequate level of mobility.
- Identify the specific roadway improvements needed to meet the LOS standard. Improvements needed to meet the near-term needs should be reflected in the 5-year schedule of capital improvements.

FDOT Contact: Judy Pizzo, GISP, Systems Planner

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Kimley-Horn and Associates, Inc.

Clif Tate, PE

Reviewed by:

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Telephone:



Florida Department of Transportation

RICK SCOTT GOVERNOR 605 Suwannee Street Tallahassee, FL 32399-0450 ANANTH PRASAD, P.E. SECRETARY

April 22, 2013

Mr. Palmer M. Panton
Director, Planning and Development Services
Volusia County
123 W. Indiana Ave., Room 202
DeLand, FL 32720-4262

SUBJECT:

VOLUSIA COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

LARGE SCALE AMENDMENT CPA-13-001 - SUPPLEMENTAL

COMMENTS

LOCAL GOVERNMENT:

VOLUSIA COUNTY

DEO #:

VOLUSIA COUNTY 13-2ESR

Dear Mr. Panton:

The Department of Transportation initially submitted a no comment letter on April 1, 2013, relating to roadway impacts. This letter provides supplemental comments on the proposed CPA 13-2 amendments relating to additional transportation facilities of state importance. The Department reviewed the policies proposed for the SunRail DeLand Area Activity Center which is intended for Transient Oriented Development (TOD) to focus moderate to higher density within ½ mile to the east of the DeLand SunRail station. The policies proposed for the activity center establish the TOD Core and TOD Transition districts.

Pursuant to section 163.3184(3)(b), Florida Statutes, the Department finds that allowing properties in the TOD Core and TOD Transition districts to develop under the existing Transitional Agriculture (Ag-3), Residential Planned Unit Development (PUD), Urban Low Intensity (ULI) and industrial future land uses establishes inefficient land use development patterns that potentially create adverse impacts and fail to support the State's investment in SunRail commuter transit, a facility of state importance. The Department has no objection to agricultural uses continuing until development occurs. However, when properties develop in the activity center, all properties should develop at uses that are compatible with commuter rail transit service and appropriate densities and intensities of use that support and maximize commuter rail transit investments. Incentives should be provided to transition industrial uses to other uses that support transit.

The Department recently completed the "Florida TOD Guidebook" developed in conjunction with the former Department of Community Affairs and a statewide TOD committee. The guidebook is supported by an extensive literature review, TOD research and case studies and was developed to assist local governments in responding to increasing interest in TOD. The intent is to transform existing suburban patterns into more compact, livable patterns that support walking, biking, transit and significant investments in multimodal systems. Chapter 3 of the guidebook recommends model comprehensive plan policies related to "Neighborhood Centers" can serve as a guide in developing appropriate policies for the DeLand SunRail station area.

We appreciate the opportunity to participate in this review and appreciate your consideration of these additional concerns and recommendations. If you have any questions, please contact Judy Pizzo at (407) 482-7880 or email at judy.pizzo@dot.state.fl.us.

Sincerely,

Noranne Downs, P.E.
District 5 Secretary

attachment

COMPREHENSIVE PLAN AMENDMENT EXPEDITED STATE REVIEW COMMENTS

Supplemental Comments - April 21, 2013

Local Government:

Volusia County

DEO Amendment #:

Volusia County 13-2ESR

Date FDOT Received:

March 22, 2013

Review Comments Deadline:

April 5, 2013

Today's Date: April 21, 2013

GENERAL BACKGROUND INFORMATION

Volusia County has submitted a Comprehensive Plan Amendment for the SunRail DeLand Activity Center. The proposed activity center allows for affected properties to develop under the currently adopted future land use designations (Transitional Agriculture, Urban Low Intensity and Industrial) or as transitoriented development (TOD).

The supporting transportation study analyzed transportation conditions within a two-mile radius of the proposed SunRail station. There are two state roads within this study area: SR 44 and SR 15A. SR 15A is part of the Strategic Intermodal System. The planned SunRail station is a facility of statewide importance.

AMENDMENT - SunRail DeLand Area Local Plan

Elements:

Future Land Use Element

Statutory Reference: Chapter 163.3177, F.S., Required and optional elements of comprehensive plan

Chapter 163.3168, F.S., Planning innovations and technical assistance

Chapter 163.3180, F.S., Concurrency

Chapter 163.3184, F.S., Process for adoption of plan amendment

Background:

Property within the TOD Core District and within the TOD Transition District may develop under the existing future land use designations if desired. Alternatively, the proposed amendment allows property owners to choose to develop with increased densities, subject to the activity center policies of the amendment.

Review Comments:

Pursuant to F.S. 163.3184(3)(b), the Florida Department of Transportation (FDOT) is hereby commenting on the County's proposed future land use amendment. The proposed change appears to adversely impact the planned SunRail station, which is a transportation resource/facility of state importance.

The adverse impact is created by the option for properties to develop under the existing future land uses, which have low densities that are not supportive of the SunRail station or service. Measures the local

FDOT Contact:

Judy Pizzo, GISP, Systems Planner

Clif Tate, PE Reviewed by: Kimley-Horn and Associates, Inc.

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COMPREHENSIVE PLAN AMENDMENT EXPEDITED STATE REVIEW COMMENTS

Supplemental Comments – April 21, 2013

Local Government:

Volusia County

DEO Amendment #:

Volusia County 13-2ESR

Date FDOT Received:

March 22, 2013

Review Comments Deadline:

April 5, 2013

Today's Date:

April 21, 2013

government may take to reduce or mitigate the adverse impacts include the adoption of policies that are consistent with recommendations contained in the Florida TOD Guidebook. Particular emphasis should be placed on the establishment of higher minimum densities and land uses that support transit.

Recommendations:

The County should consider recommendations in the Florida TOD Guidebook, available online: http://www.fltod.com/Florida%20TOD%20Guidebook-sm.pdf to establish future land use densities and intensities which are supportive of the SunRail station and service. A revised amendment should include the establishment of higher minimum densities. FDOT will work with the County to identify levels that are more appropriate for supporting rail transit.

FDOT Contact:

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Reviewed by: Clif Tate, PE Kimley-Horn and Associates, Inc.

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File: 30-34 R_suppl_rev.doc

E-mail:



RICK SCOTT GOVERNOR 719 South Woodland Boulevard DeLand, FL 32720 ANANTH PRASAD, P.E. SECRETARY

May 30, 2013

Mr. Palmer M. Panton Director, Planning and Development Services Volusia County 123 West Indiana Avenue, Room 202 DeLand, Florida 32720-4262

Subject: Volusia County Proposed Comprehensive Plan Amendment

Large Scale Amendment CPA-13-001-Supplemental Comments

Local Government: Volusia County DEO# Volusia County 13-2ESR

Dear Mr. Panton:

The Florida Department of Transportation (Department) initially submitted a no comment letter on April 1, 2013, relating to roadway impacts of the proposed comprehensive plan amendment. On April 22, 2013, the Department submitted a letter providing supplemental comments on the proposed CPA 13-2 amendments relating to additional transportation facilities of state importance. In this April 22nd letter, the Department reviewed the policies proposed for the SunRail DeLand Area Activity Center which is intended for Transit Oriented Development (TOD) to focus moderate to higher density development within ½ mile of the DeLand SunRail station. The policies proposed for the activity center establish the TOD Core and TOD Transition districts.

The purpose of this letter is to clarify the comments made in the April 22nd letter. The Department does not object to the proposed CPA 13-2ESR amendments. As you are aware, the Department has been working with all of the local governments along the SunRail commuter rail line, including Volusia County and the City of DeLand, as well as landowners adjacent to the proposed station areas to ensure that the development that occurs in the future supports the Federal, state and local investment in SunRail, a facility of state importance. These cooperative efforts have included numerous TOD workshops, two TOD workbooks, public work sessions and many individual meetings, intended to promote more compact livable patterns in station areas that support walking, biking, and transit, and support the region's most significant investment in multimodal systems.

Mr. Palmer M. Panton May 30, 2013 Page 2 of 2

We will continue working with you in the design of the DeLand SunRail station and to coordinate and provide technical input to the various TOD developments that will occur because of our collective investment in SunRail. Should you have any questions or comments, please feel free to contact me directly or, Susan Sadighi at 407-482-7884.

Sincerely,

Noranne Downs, P.E. District 5 Secretary

ND:TO:c

cc: Frank O'Dea/FDOT

Susan Sadighi/FDOT Tawny Olore/SunRail



123 West Indiana Avenue • DeLand, FL 32720 Phone (386) 736-5920 www.volusia.org

June 21, 2013

Noranne Downs, P.E. District 5 Secretary Florida Department of Transportation 719 South Woodland Boulevard DeLand, FL 32720

Subject:

Volusia County Proposed Comprehensive Plan Amendment SunRail DeLand Area Activity Center Large Scale Amendment CPA-13-001 – Addendum DEO # Volusia County 13-2ESR

Dear Secretary Downs:

This letter is in response to your May 30, 2013 and April 22, 2013, letters regarding Volusia County's proposed SunRail DeLand Area Activity Center comprehensive plan amendment. The amendment was transmitted to the state on March 14, 2013, after numerous public workshops, several meetings with your staff, and your endorsement during the transmittal hearing. The metrics included in the county's proposed TOD plan were established using the state's guidance document, "A Framework for Transit Oriented Development in Florida" and the SunRail TOD Sketchbook.

County staff is prepared to recommend revisions to our comprehensive plan amendment to address DOT comments received after our transmittal hearing. To that end, we ask that you attend a workshop on August 8, 2013, with our County Council, to clarify DOT's position regarding service level commitments and the likelihood for federal funding and state funding of Phase 2 North.

On May 1, 2013, you met with county staff to assure us of DOT's support for the DeLand Area SunRail station. We requested a follow-up letter that retracted the opposition stated in your April 22, 2013 letter. We further asked for recommendations for TOD standards to ensure a strongly competitive application for federal funding. We remain committed to the train system that DOT promised when seeking support from Volusia County, including double tracking and the same service level as the rest of the system.

Noranne Downs, P.E. June 21, 2013

Your May 30th letter did not retract the April 22nd position, provide additional guidance, or copy the Florida Department of Economic Opportunity (DEO). Given the uncertainty of federal funding, please clarify DOT's support for the proposed TOD standards (see Attachment A):

- 1) with removal of the opt-in provision and
- 2) with expiration of the opt-in provision upon execution of a full federal funding agreement for Phase 2 North.

If these options are insufficient to ensure that the state will provide double tracking and the same service level as the rest of the system, we request that DOT analyze the metrics included in Attachment B, which were based on the minimum densities included in the "Florida TOD Guidebook." As I mentioned on May 1st, it is our goal to secure federal funding for this project.

The potential development yield of the modified language included in Attachment B increases the number of dwelling units from 2,590 to 3,975 and nonresidential square-footage from 3.3 M to 3.8M. Before bringing revisions to council for adoption, staff requests a DOT review of these metrics to ensure that the county's plan will be competitive for federal funding as part of the SunRail system.

SunRail staff recently sent the county a draft project development application that DOT submitted to the Federal Transit Administration in April (Attachment C). The application was not mentioned during our May 1st meeting though it indicates DOT's service level intent for Phase 2 North. It is concerning that this application calls for an evaluation to: 1) determine where additional second track or passing track is warranted and 2) determine if the proposed service plan should remain consistent with Phase 1 and Phase 2 South (30 minute peak, 120 minute base). Even more concerning, is the Financial Plan, which includes nearly a \$3M match from Volusia County for Phase 2 South and no match from any other counties for the Phase 2 North system. This plan would have Volusia County paying for services without benefit or reciprocal support. We have invested County resources in reliance upon DOT promises of SunRail service.

During the March 14th hearing, Council members expressed concern about obtaining federal funding. You mentioned an alternative plan for Phase 2 North if it does not receive federal funding, however, the TOD standards the county transmitted to the state, and any changes to these standards, are made in reliance upon the state's commitment to bring the same SunRail service to the DeLand area that is included in Phase 1. We look forward to your comments regarding these amendments.

