PUBLIC HEARING: June 14, 2016 - Planning and Land Development Regulation Commission (PLDRC)

CASE NO: CPA-16-002

SUBJECT: Farmton Local Plan – Map amendment to Figure 2-10, Spine Transportation Network.

APPLICANT: Glenn Storch, Esq.

OWNER: Miami Corporation

STAFF: Susan Jackson, AICP, Senior Planning Manager

I. SUMMARY OF REQUEST

Mr. Storch, on behalf of Miami Corporation, is proposing an amendment to the Farmton Local Plan Figure 2-10, Spine Transportation Network Map, to clarify the proposed intersection realignment of Osteen Maytown Road with S.R. 415. The proposed realignment shifts the roadway northward to align with the Doyle Road/S.R. 415 intersection. This realignment was contemplated during the initial drafting of the local plan and the subsequent Development of Regional Impact development order.

Staff Recommendation:

Find the amendment consistent with the comprehensive plan and forward to county council for transmittal to the Department of Economic Opportunity for expedited state review, and to Volusia Growth Management Commission (VGMC) for certification.
II. BACKGROUND AND PREVIOUS ACTIONS

The Farmton Local Plan was adopted into the Comprehensive Plan on February 18, 2010, and became effective on March 29, 2012, after resolution of an administrative challenge. The plan provides a long-term vision with a 50-year planning horizon for approximately 47,000 acres located in southeast Volusia County. The plan consists of two primary land uses: GreenKey and Sustainable Development Areas. The GreenKey designates approximately two-thirds of the area for permanent conservation. The Sustainable Development Area defines areas within the Farmton Local Plan designated for future development. To serve the transportation needs of the future development, a spine network of arterial roads is contemplated as depicted in Figure 2-10 Farmton Local Plan Spine Transportation Network map (attached). This map shows Osteen Maytown Road as the primary east/west road, connecting Farmton’s internal roadway network with the external transportation network. Improvements to the roadway are contemplated as shown on the map, at its intersection with S.R. 415 and a future interchange connection with Interstate 95.

Per the Farmton Local Plan, Osteen Maytown Road is to be a 200 foot, multi-modal right-of-way. Direct access to Osteen Maytown Road from S.R. 415 is required within five-years of the commencement of any development within the Farmton Local Plan occurring on, or accessing, this roadway. Figure 2-10 highlights the area of the future direct access point, or intersection, with a highlighted circle.

The current Figure 2-10, depicts a circle highlighting the area around the existing Osteen Maytown Road/S.R. 415 intersection and both Doyle Road and Enterprise Osteen Road intersections. The applicant is requesting to amend this map to reduce the size of the circle and shift it northward so that it highlights only the future intersection with Doyle Road. The applicant’s concern is that the current Figure 2-10 is misleading in that the intersection alignment could be interpreted to be with either Enterprise Osteen Road or Doyle Road. This amendment simply clarifies that it is with Doyle Road.

The graphics below are provided with road names emphasized to illustrate the change in the highlighted circle location. The actual existing and proposed Figure 2-10 maps are attached for reference.
This is a preferred intersection configuration than what currently exists. Currently, Osteen Maytown Road does not have direct access to S.R. 415. It is accessed via New Smyrna Boulevard., which runs north/south and intersects with S.R. 415 at an angle. If a driver is unfamiliar with the route, it can be challenging to find Osteen Maytown Road. The Doyle Road intersection configuration provides a safer and more efficient, direct connection between S.R. 415 and Osteen Maytown Road.

The City of Deltona reviewed this amendment and has stated no objections.

Several policies within the plan anticipate improvements to be made to Maytown Road, including widening to a 200 foot multi-modal right-of-way, providing for direct access to S.R. 415, and sensitivity to environmental factors. Policy excerpts applicable to this request are presented below in subsection III.B.

