



City of DeBary Comprehensive Plan

*Volume II | Goals, Objectives, and Policies | EAR-Based Amendments
October 6, 2010 | Amended October 6, 2021*

“The River City”

Prepared by:

*City of DeBary Planning, Zoning & Development Department
CPH Engineers, Inc.
HHI Design
Akerman Senterfitt, LLP
GAI Consultants*

Amended & Updated by:

*Karen Chasez, Mayor
Phyllis Butlien, Vice Mayor
William Sell, Council Member – Seat 1
Jim Pappalardo, Council Member – Seat 2
Patricia Stevenson, Council Member – Seat 3
Carmen Rosamonda, City Manager
City of DeBary Growth Management Department*

ACKNOWLEDGEMENTS

In compliance with Section 163.3191, Florida Statutes, the 2009/2010 EAR-based amendments of the City of DeBary Comprehensive Plan were prepared by the City of DeBary's Department of Planning, Zoning and Development Services in conjunction with GAI Consultants, Inc, HHI Design, CPH Engineers and Akerman Senterfitt, LLP.

The Mayor, City Council and the Department of Planning, Zoning and Development Services are thanked for their support in preparing the report and in their efforts to implement the recommendations.

City of DeBary

Mayor and City Council Local Planning Agency (LPA)

Mayor Bob Garcia
Vice Mayor Chris Carson
Council Member Nick Koval
Council Member Dan Hunt
Council Member Lita Handy-Peters

Dan Parrott, City Manager
Kassandra Blissett, Assistant City Manager
James Seelbinder, Finance Administrator
Stacy Tebo, City Clerk
Fishback Dominick, City Attorney
Barbara Poulton, Administrative Assistant
Deanna Hutchinson, Office Assistant

Steve Wood, Building Official
Alan Williamson, Safety Coordinator
David Hooker, Neighborhood Improvement Officer
Rebecca Hammock, Planning Administrator
Annette Hatch, Office Assistant

John Fletcher, Parks and Recreation Director
Tom VanDeHey, Parks Superintendent
Jason Schaitz, Recreation Coordinator
Kendra Kabbas, Office Assistant

TABLE OF CONTENTS

TABLE OF CONTENTS	3
LIST OF MAPS.....	4
1. GENERAL PROVISIONS.....	5
2 VISION	9
3 ECONOMIC DEVELOPMENT	10
4 MANAGEMENT OF NATURAL RESOURCES	15
5 FUTURE LAND USE	21
6 TRANSPORTATION.....	42
7 PUBLIC FACILITIES INFRASTRUCTURE.....	50
8 RECREATION & CULTURE	59
9 HOUSING.....	61
10 CAPITAL IMPROVEMENTS	64
11 INTERGOVERNMENTAL COORDINATION.....	74
12 PUBLIC SCHOOL FACILITIES ELEMENT.....	80
13 PROPERTY RIGHTS ELEMENT.....	92
DEFINITIONS	93
ACRONYMS AND ABBREVIATIONS	99
INDEX.....	101
MAPS	102

LIST OF MAPS

- 1 LOCATION
- 2 HISTORIC STRUCTURES
- 3 POPULATION IN 2020 CENSUS BLOCKS
- 4 FUTURE LAND USE
- 5 VACANT RESIDENTIAL PROPERTIES
- 6 VACANT COMMERCIAL PROPERTIES
- 7 VACANT INDUSTRIAL PROPERTIES
- 8 ACTIVE WELL STATIONS AND WELLHEAD PROTECTION AREAS
- 9 OPEN SPACE
- 10 MAJOR LAND OWNERSHIPS
- 11 ZONING
- 12 USGS TOPOGRAPHIC
- 13 NCRS SOILS
- 14 FEMA FLOOD MAP
- 15 SURFACE WATER FEATURES
- 16 AQUIFER RECHARGE AREAS – 2015
- 17 2002 SJRWMD VEGETATION INVENTORY
- 18 NATIONAL WETLAND INVENTORY
- 19 EXISTING TRANSPORTATION NETWORK
- 20 PUBLIC TRANSPORTATION NETWORK
- 21 EXISTING TRANSPORTATION NETWORK – 2021 LEVEL OF SERVICE (LOS) ON
SELECTED THOROUGHFARE ROADS
- 22 COST FEASIBLE 2045 LRTP (LONG RANGE TRANSPORTATION PLAN)
- 23 POTABLE WATER SERVICE AREAS 2017
- 24 ON-SITE SEWAGE TREATMENT AND DISPOSAL LOCATIONS
- 25 DRAINAGE PROBLEM AREAS
- 26 EXISTING PARK AND RECREATION FACILITIES
- 27 PUBLIC EDUCATION FACILITIES

MAPS MAY BE FOUND AT THE END OF THE DOCUMENT

1. | GENERAL PROVISIONS

1.1 BACKGROUND

The Florida Growth Management Act of 1985 requires all cities and counties to adopt a local comprehensive plan that is consistent with state and regional plans. Comprehensive plans guide and control future development as well as address current and future problems. Local government comprehensive plans contain elements that address a wide range of planning issues to include future land use, housing, transportation, infrastructure, conservation, recreation and open space, intergovernmental coordination, and capital improvements.

The Growth Management Act also mandates that local governments establish level of service standards for public facilities and services in their comprehensive plans. Concurrency was also ordered by the Act requiring that facilities and services needed by new development be in place at the time of such development. The Act also provides opportunity for citizen participation in planning for the future of their communities.

The Growth Management Act of 1985 governs Florida's current comprehensive planning process.

A city is a complex business organization, responsible for financing and managing many activities and services, and utilizing funds from a variety of sources. The City's goal is the efficient and effective management of these resources to best produce the results desired by its Citizens.

To produce the desired results, the City depends not only on tax money, but on its physical infrastructure, on the City's own staff, and on the participation of the public. Use of any of these resources can have a lasting effect on the quality of the services delivered - poor use can produce less effective or more costly results, while good use of resources can cut costs and improve performance. Good management of resources requires good advance planning. Because many of the services of the City depend on expensive fixed facilities, it is particularly important to carefully plan the improvement of these facilities.

It is important to be careful in making choices about the future and in clearly articulating them. This becomes the function of the planning process and the resulting Comprehensive Plan.

The Plan, therefore, is a statement which can clarify the City's priorities and expectations for someone who is otherwise generally unfamiliar with the community. The Plan is also the official guideline for making many important decisions, including small decisions which become significant as part of a pattern.

Finally, it should be noted that the Plan is a vision, but not a vision of outsiders or technicians. The Plan is the community's collective vision, and as such, must be carefully nurtured and adjusted to best fit the vision held by the people themselves.

1.2 THE PLANNING PROCESS

Generally, planning involves an understanding of where we are, where we want to be, and what we should do in order to get there. It is no different with city planning. The City conducts an evaluation of the state of its physical, human, and financial resources, and projects

significant trends. The City examines the choices which are available for the future, and selects the most desirable alternative. The City articulates its choices as "goals" and "objectives", and spells out the specific actions ("policies") which it will take to achieve these goals. After adopting this "Plan", the City continues to monitor its efforts to determine if the desired results are being achieved. Finally, the City periodically revisits its Plan to make adjustments and changes it sees as appropriate. State laws and rules direct the City to make a Comprehensive Plan, and spell out minimum contents for the Plan and minimum steps to be taken in the Plan's preparation and adoption. In addition, the City's Plan addresses issues which are important to the City, even if they are not required by law.