Sincerely,

Mary Anne Connors

Deputy County Manager

cc: Tawny Olore, SunRail

William B. Killingsworth, DEO

Attachment A

Table 1: Proposed TOD Districts as Transmitted

Districts			(Number o	al Density of Dwelling er Acre)	Non-Residential Intensity (Floor Area Ratio)		
			Min	Max	Min	Max	
TOD Core	81	25	9	30	.5	2.0	
TOD Transition	190	59	2	15	N/A	.5	
Rail/Street ROW	52	16					
TOTAL	323	100					

Table 2: Potential Maximum Development Yield of the proposed Activity Center

Activity Center	Acre	Land Use Mix	Density and Intensity	Min # Dwelling Units	Max # Dwelling Units	Max Nonresidential Square Footage
TOD Core Distric	l					
Residential	37	46%	9-30	333	1,110	
Retail	24	30%	0.5			522,720
Office	17	20%	2.0			1,481,040
Hotel	3	4%	2.0			261,360
Subtotal	81	100%		333	1,110	2,265,120
TOD Transition D	istrict					
Single-Family	95	50%	2-8	190	760	
Multi-Family	48	25%	8-15	384	720	
Retail	37	20%	0.5			805,860
Office	10	5%	0.5			217,800
Subtotal	190	100%		574	1,480	1,023,660
CSX/ROW	52					
ГОТАL	323			907	2,590	3,288,780

Attachment B

Table 3: Revised TOD Districts

Districts	Acres	0/9	Residential Density (Number of Dwelling units per Acre)		Non-Residential Intensity (Floor Area Ratio)	
			Min	Max	Min	Max
TOD Core	81	25	12	30	.75	2.0
TOD Transition	190	59	9	15	0.4	1.0
Rail/Street ROW	52	16				
TOTAL	323	100				

Table 4: Potential Development Yield of Revised TOD Districts

Activity Center Acres		Acres Use Mix		Number of Dwelling Units		Non-Residential Intensity Square-Footage	
		IVIIX	Min	Max	Min	Max	
TOD Core Distric							
Residential	61	75%	732	1,830			
Commercial	12	15%			392,040	1,045,440	
Office	8	10%			261,360	696,960	
Subtotal Gross	81	100%			653,400	1,742,400	
Sub Net	49		732	1,830	653,400	1,742,400	
TOD Transition D	District						
Residential	143	75%	1,287	2,145			
Commercial	28	15%			487,872	1,219,680	
Office/Ind	19	10%			331,056	87,640	
Subtotal	190	100%			818,928	2,047,320	
Sub Net	114		1,287	2,145	1,472,328	2,047,320	
TOTAL	271		2,019	3,975	1,472,328	3,789,720	

Attachment C

Project Development Application
Central Florida Commuter Rail Transit (SunRail) Phase 2 North Project

Project Development Application Central Florida Commuter Rail Transit (SunRail) Phase 2 North Project

Project Overview / Project Sponsors and Partners

The Florida Department of Transportation (FDOT), in cooperation with the Volusia Transportation Planning Organization (TPO), Volusia County and Votran (the County's public transit system) is proposing to extend regional commuter rail service north from the existing DeBary Station developed under Phase 1 of Central Florida Commuter Rail Transit (CFCRT) project. The CFCRT Phase I Initial Operating Segment (IOS) Project is a new 32-mile commuter rail line which is currently under construction and is planned to begin operations by May 2014.

The CFCRT Phase 2 North Project proposes a northern extension of the CFCRT Phase I IOS from the DeBary Station north to the DeLand Station in Volusia County. This 12 mile extension will include but not be limited to additional track infrastructure in specific locations; installation of a new railway operations signal system and at grade crossing equipment; an additional station in DeLand, Florida with new station platforms and canopies located adjacent to an existing Amtrak station; and associated parking and bus drop off facilities.

The information contained in this package is in support of an application for entrance into Project Development (PD) for the Phase 2 North Project.

Description of the Project Corridor

The 61 mile railroad corridor upon which the Phase 1 and 2 commuter rail services will operate (including Phase 2 North) was purchased in 2011 from CSX Transportation (CSXT), and has received the Federal Railroad Administration (FRA) alpha designation, Central Florida Rail Corridor or CFRC. Additionally, through a branding exercise, the project's funding partners selected SunRail as the name for the new passenger rail service that will operate on this corridor.

The CFCRT Phase 2 North corridor generally parallels Interstate 4 (I-4) and US 17/92 and is surrounded by a variety of land uses including but not limited to vacant land, and commercial and residential development. The general impact area includes the existing rail line to the west, US 17/92 to the east, the Phase 1 DeBary SunRail station to the south and the existing DeLand Amtrak station to the north. The proposed passenger service will traverse the cities of DeBary, Orange City and DeLand.

Description of the Proposed Project

The CFCRT Phase 2 North Project will operate along an existing and active Class IV railroad (a FDOT purchased portion of the CSXT "A Line"). The rail infrastructure within the right of way would be used for freight and passenger rail operations, while other properties adjacent to the rail corridor at the DeLand station would be utilized for station site parking, passenger drop-off areas and bus circulation facilities.

The project would operate entirely at grade, sharing tracks owned by FDOT with CSXT freight operations and existing Amtrak intercity passenger rail service, including the Silver Star and Silver Meteor routes that run between New York and Miami with a stop at the existing Amtrak station in DeLand. In addition, the Amtrak Auto Train operates daily, non-stop service between Lorton, Virginia and Sanford Florida; the Auto Train has no stations within the Phase 2 North corridor and its current operations fall outside the peak period of the proposed Phase 2 North commuter rail operations.

The Phase 2 North Project is approximately 12 miles in length and extends north from the CFCRT Phase 1 DeBary Station to its northern terminus at the DeLand Amtrak Station in Volusia County (see Figure 1). The proposed northern extension includes one new commuter rail station located adjacent to the existing DeLand Amtrak Station. There are approximately three miles of existing double track within the proposed 12 mile extension.

Ongoing and Planned Evaluations

An evaluation will be performed during Project Development to determine where additional second track or passing track is warranted. At present, anticipated improvements include a new railway operations signal system, station platforms, canopies and a park and ride lot in addition to track infrastructure and several improved at-grade roadway crossings. As part of the Phase 1 IOS Project, a Vehicle Storage and Maintenance Facility (VSMF) and an Operations Control Center (OCC) would be operational in advance of the Phase 2 North Project coming online. Both of these facilities are currently under construction and are located at Rand Yard in Sanford, Florida in Seminole County to the south of the Phase 2 North segment.

Additionally, an evaluation will also be performed during Project Development to determine if the proposed service plan should remain consistent with Phase 1 and Phase 2 South (30 minute peak, 120 minute base), or if a modified service plan is warranted between the DeBary SunRail and DeLand Amtrak Stations. As with Phase 1 and Phase 2 South, there is no service planned on the weekends. The proposed service would be operated using a fleet of push-pull diesel locomotives, coaches and cab cars. At present, it is anticipated that no additional fleet is required for the Phase 2 North Project. Revenue operations is planned to begin by 2017.

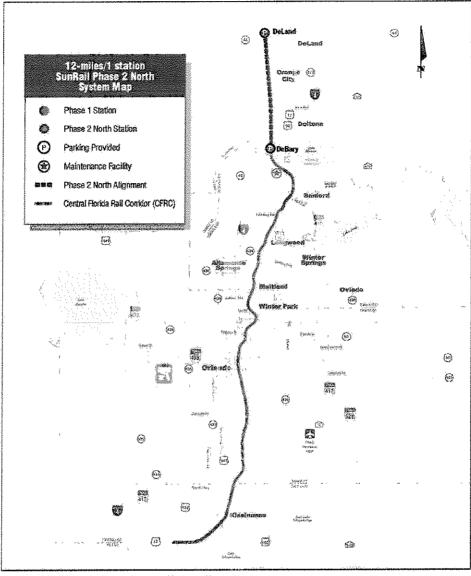


Figure 1 - CFCRT Phase 2 North System Map

Note: The DeBary station is the northern most terminals of Phase 1 or Initial Operating Segment

Need for Transportation Improvements

The Phase 2 North Project is proposed to serve as an extension of an alternative mode of transportation to improve the mobility and travel time reliability of travelers along the I-4 and US 17/92 corridors, which are the primary travel corridors connecting regional activity centers and other attractions in the south of Central Florida region to residential communities in the north of the region.

The following sections describe the need for the transportation improvements and/or the problem(s) the project would address.

Relief to Parallel Facilities

The adjacent roadway network, primarily I-4 and US 17/92, is highly congested and experiences poor highway levels of service during the day, especially in the morning, midday and evening peak hours. This traffic congestion reduces mobility, causes longer and more frequent delays, impacts emergency response time and emergency evacuation, impairs air quality, stifles economic growth and diminishes the overall quality of life in the region. The proposed Phase 2 North Project is an extension to a mobility alternative which will provide a connection between the region's primary residential communities in Volusia County to the employment centers in Orange County and the City of Orlando.

Meeting Local and Regional Social and Economic Needs

The current transportation network will fail to meet the needs of the area and the region as a whole due to continued growth in population and employment. The traffic demand originating from future growth is reflected in future traffic projections on I-4, US 17/92 and other roadways within the project area contained in the Volusia County and Orlando Metropolitan Planning Organization's Long Range Transportation Plans. As one of the top regional transportation priorities, the Phase 2 North project has the potential to alleviate congestion on the local and regional transportation network and improve travel times for emergency responders, residents and commuters.

Mobility Improvements

While Votran and LYNX provide transit (bus) services within their respective service markets, there is currently only one route operated by LYNX for Votran that provides service between the Orlando and Volusia metropolitan areas. This service, known as the I-4 Express Bus Service, operates between the Saxon Boulevard park and ride lot and the Downtown Orlando area. The I-4 Express Bus offers three morning departures beginning at 6:00 am from Saxon Boulevard and three evening departures beginning at 4:00 pm from the City of Orlando. This service operates on a congested Interstate 4 facility, and experiences worse travel times than the motorists along I-4. The Phase 2 North Project proposes an extension to an alternative mode of transportation, which will improve the reliability and decrease the travel time of travelers within the study area as well as provide options to the transit dependent population, thus providing increased access to jobs, affordable housing options and cost effective travel/transportation options.

Consistency with Long Range Planning Efforts

The proposed Phase 2 North Project is documented in and consistent with the Volusia County 2035 Long Range Transportation Plan (LRTP) as a new commuter rail extension. The project is also documented in the Volusia County and local municipal Comprehensive Plans and is included in other state and local planning efforts.

Land Use and Related Socioeconomic Changes

For both the existing and future land use analyses, data were compiled and analyzed within a one-half mile radius of the rail alignment and the DeLand Amtrak Station area.

The existing land use remains primarily agricultural and light industrial as indicated in the approved Second Supplemental Environmental Assessment (2010). On the east and west side of the CFRC tracks are several small businesses. In 2010, the population within a 3-mile radius of the station was 18,241. The employment in this area was 13,477.

Volusia County's future land use plan classifies the area adjacent to the proposed DeLand SunRail station as medium density residential. The County had received preliminary plans for a residential and mixed-use development, Pelham Square, which would be oriented to provide direct access to the station. The property has recently transferred ownership and the new property owner has expressed interest in developing this area as a Transit Oriented Development (TOD).

In early 2008, local officials in Volusia County held a series of workshops to better define TOD in and around the DeLand Station. This included the public, City/County staff and major stakeholders. The result was the December 2008 document entitled "Volusia County Central Florida Commuter Rail Transit Oriented Development Planning — DeLand Amtrak Station Area". The current concept planned for the Pelham Square development adjacent to the station on the northeast side would be revised to include higher density residential, mixed-use commercial near the station, and increase pedestrian connections to the proposed commuter rail station. Volusia County has amended their Comprehensive Plan to allow for this future TOD. Joint use of parking and stormwater management would be considered as part of this conceptual plan.

The proposed TOD adjacent to the DeLand Amtrak Station would provide the potential for increased transit ridership. At the request of the Volusia County Commission, the DeLand Amtrak Station concept was expanded to accommodate a proposed mixed-use development that had previously been approved by the County. As a result, the overall footprint of the site was increased to allow maximum flexibility in meeting the requirements for stormwater and parking. This scope change was addressed in the Second Supplemental Environmental Assessment (2010).

In February 2013, Volusia County approved a comprehensive plan amendment to provide for modifications to the existing Urban Low Intensity and Industrial to an Activity Center designation for approximately 323 acres located adjacent and to the east of the DeLand SunRail station.