III. REVIEW CRITERIA AND ANALYSIS

A. Impacts on State Monitored Facilities.

The amendment revises map Figure 2-10 to clarify the intersection alignment of Osteen Maytown Road with Doyle Road. This improvement is already contemplated and approved by the adopted Farmton Local Plan. Additionally, the Master Development Order (MDO) for the Farmton Development of Regional Impact recognizes this future improvement. Condition 68 of the MDO reiterates the Local Plan policy FG 5.7 as follows:

The FLP establishes a transportation spine network of arterial roads that identifies approximate alignments and right-of-way widths of the arterials and interchanges consistent with the needs of access between major uses on-site and access to the external transportation network. The timing of the construction of the facilities listed below shall be consistent with the cumulative access and external network connectivity needs of each AIDA and shall be coordinated with FDOT, the River to Sea Transportation Planning Organization (R2CTPO), the County, Brevard County and affected municipalities. The final alignment may be impacted by such factors as wetland avoidance, habitat avoidance, final design criteria, and utility impacts. Construction of the transportation spine network is the sole responsibility of the owner/developer. Additionally, the roadway corridors within the Farmton MDRI will be sized and designed to accommodate multi-modal forms of transportation in a manner that ensures compatibility and connectivity with providers of regional systems. The following identifies the minimum right-of-way widths and connections of the transportation spine network:

a. A 200-foot multi-modal right-of-way shall be preserved through the FLP area for Maytown Road. **Direct access from Maytown Road to SR 415 shall be required within five years of the commencement of any development within the FLP occurring on, or accessing Maytown Road [emphasis added].** The improvement of Maytown Road shall provide for adequate path crossings, wildlife crossings, elevated roads, and utility crossings, as set forth in Policy FG 2.18 of the FLP.
Additionally, any improvements or reconstruction of Maytown Road shall take into account the potential designation of this road as an emergency evacuation route for southeast Volusia County. Should the developer(s)/landowners(s) of Farmton wish to establish a higher level of maintenance than routinely applied by the County to other public collectors and arterials, Farmton shall absorb the additional maintenance costs.

Therefore, revising the map to clarify the proposed intersection alignment will not create additional impacts on state monitored transportation facilities.

Further, the amendment does not impact the level of service of other concurrency monitored public facilities; namely utilities, solid waste, and stormwater, parks and recreation and schools.

B. Consistency with the adopted Volusia County Comprehensive Plan.

The Farmton Local Plan was adopted in February 2010, and was found compatible with all other elements of the Comprehensive Plan at the time of effectiveness, March 2012. Therefore, the proposed map amendment is compatible with all of the elements of the comprehensive plan, subject to the design and construction of the intersection alignment meeting the policies set forth in the Farmton Local Plan as follows:

Policy FG 5.7 Spine Transportation Network. The Farmton Local Plan establishes a transportation spine network of arterial roads upon adoption of the Farmton Local Plan that identifies approximate alignments and right-of-way widths of the arterials and interchanges consistent with the needs of access between major uses on-site and access to the external transportation network, as generally depicted in Figure 2-10 of the Transportation Map Series. The final alignment shall be determined during the Master Planning process and may be impacted by such factors as wetland avoidance, final design criteria, and utility impacts. Construction of the spine transportation network is the sole responsibility of the owner/developer. The following identifies the minimum right-of-way widths and connections of the spine transportation network:

a. Maytown Road. A 200 ft. multi-modal right-of-way shall be preserved through the Farmton Local Plan area. Direct access from Maytown Road to SR 415 shall be required within five-years of the commencement of any development within the Farmton Local Plan occurring on, or accessing, Maytown Road. The improvement of Maytown Road shall provide for adequate path crossings, wildlife crossings, elevated roads, and utility crossings, as set forth in FG 2.18.
Policy FG 2.18  Transportation Policies and Natural Resource Protection.

a. The Spine Network as it traverses GreenKey lands shall be designed to avoid and minimize conflicts between motor vehicles and the movement of wildlife. Tools to minimize this conflict include, but are not limited to location criteria, landscaping techniques, fencing, speed limits, wildlife underpasses or overpasses, bridging, and elevating roadways. Transportation corridors shall be designed to avoid the areas permitted for mitigation banking.

b. As Maytown Road and Arterial A are improved as required by the Farmon Local Plan to accommodate the long term regional transportation needs of the area they shall be designed consistent with the following additional design guidelines:

1. Promotes “parkway” look with appropriate natural buffer between the roadways and the adjacent areas;
2. Minimizes any impacts to habitat and species conserving habitat connectivity by innovative measures;
3. Follows, where feasible, existing road alignments through environmentally sensitive areas although alignments may be re-aligned to provide for greater public safety or natural resource protection;
4. At a minimum, the road design will mitigate for adverse impacts or maintain the existing habitat connectivity levels for wildlife afforded by the current road and traffic levels to the maximum extent practicable under the best available science as determined by FWCC.

c. The design of Maytown Road and Arterial A as required by the Farmon Local Plan should include the following criteria for features and construction:

1. Consideration of re-alignment of the existing right of way in locations which would reduce impacts on natural resources and/or enhance public safety;
2. Include provisions for wildlife underpasses or overpasses for an appropriate width across the Cow Creek and powerline Wildlife Corridors to encourage safe passage of wildlife;
3. Design storm water treatment facilities to minimize habitat loss and promote restoration of impacted sites and assure capture and treatment of runoff from bridges;

4. Provide non-intrusive roadway and bridge lighting;

5. Incorporate safety and access design features to allow for the continuation of prescribed burning in the area;

6. Incorporate appropriate speed controls through sensitive areas.

FG 5.8 The ultimate location and design of the spine network shall be approved by the county and constructed to county arterial standards. However, construction costs for these improvements will not be paid for with impact fees, mobility fees or other fee credits, as this spine network is considered the minimum necessary improvements for development of the 2060 Farmton Local Plan.

FG 5.13 For off-site transportation improvements, if a development needs to pay proportionate fair-share or proportionate share toward a needed improvement to meet concurrency and the remainder of that improvement’s cost is not programmed for funding in either the 5-year Capital Improvements Element or the 10-year Concurrency Management System, then the sum of those proportionate share dollars shall be directed to improve specific facilities (pipe-lining) on a priority basis as determined by the county, except as it relates to the FDOT Strategic Intermodal System (SIS) facilities wherein FDOT will determine how funds will be directed. The County will consult and coordinate with all impacted roadway maintaining agencies (including FDOT and the Cities) regarding priorities on other than SIS facilities. The development will be approved if an agreement is executed on how the funds will be directed. The county reserves the right to condition the approval of development on the availability of funding for all necessary infrastructure to support and provide capacity for the proposed development. In the event the developer is responsible for off-site impacts, off-site county roads constructed by the developer with proportionate share dollars may be eligible for transportation impact fee and/or mobility fee credits. However, any said credit shall not exceed the amount of impact fee and/or mobility fees actually generated by the development. The spine transportation network, on and off-site, as indicated on the Farmton Local Plan map shall be the sole responsibility of the developer(s) of the Farmton Local Plan and are not eligible for transportation impact fee and/or mobility fee credits.
The Transportation Element contains additional policies are applicable to the amendment request as follows:

2.1.9.4 Volusia County shall study the effectiveness of intersection improvements as an interim solution to existing transportation system deficiencies.

2.1.1.14 Volusia County shall require applicants for development proposals as determined by the County’s land development regulations, to control the connections and access points of driveways and roads to the County Thoroughfare Roadway System. Access management relating to thoroughfares shall be managed in a manner that reduces stop and go traffic, protects public investments in roadway capacity and enhances safety.

2.1.1.24 Volusia County shall continue to work with the Volusia TPO and VOTRAN to establish transportation system management strategies as appropriate to improve system efficiency and enhance public safety.

2.2.1.1 Where possible, Volusia County shall direct major transportation system improvements away from environmentally sensitive areas.

2.2.1.2 Volusia County shall evaluate the potential environmental impacts of major transportation system improvements.

IV. STAFF RECOMMENDATION

Staff recommends that the PLDRC find the amendment consistent with the comprehensive plan and forward the amendment to county council for transmittal to the Department of Economic Opportunity for expedited state review, and to Volusia Growth Management Commission (VGMC) for certification.