The Plan, once adopted, is an articulation of what the Citizens of the City, acting through their duly elected representatives, desire for the future. In making specific decisions about detailed issues, the Plan acts as the general guideline and frame of reference. This applies to many kinds of decisions, including not only land use changes and development approvals, but decisions setting budget priorities and making intergovernmental agreements.

The Plan is to be implemented through a number of means, including the specific development rules included in the Land Development Code (LDC), the funding of important facilities through the capital budget, and the methods for carrying out specified programs on a day-to-day basis.

1.3 MONITORING AND EVALUATION

Following the adoption of the Plan, the process of monitoring will begin and will continue thereafter. Part of the process will come in the form of requests for specific amendments which will be received from landowners and community groups, as well as ones which will be initiated by the City Council, many at the recommendation of the City Manager. These amendments will be reviewed for consistency with the goals, objectives, and policies of the Plan, and will be subjected to public scrutiny at formal hearings. During the process of considering these amendments, other issues may come to light and may require complementary revisions. This process will help keep the Plan current with the desires of the community. Note that State Law limits the number of times the Plan can be amended to two per year.

Part of the process will involve the evaluation process required by State Law. Local Governments must review their comprehensive plans every seven (7) years and provide an Evaluation and Appraisal Report (EAR) to the State. The purpose of the EAR is to take a thorough look at any changes in the community from now until the EAR is prepared, to determine if the objectives are being met and if the goals are still valid, and to determine what, if any, changes need to be made to the policies in the Plan.

To make the EAR efficient, and to facilitate the semi-annual review of specific amendments, the Local Planning Agency (LPA) should conduct its own review of the Plan on an annual basis, reporting to the City Council any changes or corrections it sees as being required. If any are identified, they should be processed as part of one of the semi-annual amendment cycles.

1.4 EAR-BASED AMENDMENTS

The City must adopt EAR-based amendments within eighteen months after the EAR is determined to be sufficient by DCA.

This document is the Goals, Objectives and Policies (GOPs) Report for the 2009 City of DeBary EAR-based Comprehensive Plan Amendments. The purpose of this Plan is to set forth the City's long-range comprehensive planning goals as per the requirements of the State of Florida. The State of Florida's local government comprehensive planning law, Chapter 163, Part 2, Florida Statutes, requires that all local governments throughout Florida maintain a long-range comprehensive plan, and that comprehensive planning should be a continuous and ongoing process. As a part of this process, municipalities are required to monitor numerous community characteristics relating to development, provision of services, environmental protection, and governmental activities. The City must prepare an Evaluation and Appraisal Report (EAR) once every seven years analyzing the progress they have made in implementing the comprehensive plan. The purpose of the EAR is to evaluate and assess the effectiveness of the local adopted comprehensive plan in accomplishing its goals and identify how it should be modified and updated to meet the future needs of the community. Specifically, the EAR process has two steps as given below:

1. Preparation and adoption of an Evaluation and Approval Report (EAR). The City of DeBary EAR was adopted by the City Commission on July 2, 2008 and found sufficient by the State Department of Community Affairs on September 26, 2008.
2. Adoption of Comprehensive Plan Amendments as recommended in the EAR (EAR-based Comprehensive Plan Amendments). As required by Section 163.3191, F.S. the Evaluation and Appraisal Report presents an analysis and assessment of the City's Comprehensive Plan. It also contains recommendations to amend the City's adopted Comprehensive Plan. It further specifies the procedures and criteria for the preparation, transmittal, adoption and sufficiency review of the City of DeBary's EAR-based comprehensive plan amendments.

Organization of the EAR-based Comprehensive Plan Amendments

The proposed 2009 EAR-based Comprehensive Plan Amendments are organized and subdivided into two separate documents as follows.

Volume I | Data and Analysis (DA) Report – This document contains updated population projections, land use analysis, capital improvements financial feasibility details and other key information provided in the adopted EAR. These updates are modest, based on the data and analyses recommended in the EAR, and are done by the City staff and the consultant. Some DA elements herein were not updated during the EAR process, and thus for the applicable DA for those elements, the reader should refer to the adopted City of DeBary Comprehensive Plan dated July 1996. The DA Report is contained in a separate document.

Volume II | Goals, Objectives and Policies (GOPs) – Updates to currently adopted Goals, Objectives and Policies (GOPs) of the Comprehensive Plan are denoted by underline and strikethrough. These updates are based on the Evaluation and Appraisal Report (EAR) recommendations, revised state mandates, community input and DCA's Objections, Recommendations and Comments Report.

Review and Adoption Process

On September 26, 2008, the Department of Community Affairs, (DCA), found the transmitted City EAR sufficient and directed DeBary to submit EAR-based Comprehensive Amendments within 18 months. State law provides for the Comprehensive Plan to be amended consistent with the findings and recommendations contained in the adopted EAR. The City must adopt these EAR-based amendments within eighteen months after the report is determined to be sufficient by DCA, which in the City's case is March 2010.

The City's Water Supply Facilities Work Plan is included in the adoption of the EAR-Based Amendments. The WSFWP is included as an attachment to the Public Facilities Infrastructure Element.

Amendments subsequent to the EAR

On October 6, 2012, City Council adopted Ordinance #01-12 approving both text and map amendments to the City's comprehensive plan. The primary purpose of the amendments was to create consistency between zoning and future land use designations in the Village Center Overlay, encourage economic development, and provide more flexibility to property owners in the Village Center area of the City. Other various "housekeeping" amendments were also made to clarify language and the most current Capital Improvement Program was adopted as part of the Capital Improvement Element of the Comprehensive Plan. The Florida Department of Economic Opportunity issued a letter of no objection to the amendments on November 15, 2012.

2 | VISION

The City Council has adopted the following statement representing the Vision of the City of DeBary:

In preparing the Vision statement, participants in the Vision workshop expressed a number of themes, including:

- a. The importance of maintaining the character of a small community of friendly people, while taking advantage of the amenities offered by proximity to the big city (Orlando metropolitan area);
- b. The importance of maintaining a low crime community;
- c. The importance of maintaining extensive recreational and leisure activities, and the role of cultural resources in the community;
- d. The need to encourage community involvement at all age levels; and
- e. The importance of economic development to the future of the community.

The City of DeBary is a safe and active community that provides cultural, educational and recreational opportunities for all. The City envisions land development patterns and a transportation system that encourages healthy and active living; promotes transportation options; increases community safety; reduces environmental impact; mitigates climate change; and supports greater community identity. DeBary's progressive and proactive government continuously strives to be responsive to the needs and aspirations of its people and business community for future generations.

GOALS, OBJECTIVES & POLICIES (GOPS):

3 | ECONOMIC DEVELOPMENT

GOAL: To facilitate the stable, on-going development of the economy of the City, while making wise use of resources, including man-made resources, natural resources, and human resources.

OBJECTIVE 3.1:

The City will carry out a program of economic development activities which will facilitate the creation of " livable wage" job opportunities for residents of the City, improve the economic and tax bases of the City, improve opportunities for existing businesses, and establish a climate conducive to economic activity.

Policy 3.101

In attracting new businesses and expansion of existing businesses, the City will stress the availability of current residents in the labor market, including all residents. Where practical, the City will assist in advising residents of job opportunities, including opportunities for "job sharing" by all residents.

Policy 3.102

The City will facilitate with other agencies as needed to use job training, job creation, and economic solutions to address a portion of the affordable housing concerns. Activities may include: assisting with advising residents of job opportunities, holding job fairs, and matching job opportunities with low and moderate income residents.

