

DEBARY DIGEST



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● SHARE YOUR THOUGHTS!

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Visit <https://www.surveymonkey.com/r/C677FSW>



● A VERY DEBARY CHRISTMAS!

We have some exciting holiday events planned for the upcoming winter season! From the annual Tree Lighting and Christmas Parade, to our popular Winter Walk of Lights returning, there will be no shortage of fun this year! There will also be some extra 30th anniversary surprises sprinkled in with the Christmas celebration so you will NOT want to miss out!

A complete list of events can be found on pg. 5



CITY MANAGER'S CORNER

LIVE LOCAL ACT

DEBARY CITY MANAGER, CARMEN ROSAMONDA

Senate Bill 102

State of Florida's Affordable Housing Initiative

The Governor and the Florida Legislature passed and signed into law Senate Bill 102 known as the Live Local Act. It is a comprehensive statewide workforce strategy, designed to increase the availability of affordable housing opportunities for Florida's workforce, who desire to live within the communities they serve. The Act provides historic funding for workforce housing. In addition to the multitude of new programs, incentives and opportunities, this legislation works to refocus Florida's housing strategy in ways that make housing more attainable.

The purpose of this article is to highlight the impacts this Act has on our community. Although parts of the Act have great programs and incentives, the business side of this Act presents overwhelming concerns for DeBary. In reality, the Act poses many threats that could have significant repercussions in individual subdivisions, resident property values and ad valorem property tax rates.

This Council and this City Manager have worked hard to tackle the inevitable growth and develop a thoughtful comprehensive plan for our

city that will bring amenities and reduce the amount of allowable growth. Our Main Street project is a perfect example where we worked with developers to reduce allowable density by 40% and build a project that will serve as the heart of our community—a place where neighbors gather, businesses thrive, and the spirit of our town comes alive. Our Main Street concept allows us to adhere to the State's property rights statutes and add assets to our community.

However, the unintended consequences of the Act will disrupt our carefully thought out planning and have a significant financial impact on our city. I have outlined the some of these impacts throughout this article:

Where can affordable housing be built?

Under Section 166.0451(7) (a), Florida Statutes, it states, "A municipality **must** authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. **Notwithstanding any other law, local ordinance, or regulation to**

the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection."

This section requires that municipalities **must** allow affordable multifamily housing for any areas zoned for commercial,

industrial or mixed use if they meet the 40% criteria. Much of the City's commercial, industrial and mixed use zoning are within Planned Unit Developments (PUD). PUDs are negotiated contracts between the City and developers. The City's position is that this section does not supersede these negotiated PUD agreements and affordable housing will not be allowed within existing PUDs. However, we have serious concerns with various interpretations and case law that

If Live Local Housing comes to DeBary, what would it look like?

Under Section 166.0451 (7)(b), Florida Statutes, it states, "A municipality **may not** restrict the density of a proposed development authorized under this subsection below the highest allowable density on any land in the municipality where residential development is allowed."

Under Section 166.0451 (7)(c), Florida Statutes, it states, "A municipality **may not** restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher."

These sections remove a municipality's ability to restrict the amount of apartments and the height of the buildings for each project. In 2010, the City Council created a Transit-Oriented Development (TOD) District around the SunRail Station. As typical around mass transit systems, the City designated only a very small area around the Station to be 32 livable units per acre. However, the Live Local Act section on density mandates that any apartment projects that meet the law's criteria can be located **anywhere** in the City. In addition, the section on height mandates apartments within one mile of the TOD District can be built up to fifty (50) feet tall.

If the interpretation or case law supersedes PUD agreements, this law poses a real threat to our community. The 17.34 acres of vacant land in front of DeBary Plantation could house up to 555 apartments and the approximate 6.875 acres in front of Glen Abbey could house up to 220 apartments. The law would prevent the City from denying these projects.


What is the impact of City government revenues and expenses?