V. ATTACHMENTS

Ordinance No. 2016-12
Maps: Figure 2-10 Farhton Local Plan Spine Transportation Network (Existing)  
Figure 2-10 Farhton Local Plan Spine Transportation Network (Proposed)
Applicant’s Justification of Amendment
Traffic Engineering Comments
ORDINANCE 2016-12

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA AMENDING VOLUSIA COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-10; BY AMENDING APPENDIX 1 MAPS AND FIGURES BY AMENDING MAP FIGURE 2-10, FARMTON LOCAL PLAN SPINE TRANSPORTATION NETWORK; BY AUTHORIZING INCLUSION IN THE VOLUSIA COUNTY COMPREHENSIVE PLAN; BY PROVIDING FOR SEVERABILITY; BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161, et seq., Florida Statutes, creates the Community Planning Act, hereinafter referred to as the “Act;” and

WHEREAS, Section 163.3167, Florida Statutes, requires each county in the State of Florida to prepare and adopt a Comprehensive Plan; and

WHEREAS, the Volusia County Council has adopted the Volusia County Comprehensive Plan Ordinance No. 90-10; and

WHEREAS, Section 163.3184, Florida Statutes, provides for amendments to the adopted Comprehensive Plan by the local government; and

WHEREAS, the County Council of Volusia County, Florida desires to take advantage of this statute and amend the Volusia County Comprehensive Plan; and

WHEREAS, the County Council of Volusia County, Florida has provided for broad dissemination of these proposed amendments to this Plan in compliance with Florida Statutes Sections 163.3181 and 163.3184(3), (11); and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, Volusia County Code of Ordinances, chapter 72, article II, division 11, section 72-413, has designated the Volusia County Planning and Land Development Regulation Commission as a local planning agency for the unincorporated area of the County of Volusia, Florida.
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF 

VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

The Volusia County Comprehensive Plan, Ordinance No. 90-10, as previously 
amended, is further amended as follows:

SECTION I: Map Figure 2-10, Farmton Local Plan Spine Transportation 
Network, is hereby amended as depicted in Exhibit “A” dated April 12, 2016.

SECTION II: SEVERABILITY. Should any section or provision of this Ordinance, 
or application of any provision of this Ordinance, be declared to be unconstitutional, 
invalid, or inconsistent with the Volusia County Comprehensive Plan, such declaration 
shall not affect the validity of the remainder of this Ordinance.

SECTION III: EFFECTIVE DATE. Within ten (10) days after enactment, a 
certified copy of this Ordinance shall be filed in the Office of the Secretary of State by 
the Clerk of the County Council and transmitted to the state land planning agency and 
any other agency or local government that provided timely comments. This ordinance 
shall take effect upon the later of the following dates: a) 31 days after the state land 
planning agency notifies the County that the plan amendment package is complete and 
the issuance of a certificate of consistency or conditional certificate of consistency by 
the Volusia Growth Management Commission, or b) issuance of a final order by state 
land planning agency or the State of Florida Administration Commission determining 
this Ordinance to be in compliance.

ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN 
OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT 
THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA 
AVENUE, DELAND, FLORIDA, THIS _____ DAY OF __________ A.D. 2016.
ATTEST:  
COUNTY COUNCIL  
COUNTY OF VOLUSIA, FLORIDA  

James T. Dinneen, County Manager  
Jason P. Davis, County Chair
Figure 2-10

Farnton Local Plan
Spine Transportation Network

Prepared by: Volusia County Growth and Resource Management Department

1" = 2.5 Mile
4/12/2016
April 29, 2016

Via U.S. Mail
Mr. Palmer M. Panton, Director
Planning and Development Services
County of Volusia
123 West Indiana Avenue
DeLand, Florida 32720

Re: Application for Amendment to the Farnton Local Plan Spine Transportation Network Map

Dear Palmer:

This is a follow-up on my previous letter to you regarding amendment to the Farnton Local Plan Spine Transportation Network Map to show a future realignment of Maytown Road. At the request of County Staff, I am providing a revision of said map (enclosed) with a reduction in the size of the “bubble” surrounding the intersection to a more appropriate size. As you are aware, the Farnton Local Plan anticipates an eventual redesign or realignment of the intersection of Maytown Road and State Road 415. The current alignment creates potential safety hazards. Maytown currently has a difficult configuration that abruptly turns north and intersects with S.R. 415 on a raised, curved section of 415.

The applicant and its traffic consultant have worked with the Florida Department of Transportation, Volusia County and the City of Deltona to determine a more appropriate access point for this intersection. There appears to be consensus that a direct tie to Doyle Road creates a far safer connection and will allow for appropriate traffic patterns to develop in a manner that is less disruptive to historic Osteen.