Policy 3.103

The City will maintain contacts with new businesses and will carry out activities to assist new businesses in addition to programs for facilitating nonresidential development generally. The City may maintain its own "opportunity fund" to assist with costs of new and start-up businesses. To the maximum extent feasible, this fund will be used to offset costs associated with fees and charges by the City and other government units. In addition, the City may participate with private developers in the development of building space and/or sites for business development.

OBJECTIVE 3.2:

The City has prepared and will maintain an inventory of good land (including finished sites) appropriate for development of employment uses, as well as an inventory of finished building space (reference Maps 6 & 7).

Policy 3.201

The City will periodically review the Future Land Use Map of the Comprehensive Plan, along with the land development regulations, to ensure that there is a sufficient supply of vacant

land available for various types of employment oriented land uses, and that such land is reasonably capable of being developed in a timely manner. Reference Maps 6 & 7.

Policy 3.202

The City will coordinate with property owners and developers to prepare and pre-approve development plans and permits for sites so as to reduce implementation time. The City may provide in its land development regulations special rules allowing review fees and other development charges to be deferred on such sites until permits are actually issued. The City will also provide for extended expiration of such reviews and permits.

Policy 3.203

The City will continue to monitor and participate in the extension of transportation facilities and services to the community including rail transit services and will support transit and alternative modes of travel through land use, design, and funding strategies in the Comprehensive Plan and Land Development Code.

Policy 3.204

The City will provide for high quality mixed uses in appropriate locations to support downtown redevelopment, transit oriented development, and economic development in commercial and industrial locations.

OBJECTIVE 3.3:

The City will carry out the following policies to help achieve its development and redevelopment objectives by directing community facility improvements to serve employment areas and non-residential uses.

Policy 3.301

In developing the annual update of the Capital Improvement Program (CIP) and the adoption of the capital budget, the City will consider employment areas and other non-residential uses.

Policy 3.302

The City will ensure that streets and roads serving employment areas are constructed to standards sufficient to safely serve trucks. Where necessary, consideration will be given to adequate pavement thickness and width, curves, setbacks to pedestrian areas and landscaping, accessibility to parking and loading areas, and similar issues.

Policy 3.303

The City will coordinate with utility providers, including communications utilities, to ensure that the most modern technologies are available to areas designated for development of employment uses.

Policy 3.304

Where service is available or likely to be available, the City will facilitate the extension of treated wastewater for irrigation and other appropriate uses within non-residential areas.

OBJECTIVE 3.4:

The City will carry out a program of activities to facilitate the efficient and effective review of land development proposals for economically beneficial land uses.

Policy 3.401

The City will continue to review and monitor the Plan, the Land Development Code and the development review process to identify specific regulations and/or specific regulatory procedures which are detrimental to timely review and approval of commercial and industrial development proposals, and will revise these regulations and procedures as indicated.

Policy 3.402

The City will identify differences in development practices between residential and non-residential projects, and will apply the procedures most appropriate to the type of development proposed.

Policy 3.403

The City will consider methods for allowing expedited procedures for review of new development or modifications to existing development in already established non-residential areas, and may consider methods for modification and/or waiver of development standards where necessary to accommodate appropriate development of employment uses.

Policy 3.404

The City will facilitate an off-site mitigation program, required for environmental permitting for development of appropriate employment uses through pre-permitting of development, through participation in mitigation banks, and through coordination with permitting agencies. A mitigation program that would offset impacts to wetlands would help to preserve and protect important ecological benefits.

OBJECTIVE 3.5:

The City will carry out a program of activities to improve the recognition of DeBary throughout the state, the region, and the world as a community which is actively interested in appropriate economic development.

Policy 3.501

The City will encourage advertising by businesses and organizations within the City to include references to their location in the City and the qualities of the City for economic development purposes.

Policy 3.502

The City will give special consideration to economic development projects which create a positive high visibility for the City.

Policy 3.503

The City will facilitate community identification and community spirit through sponsorship and cooperation in festivals.

Policy 3.504

The City will coordinate with FDOT and the Volusia County Sheriff to maintain Charles Richard Beall Boulevard (US Hwy 17/92) to accommodate parades. In the design of the downtown development area, the City will ensure the opportunity for festivals and community events promoting (in part) the values and benefits of economic development within the City.

Policy 3.505

The City will use advanced information technology (such as the Internet) to ensure that information about the City and opportunities therein reach a worldwide audience in a cost effective manner.

Policy 3.506

The City shall, in the interest of protecting the health, safety, welfare, and economic well-being of its citizens and to the extent permitted by law, discourage the establishment of facilities and uses within the City that are dedicated in whole or in part to for-profit legalized gambling activities, including, but not limited to, bingo, pari-mutuel wagering, and card rooms. In no event, shall any such for-profit legalized gambling facilities or developments operate within the City in locations that would negatively impact: community centers, schools, churches, historic districts, or other areas deemed to be centers of community and family interest.

OBJECTIVE 3.6:

The City will carry out a program to facilitate interaction between businesses and citizens of the community designed to enhance the sense of community, and to create an appreciation of the need for cooperation between businesses and residents.

Policy 3.601

The City will facilitate the coordination of volunteer efforts among social and civic clubs within the community, and between these groups and businesses. The City will assist in the development of methods for communicating between civic clubs and businesses to make each group aware of the needs and resources of the other.

Policy 3.602

The City will facilitate the development of an “adopt a business” program for businesses and an “adopt a neighborhood” program for civic and neighborhood groups.

OBJECTIVE 3.7:

The City will seek to actively participate in and coordinate its activities with existing economic development organizations in the area.

Policy 3.701

Where available and cost-effective, the City will maintain active participation (or affiliate participation) in those groups established to promote economic and tourism development within the region, and will seek to ensure that DeBary is prominently mentioned in materials.

Policy 3.702

The City will prepare and/or assist in the preparation of informational materials regarding the attributes of the City and of the benefits for development of employment uses.

4 | MANAGEMENT OF NATURAL RESOURCES

GOAL: To facilitate the proper management of natural resources through their appropriate conservation, protection and use, consistent with the desired growth and development of the community to ensure the highest environmental quality possible.

OBJECTIVE 4.1:

The City shall carry out a program of activities to identify and monitor environmentally sensitive areas and preserve open space reservations.

Policy 4.101

The Future Land Use Map series includes a general identification of environmentally sensitive lands, based on locally developed criteria. These lands generally include:

- a) Wetlands (see OBJECTIVE 4.2)
- b) Water bodies & shorelines (see OBJECTIVE 4.3)
- c) Well fields protection areas (see OBJECTIVE 4.3)
- d) Unique vegetative communities (see OBJECTIVE 4.4)
- e) Habitat for threatened & endangered species and species of special concern (see OBJECTIVE 4.4)
- f) Areas generally reserved for permanent open space, primarily including areas reserved under the categories identified above.

Policy 4.102

Each category of environmentally sensitive lands is governed by specific policies set forth in the sections referenced in the list above. In addition, the following general strategies will be used to minimize adverse impacts of land development activities on these environmentally sensitive areas:

- a) Where feasible, land development activities adjacent to environmentally sensitive areas will be arranged so that the more intense activities and/or activities with the highest potential for adverse impacts will be clustered on the portions of the site which are most distant from the environmentally sensitive area. In doing this, consideration will be given to the nature and distribution of activities planned for the site, the nature of the environmentally sensitive area, and the types of adverse impacts which might be expected.
- b) Where feasible, land development activities adjacent to environmentally sensitive areas will be buffered from the environmentally sensitive area. Depending on the nature of potential adverse impacts, buffering may consist of open space and/or landscaped strips, stormwater management facilities, and/or physical barriers.
- c) Where an environmentally sensitive area can be protected from adverse impacts by design techniques, these techniques will be included in the development of

adjacent areas. For example, where the operation of the development involves handling of hazardous or toxic materials, design features will be included to ensure that there will be no spilling or filtering of such materials into the environmentally sensitive areas.