Existing Transit Service in the Corridor

Votran provides local and express bus service in Volusia County, including western Volusia County where the Phase 2 North commuter rail service would operate (see Figure 2). The primary routes that service the corridor include the following:

V20: DeLand/Deltona

The current Route V20 is a long route that has two branches on the south end: (1) Deltona Library via Saxon Boulevard eastbound and Fort Smith/Elkcam Boulevard/Normandy Boulevard/Saxon Boulevard westbound; and (2) Spring View Center on S. Charles Beall Boulevard.

The new Route V20 would truncate these two southern branches, terminating service at the Market Place Shopping Center. Route V20 buses would continue to serve the Memorial Hospital in DeLand via Spring Garden and Stone Avenue.

V21: Deltona

The current route V21 operates from the Market Place Shopping Center to the Deltona Library, with a counter-clockwise loop operated along Fort Smith Boulevard, Howland Boulevard, Elkcam Boulevard, Montecito Avenue, and Newmark Drive. A smaller loop is also operated along Austin Avenue and Kimberly Drive. Route V22 provides service in the clockwise direction on the same loops.

Route V21 is proposed to be extended to the Deltona Community Center near Lakeshore Drive and the new Wal-Mart SuperCenter on SR 415. Service on the Austin/Kimberly loop is anticipated to be discontinued.

V22: Deltona

The current route V22 operates from the Market Place Shopping Center to the Deltona Library, with a clockwise loop operated along Elkcam Boulevard, Howland Boulevard, and Fort Smith Boulevard. A smaller loop is also operated along Austin Avenue and Kimberly Drive

Route V22 is proposed to be extended to the Deltona Community Center near Lakeshore Drive and the new Wal-Mart Super Center on SR 415. Service on the Austin/Kimberly loop is anticipated to be discontinued.

V23: Orange City

This proposed new route would replace V20 on Charles Beall Boulevard, Volusia Medical Center, and Saxon Boulevard. Eastbound buses would begin at the DeBary City Hall, travel north on US 17/92 and continue east on Saxon Boulevard before traveling west then south on Fort Smith Road. Selected midday trips would be extended south on Charles Beall Boulevard to Spring View Center.

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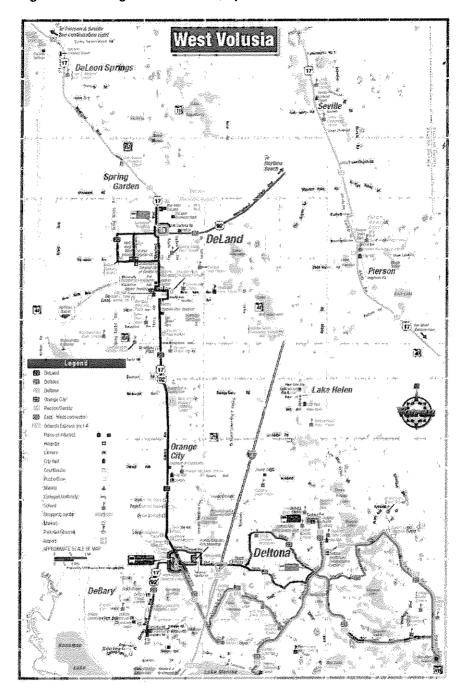


Figure 2 - Existing Transit Service Map

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V60: East-West Connector

The current route V60 operates between DeLand and Daytona Beach on US 92. No changes are proposed to the existing service.

V20X: DeLand Express

This new limited stop route would operate during peak periods between DeLand and the DeBary Station via Woodland Boulevard and Volusia Avenue (US 17/92).

V23X: Deltona Express

This new limited stop route would operate during peak periods between Deltona and the Debary Station via Saxon Boulevard and Providence Boulevard.

Previous Studies

A summary of the recent relevant corridor planning studies that have been completed to date are briefly summarized below.

- Volusia County Preliminary Rail Feasibility Study (1998) Evaluated at the potential
 of introducing Commuter Rail Transit (CRT) service between downtown Orlando and
 DeLand.
- Central Florida North/South Commuter Comidor Alternatives Analysis (2004) —
 Recommended a Locally Preferred Alternative (LPA) consisting of commuter rail
 transit service extending from DeBary in Volusia County through Seminole and
 Orange Counties, terminating at Poinciana Boulevard in Osceola County. Two
 stations were considered in Volusia County Fort Florida Road and the DeLand
 Amtrak Station.
- Central Florida Commuter Rail Transit North/South Corridor Project Environmental
 Assessment with Finding of No Significant Impact (2007) Evaluated commuter rail
 service along the existing CSXT A-Line rail right of way using Diesel Multiple Units
 (DMUs) from the DeLand Amtrak Station in west Volusia County to Poinciana in
 Osceola County, Full Build Alternative included 16 stations for a total of 61 miles in
 length. At the request of Volusia County, the Fort Florida Road Station was changed
 to Saxon Boulevard in DeBary.
- Central Florida Commuter Rail Transit Supplemental Environmental Assessment and Addendum to the FONSI (2008) – Subsequently performed due to several project scope changes to the Full Build Alternative that was evaluated in the original 2007 EA. This included a request by Volusia County to relocate the station again from Saxon Boulevard back to Fort Florida Road.
- Central Florida Commuter Rail Transit Second Supplemental Environmental
 Assessment with Second Addendum to the FONSI (2010) Scope changes resulted
 in a modified station configuration for the DeLand Amtrak station; renamed the Fort

Florida Road Station to the DeBary Station; and a change in vehicle technology from DMUs to push pull diesel locomotives, coaches and cab cars.

The Phase 2 North Project, when combined with Phase 1 (IOS) and Phase 2 South, completes the Full Build Alternative which was evaluated under the federal National Environmental Policy Act (NEPA) process and documented in the Environmental Assessments.

It should be noted that all supporting NEPA documentation relative to the Phase 2 North project is available for download at www.sunrail.com/welcome/page/projectdocuments.

Funding Availability

In July 2007, the five Local Government Partners including the counties of Volusia, Seminole, Orange and Osceola as well as the City of Orlando voted unanimously to enter into Interlocal Agreements (ILAs) with each other and with FDOT for the CFCRT. The purpose of these Interlocal Agreements was to establish the funding, construction, operations, ownership and management structure for the CFCRT and to set the foundation for a permanent ownership and management structure moving forward.

FDOT will operate and maintain the system for the first seven years of operation through a third-party contract operator and will cover any shortfalls in the operating budget during this period. At the end of this initial period of seven years and beyond, the five local governments to be served by the CFCRT will fund operating deficits forecasted in the cash flow projections from general revenues.

Further, these Interlocal Agreements set forth the commitments of the Local Government Partners including Volusia County in relation to financing, planning, designing, engineering, constructing, operating, maintaining and managing the CFCRT. The Local Government Partners have agreed to plan, develop, finance with assistance from the federal government, and implement a commuter rail transit system that will serve the Central Florida area.

This strategic partnership and regional cooperation has allowed FDOT to move forward with design, engineering, and right-of-way acquisition for the Project. FDOT and the Local Government Partners renewed their commitment to the Project in May/June 2010 with their approval of amendments to the 2007 ILAs.

Following expiration of the initial seven-year period, the system will then be transferred to the Governing Board of the Central Florida Commuter Rail Commission (CFCRC). The CFCRC will then assume management of the SunRail commuter service along with the rights of use of the Central Florida Rail Corridor (CFRC) and become responsible for its operation, including dispatch and maintenance, and for the completion and implementation of future phases. The Governing Board consists of five members – one representative from each of the four Counties (Volusia, Seminole, Orange and Osceola) as well as a representative from the City of Orlando.

The FDOT has entered into agreements with the region's two transit agencies—the Central Florida Regional Transportation Authority (d.b.a. LYNX) and the Volusia County Public Transit System (Votran) to develop feeder bus service for SunRail. The FDOT has committed both capital funds toward implementation of the feeder bus service and operating assistance for the first seven years of commuter rail and feeder bus service. LYNX (for Phase 1 and Phase 2 South) and Votran (for Phase 2 North) will operate the feeder bus service.

A Financial Plan for the entire CFCRT 61-mile project was completed and reviewed by FTA in January 2011. The Financial Plan was again updated in July 2012 to include Phase 2 South. It should be noted that the approved plan does assume that construction of Phase 2 North would commence by Fiscal Year (FY) 2015 with revenue operations starting in FY 2017. A breakout of the sources and uses of funds for Phase 1, Phase 2 South and Phase 2 North is summarized in Table 1 below.

	Phase	1	Phase 2 South		Phase 2 North		<u>Total</u>	
Source of Funds	Funding Level	Funding Share	Funding Level	Funding Share	Funding Level	Funding Share	Funding Level	Funding Share
Federal - New Starts	\$178,613	50.0%	\$92,500	50.0%	\$0	0.0%	\$271,112	44.4%
Federal - other	<u>\$0</u>	0.0%	\$0	0.0%	\$33,900	<u>50.0%</u>	<u>\$33,900</u>	5.6%
Total Federal Funds	\$178,613	50.0%	\$92,500	50.0%	\$33,900	50.0%	\$305,013	50.0%
Non-Federal								
Volusia County	\$6,600	1.8%	\$2,850	1.5%	\$16,950	25.0%	\$26,400	4.39
Seminole County	\$45,559	12.8%	\$0	0.0%	\$0	0.0%	\$45,559	7.59
Orlando	\$13,469	3.8%	\$0	0.0%	\$0	0.0%	\$13,469	2.29
Orange County	\$23,678	6.6%	\$16,300	8.8%	\$0	0.0%	\$39,978	6.69
Osceola County	<u>\$0</u>	0.0%	\$27,100	14.6%	<u>\$0</u>	0.0%	\$27,100	4.49
Local Government Partners	\$89,306	25.0%	\$45,250	25.0%	\$16,950	25.0%	\$152,506	25.09
State of Florida	\$89,306	25.0%	S46.250	25.0%	\$16,950	25.0%	\$152,506	25.09
Total Non-Federal Funds	\$178,613	50.0%	\$92,500	50.0%	\$33,900	50.0%	\$305,013	50.0%

Source: SunRail Financial Plan (July 2012)

As documented in the Financial Plan, the operating costs and ridership assumptions in the approved plan include Phase 2 North. In addition to the fact that the local funding is committed, the State New Starts Program has also programmed funds for FDOT's share of the capital costs, and the state operating assistance in FDOT's work program for the first 7 years of operations. This is based on the operating plan contained in the Financial Plan which, as mentioned above, assumes Phase 2 North operations.

Other Considerations

FDOT and CSX Railroad Agreements

On November 30, 2007, FDOT and CSXT signed three agreements (Contract for Sale and Purchase; the Central Florida Operating and Management Agreement (CFOMA); and the Transitional Services Agreement) to bring commuter rail to Central Florida. These three agreements were subsequently amended by both FDOT and CSXT on December 20, 2010.

The three agreements provided for state purchase of 61.5 miles of track in Central Florida; detailed operating and management agreements; and resolved transitional issues during construction of the project. FDOT took control of the rail corridor in November 2011.

FDOT and Amtrak Operating Agreement

On July 11, 2011, FDOT and Amtrak executed an Operating Agreement for the CFRC. In addition, FDOT and Amtrak have negotiated draft agreements on operating rights on the corridor, liability insurance coverage, provisions for Amtrak maintenance of SunRail vehicles and the design parameters at co-located stations.

FDOT and Florida Central Railroad Agreement

On July 11, 2011, FDOT and Florida Central Railroad (FCEN) executed an Operating Agreement pertaining to a portion of the CFRC for FCEN freight services. The agreement includes provisions for operating rights on the corridor, including operation of FCEN trains and a usage fee to be paid to FDOT.

Schedule for Completing PD Phase

As presented in the attached schedule (S29A) for Phase 2 North, it is projected that approval to enter into PD would be granted on July 1, 2013 with an estimated date of completion and request for entry into a Project Construction Grant Application (PCGA) on December 8, 2014.