Although the Farnton Local Plan does not require planning for this intersection until after construction begins in the main area of the Farnton community, which will not take place before 2025, it is clearly good planning to provide for such a route well in advance of deadlines. This will allow for the design and development in the area to contemplate such a possible road corridor and will ease concerns from the Osteen community that the use of the current alignment will impact adjoining homes.

Accordingly, I would like to clarify our request to amend the Farnton Local Plan Spine Transportation Network Map in order to specify the benefits and conditions of our proposal. The current map simply references future intersection improvements for the Maytown Road intersection with S.R. 415. The revised map more specifically identifies a future realignment of Maytown Road to intersect with Doyle Road, which will create a pathway that connects the Deltona area and Interstate 4 with the Farnton Local Plan area and a new Interstate 95 interchange.

Currently, Maytown Road intersects S.R. 415 at a considerable distance from the intersection with Doyle Road, which is a major thoroughfare through the Deltona community and provides access to I-4.

420 South Nova Road • Daytona Beach, Florida 32114
(386) 238-8383 • (386) 238-0988 (fax)
Mr. Palmer M. Panton  
Director of Planning and Development Services  
April 29, 2016  
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Thus, drivers on Maytown Road traveling west must turn onto a small section of S.R. 415 in order to connect to the Doyle Road access. As the Farmon community grows going forward, there will be increased traffic counts on Maytown Road, especially once the I-95 / Maytown Road interchange is complete. The planned realignment will move Maytown Road to the north and allow motorists thereon to directly access Doyle Road at Doyle’s current intersection with S.R. 415 and vice versa.

One of the intended goals of the realignment is to minimize impacts to the homes in the core Osteen area as Farmon and Deltona continue to grow. Utilizing the existing Maytown Road intersection with S.R. 415, or rerouting Maytown Road south of Lake Dixon, will result in impacts to a large number of homes, which endangers the historic, rural character of Osteen. Our planned realignment will keep excess traffic off of S.R. 415 and out of Osteen’s historic neighborhoods.

Swallowtail, LLC, a subsidiary of Miami Corporation, owns most of the property for the new Maytown Road route and is committed, pursuant to the Farmon Local Plan, to building a beautiful intersection and parkway that will act as a gateway to the Farmon community and that will have sufficient capacity to handle the increased traffic demands of that development. At the same time, and in keeping with the Farmon Local Plan’s commitment to environmentally responsible development, Swallowtail will commit to design and build the Maytown Road realignment to have as little negative impact to wetlands, flood plain and other environmentally sensitive areas as possible.

Enclosed with my previous letters, as part of the application to amend the FLP Spine Transportation Network Map, were an application form, revised Spine Transportation Network Map, and application fee in the amount of $2,582. The application fee was calculated based on the base fee for an “Amendment to Thoroughfare Map,” plus $200 for roughly 1.5 miles of new roadway, based on “$100 per linear mile or fraction thereof.” I have also submitted an Authorization of Owner for Miami Corporation authorizing me to make application on its behalf. As mentioned above, enclosed with this letter is a newly-revised Spine Transportation Network Map that more accurately depicts the location of the realignment.

I believe the Maytown / Doyle realignment will have a number of positive benefits, as listed above, for Osteen, Deltona, Farmon and Volusia County as a whole. This map amendment will clarify my client’s commitment in this regard. Please let me know if you have any questions or concerns regarding the application or any other issues.

Kindest regards,

Glenn D. Storeh

GDS/edb  
Enclosure  
cc: Susan Jackson
REVIEW STAFF COMMENTS

Farmiton Map Amendment

CPA-16-002

TRAFFIC ENGINEERING

Melissa Winsett

May 31, 2016

Comments:

Volusia County Traffic Engineering does not object to the proposed amendment as long as the applicant understands the following:

1) The county is NOT requesting the map amendment (narrowing the circle of influence for where the improvements will be made in the future at the connection to SR 415). Our concern is that the applicant may be limiting their opportunities in the future. If the applicant needs to make improvements outside the circle, as depicted on the map, to meet engineering standards for safety and design speed, the applicant may have to pursue another comprehensive plan amendment.

2) The applicant should also be aware that the county does not envision using eminent domain power to secure any property necessary to meet the Farmiton obligations on the map.

* * * * * * *