- d) Where the nature and/or importance of an environmentally sensitive area is such to indicate that it should be in public or controlled ownership, the City will consider purchase of the land and/or support the purchase of such lands by others who will ensure their preservation.

Policy 4.103

The City will continue to incorporate provisions in the land development regulations to implement the policies contained in this section, which reflect the delineation of environmentally sensitive areas identified in the Future Land Use Map series.

Policy 4.104

The City will cooperate with adjacent local governments to manage unique vegetative communities located within more than one jurisdiction, where such communities are identified as environmentally sensitive areas on the Future Land Use Map series. These regulations will also include provisions for refining the actual boundaries of environmentally sensitive areas through field verification as part of the development review process. Where such field verification establishes a more specific boundary, or where boundaries are adjusted as part of the development process, the new boundaries will subsequently be incorporated in the Future Land Use Map series as an amendment.

Policy 4.105

The City will cooperate with adjacent local governments and with appropriate regional and state agencies to refine information about environmentally sensitive areas and will coordinate with adjacent local jurisdictions to ensure joint efforts to properly manage sensitive areas lying within more than one jurisdiction.

OBJECTIVE 4.2:

The City will carry out a program of activities to properly manage wetlands so as to maintain the natural functions of wetlands while ensuring the appropriate growth and development of the community.

Policy 4.201

Wetlands are generally incorporated in the environmentally sensitive lands classification identified on the Future Land Use Map series. Actual wetland delineation will be based on the wetland definitions developed by the Florida Department of Environmental Protection (FDEP), as administered by the St. Johns River Water Management District (SJRWMD), and will be consistent with the Volusia County Minimum Environmental Regulations. During the development review process, the actual boundaries of existing wetlands will be identified based on field analysis.

Policy 4.202

Standards for management of wetland areas will be established in the land development regulations so as to be consistent with the regulations of FDEP, as administered by the SJRWMD, and will be consistent with the Volusia County Environmental Minimum Standards.

Policy 4.203

Where the regulations of the SJRWMD and/or Volusia County conflict with appropriate development activities, the City may assist in developing proper mitigation techniques to facilitate the development. These techniques may include adjustment of wetland boundaries so as to ensure no net loss of wetland area, and where feasible may include expansion of wetland areas and relocation so as to improve their natural function over time.

Policy 4.204

Consistent with SJRWMD and/or Volusia County standards, wetland areas will be buffered from new development and stormwater management facilities will be designed in such a way as to maintain the natural pre-development flow of surface water to the wetland. Wetland areas may be used in the design of stormwater management systems to help improve runoff water quality, provided that this will not adversely affect threatened or endangered species or species of special concern which might be located within the wetland.

Policy 4.205

Where feasible and where consistent with other objectives and policies in this Plan, the design of new development activities will direct incompatible land uses away from wetlands. Wetland boundaries may be adjusted to ensure the long term viability including natural function of the wetland areas after the completion of development. Where mitigation to protect wetlands (such as buffers, realignment of boundaries, and expansion of wetland areas) cannot be accomplished on site, the City will first attempt to coordinate with owners of adjacent property to achieve mitigation off-site on adjoining areas or will seek mitigation through regional mitigation banks.

OBJECTIVE 4.3:

The City will carry out a program of activities to appropriately manage water resources (including groundwater resources and surface water resources such as lakes, ponds, streams, shorelines and rivers) consistent with the need for the growth of the community and the needs of the environment.

Policy 4.301

In the land development regulations, the City has established buffer zones adjacent to surface water bodies and has adopted regulations to minimize any adverse impacts from development directly abutting such water bodies. Where feasible, a buffer area will be maintained adjacent to a surface water body. Where the adjoining land development includes activities which might discharge pollutants to the water body, the buffer will be sufficient to include a swale or retention area to capture and treat pollutants. Buffers will also be sufficient to minimize siltation of surface water bodies.

Policy 4.302

The City will cooperate with the Volusia County Public Health Unit, the FDEP, and/or other agencies to monitor water quality in surface water bodies. Where trends indicate a reduction of water quality, steps will be taken to identify the sources of pollution and to help mitigate the adverse impacts.

Policy 4.303

While there is not a present indication of the need to provide sewer service to older residential areas, the City may cooperate with Volusia County Utilities and/or other sewer providers to establish the feasibility, the potential cost, and possible methods for extension of sewer service.

Policy 4.304

The City has identified well field protection areas surrounding potable water wells consistent with Volusia County Environmental Minimum Standards. Uses and activities within these areas, as well as in areas adjacent to surface water bodies, will be required to provide methods for prevention of contamination resulting from improper handling of hazardous or toxic materials, including accidental spills.

Policy 4.305

The City will establish and enforce water use and conservation regulations both for regular circumstances and for water emergencies, consistent with SJRWMD requirements.

Policy 4.306

The City will regulate development in such a manner as to ensure the maintenance of the natural functions of rivers, bays, lakes, and harbors. Generally, this will be done by restricting changes in water flow into and through such water bodies, and by restricting uses on adjoining lands which would adversely affect water quality. The City will also regulate land uses which would restrict existing access to and use of such water bodies. Where feasible, the City will assist in developing additional access points for public use.

Policy 4.307

The City will establish regulations applicable to development within the one-hundred year flood plain consistent with the requirements of the Federal Flood Insurance Program and the regulations of the SJRWMD. Density of development within flood plain areas will be reduced as needed to ensure the maintenance of flood storage at least equivalent to the pre-development conditions. **NOTE:** See also Section 7E Natural Groundwater Aquifer Recharge.

OBJECTIVE 4.4:

The City will carry out a program of activities to properly manage habitats and vegetative communities so as to maintain these resources and their natural functions while ensuring the appropriate growth and development of the community.

Policy 4.401

Significant habitat areas for Threatened and Endangered Species and Species of Special Concern (TES/SSC) are included in the “Environmentally Sensitive Lands” classification shown on the Future Land Use Map series. Actual detailed delineation of habitat areas will be based on the definitions developed by the Florida Game and Fresh Water Fish Commission (FGFWFC). During the development review process, the actual boundaries of such habitat areas will be identified based on field analysis.

Policy 4.402

In reviewing land development activities and managing habitat areas for TES/SSC, the City will consider special measures which may be necessary to prevent adverse impacts. Specific actions may include requiring clustering of development away from the most sensitive habitat areas and/or requiring buffers and design treatments. The City may also require development patterns to preserve corridors for the migration of wildlife.

Policy 4.403

The City will protect native vegetative communities from destruction by development activities, where such communities are identified as Environmentally Sensitive Lands on the Future Land Use Map series. Protection will be accomplished by coordinating the development design and review process to cluster land uses and activities away from the sensitive portions of the site, and by providing adequate buffers between developed areas and areas identified as environmentally sensitive.

The land development regulations will establish buffer zones between proposed development and areas identified as environmentally sensitive within the ESL future land use designation. These buffer areas will be designed to filter surface water flowing directly into wetlands, and to protect the natural function of wetlands and vegetative communities. Unless indicated by the unique quality of the area being buffered, such areas will generally consist of a minimum of fifty feet of undisturbed natural area or as required by other permitting agencies.

OBJECTIVE 4.6:

The City will carry out a program of activities to coordinate with Federal, State, and County agencies regarding compliance with adopted air quality standards, and shall develop best management practices that support maintenance of air quality standards.