Under Section 196.1978(3)(d)(1), Florida Statutes, it states, "Qualified property used to house natural persons or families whose annual household income is greater than 80 percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, must receive an ad valorem property tax exemption of 75 percent of the assessed value.

that affordable housing may be allowed within PUDs. If so, commercial, industrial and mixed use areas in front of DeBary Plantation and Glen Abbey and surrounding the SunRail Station are at risk.

"A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use..."

Legend:

-  Zones Affected by Live Local Act
-  City Limits



FLORIDA'S LIVE LOCAL ACT CONT.

2. Qualified property used to house natural persons or families whose annual household income does not exceed 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, is exempt from ad valorem property taxes.”

These sections discuss the tax exemption for these projects. If an apartment project has 40% of their units meet the affordable housing criteria (80%-120% median income) they will be eligible for a 75% property tax exemption from school, county and city taxes. If 40% of their units meet the affordable housing criteria (80% or less), they will be eligible for 100% tax exemption from school, county and city taxes.

The financial repercussions on local governments statewide will be staggering, including DeBary. As these Live Local apartment developers buy our commercial and industrial tax base, the tax exemption will significantly impact our City revenues.

In addition, these projects will be built in areas not designed for this type of density and will have a significant threat on our infrastructure, public safety services and other costs. Even though the developer pays for their proportionate share of infrastructure impact, it will be the City bearing the remaining costs. Unfortunately, we as residents will be responsible for these costs, significantly increasing all of our ad valorem property tax rates. The Live Local Act mandates leave local government no choice.

Can City Council deny these projects?

Under Section 166.0451(7)(d) it states, “A proposed development authorized under this subsection **must be administratively approved and no further action by the governing body of the municipality is required** if the development satisfies the municipality’s land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use.”

Unfortunately, the Live Local Act removes the City’s Home Rule, meaning Live Local apartments meeting these criteria stated in this article are to be administratively approved and will never be presented to our City Council. This mandate conflicts with our City’s comprehensive planning of our community.

Citizens of DeBary, as you can see the Live Local Act poses a real threat to our community and everyone’s finances. The City has taken the lead to advocate revisions to this bill be made during the upcoming 2024 Legislative Session which occurs January and February 2024. Advocacy is not easy, as every legislator voted to approve this bill. The City Council and I have been building a coalition of professionals, including elected leaders from other cities, trade associations and our political allies to advocate getting a revision bill submitted in this upcoming legislative session. We have been meeting with our Volusia Legislative Delegation trying to convince them the business side of the Live Local Act will devastate local governments and their communities.

What can residents do?

The City is planning a series of videos and a community meeting on November 7 to educate our residents. Please visit our website at DeBary.org and click on the blue ribbon up top that says Community Meeting to register. As I mentioned, we have been meeting with our Tallahassee delegation. While this bill will not be rescinded in full, there may be an opportunity to revise certain portions of the bill.

We need you to write your state legislators opposing the business side of this bill and advocate for revisions in the upcoming legislative session. The revisions include:

- 1) Exempt Commercial, Industrial and Mixed Uses within PUDs
- 2) Eliminate 80%-120% Median Income Range
Use 80% or less only Median Income Range Only
Force Developers to use Tax Exemptions to Subsidize Rental Rates
- 3) Eliminate Property Tax Exemption
Exempt Jurisdictions with populations of 30,000 or less and/or less than \$50M in annual General Fund Revenues
- 4) Eliminate Highest Density Requirement
Establish a Maximum of 12 Units/Acre, which a city may expand if they desire
- 5) Eliminate Administrative Approvals
- 6) Eliminate Affidavits
Institute Audit Authority; Annual Audits

Here is the list of legislators and their email addresses you can write. Let your voices be heard. Together we will make a difference.