Florida Department of Transportation

RICK SCOTT GOVERNOR 719 S. Woodland Blvd. DeLand, FL 32720 ANANTH PRASAD, P.E. SECRETARY

July 18, 2013

Mary Anne Connors
Deputy County Manager
Volusia County
123 West Indiana Avenue, Room 202
DeLand, Florida 32720-4262

Subject: Volusia County Proposed Comprehensive Plan Amendment

Large Scale Amendment CPA-13-001-Supplemental Comments

Local Government: Volusia County DEO# Volusia County 13-2ESR

Dear Ms. Connors:

I am responding to your June 21, 2013 letter to clarify some of the information in that letter, and to give you an update since we spoke.

As we discussed in our telephone conversation on June 24, 2013, I will be unable to attend a workshop at Volusia County on August 8, 2013 due to a conflict. My staff and I will be happy to come to a meeting for a workshop that suits both the DOT and the County's schedule.

The Department of Transportation has been working with all of the local governments along the SunRail commuter rail line, including Volusia County and the City of DeLand, as well as landowners adjacent to the proposed station areas, to ensure that the development that occurs in the future supports the Federal, State and local investment in SunRail, a facility of Regional importance.

The Department does not object to the proposed CPA 13-2ESR amendments, as stated in our letter to Volusia County on May 30, 2013. Therefore, we do not recommend any revisions to the TOD standards or policies in the proposed amendments. We believe these are consistent with TOD standards established for similar stations of other transit projects that have had favorable ratings in the "Transit Supportive Plans" section of the FTA Evaluation and Rating Process in the past.

Ms. Mary Anne Connors July 18, 2013 Page 2 of 3

Our only comment is the Department has no objection to agricultural uses continuing until development occurs. However, when properties develop in the activity center, all properties should develop at uses that are compatible with commuter rail transit service. We have also been working with the Federal Transit Administration (FTA) in regards to the new guidance materials that will govern the Map-21 changes to the evaluation and rating process. FTA has indicated that this new guidance will be out in the late summer of 2013/early fall 2013.

Once the new guidance is released, the Department will assist the County in reviewing the TOD standards at the DeLand station to determine if there are any further revisions that would make the project more competitive for federal funding.

One more point of clarification, your June 21, 2013 letter refers to the draft project development application for Phase II North and the fact that the Department included approximately \$3 million of Phase II North costs in the financial plan for Phase II South. As indicated in an email to Jon Cheney on June 25, 2013, the Phase II South Finance Plan is a "budget document to FTA" not a "commitment document". This plan called for ordering all the Phase II vehicles (both Phase II North and Phase II South) at one time. This should save the partners money by ordering the trains to be built right after phase 1 before another large order from an out of state project starts; therefore, the Department included the funding for all of these vehicles, both Phase II North and South, in the Phase II South Finance Plan. As we move forward with the FFGA Finance Plan for Phase 2 South, the Volusia County funding for Phase II North vehicles will be moved out and placed in its own separate Finance Plan. There are no new requests by the DOT for more funds, therefore Volusia County is not paying for Osceola County, only Volusia County as previously approved by your board.

We look forward to a continued working relationship with you in the design of the DeLand SunRail station and to coordinate and provide technical input to the various TOD developments that will occur because of our collective investment in SunRail. Should you have any questions or comments, please feel free to contact me directly at (386) 943-5474 or Susan Sadighi at (407) 482-7884.

Sincerely,

Noranne Downs, P.E.

noune down

District 5 Secretary

ND:SS:cb

cc:

Ray Eubanks, FDEO James Stansbury, FDEO Palmer Panton, Volusia County Jon Cheney, Volusia County Becky Mendez, Volusia County John C. Thomson, Volusia County Andrew Landis, ECFRPC Rob Magee, FDOT Frank O'Dea, P.E., FDOT Susan Sadighi, FDOT Tawny Olore, FDOT SunRail Jason P. Davis, Volusia County Council Deborah Denys, Volusia County Council Pat Patterson, Volusia County Council Patricia Northey, Volusia County Council Doug Daniels, Volusia County Council Joshua Wagner, Volusia County Council Joyce Cusack, Volusia County Council Bob Apgar, City of Deland Charles Paiva, City of Deland Vonzelle Johnson, City of Deland Phil Martin, City of DeLand Leigh Matusick, City of DeLand



County Manager

JASON P. DAVIS COUNTY CHAIR

July 25, 2013

JOYCE CUSACK Vice-Chair AT-LARGE

PAT PATTERSON DISTRICT 1

JOSHUA J. WAGNER DISTRICT 2

DEBORAH DENYS DISTRICT 3

DOUG DANIELS DISTRICT 4

PATRICIA NORTHEY DISTRICT 5

JAMES T. DINNEEN COUNTY MANAGER Ms. Noranne Downs, P.E.

District 5 Secretary

Florida Department of Transportation 719 South Woodland Boulevard

DeLand, FL 32720

Dear Ms. Downs:

Thank you for your response of July 18. I note that Department of Economic Opportunity staff is copied. I will assume that they have indicated your letter is acceptable as the DOT position regarding the proposed CPA 13-2ESR amendments for the DeLand rail station and effectively counters previous comments. To be clear, DOT does not object to the proposed amendments but suggests that all future development in the activity center be compatible with TOD and eliminate agricultural uses. We will proceed with an adoption hearing of the amendments as proposed. Any future revisions will be based on new federal guidance for funding.

The explanation of funding indicates that Volusia County's contribution of \$3 million will support ordering all Phase II vehicles now. As neither Phase II South nor North has a funding commitment, the vehicle order seems out of sequence. More importantly, if Phase II North does not achieve a full federal funding agreement, will the funds revert or are they committed to the project as a whole regardless of service to DeLand?

We appreciate DOT's commitment to this project and the efforts to realize rail service for the partners as promised. When the new federal guidance is issued we will agenda you for an update at a county council meeting.

Sincerely,

Mary Anne Connors

Deputy County Manager

Ms. Noranne Downs July 25, 2013 Page 2

C: Ray Eubanks, FDEO James Stansbury, FDEO Palmer Panton, Volusia County Jon Cheney, Volusia County Becky Mendez, Volusia County John C. Thomson, Volusia County Andrew Landis, ECFRPC Rob Magee, FDOT Frank O'Dea, P.E., FDOT Susan Sadighi, FDOT Tawny Olore, FDOT SunRail Jason P. Davis, Volusia County Council Deborah Denys, Volusia County Council Pat Patterson, Volusia County Council Pat Northey, Volusia County Council Doug Daniels, Volusia County Council Joshua Wagner, Volusia County Council Joyce Cusack, Volusia County Council Bob Apgar, City of DeLand Charles Paiva, City of DeLand Vonzelle Johnson, City of DeLand Phil Martin, City of DeLand Leigh Matusick, City of DeLand



GROWTH AND RESOURCE MANAGEMENT DEPARTMENT PLANNING AND DEVELOPMENT SERVICES DIVISION COMPREHENSIVE PLANNING ACTIVITY

123 W. Indiana Avenue, DeLand, FL 32720 (386) 943-7059

PUBLIC HEARING: January 8, 2013 - Planning and Land Development Regulation

Commission (PLDRC)

CASE NO: CPA-13-001

SUBJECT: Large-scale comprehensive plan amendment from the Urban Low

Intensity and Industrial to the Activity Center designation for SunRail

DeLand area.

LOCATION: East of the CSX rail line, south of State Road 44, DeLand.

APPLICANT: Planning and Development Services, Volusia County

OWNER: Multiple owners

STAFF: Becky Mendez, AICP, Senior Planning Manager

I. SUMMARY OF REQUEST

On June 15, 2012, the county council, during a joint public workshop with the city of DeLand, directed staff to prepare a future land use map amendment for the area adjacent to the SunRail station to accommodate Transit Oriented Development (TOD).

County planning staff has prepared a comprehensive plan amendment for approximately 323 acres located east of the SunRail station. The map amendment changes the future land use designation from Urban Low Intensity (ULI) and Industrial (I) to Activity Center (AC), and the accompanying text amendment creates the SunRail DeLand Area Activity Center (SR), which provides Transit Oriented Design (TOD) standards for two districts; TOD Core and TOD Transition. Properties may develop under the existing entitlements of the ULI and Industrial designations and zoning, as currently assigned, or opt-in to take advantage of the increased densities and intensities proposed under the Activity Center amendment.

The existing ULI designation allows 0.2-4 dwelling units per acre and neighborhood commercial, in certain circumstances. The Industrial designation allows industrial uses up to 0.6 FAR. The proposed TOD Core district will allow 9-30 dwelling units per acre and a 2.0 FAR. The TOD Transition district will allow 2-15 dwelling units per acre and a 0.5 FAR.

Staff recommendation: Find the amendment consistent with the comprehensive plan and forward to county council for expedited state review in accordance with Section 163.3182 (3) and (5), Florida Statutes, and Volusia Growth Management Commission (VGMC) certification.

30-58 December 28, 2012
Page 1 of 10

II. SITE INFORMATION

1. Location: Generally located east of the SunRail station, south of State Road

44 and north of West Beresford Avenue, DeLand.

2. Parcel No(s): Multiple3. Property Size: ± 323 acres

4. Council District: 1

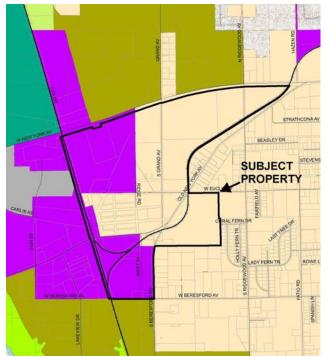
5. Zoning: I-1, A-3, R-3, and Pelham Square RPUD

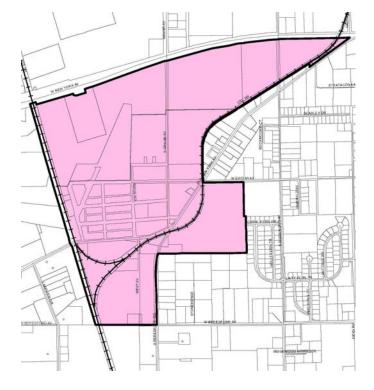
6. Future Land Use: Urban Low Intensity and Industrial

7. ECO Overlay: No8. NRMA Overlay: No9. Adjacent Zoning and Land Use:

DIRECTION	ZONING	FUTURE LAND USE	CURRENT USE
North	A-2 and A-3	Rural, ULI and Industrial	Agricultural and
			industrial operations
West	P, I-1 and A-2	Public and Industrial	Public works depot,
			industrial
			operations, and the
			circus headquarters
South	A-2 and R-3	Rural and ULI	Single family
			residential and
			vacant agricultural
East	A-3 and R-3	ULI	Single family
			residential

10. Location Maps:





EXISTING FLU MAP

PROPOSED FLU MAP

III. BACKGROUND AND PREVIOUS ACTIONS

The Florida Department of Transportation (FDOT) began holding public workshops in 2002 to discuss the implementation of commuter rail, now known as SunRail. The 61-mile route is located along the existing CSX tracks and includes 17 stations connecting Poinciana with DeLand. The system will become operational in two phases. Phase 1 is 31-miles and will connect Sand Lake Road to DeBary by 2014. Phase II is 30-miles and will complete the system at the most southern (Poinciana) and most northern (DeLand area) stations by 2017.

New rail transit systems historically offer communities a host of new growth management opportunities; from creating pedestrian-friendly, transit-oriented housing near station stops to redeveloping struggling commercial and retail areas. SunRail is no different and Volusia County has a tremendous opportunity to take advantage of the commuter rail system.

In an effort to assist local governments in creating Transit Oriented Development (TOD) standards, the FDOT developed a Sketchbook for each of the 17 stations in the summer of 2007. The Sketchbook was the result of a series of community visioning sessions hosted by FDOT, and utilized TOD planning principles to depict conceptual land use options for each of the rail stations. For the DeLand area station, the Sketchbook indicated approximately 370 acres of residential uses with limited supporting commercial. Projected maximum development yield would result in 3,000 units and 800,000 square feet of neighborhood commercial.



In December 2008, the FDOT and planning consultants, PB PlaceMaking released a summary report of the ongoing community visioning sessions. The summary report described TOD strategies and design elements necessary for successful commuter rail ridership and financial feasibility. For the DeLand area station, the summary report indicated approximately 560 acres of TOD mixed-use, office, commercial, and multifamily uses. Projected maximum development yield would result in 6,600 units, 100,000 square feet of commercial/office, and 1.7 million square feet of industrial uses.