Policy 4.601

The City will coordinate with the Florida Department of Environmental Protection (FDEP) and Volusia County to monitor air quality in the area and to identify sources of air pollution.

Policy 4.602

The City will coordinate with the FDEP to evaluate potential air quality problems which might be caused by new uses and to require appropriate measures to mitigate projected problems.

Policy 4.603

The City shall coordinate with the Volusia County Transportation Planning Organization (TPO), Volusia County, Florida Department of Transportation, VOTRAN and other regional transit providers on an optimum transportation network in Volusia County that incorporates the use of alternative modes of transportation to include, but not be limited to, bicycling, mass transit and ride-sharing to reduce mobile sources of emissions.

Policy 4.604

The City shall support, through funding and regulation, median and right-of-way landscaping that will enhance street beautification and pedestrian connectivity in order to encourage walkability and help to reduce the impacts of vehicle emissions.

OBJECTIVE 4.7

The City shall implement a green infrastructure program to provide clean air and water through the efficient and sustainable use of the natural resource network to reduce negative impacts of future development patterns and to lessen the need for expensive grey infrastructure installations.

Policy 4.701

The City will incorporate engineering, building and site design measures into the land development regulations to reduce, capture, and treat stormwater runoff at its source before it can reach the sewer system. Measures may include but are not limited to requirements and incentives for green roofs, rainwater cisterns, rain gardens, bio-retention/swales, porous pavement, greenways, wetland restoration, and any other green infrastructure practices.

Policy 4.702

The City will consider the use of funds from a variety of sources, such as grants or joint venture arrangements, to help finance green infrastructure on city-owned properties and on properties with civic uses.

5 | FUTURE LAND USE

GOAL: To facilitate the development and use of land, including permanent open space, in an organized arrangement which supports the appropriate development of the overall community, including an efficient multi-modal transportation system that enhances the well-being of the City's residents and businesses.

OBJECTIVE 5.1:

The City will carry out a program of activities to provide for its future growth by designating adequate land for the development of necessary land uses (including open space and public facility land uses), consistent both with the availability of needed public facilities and with the efficient use of such facilities.

Policy 5.101

The future land use pattern (depicted in the Future Land Use Map - see Objective 5.4) will be based on the projected need for different future land uses. The City will monitor its growth and development and will adjust these projections as needed. To the extent feasible, the quantity of vacant land available at any given time will be a multiple (as determined by the City) of the current estimated need in order to accommodate market choices. (See POLICY 5.102)

Policy 5.102

Areas which are appropriate for development are shown for individual land uses on the Future Land Use Map. Some areas (indicated as Alternate Use Areas and described individually under Policy 5.406) may be available for development subject to provision of adequate facilities and services. Plans for public facility expansion will be developed and reviewed annually so as to adequately provide for projected development. Areas contained within the Mixed Use Land use classification will also be reviewed at least annually.

Policy 5.103

The City will promote compact land use patterns that support energy efficiency and multi-modal transportation options and prevent urban sprawl.

Policy 5.104

The City will designate areas for permanent open space on the Future Land Use Map. Open space areas so designated will be preserved through acquisition, through establishment as open space within developments, or through other appropriate means.

Policy 5.105

In making decisions about specific land use designations, consideration will be given to the arrangement of existing land uses, compatibility of new and existing land uses and the need for buffers, traffic patterns, access to the area, and the need for development of different types to serve the future growth of the community.

Policy 5.106

The City will ensure that adequate land is available for public facilities and utilities. During the annual preparation of the capital improvement program (CIP), consideration will be given to the need for advance acquisition of sites for future development of facilities. In addition, during the development review process, plans for development of utilities and public facilities will be examined and any land necessary which may be provided in connection with the subject development will be reserved or acquired, as appropriate. The City may also allocate funds during the capital improvement programming process for advance acquisition of sites and right-of-way.

Policy 5.107

In making decisions about specific land use designations and other development-related programs in the area surrounding the DeBary Commuter Rail Station, including but not limited to the Southeast Mixed Use Area, the City shall consider the potential impact of the decision on the viability of the Transit-Oriented Development Overlay District. Changes in the Comprehensive Plan, Land Development Code and other development-related programs should support and promote the transit-oriented, pedestrian-friendly intensity and mix of uses near the DeBary Commuter Rail Station.

OBJECTIVE 5.2:

The City will carry out a program of activities to ensure that the future land use pattern reflects the appropriate management of natural resources, physical features, and historic resources.

Policy 5.201

Areas designated "environmentally sensitive" on the Future Land Use Map series will be subject to the appropriate policies included in Section 4, as well as the implementation of land development regulations. In and near these areas, the density or intensity of development, land uses, and land development patterns will be determined with consideration of the nature and extent of the nearby environmentally sensitive areas.

Policy 5.202

Historically significant resources (DeBary Hall and other sites identified on the Florida Master Site File) are shown on the Future Land Use Map. Development in the area of DeBary Hall will be limited in terms of scale, density, and intensity consistent with the use and development of the resource. Appropriate development in the vicinity will have the character of and be consistent with single-family residential development. For other sites, elsewhere in the City, planning for public improvements and redevelopment activities (specifically in the Village Center Overlay District area) will consider opportunities to incorporate these sites (sites listed on the Florida Master Site File) into the overall design and redevelopment.

Policy 5.203

Archaeologically significant resources are not specifically identified. Review of any development of previously undeveloped areas will include a review of the presence, location, and extent of any archeological resources as identified by the Florida Department of State. Where such resources are present, provisions will be made in the development approval to ensure protection of such resources.

Policy 5.204

Continue to maintain the inventory of significant historic resources on properties owned and leased by the City and update it as new properties are acquired.

Policy 5.205

The disturbance or removal of artifacts, human remains and/or paleontological remains from property owned by the City or property held in trust for the City unless an excavation plan is filed and approved by the City of DeBary's Preservation Officer and the Florida Department of State, Division of Historical Resources shall be illegal.

Policy 5.206

Continue to develop and maintain interpretive exhibits and information on historic resources in City-owned parks.

Policy 5.207

Continue to make available to the citizens of DeBary, information on historic preservation programs, activities, and opportunities.

OBJECTIVE 5.3:

The City will carry out a program of activities to eliminate or reduce land uses and activities which are inconsistent with this Plan, and to encourage the redevelopment of areas which offer opportunity for renewal consistent with the Plan. This program will include efforts to reduce land uses which are inconsistent with hazard mitigation recommendations of the Regional Planning Council.

Policy 5.301

The following provisions will apply as the development standards for the Benson Junction industrial area:

- a. When a specific plan is prepared for any individual development, the plan will consider the need for and the development's relationship to necessary infrastructure for the larger Benson Junction area. To the extent feasible, the plans for the individual development will coordinate with and help provide for the overall area. Particular infrastructure needs shall include, but are not limited to: potable water, sanitary sewer, drainage, and access from both Shell Road and Benson Junction Road.
- b. Lower intensity uses and uses having smaller impacts will be located in areas adjacent to the residential areas to the north, as well as in areas closest to US Hwy 17/92. Heavier industrial uses, and uses which have a more significant impact on surrounding areas will be clustered together within the larger industrial area and will be located closer to the railroad and farther from either the residential areas and US Hwy 17/92.