Senator	Travis Hutson	Hutson.Travis.web@flsenate.gov
Senator	Kathleen Passidomo	Passidomo.Kathleen.web@flsenate.gov
Senator	Tom Wright	Wright.tom.web@flsenate.gov
Representative	Webster Barnaby	Webster.Barnaby@myfloridahouse.gov
Representative	Tom Leek	Tom.Leek@myfloridahouse.gov
Representative	Stan McClain	Stan.McClain@myfloridahouse.gov
Representative	Chase Tramont	Chase.Tramont@myfloridahouse.gov

Join us for a Live Local Workshop

Join us for a Live Local Act Workshop, where our City Manager, Carmen Rosamonda, will address the vital aspects of Senate Bill 102 and its implications for our beloved city and neighborhood.

Date and Time:
November 7, 2023 at 6pm

Location:
Gateway Center for the Arts
880 U.S. HWY 17/92

Registration is required

Visit <https://debary.org/pi/page/live-local-act> or scan the QR Code Below to learn more and register:



Let's come together as a community, stay informed, and actively shape the future of our wonderful city. We look forward to seeing you at the Live Local Act Workshop on November 7th.

THE HOLIDAYS IN DEBARY

DECEMBER EVENTS



2
SAT

TREE LIGHTING, CHILI COOKOFF & 30TH ANNIVERSARY CELEBRATION

Saturday, December 2, 2023 | Chili Registration: Oct. 30 - Nov. 30
2-6pm at Gateway Park | \$1 to sample all chili (cash only)
Parking is off site via shuttle at the Market Place Plaza on Saxon Blvd



3-17
SUN - SUN

WINTER WALK OF LIGHTS

Begins on Sunday, Dec. 3 through Dec. 17, 2023
Gateway Park | Mon.-Thurs. 6-8pm | Fri.-Sun. 6-9pm
Take the family on a free holiday walk through the park.



13-17
WED - SUN

LIGHT THE NIGHT CONTEST

Registration: Nov. 13 - Dec. 8 | Judging: Dec. 13 - Dec. 17
Free to register with prizes for the winners!
Contest Awards: December 14, 2022 at Council Meeting



10
SUN

CHRISTMAS PARADE - CHRISTMAS THROUGH THE DECADES

Sunday, Dec. 10, 2023 at 3pm | Float Registration: Oct. 30 - Dec. 4
Parade route will proceed left from Spring Vista Drive on to N US
Hwy 17/92 and will end at Poinsettia Drive.



12&14
TUES & THURS

SANTA CLAUS IS COMING TO TOWN

5:30-8:30pm | Dec. 12 North Sector | Dec 14 South Sector
Santa will be driving through DeBary and waving at
everyone outside. Route map will be posted on Facebook



15
FRI

MOVIE IN THE PARK - HOW THE GRINCH STOLE CHRISTMAS

Friday, Dec. 15, 2023 at 7pm | "How the Grinch Stole Christmas"
All moviegoers will receive a free hot cocoa and popcorn while
supplies last. Bring blankets and chairs to enjoy the show!

For more information, visit [Linktr.ee/debaryrec](https://linktr.ee/debaryrec)

UPCOMING PROGRAMS IN DeBary, FL



WINTER (JAN - FEB 2024)

Youth Kickball

Jan. 9 - Feb. 27 | Tues. & Thurs.
Grades 1st-9th

Registration: Nov. 27 - Jan. 5
Cost: \$60/child | Rob Sullivan Park

Youth Tumbling

Jan. 8 - Feb. 21 | Mon. or Wed.
Ages 6-12 years old

Registration: Nov. 27 - Jan. 3
Cost: \$60/child | Florence K. Little

Youth Dodgeball

Jan. 6 - Feb. 17 | Sat.
Grades 1st-9th

Registration: Nov. 27 - Jan. 3
Cost: \$60/child | Bill Keller Park

SPRING (MARCH-MAY 2024)