In February 2011, the county council authorized staff to coordinate future land use and corridor planning for the north SunRail station area with the City of DeLand. Also during this time, the FDOT was in the process of updating the 2007 Sketchbook. Ultimately, the revised Sketchbook design was a result of the joint planning efforts between the city and county. For the DeLand area station, the 2011 Sketchbook plan indicates approximately 196 acres with a maximum development yield of 3,200 dwelling units and 2.5 million square feet of nonresidential uses. The proposed Activity Center future land use map and text amendment most resembles this plan, as it is based on coordinated efforts between the local governments.



On June 15, 2012, the county council, during a joint public workshop with the City of DeLand, directed staff to prepare a future land use map amendment for the area adjacent to the SunRail station to allow Transit Oriented Development (TOD). Since that time, county staff prepared this amendment to facilitate TOD on the east side DeLand area SunRail station as a new Activity Center in the comprehensive plan. As part of drafting the amendment, staff has met on several occasions with the City of DeLand and held a public meeting on August 7, 2012, with the property owners located within the proposed Activity Center. Additionally, the PLDRC considered the proposed amendment as a public discussion item on November 13, 2012, and December 11, 2012. Input received from these meetings is reflected in the proposed map and text amendment.

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The SunRail activity center area is largely vacant (207 acres or 72% of total land area), most of which falls under an agricultural classification according to the property appraiser's data. The existing development is primarily industrial with Dominion Metal Recycling Center (11 acres) and Hanson Pipe (24 acres); the two largest uses classified industrial.

Several single-family homes comprise the only existing residential within the proposed activity center and two of these homes are located within the Pelham Square Historic District. The county's Historic Preservation Board designated the Pelham Square property as a locally designated historic district in 1997. The previous owners of Pelham Square property obtained zoning approval for 226 dwelling units on 57 acres as a residential PUD in 2006 after receiving a Certificate of Appropriateness by the Historic Preservation Board. The developer submitted an Overall Development Plan (ODP) for the project within the timeframe required by the development agreement. However, the project did not obtain approval of the ODP and the application remains inactive. The Pelham Square PUD comprises most of the land area of the TOD Core district. The Estates of Pelham Square is the only other approved residential development consisting of 55 single-family lots on 31 acres located in the TOD Transition district. As with the Pelham Square PUD, no development has occurred.

Vacant land consists mostly of forested area that contains pine flatwoods, planted pine, and pine/mesic oak with a smaller area of live oak hammock. The soils are nearly all non-hydric types with no area located within the 100-year floodplain. There are a few isolated areas of wetlands according to GIS-based data.

IV. REVIEW CRITERIA AND ANAYLSIS

<u>Transit Oriented Development Review</u>

The existing future land use designations encompassing the SunRail DeLand Area Activity Center are Urban Low Intensity (ULI) and Industrial (I). There are approximately 52 acres of existing CSX/ROW within the 323 total gross acres.

Table 1: Current FLUM Designations

FLUM Designations	Acres	Residential Density (Dwellings per Acre)		Nonresidential FAR (Floor Area Ratio)
		Minimum Maximum		Maximum
Urban Low Intensity	204	0.2	4.0	0.5
Industrial	119	None	None	0.6
TOTAL	323			

Source: Volusia County GIS

The ULI designation is a low density, suburban scale residential land use designation that allows limited land area for stand-alone commercial uses such as neighborhood convenience commercial and office. This designation is not conducive for TOD because development is restricted to a much lower residential density and building intensity then that typified by TOD. Additionally, ULI does not provide for the mixing of residential and nonresidential uses.

The Industrial designation accommodates the full range of industrial activities that vary with the location and availability of public services, access, and compatibility with the surrounding area. Prior to the approval of SunRail, industrial development has taken advantage of the freight opportunities provided by the close proximity of rail access for receiving and hauling products.

The proposed Activity Center is an opportunity to facilitate TOD within a walkable proximity to the DeLand area SunRail station as an alternative to low density sprawl and the typical automobile-dependent land use pattern. Transit is especially successful in communities and neighborhood areas that have defined centers that offer multiple destinations for employment, shopping, and housing along with creating a livable and walkable environment. Staff used the following three guiding principles from the FDOT sketchbook workshops in preparing the draft amendment:

- 1. Greater density than the community average
- 2. Mix of uses
- 3. Quality pedestrian environment

Greater Density than the Community Average

A key to creating a defined center is having sufficient residential densities within an approximate one-quarter mile radius to one-half mile distance of the station to reduce walking distances from residences to other destinations including shopping, employment, and transit. The intensity and densities should also be compatible with the community and reflect the appropriate center type. The densities should be highest within a one-quarter mile area of the station. The reduction in density between one-quarter to one-half mile serves as a transition from the Core district to the surrounding community.

To accomplish this principle, the Activity Center contains two optional districts, TOD Core and TOD Transition. The density and intensity are higher within the TOD Core district, which is closer to the station than the TOD Transition district. The TOD Transition district is generally located on the periphery of the core to the north and south.

Table 2: Proposed TOD Districts

Activity Center Districts	Acres	%	Residential Density (Dwellings per Acre)		Inte	esidential ensity Ratio - FAR)
			Minimum	Maximum	Minimum	Maximum
TOD Core	81	25%	9	30	0.5	2.0
TOD Transition	190	59%	2	15	None	0.5
Rail/Street ROW	52	16%				
TOTAL	323	100%				

Source: Volusia County GIS

Staff used guidance from "A Framework for Transit Oriented Development in Florida" prepared by the FDOT and the Department of Community Affairs in March 2011 to propose the residential density and non-residential intensity ranges of the Activity Center. Table 3 presents the density and intensity ranges for three types of commuter/light rail oriented TOD centers. The regional centers are the highest intensity typified by a downtown Orlando, acting as the focal downtown of a metropolitan region. Community centers are sub-regional centers with medium intensity development such as a Maitland Center. Neighborhood centers are generally predominated by residential uses with local-serving retail and service such as downtown Winter Park.

Table 3: Typical TOD Centers- Density and Intensity Range

TOD Center Measures	Regional T	I TOD Center Community TOD Center		_		Neighborhood TOD Center	
	Minimum	num Maximum Minimum Maxim		Maximum	Minimum	Maximum	
Gross Residential Density(Dwellings/Acre)	35	55	25	35	9	12	
FAR (Net Parcel)	2.0	4.0	2.0	4.0	1.0	1.5	

^{*}Source: A Framework for Transit Oriented Development in Florida, March 2011

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Mix of Uses

The land-use mix should also reflect the appropriate TOD center type. Table 4 indicates the land use mixes for the three TOD center types.

Table 4. Typical TOD Centers- Land Use Mix

TOD Center Types	Land Use Mix*			
	Residential Non-Residentia			
Regional TOD Center	35%	65%		
Community TOD Center	45%	55%		
Neighborhood TOD Center	75%	25%		

^{*}Source: A Framework for Transit Oriented Development in Florida, March 2011

The proposed Activity Center land use mix reflects the community center in the TOD Core district and the neighborhood center in the TOD Transition district, as appropriate for the area.

Table 5. Assumed Maximum Development Yield of the proposed Activity Center

		Land	Density	Min #	Max #	Max
Activity Center	Acre	Use	and	Dwelling	Dwelling	Nonresidential
		Mix	Intensity	Units	Units	Square Footage
TOD Core Distric	ct					
Residential	37	46%	9-30	333	1,110	
Retail	24	30%	0.5			522,720
Office	17	20%	2.0			1,481,040
Hotel	3	4%	2.0			261,360
Subtotal	81	100%		333	1,110	2,265,120
TOD Transition I	District					
Single-Family	95	50%	2-8	190	760	
Multi-Family	48	25%	8-15	384	720	
Retail	37	20%	0.5			805,860
Office	10	5%	0.5			217,800
Subtotal	190	100%		574	1,480	1,023,660
CSX/ROW	52					
TOTAL	323			907	2,590	3,288,780

Source: Volusia County GIS

Quality Pedestrian Environment

A walkable community must also be a convenient and comfortable place for pedestrians. Requiring specific design features helps to create a quality pedestrian environment. Such recommended design features include:

- Buildings and primary entrances are sited and oriented to be easily accessible from the street
- Buildings incorporate architectural features that convey a sense of place and relate to the street and the pedestrian environments
- Amenities, such as storefront windows, awnings, architectural features, lighting, and landscaping, are provided to help create a comfortable pedestrian environment along and between buildings
- Most of the parking is located to the side or to the rear of the buildings
- Street patterns are based on an interconnected system that simplifies access for all modes
- Pedestrian routes are buffered from fast-moving traffic and expanses of parking. Trees sheltering streets and sidewalks are provided along with pedestrian-scale lighting
- Buildings and parks are used to provide a focal point or anchor for key areas or intersections

In addition, a distinguishing feature of transit-oriented development is the presence of an active streetscape oriented to serve pedestrians, which requires a mix of uses within a walkable distance. The following are typical TOD objectives:

- Creation of multiple destinations around the station to generate pedestrian traffic
- First floor uses are "active" and oriented towards pedestrians. A mix of uses generating pedestrian traffic is concentrated within walking distance (one-quarter to one-half mile) of transit
- Multiple compatible uses are permitted within buildings near transit
- Auto-oriented uses, such as service stations and drive through facilities, are limited or prohibited near transit
- Residential uses included as part of transit-oriented developments should provide a range of housing opportunities

Economic Development Review

One of the goals of implementing TOD is to maximize ridership potential to offset the transit investment by increasing taxable land values and revenues from development. TOD is an opportunity to leverage the investment in commuter rail by accommodating employment and residential growth, as well as making jobs accessible by transit. Locations next to transit can enjoy increases in land values over 50 percent in comparison to locations away from transit stops. The full economic and tax revenue benefits of TOD will occur over a period-of-time as the station area develops in response to market conditions and growth along the commuter-rail corridor.

Table 6 provides a comparison of the jobs-to-housing ratio of the proposed activity center to the three types of TOD centers. The activity center jobs-to-housing balance is based on an estimate of residential development and employment mix that could be generated from the non-residential building program yield. The activity center is projected to result in a jobs-to-housing ratio of 2.7:1, which is close to the jobs-to-housing ratio of the community center type, if the entire area develops as TOD.

Table 6. TOD Jobs-to-Housing Ratio

TOD Center Measures Jobs/Housing*	Regional TOD Center	Community TOD Center	Neighborhood TOD Center	SunRail DeLand Area Activity Center
Jobs-to-Housing Ratio	6:1	3:1	1:1	2.7:1

^{**}Sources: 1) A Framework for Transit Oriented Development in Florida, March 2011; and 2) County staff analysis

The total employment estimated for the activity center is around 7,100 jobs compared to 5,500 jobs under the current future land use designations. The increase is due primarily to the inclusion of office use as an allowed use in both the TOD Core and TOD Transition districts. The Activity Center also will provide a greater range of commercial and retail employment opportunities.

Impacts on State Monitored Facilities

The following subsections address the potential impacts that could result from this amendment, if all development complies with the policies of the Activity Center, on services that fall under the concurrency requirements of the Growth Management Act (Chapter 163, F.S.).

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a. Utilities:

The area encompassed by this amendment is located within the City of DeLand's water and sewer service area pursuant to a 1995 interlocal agreement with the county. Water and sewer infrastructure is in place and can accommodate development occurring within the Activity Center. Depending on the size and location of development projects, developers will most likely need to install additional infrastructure improvements such as wastewater lift stations and water main looping.

The city also has adequate available permitted potable water and wastewater treatment capacity to meet the potential for increase in demand under the proposed local plan (See Table 7). The city has adequate available Consumptive Use Permit (CUP) allocation as well as plant capacity to accommodate the additional potable water demand. Available permitted plant and CUP capacity in Table 7 is the difference between total plant and CUP capacity and current usage.