OBJECTIVE 5.4:

The City will base land use and development decisions on its adopted Future Land Use Map. The boundaries of individual land use classifications shown on the Future Land Use Map are

intended to be general graphic representations of where land uses should occur, and are not intended to be precise surveyed lines. For interpretation purposes and where appropriate, the boundary line(s) may be interpreted as being located within 600 feet of the actual scaled location in order to ensure that such line follows a logical boundary, such as a road, railroad, water course, property line, etc. Where there is a question as to the actual location of a boundary, the City Council will make the final determination. The Future Land Use Map, which is incorporated herein by reference, designates areas for the following land use classifications:

Policy 5.401

The following **CONSERVATION AND RURAL LAND USE CLASSIFICATIONS** are hereby established:

- a. Environmentally Sensitive Lands (ESL) (Max. 1 DU/ 10 acres)– This classification generally provides for the reservation and protection of natural open space and for very low densities of development for those activities which are permitted. Areas included in this classification are generally identified in Section 4. “Management of Natural Resources” and are specifically referenced through Policy 4.101. These areas constitute the bulk of the natural open space within the City, including land in both public and private ownership.
 1. Uses within this classification shall include resource management, forestry and agriculture, cemeteries, and recreation. Residential uses shall be discouraged except as accessory to permitted uses (ranger's or caretaker's residence, etc.) or where no other reasonable use of land is permitted. Where permitted, or for purposes of transfer of development rights, densities shall be limited to one unit per ten acres.
 2. Land in this classification is unlikely to be used for conventional development due to the presence of significant natural features (such as wetlands) and/or severe development constraints (such as major flood plains, wet and very poorly drained soils, etc.).
 3. Normally, these areas would be in public or institutional ownership. Where this land is in private ownership, limited development would be considered if there is not an opportunity to cluster development on another part of the property. Such development should normally be restricted to recreational uses and water oriented development which have minimal adverse impacts on natural systems, or development for which impacts can be adequately mitigated. Transfer of development rights away from this land would be permitted and encouraged.
 4. While it is unlikely that extensive conventional development will occur within this classification, peripheral portions of larger mixed use developments may occur. An example of such use might include the recreation area (such as a golf course) associated with a large planned unit development, where the design and management of the recreation area is consistent with the applicable standards. Such activity should be permitted only through the Planned Development process in order to establish appropriate specific conditions.

5. When land in this classification is developed, care will be taken to protect wetlands, habitats for threatened or endangered species or species of special concern, and other features referenced in Section 4, Management of Natural Resources. Specific strategies for protecting these areas include:
 - avoiding the location of development directly in the areas of concern
 - maintaining natural buffers between these areas and new development to ensure protection of the natural functions of the protected areas
 - selecting land uses and an arrangement of land uses designed to keep more objectionable uses (i.e.: those uses which produce the highest potential level of adverse impact on the protected areas) away from the protected areas.
- b. Agriculture/Rural Residential (A/R) (Max 1 DU/ 5 acres) - Areas within this classification are expected to remain largely open and undeveloped and/or in agricultural uses during the early part of the planning period, although the area will develop in conventional urban and suburban uses and densities once adequate infrastructure is provided.
 1. Uses permitted within this classification include agriculture and agriculture related businesses, such as feed lots, pasture and grazing, cropland, forestry, etc. In addition, uses include operations accessory to agriculture and silviculture (such as processing of farm and forestry products), as well as farm supply and support operations. Where they occur, agricultural and forestry activities should be managed so as to prevent adverse impacts from stormwater runoff.
 2. Residential development will be permitted as accessory to other permitted uses (agriculture, etc.) and as a principal use, but at very low overall densities (not exceeding 1 DU/ 5 acres.). Where feasible, residential density should be clustered on maximum two acre lots so that a significant portion of the land would be preserved for agriculture and future urban development. Mobile home development is not included in this classification.

Policy 5.402

The following **RESIDENTIAL LAND USE CLASSIFICATIONS** are hereby established:

- a. Residential/Low Density (R/LD) (Max. 4 DU/acre) - This classification provides for conventional suburban residential development, primarily consisting of single family detached units. In addition, clustering options will be available so that the same number of units can occupy a smaller portion of a site. Mobile home development is not included in this classification

1. Densities will be limited to four (4) or less DU/acre. Residential development should meet the policies for low and medium density housing set out in Section 9, Housing.
2. Convenience commercial uses may be permitted and shall be located in well-defined and carefully spaced convenience commercial centers. Specific uses include convenience stores, self-service laundries, dry cleaners, small restaurants and sandwich shops, gasoline sales without any automobile sales or servicing, branch banks, personal service establishments (such as barber shops and beauty parlors), and small (under 1,500 square feet) retail shops. These uses should be grouped into a single center at each location, preferably on a single parcel of land or on abutting parcels under a single master plan. The perimeter of the center should be well defined, and substantial landscaping and buffering should be provided to protect nearby residential areas from encroachment. The layout of uses within the center should consider traffic and pedestrian circulation, visual and noise impacts on neighboring residential areas, and the mitigation of adverse impacts generally. Specific site design issues will be addressed through the development review process. Where commercial development is proposed within one quarter mile of a city boundary, the adjoining jurisdiction(s) shall be notified and given an opportunity to comment on the proposal at the appropriate public hearing.
3. In addition to small commercial areas, other nonresidential uses may be appropriate in certain situations. Higher density residential uses may be permitted in areas adjacent to commercial or high density residential areas to help maintain a logical transition. Similarly, office employment uses may be permitted in areas adjacent to retail commercial uses. This may be done through the planned unit development process or a specific site plan review process. Higher density residential development shall conform to the policies for higher density housing included in the Housing Element.
4. Other special uses may be appropriate as part of a larger development. These include institutional uses, employment centers, office parks, and larger retail areas. These uses should only be considered as part of a (primarily residential) planned unit development process where specific criteria for the development can be established.
5. Schools may be permitted in this classification as provided in Policy 5.405
6. The original development of golf course parcels within a planned unit development for recreational and open space purposes afforded remaining portions of planned unit developments to be developed with increased density and intensity of uses by way of utilizing the planning concepts of clustering or transfer of development rights. Golf courses within planned unit developments are an important recreational and open space amenity that are integral to and an essential part of their respective planned unit development, provide increased market value

to all the other properties within the planned unit development, and which purpose and use are not severable from the uses of the other properties in the planned unit development. Golf course properties within planned unit developments (including Glen Abbey Golf Club and DeBary Golf & Country Club) constitute permanent open space or recreational tracts within their applicable planned unit developments and are not entitled to redevelop in a manner that would cause increased densities, intensities or a change in use. This policy does not prevent the de minimis expansion or alteration of clubhouse facilities or other ancillary structures to a golf course.

- b. Residential/Low-Medium Density (R/LMD) (Max. 8 DU/acre) – This classification provides for medium density housing, such as two and three family units and small apartments, but not including mobile homes.
 1. Densities shall be limited to eight (8) or less DU/acre. Residential development should meet the policies for higher density housing set out in Section 9, Housing.
 2. In addition to higher density residential uses, office employment uses and limited convenience commercial uses may be permitted in this classification. In smaller developments, such uses should be located at the entrance of residential areas, adjacent to arterial roadways, rather than in the interior. These uses should be restricted to interior locations within (primarily residential) planned unit developments consistent with an overall plan. Where commercial development is proposed within one-quarter mile of a city boundary, the adjoining jurisdiction(s) shall be notified and given an opportunity to comment on the proposal at the appropriate public hearing.
 3. Schools may be permitted in this classification as provided in Policy 5.405
- c. Residential/Medium Density (R/MD) (Max. 14 DU/acre) – This classification provides for higher density housing in locations well suited for this type of development.
 1. Permitted uses shall include all types of housing (except mobile homes). The maximum density in this classification is fourteen (14) or less DU/acre., and there is no minimum.
 2. Proposed residential developments in this classification shall be reviewed under the criteria for higher density housing contained in Section 9, Housing. Sites for development should have adequate access to an arterial road (direct access through a major intersection or indirect access by a major street internal to the development), should be adequately served by water and sewer utilities, should be close to retail and facilities (including recreational facilities), and should be located, arranged, and designed to minimize adverse impacts from nearby uses on the residents of the development as well as minimizing

adverse impacts on the residents of lower density developments in the vicinity.