Co-Ed Adult Kickball

Jan. 19 - March 22, 2024

Registration: Nov 13 - Jan. 5
Games will begin at 6:15pm at Rob Sullivan Park | Cost: \$350/team

Little Defenders

March 19 - May 7 | Tuesdays
Ages 3-5

Registration: Feb. 12 - March 8
Cost: \$30/child | Rob Sullivan Park

Jazzercise (Adults)

Tuesdays & Thursdays | 11am
Town Hall | 12 Colomba Road
Jazzercise runs through May 30, 2024. Contact Adrienne Austin for more information: 386-451-8753

Youth Flag Football

Feb. 21 - May 10 | Rob Sullivan Park | Grades 1st-9th

Registration: Jan. 15 - Feb. 9
Cost: \$75/child

Little All Stars

March 21 - May 9 | Thursdays
Ages 3-5

Registration: Feb. 12 - March 8
Cost: \$30/child | Florence K. Little

Open Field Nights

Mondays | 5:30-8:00pm
Rob Sullivan Park
Lights will be on and soccer goals up for an evening of sports with friends & family

Youth Cheer

March 4 - May 9 | Rob Sullivan Park | Grades 1st-9th

Registration: Jan. 15 - Feb. 9
Cost: \$60/child

Little Poms

March 21 - May 9 | Thursdays
Ages 3-5

Registration: Feb. 12 - March 8
Cost: \$30/child | Rob Sullivan Park

River City Food Truck Festival

1st Friday of the Month
5-9pm | Gateway Park



For more information, scan the QR code to the left or visit [Linktr.ee/debaryrec](https://linktr.ee/debaryrec)

DEBARY NEWS & UPDATES

FOOD TRUCKS FOR HOLIDAY EVENTS



Operation Location:

Commercial Properties: If food trucks will be operating on commercial properties, they must submit a notarized owner authorization form with their BTR application. This form ensures that the property owner is aware that a Food Truck wishes to operate on their property.

Special Events: Food Trucks operating at special events are exempt from filling out the notarized owner authorization form.

Questions?

Please do not hesitate to reach out to Kayla Burney (email kburney@debary.org or call 386-601-0210) directly with any questions you may have.

Food Truck Ordinance:

Please note that the City has recently passed an ordinance regulating the use of mobile food dispensing vehicles, also known as Food Trucks! It covers important aspects such as operating hours, location restrictions, and signage regulations.

Business Tax Receipt:

Food trucks will be required to obtain a Local Business Tax Receipt (BTR) from the City of DeBary if they plan on operating within the City. Some pieces of information the City will require for the BTR are your Sunbiz registration, your DBPR License and a Local Municipality Fire Inspection.

VOLUSIA SHERIFF'S OFFICE'S YOUTH SAFETY FORUM

On August 28, 2023, Volusia Sheriff, Mike Chitwood visited DeBary City Hall to talk about some of the pressing safety issues concerning our youth in today's world. The event attracted DeBary residents and visitors alike as parents were able to gain knowledge and ask questions. Topics such as internet predators, social media, and facts about human trafficking were discussed.

Missed the event? Scan the QR code below to watch the DeBary Youth Safety Forum:



<https://livestream.com/debary>

COUNCIL IN THE COMMUNITY



Vice-Mayor Butlien and Councilmember Sell cheering on Councilmember Pappalardo who threw the first pitch at the DeBary Night Tortugas Baseball game



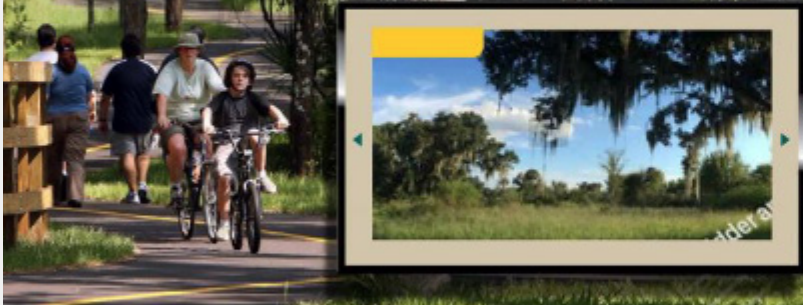
Mayor Chasez, Vice-Mayor Butlien, and Councilmember Sell welcoming Luminous Salon to our City at its ribbon-cutting event