Table 7 - Projected Demand – CUP/Plant Capacity

	Projected Demand				
	Existing Land Use (MGD)*	Proposed Future Land Use (MGD)	Additional Demand (MGD)	Available CUP Allocation (MGD)	Available Permitted Plant Capacity MGD
Potable Water	0.455	0.995	0.541	1.380	9.360
Wastewater	0.440	0.931	0.490	N/A	3.420

*MGD – Millions of gallons per day Source: City of DeLand Utilities

b. Transportation:

Amending the comprehensive plan to facilitate the implementation of the TOD concept is an opportunity to align future land use with investments in multimodal transportation, such as SunRail, consistent with Goal 2.1 of the Transportation Element:

2.1 Volusia County shall provide a coordinated multimodal transportation system to serve current and future land uses and population needs. The multimodal transportation system will discourage urban sprawl and encourage energy efficient land use patterns.

TOD has a number of advantages as a development concept to reduce dependency on the automobile as the primary form of transportation and promote multimodal forms of transportation. In general, people living and working in TODs are more likely to walk, use transit, and own fewer cars. TOD households are twice as likely to not own a car and own roughly half as many cars as the "average" household. At an individual station, TOD can increase ridership by 20 to 40 percent. People who live in a TOD are five times more likely to commute by transit in contrast to residents in other types of developments, such as a suburban scale subdivision.

A key ingredient of a successful TOD is having sufficient residential densities as proposed by this Activity Center, to reduce walking distances between residences and other destinations, including commercial services, schools, parks, and transit. Volusia County staff contracted with Kittelson and Associates, Inc. to assess the impact of the increase in residential and non-residential development on the roadway network compared to the current future land use designations. The consultant adjusted the modeling to take into account the interaction of the mix of land uses of a TOD to estimate the trip generation in contrast to the single use development facilitated by the current ULI and Industrial future land uses. However, a limitation is that the current accepted modeling tool considers the automobile as the only option to meet travel demands. It does not take into account alternatives to automobile trips, such as walking or riding a bike.

The initial transportation analysis was based on an earlier version of the TOD future land use concept that retained industrial as a use in the TOD Transition District. In general, the initial finding was that the amendment resulted in only a few roadway segments exceeding the established level of service capacity compared to the maximum potential development under the current future land use designations. The consultant also found that the operation of several roadways segments improved under the TOD land uses. At this time, the consultant is assessing the impact of the latest land use concept that removes industrial use from the TOD Transition District and reflects an offsetting increase in retail and office use.

c. Schools:

The amendment must address school capacity because the TOD Core and Transition districts allow greater residential density than currently allowed under the ULI future land use designation, with the possibility of generating additional residential dwellings and students. Although the Volusia County School Board staff recognizes that additional residential density is necessary to support commuter rail, they indicated that it does not have capital projects currently planned to address the potential impact of increased student population (see letter dated September 3, 2012). Since that time, staff revised the text amendment to include school planning policies in cooperation with school district staff. Proposed Objective SR 1.6 and related policies require that any future TOD development within the Activity Center ensure that adequate school capacity is available for any increase in dwelling units than currently allowed.

d. Parks and Recreation:

Volusia County's LOS criteria are tiered, requiring 2.0 acres per 1000 population for local parks and 5.0 acres per 1000 population for district parks. In July 2011, the county amended the criteria for designating local and district parks in Chapter 13 - Recreation and Open Space element of the comprehensive plan. Although the tiered LOS criteria is still in effect, the amendment allows additional flexibility in classifying local and district parks, and shifts the focus from total number of acres for each park, to how a park actually functions. Public access to conservation lands now applies towards meeting community/regional recreational needs. Local level needs are typically satisfied by city parks, with the county's emphasis shifting to regional services.

The county is currently meeting its LOS for parks at both local and district parks. Under the district park LOS, the amendment could result in a need for 24 acres if developed at the maximum residential density compared to the current ULI future land use designation. The county has a surplus of 635 acres of district parks lands meeting this LOS.

For local parks, the Activity Center falls within impact fee zone 4, which currently exceeds the LOS by 48 acres. The amendment could result in the need for 9.4 acres of additional local park land area, which is met by the current surplus of acreage.

e. Solid Waste:

Development resulting from the Activity Center should not degrade the level of service standards for the county's solid waste facilities. The county's LOS for solid waste is to maintain an 8.6 pounds per capita per day disposal capacity at a minimum five years of construction life at all solid waste facilities combined. The permitted capacity of the Tomoka landfill is 2,300,390 cubic yards until year 2017, which is within the 5-year timeframe of the LOS standard. The industry standard average weight of a cubic yard is 1,200 pounds. Based on the county's projected 2017 population, 1.6 billion pounds of landfill capacity is required. The Activity Center could generate 43 cubic yards or 51,600 pounds of waste per day based on the maximum development potential. The Tomoko landfill has a 2.8 billion pound capacity, and therefore meets the LOS standard.

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f. Stormwater:

Stormwater LOS for development proposed within the Activity Center will be addressed during the development review process. The county requires development to meet the stormwater management standards based on the 25-year storm event (See Volusia County Comprehensive Plan, Drainage Sub-element, Policy 9.1.1.2[a]). Development will be required to follow the stormwater criteria of the Volusia County Land Development Code, as it may be amended from time to time. Development must demonstrate that the volume of runoff and the duration of peak flow rates ultimately discharging to downstream areas are not increased. In addition, proposed development will be required to apply for a stormwater permit from St. Johns River Water Management District (SJRWMD).

Urban Sprawl Criteria

An amendment is determined to not the proliferate urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the eight criteria stated in Section 163.3177(6(a))9.b., F.S. of the Growth management Act. The proposed Activity Center criteria achieves the following four of the eight criteria applicable to this amendment.

<u>Criteria II - Promotes the efficient and cost-effective provision or extension of public infrastructure and services.</u> The TOD concept allowed by the amendment is a recommended development scenario as an alternative to the existing suburban scale future land uses to take advantage of the investment in the commuter rail station. The Activity Center provides greater density and intensity of development within walking distance of the station, thereby, reducing the dependency on the automobile as the primary means of transportation, as an opt-in, incentive based program. This reduces the need for additional roadway construction to meet the travel demands of future population growth.

<u>Criteria III - Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.</u> The proposed Activity Center criteria promotes both a walkable (Objective SR 1.1) and connected community (Objective SR 1.4) with a mix of uses at densities and intensities to support a range of housing. The Activity Center uses the TOD concept because it supports and is complementary to transit, in this case, the focal point being the commuter rail station.

<u>Criteria IV -Promotes conservation of water and energy.</u> Objective SR 1.5 sets standards for water and energy conservation, as required.

<u>Criteria VII - Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.</u> The goals, objectives, and policies of the proposed Activity Center achieve this by allowing an increase in residential density and introducing office and retail uses to promote a more balanced jobs-to-housing ratio and land use mix as recommended by the FDOT Framework to facilitate TOD.

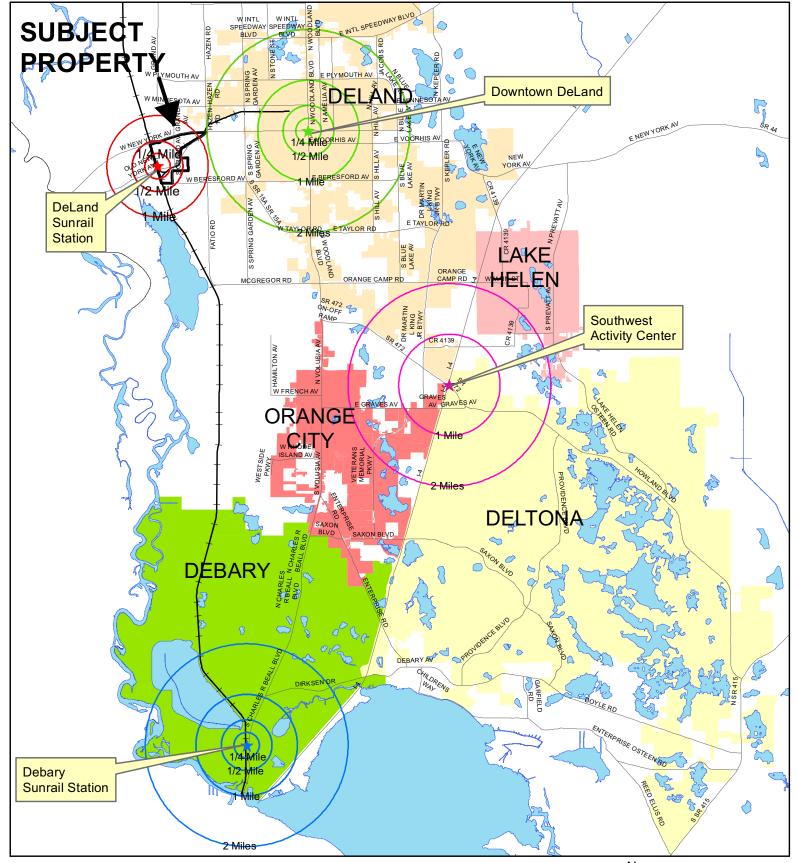
V. STAFF RECOMMENDATION

Find the amendment consistent with the comprehensive plan and forward to county council for expedited state review in accordance with Section 163.3182 (3) and (5), Florida Statutes, and Volusia Growth Management Commission (VGMC) certification.

VI. ATTACHMENTS

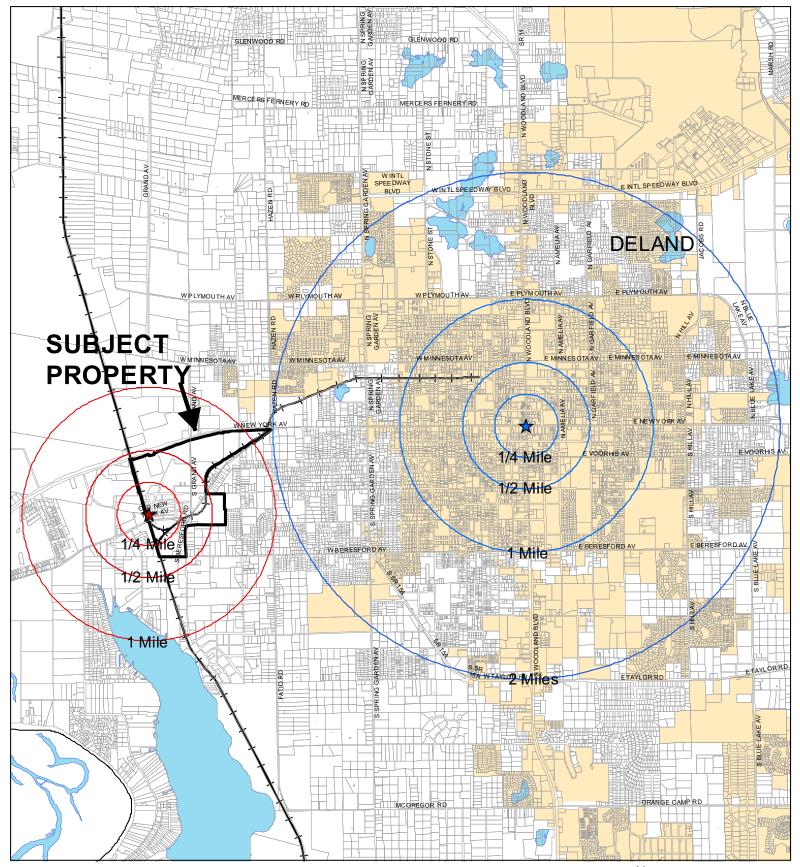
FDOT courtesy review dated August 21, 2012 School Board Letter dated September 3, 2012 Maps