3. This classification may permit office employment and limited retail uses, including neighborhood shopping centers and specialty retail centers. These uses are appropriate where they are integrated in a predominantly residential mixed use development and where the site meets the general criteria for higher density housing. Where commercial development is proposed within one-quarter mile of a city boundary, the adjoining jurisdiction(s) shall be notified and given an opportunity to comment on the proposal at the appropriate public hearing.
 4. The City will avoid locating individual higher density housing projects in areas where they are isolated from other housing. Residential projects should be located in areas where they are located near other like projects or where they are in a transitional area between residential and non-residential uses.
 5. Schools may be permitted in this classification as provided in Policy 5.405
- d. Residential/Mobile Home (R/MH) (Max. 8 DU/acre)- This classification provides for mobile homes.
1. Mobile homes will be permitted within planned developments with special amenities and facilities exclusively designated for residents. The maximum density for such developments is eight (8) DU/acre, similar to that of the Residential/Low-Medium Density classification.
 2. Development in this classification will be subject to the criteria for higher density housing as set forth in Section 9, Housing.
 3. Because of the unique nature of mobile homes, mixed developments (including both mobile home and conventional construction) shall not be permitted.
 4. All new mobile homes brought into the City or relocated within the City shall meet the US/HUD standards in effect on June 16, 1976, or on the date of construction, whichever is later.
 5. Schools may be permitted in this classification as provided in Policy 5.405

Policy 5.403

The following **COMMERCIAL LAND USE CLASSIFICATIONS** are hereby established:

- a. Commercial/Office (CO) - This classification provides for commercial areas which do not include extensive retail or service uses and reserves areas for the expansion of

office employment and service uses without the adverse impacts of traffic and congestion commonly associated with retail development.

1. Permitted uses include offices, financial institutions, and business service establishments (such as printing and copy centers, mailing centers, etc.). In addition, some uses that would normally not be permitted as freestanding uses or principal uses would be allowed as limited accessory activities within a larger development. These would include uses permitted in conjunction with an office complex, such as personal services uses (such as barber and beauty shops), restaurants and snack bars, and retail primarily addressing the needs of the businesses and workers within the larger complex. These accessory uses would be located in the interior of the buildings and/or developments they serve so as to be primarily arranged to serve the needs of the development first.
 2. Higher density residential development is permitted within this classification, subject to the basic location, design, and density criteria of the Residential/Medium Density (R/MD) classification. Such development should be addressed only through the planned unit development process.
 3. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 0.5 to 1. Residential density shall be limited to 12 DU/ acre. Where development is carried out through the planned development process, net floor-area ratio (FAR) may be increased to 2:1 provided that the overall FAR of the entire development does not exceed 0.5:1 and the increase is supported by a traffic analysis indicating that the increased demand will not exceed the capacity on nearby roadways.
 4. Schools may be permitted in this classification as provided in Policy 5.405
- b. Commercial/Retail (CR) - This classification provides for commercial retail and service uses, as well as the uses and activities permitted in the CO classification. The purpose and intent of this land use is to identify locations for a variety of commercial uses including neighborhood and community shopping centers, convenience stores, retail sales, highway oriented commercial and other commercial services.
1. Uses permitted include retail sales and retail services (such as personal care services), as well as all of the uses permitted in the Commercial/Office classification. Outside storage of goods will not be permitted. Outside storage must be in a permanently designated enclosed area and screened from the street and neighboring properties. Garden products may be stored and displayed within the confines of commercial property behind any required buffering but shall not be displayed or stored in any public right-of-way.
 2. This land use should be located at major intersections and along major roadways as infill development where the use is established.

3. Development in well integrated commercial centers, which function efficiently, is encouraged. These areas will be served by coordinated (in some cases common) parking areas and traffic circulation systems, will be well designed from the perspective of pedestrians and bicyclists, and will be easily accessible by transit.
4. Where commercial developments are in close proximity to residential areas and non-retail commercial, they will be buffered from them so as to reduce the adverse impacts of noise and unsightliness. Internal areas will also be well landscaped and signage will be maintained in a modest and coordinated manner. Pedestrian and bicycle connections between new retail commercial development and redevelopment and adjacent residential land uses commercial land uses shall be encouraged. The City shall consider new zoning regulations that might mandate design requirements such as reduced lot sizes and setbacks in order to shrink block sizes; provide more frequent crossing opportunities; and provide more direct connections to destinations for cyclists and pedestrians.
5. This classification also permits higher density housing on the edge of a retail area as a transition to residential uses. Residential uses should not be permitted in isolation, however, and should be permitted through the planned unit development procedures.
6. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 0.5 to 1. Residential density shall be limited to twelve (12) DU/acre.
7. Schools may be permitted in this classification as provided in Policy 5.405

Policy 5.404

The following **INDUSTRIAL LAND USE CLASSIFICATIONS** are hereby established:

- a. Industrial/General (IG) - This classification provides for "clean" industrial and employment uses.
 1. Uses include research and development, light manufacturing, and office uses, generally in industrial park setting. In selected areas, this may also include warehousing and distribution and heavier manufacturing, but not activities involving extensive outdoor storage or processing.
 2. Permitted development within this classification will be restricted so as to produce little noise, smoke, odors, or other adverse impacts associated with heavy industry. In addition, these activities will involve minimal truck traffic, and will generally be enclosed in buildings which are well landscaped and buffered from adjoining uses. Many of these activities will occur in parks or other planned developments.

3. In some cases, developments may include an increased incidence of uses with outdoor activities or involving truck traffic. These uses will be located and designed so as to avoid adverse impacts on the integrity and desirability of the larger development. These developments will be more remote from residential areas or other development which would be adversely impacted by the noise and traffic associated with this type of development. Such developments will be subject to the planned development review process.
 4. Intensity of non-residential use shall be limited to a floor area ratio (FAR) of 0.5 to 1.
 5. Schools may be permitted in this classification as provided in Policy 5.405
- b. Industrial/Service (IS) - This classification provides for heavier industrial and commercial activities.
1. Permitted uses include manufacturing, warehouse and distribution, and other industrial activities which occur outdoors to a major extent. Commercial uses include retail sales and services, auto and truck sales, building materials sales, and contractors' yards, and other outdoor sales and service activities.
 2. Where these uses occur, they will be grouped with similar uses (as opposed to occurring in isolation among dissimilar uses). Where activities are permitted outdoors, they will be screened from nearby residential and commercial development.
 3. Because of the limited areas assigned to this classification, other uses should not be considered. In areas on the periphery of lands in this classification, however, IG type uses can be considered to help ease the transition to non-industrial areas.
 4. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 0.5 to 1.
 5. Schools may be permitted in this classification as provided in Policy 5.405.

Policy 5.405

The following **PUBLIC LAND USE CLASSIFICATIONS** are hereby established:

- a. Public/Institutional (PI) - This classification provides for uses which are owned and/or operated by government agencies or non-profit institutions, and which do not lend themselves easily to the other classifications. Such uses may also be permitted within most of the other classifications. It is the intent of the City that elementary and high schools (public or private, and including charter schools) may be permitted in any classification subject to approval of the City Council, and that private or trade schools may be permitted in any commercial

or industrial classification subject to City Council approval. Public schools other than elementary and high schools should be restricted to this classification. This classification is designed to be used primarily where a public or institutional use is large enough to be separately identified on the Future Land Use Map.