DeBary City Council on stage at the 4th of July Freedom Fest at Gemini Springs Park

Florida by Trail

The Coast to Coast Trail, together with the St. Johns River-to-Sea Loop and Heart of Florida Loop, provide visitors with over 600 miles of paved trails.



ACTIVITIES AND ECO-TOURISM

Did you know DeBary is the Trail Capital of Central Florida connecting to over 600 Miles of paved hiking and biking trails? We pride ourselves in the many parks and eco-tourism recreation activities that residents and visitors enjoy within our City!



KAYAKING & CANOEING

Adventurers can travel along DeBary's blueways with launch points at Gemini Springs, Highbanks Marina, or Lake Monroe Park (which now has kayak rentals). Kayak information and maps can be found at the link below:
www.debarynaturally.org/kayaking-canoeing



BIKING AND TRAILS

From DeBary's Trail Hub, located at the Gemini Springs Trail Head, bikers can access Gemini Springs, DeBary Hall Historic Site, Lake Monroe Park, Downtown Sanford, Blue Springs State Park, and Green Springs Park - all within 10 miles along the trails! Access maps and more at:
www.debarynaturally.org/biking-hiking



FISHING

DeBary is home to 3 popular fishing locations - Gemini Springs, Lake Monroe, and the St. John's River. Cast a line and catch some Bass, Bluegill, Redear Sunfish, and more. Visit:
www.debarynaturally.org/fishing



DISC GOLF

River City Nature Park (200 Barwick Road) is home to 2 disc golf courses weaving in and out of beautiful greenery and nature. Plus, City Hall offers disc rentals for only \$5/day! Learn more by visiting:
www.debarynaturally.org/disc-golf



CAMPING

Both Gemini Springs Park and Lake Monroe Park have primitive campsites available for rent through Volusia County. Learn more at:
www.debarynaturally.org/camping

Explore activities, trails,
wildlife, and more at:

DeBaryNaturally.org



Missed garbage pick-up? Need a new or replacement recycling bin?
Call **WastePro** at 386-788-8890



FALL CLEANUP

Many residents are busy cleaning up falling leaves, or trimming vegetation around their homes. Please note, Waste Pro will **NOT** pickup yard waste that is:

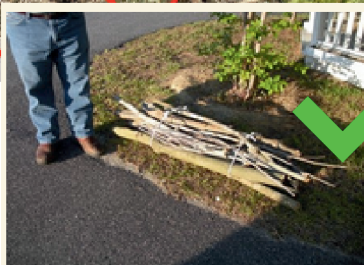
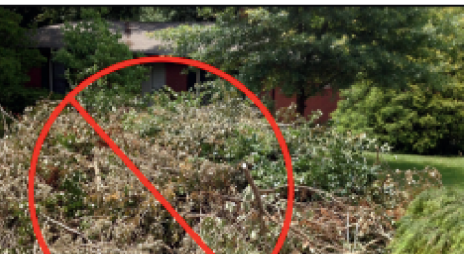
- Mixed with garbage
- More than 5 feet from the curb
- Exceeds 60 lbs.
- Exceeds four 32 gallon containers
- Exceeds 4 feet in length and/or 6 inches in diameter per branch
- Not containerized/bagged/bundled
- Unacceptable/hazardous materials (treated lumber or construction materials)

YARD WASTE GUIDELINES



386-788-8890

SCAN ME



NEED A SPECIAL PICK-UP?