30-67



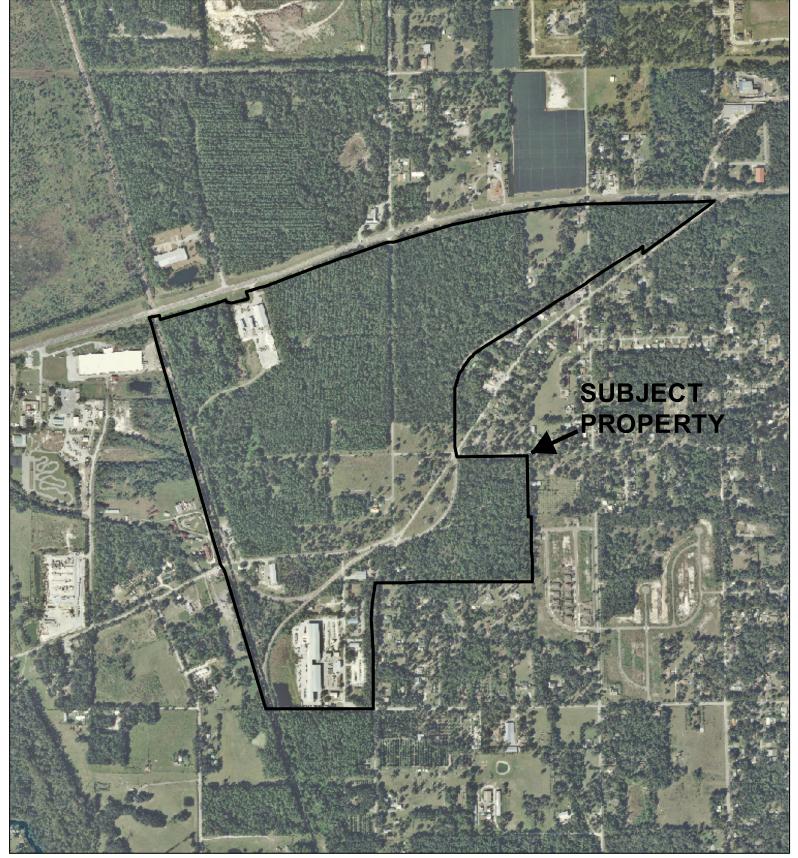
SUNRAIL LOCAL PLAN - LOCATION

N Date: 8/1/2012 1 inch = 10,000 feet



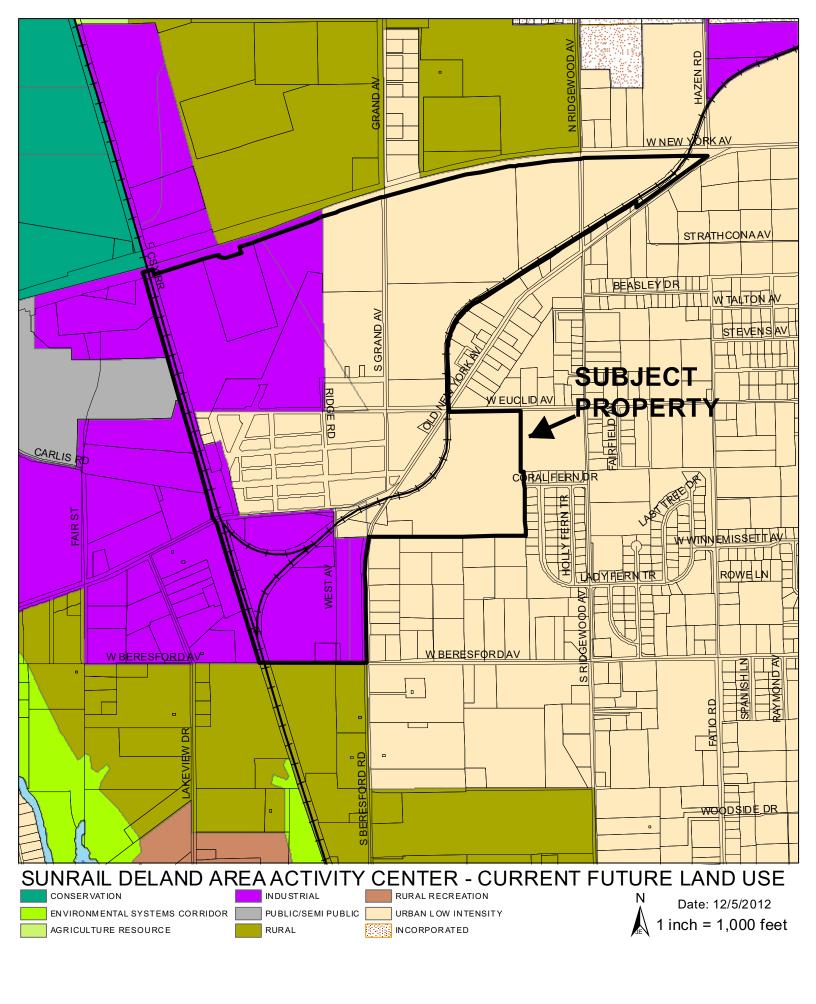
SUNRAIL DELAND AREA ACTIVITY CENTER - LOCATION

Date: 12/5/2012 1 inch = 4,000 feet



SUNRAIL DELAND AREA ACTIVITY CENTER - 2012 AERIAL

Date: 12/5/2012 1 inch = 1,000 feet



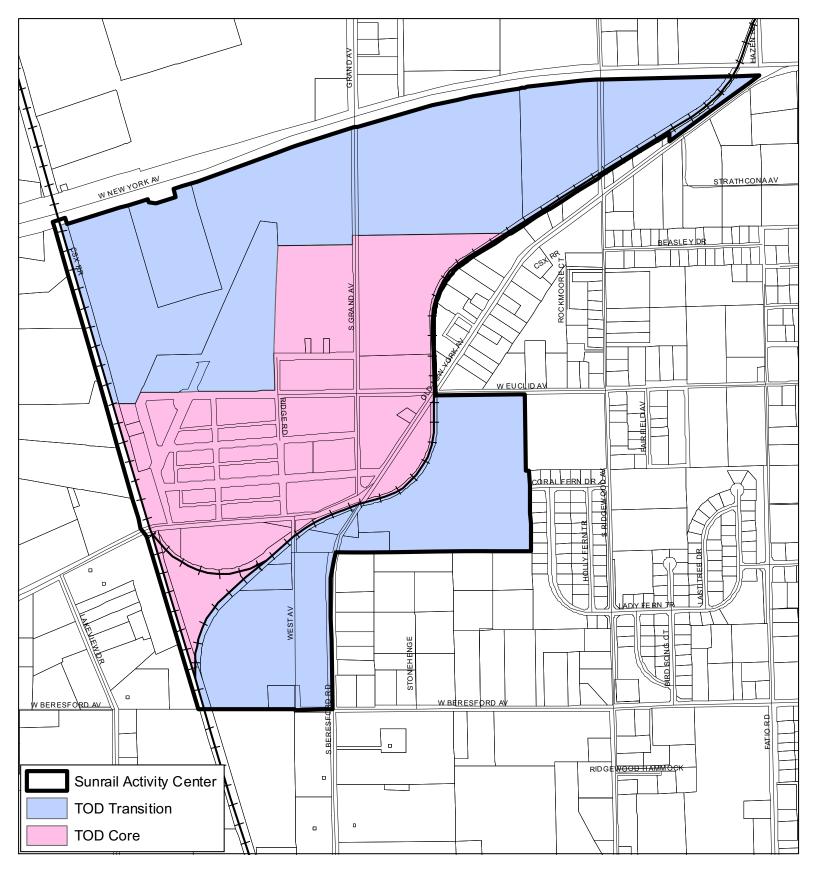
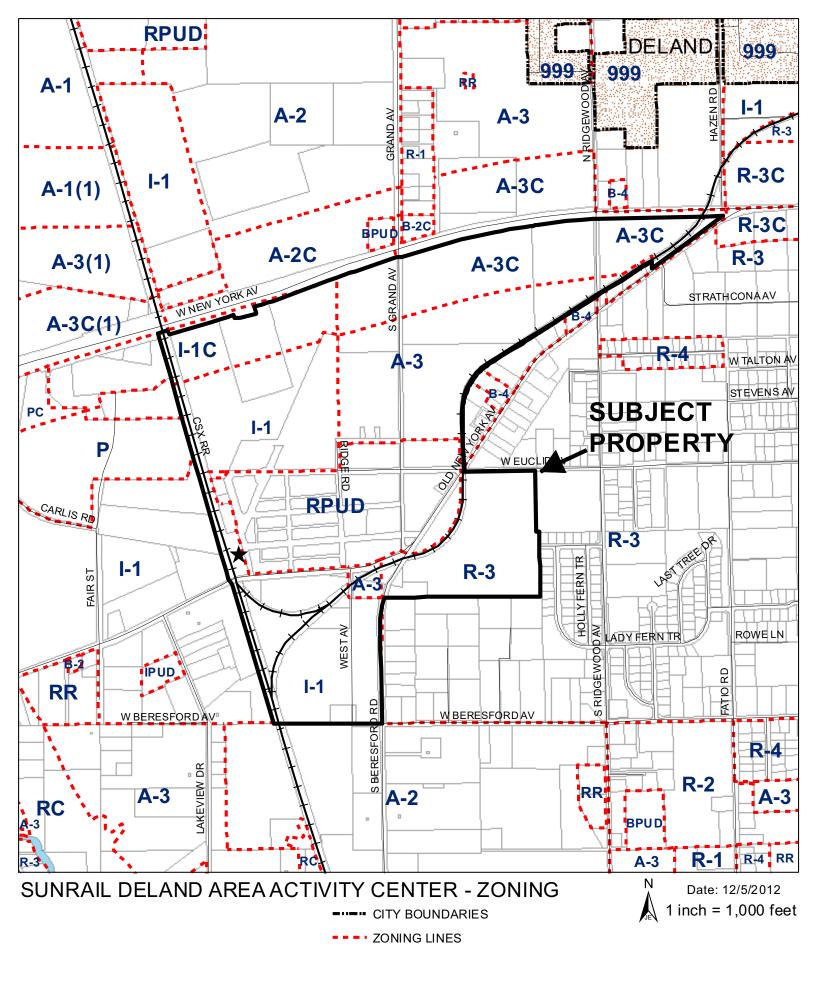
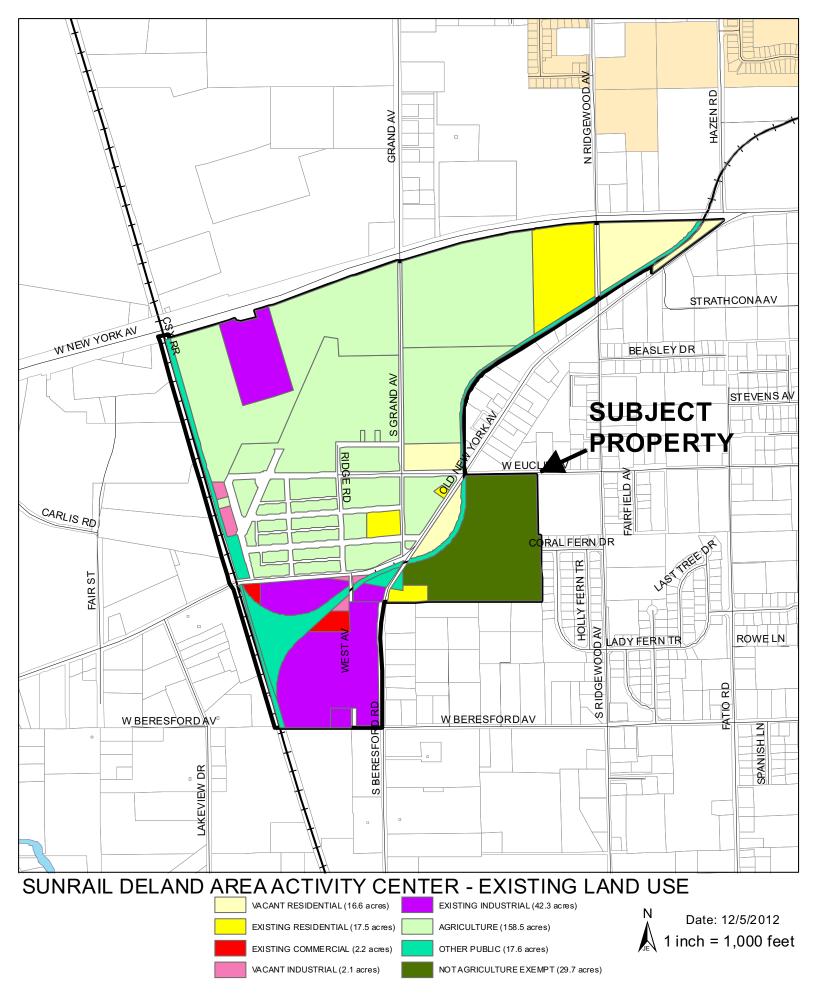