Large, bulky items that do not meet regular trash guidelines will not be picked up on scheduled trash days. Please call WastePro to schedule a special pick-up at 386-788-8890. Trash guidelines may be found by scanning the QR code above. Waste left on the curbside for an extended period of time can become a code enforcement issue. Please pick-up left over yard debris to avoid any fines.

HOW CAN I...?



Dispose of needles

Properly contained needles, lancets and diabetic testing strips may be dropped off at the DeBary Fire Station. Please note that a firefighter must be present in order to drop off.



Household hazardous waste

Residents also may drop off household hazardous waste at the the West Volusia Transfer Station (3151 E. New York Ave., DeLand) and the Tomoka Landfill (1990 Tomoka Farms Road, Port Orange).



Electronics

Outdated and no longer needed electronic devices, such as computers, monitors, printers, stereo equipment, and televisions, are often called e-scrap or e-waste. Volusia County's Household Hazardous Waste Centers (Tomoka Landfill and West Volusia Transfer Station) are available for private residents to drop off their e-waste.



Stay Secure Online: Celebrating Cyber Security Awareness Month



As this past October unfolded, so did the annual observance of Cyber Security Awareness Month. In a world increasingly reliant on digital connections, it's more important than ever to take steps to safeguard your online presence. Let's explore some practical ways everyday people can bolster their online security.



1. Protect Your Digital Fortress with Strong Passwords

- Your first line of defense is a robust password. Create unique combinations of letters, numbers, and symbols for each online account. Consider using a trusted password manager to help you keep track of them all.

2. Embrace the Power of Two-Factor Authentication (2FA)

- 2FA adds an extra layer of security by requiring an additional step, like a mobile app or text message code, alongside your password. Enable it wherever possible for added protection.

3. Keep Software Up-to-Date

- Regularly update your operating system, antivirus software, and applications. These updates often include essential security patches to shield you from the latest threats.

4. Outsmart Phishers

- Be vigilant when encountering emails, messages, or websites that seem suspicious. Verify the sender's authenticity, and avoid clicking on unexpected links or divulging personal information.



5. Mind Public Wi-Fi Etiquette

- Public Wi-Fi can be a playground for hackers. Avoid sensitive tasks like online banking on unsecured networks. If necessary, use a VPN (Virtual Private Network) for an extra layer of protection.

6. Embrace the Backup Habit

- Regularly back up your important data to an external source or a secure cloud service. This ensures you won't lose critical information in case of a cyberattack.

7. Master Your Social Media Privacy

- Review and adjust your social media privacy settings to control who can see your personal information. Think twice about oversharing online.

8. Stay Informed and Educated

- Cyber threats are ever-evolving. Stay informed about the latest trends and best practices through reliable sources. Continuous learning is key to staying secure.

This year, take the time to fortify your online defenses and promote a culture of cyber awareness. By following these steps, you can navigate the digital landscape with confidence and protect what matters most. Celebrate Cyber Security Awareness Month every month by making your online world a safer place!



16 Colomba Road
DeBary, Florida 32713-3264

CITY OF DEBARY CONTACT INFORMATION

CITY HALL MAIN PHONE (386) 668-2040	WEBSITE www.DeBary.org	FACEBOOK @CityofDeBary	CITY RESOURCES linktr.ee/cityofdebarry
BUILDING DEPARTMENT (386) 601-0212	BUSINESS TAX RECEIPTS (386) 601-0210	CITY CLERK (386) 601-0219	CITY MANAGER'S OFFICE (386) 601-0238
CODE ENFORCEMENT (386) 601-0209	FINANCE (386) 601-0226	GROWTH MANAGEMENT (386) 601-0204	PARKS & RECREATION (386) 601-0206
COMMUNICATIONS (386) 601-0221	PUBLIC RECORDS REQUESTS (386) 601-0225		PUBLIC WORKS (386) 601-0208

MAYOR & CITY COUNCIL



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Karen Chasez**
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**Vice Mayor
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**Council Member
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