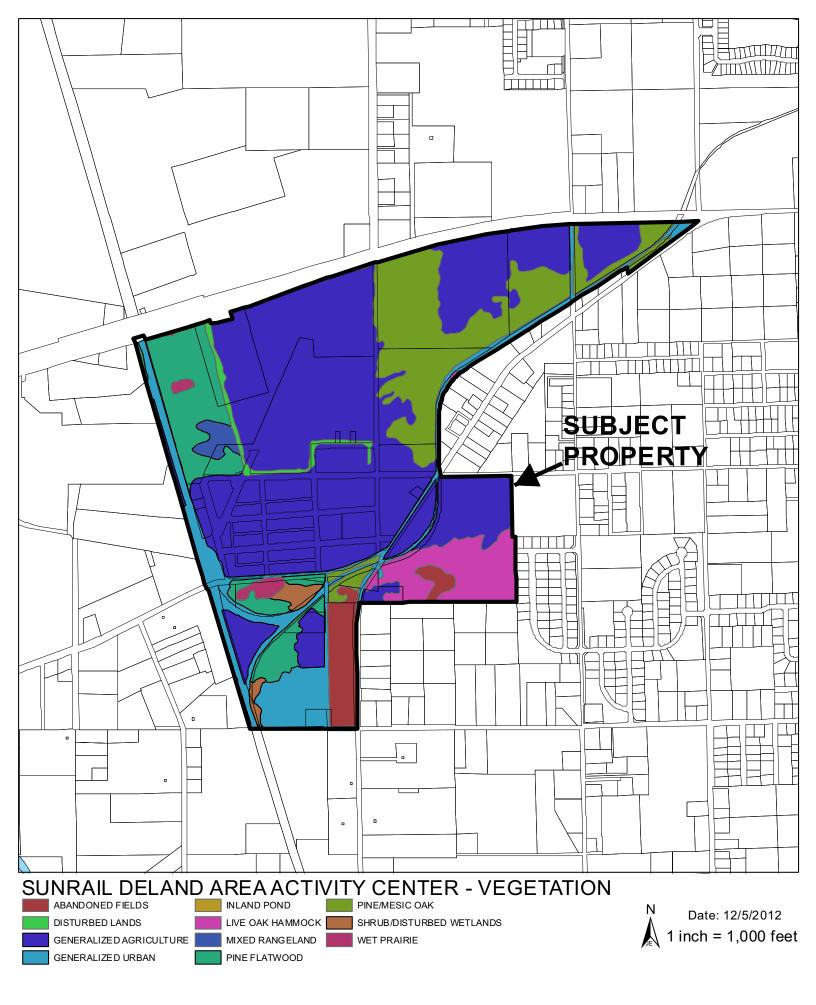
FIGURE 1-120
SUNRAIL DELAND AREA ACTIVITY CENTER

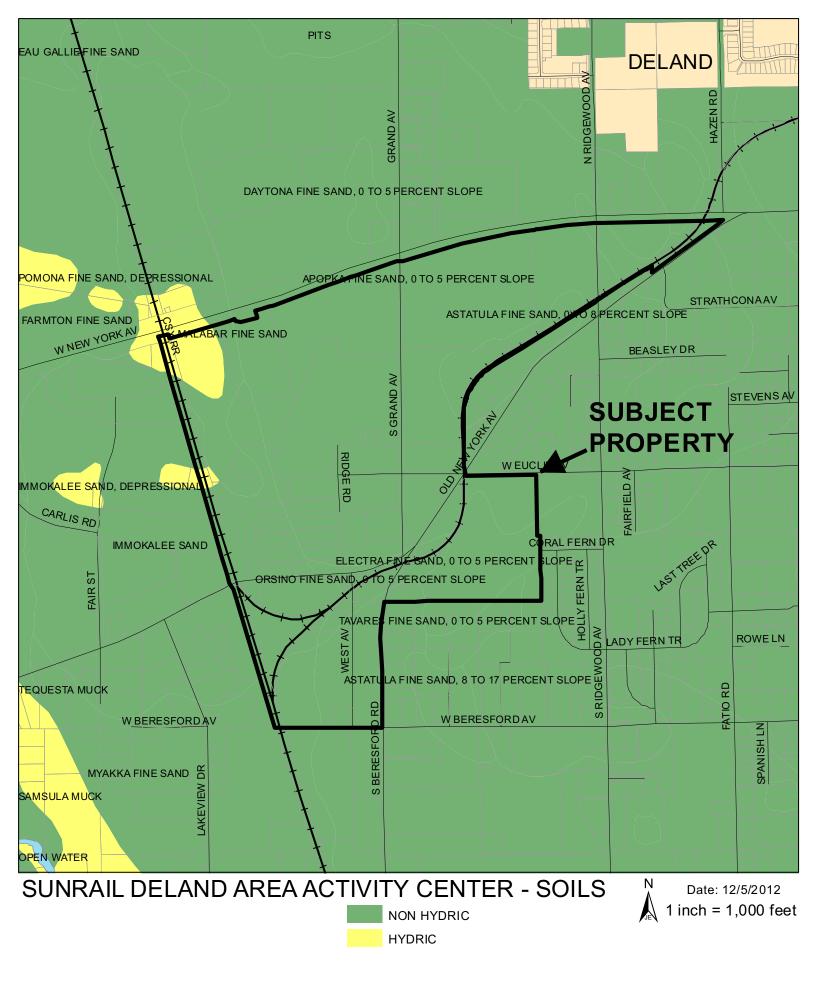


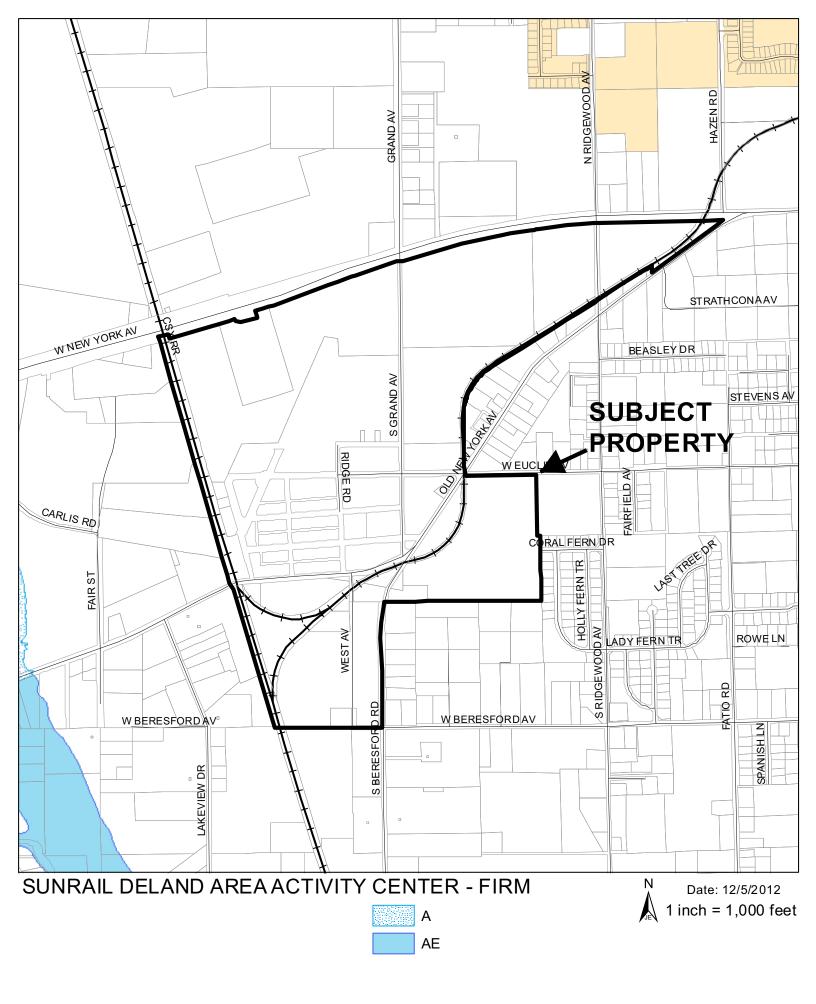
PREPARED BY: VOLUSIA COUNTY GROWTH & RESOURCE MANAGEMENT DEPARTMENT











2:15 p.m.
Item 25
Order of Business:
Open Public Hearing
Staff Report

FILE NUMBER 745

Council Discussion/Action

Public Participation Close Public Hearing

Transmittal hearing for large-scale comprehensive plan amendment from the Urban Low Intensity and Industrial designations to the SunRail DeLand Area Activity Center. Kelli McGee (386) 736-5959 x12000

Growth and Resource Management Department Director Kelli McGee gave the staff report and displayed several overhead maps of the area in question.

District Secretary of the Department of Transportation (DOT) **Noranne Downs** said her organization was responsible for producing Phase I of SunRail and was working on Phase II South and Phase II North. The Federal Transit Administration (FTA) had several categories for projects termed "small starts," which SunRail would most likely fall under. The comprehensive plan amendment the Council was to approve would help determine what the SunRail station's site would look like as well as the parking spaces. The change of land use was very critical to moving forward with the project and for the DOT to work with the FTA in deriving a cost estimate and plan for Phase II North. There were no questions of Ms. Downs.

Public Participation took place. **Joel Ivey**, a planning consultant representing Volusia Land and Timber, gave his clients' support for the project and urged the Council to approve the proposal. **DeLand Mayor Bob Apgar** said County and City staff had worked closely together on the amendment and it had the City's support. The City also supported the proposed DeLand SunRail station. Local attorney **Alex Ford**, representing Pelham Square Investors, spoke in favor of the amendment. **Tadd Kasbeer**, with Bowyer-Singleton & Assoc. and also representing Pelham Square Investors and the property owners to the east of the site, added his strong support to that of the others.

A great deal of Council discussion took place. Ms. Downs and **Tawny Olore** with the local DOT office explained the history of the DeLand SunRail station and spoke about the phases of SunRail in regard to the proposed land densities. In order to obtain funding for the different phases, Ms. Downs said the FTA would be looking at mobility, environmental benefits, congestion relief, economic benefits, cost effectiveness and existing land use. The answers were unknown at this time, as the FTA was in the process of reworking the rules, which would be made known by June of 2013.

Chair Davis spoke about his recent trip to Washington, D.C., and his conversation with representatives of the FTA regarding Phase II North. The FTA had told him it had no paperwork on that phase, and if there was no paperwork on a project basically it did not exist. Ms. Downs told him the DOT had received environmental clearance on the entire 61-mile SunRail project, but to get the full funding grant agreement the FTA had to complete its checklist. This was contingent on Volusia County's getting the land use approved and beginning to determine the size of the transit oriented development (TOD) around the DeLand station. The DOT and the County then could examine projected costs and work with the FTA to obtain a "small starts" full funding grant agreement. This was standard procedure when dealing with the FTA; everything was on track. Mr. Davis said it seemed to him the County was currently funded for a commuter train system that went from DeBary to Orlando. Ms. Downs and Ms. Olore said this was true for the construction. Some dialogue was exchanged between the Chair and the DOT representatives. Chair

Davis said he was concerned that there was no guarantee the money for the DeLand Activity Center project was in the bank.

Council Member Patterson moved for APPROVAL as recommended. Council Member Wagner seconded the motion. More discussion followed. Ms. Downs said better density around a station led to better ridership, which led to a better qualifying score, but no one knew what the final awarded dollar amounts would be. She listed several approaches that could be taken to acquiring them. In response to a request from Council Member Northey, Ms. McGee clarified the language in SunRail policy 1.3 about the planning and implementation of the DeLand SunRail TOD program complementing the downtown DeLand market area. The PLDRC had added the phrase at the same time, noting it was still necessary to have the densities and intensities appropriate to TOD expansion. Ms. Northey said she still was concerned about the densities and the "complement" language and could not support the Item. Mr. Davis reiterated his nervousness about there being no paperwork when past Councils had been told the funding was a "done deal." He felt from talking with citizens, mayors and Council members that there was a strong push for SunRail to go to Daytona Beach.

County Attorney Eckert asked Ms. Downs if the DOT felt approval action would advance the prospects of a full funding grant agreement, but could not say if the FTA's criteria would be met. Ms. Downs replied she could not answer that, because the rules were not yet written. Several Council Members commented that the Chair needed to support the positions the Council took as a whole on various issues, not his own personal position. Ms. Northey said since Mr. Patterson, the District representative, clearly supported the Item she would vote for it. After additional discussion the motion to approve transmitting the comprehensive plan amendment CARRIED 7-0.