1. The City will seek every opportunity to co-locate public facilities such as parks, community centers and libraries with educational facilities in coordination with the Volusia County School Board.
 2. Other public, institutional, and utility uses and facilities may be permitted in any land use classification, subject to approval of the City Council. This includes uses which are too small to be individually identified on the Future Land Use Map or the location of which must be established as part of the development review process. These uses include, but are not limited to, sewage lift stations, recycling facilities, power transmission facilities (including transformer stations), and broadcasting facilities, (including towers used for cellular telephone and other PCS services.) Authorization for one type of use shall not allow another use, which will require a separate authorization.
- b. Public/Utility (PU) - This classification specifically provides for the major electric power generation and distribution facilities within the City.
1. Uses permitted include power production, as well as accessory activities, including power generating plants, industrial buildings, open space used as buffers, Lake Konomac (which is used for plant cooling), and similar uses and accessory uses, as well as major features of the power distribution system but not transmission lines.

Transmission lines are intended to be permitted in any land use classification as a public utility use, subject to City Council review. (See Public/Institutional Land Use Classification.)

Portions of this area, specifically including Lake Konomac and the immediate surrounding area and the low-lying areas west of the Florida Power facility constitute part of the permanent natural open space of the City.

2. The development standards should be designed to reflect the existing character of uses and structures within this classification, including the reservation of the natural open space identified under (1), above.
3. In addition to power production uses, limited development of uses not directly associated with the production and distribution of electric power may be permitted. These uses will be developed with adequate landscaping and buffers from nearby uses. Such uses include office and employment uses, and conference and training centers, including accessory housing, recreation, and meeting facilities.

4. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 0.5. to 1.
5. Schools may be permitted in this classification as provided in Policy 5.405.

Policy 5.406

In addition to the conventional future land use classifications, the following **MIXED USE CLASSIFICATIONS** are hereby established and are subject to the use and development policies described:

- a. Southeast Mixed Use Area (SEMUA) - This area is located along US Hwy 17/92 south of Dirksen Drive, and includes undeveloped land and open space area to the east of US Hwy 17/92, as well as many previously developed smaller parcels west of US Hwy 17/92. The SunRail Commuter Rail is also centrally located within this land use classification. The area is currently characterized by a mix of heavy commercial; heavy and service industrial; and limited residential uses sparsely arranged throughout. The appropriate uses and development standards for this area include the following:
 1. Permitted uses include Commercial/Office, Commercial/Retail, Industrial/General, Public/Institutional and Residential. A combination of these uses may be permitted in mixed-use development projects within the SEMUA Future Land Use Designation. Hotel and conference center uses may be permitted as part of a mixed-use development that includes residential and commercial development.
 2. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 2.0 Residential density shall be limited to 10 DU/acre.
 3. Design guidelines for development within the SEMUA that are not within the TOD Overlay District shall be established within the City's Land Development Code, South S.R. 17/92 Overlay District.
 4. Southeast Mixed Use Area/Transit-Oriented Development Overlay District (SEMUA/TOD) – A transit-oriented overlay district within the SEMUA is hereby established as depicted on the Future Land Use Map. It is the intent of this overlay district to guide the area into an economically sustainable development pattern. Allowing for a diversity of land uses, along with clear design guidelines, can contribute to a successful development area with the added potential of attracting greater investment. In addition to the permitted mixture of land uses, the City shall adopt design guidelines in the Land Development Code consistent with Transit Oriented Development that promote a compact, urban form which is conducive to a more pedestrian friendly, transit oriented, mixed use environment. New development guidelines shall include, but not be limited to, standards for height, building placement, setbacks, architectural style, building materials, landscaping, impervious area, parking, block size and transportation infrastructure. All new development within the SEMUA/TOD Future Land Use

Overlay designation shall comply with the adopted TOD Overlay design guidelines within the City's Land Development Code.

- a. Development within the SEMUA/TOD Future Land Use Designation Overlay shall comply with the following standards and requirements.
 - i. TOD Residential (8 to 32 DU/acre) – The highest residential density shall be concentrated within ¼ mile of the DeBary Commuter Rail Station with a minimum 10 DU/acre to a maximum 32 DU/acre. In the remainder of the SEMUA/TOD, residential density shall be a minimum of 8 DU/acre to a maximum 20 DU/acre.
 - ii. The minimum floor-area ratio (FAR) for non-residential uses throughout the SEMUA/TOD shall be 0.3. The maximum floor-area ratio (FAR) for non-residential uses throughout the SEMUA/TOD shall be 2.0.
 - iii. Minimum FAR exceptions may be made for small or irregular shaped parcels.
 - iv. Mixed-use density/intensity calculations: Gross residential and non-residential development density and intensity shall be calculated based on the percentage of development dedicated to residential versus non-residential use.
 - v. Development shall comply with the provisions specified in the TOD Overlay Design District (see Policy 5.407).
 - vi. The City shall research and consider incentives for development under the SEMUA/TOD Overlay District, including but not limited to economic incentives, expedited permitting, and development and infrastructure standards to enhance the physical and economic feasibility of transit-oriented and pedestrian-friendly development. These incentives shall be further addressed in the Land Development Code.
 - vii. Transit-supportive land uses include, but are not limited to the following: apartments; live-work units; townhouses; single-family houses; affordable housing; lodging, retail stores; restaurants; banks; private offices/professional businesses; government offices; medical centers; high schools and post-secondary institutions; child-care centers; libraries; recreational and cultural facilities; theatres; public spaces; and other facilities.

5. Pre-existing agricultural uses within the SEMUA shall be permitted to continue subject to compliance with the provisions (including density and intensities) governing the Agricultural/Rural (A/R) future land use classification until development occurs in accordance with the uses, intensities and densities set forth above.
- a. Southwest Mixed Use Area (SW) - This area is located along Fort Florida Road west of the FP&L plant and south of Barwick Road, and is characterized by a mix of agriculture and open space uses, along with limited residential uses. The appropriate uses and development standards for this area include:
 1. Permitted uses include suburban residential uses with associated commercial retail and services. Retail uses above the level of convenience commercial should be introduced after the total number of residential units in the area exceeds 250.
 2. Any development will be approved through the planned development process, and shall either require necessary infrastructure (particularly water, sewer, and stormwater management facilities) or will include a condition requiring adequate infrastructure before construction of any phase of development.
 3. No significant development (ten units or more in any particular project) will be permitted until plans (including a construction program) are developed for the improvement of Ft. Florida Road.
 4. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 1 to 1. Residential density shall be limited to four (4) DU/acre or less. Overall development within the area shall consist of a minimum of 80 percent and a maximum of 100 percent residential. Retail commercial uses shall be limited to 10 percent. Prior to meeting the conditions for approval of development (items (1) through (3), above) the area shall comply with the provisions (including density) of the Agriculture/Rural (A/R) future land use classification. Prior to meeting the conditions for approval of mixed use developments, agricultural development will be protected from the encroachment of development which is not consistent with the A/R classification.

Policy 5.407

The City shall adopt a TOD Overlay Design District within the Land Development Code (LDC) to regulate land developed under the TOD Future Land Use Overlay District in order to guide mixed-use, compact development. The TOD Overlay Design District shall regulate the allowable percentages of land use development types and require street design that creates safe public spaces and is welcoming for pedestrians by using the following guiding principles:

- a. Street-oriented buildings and location of parking lots, if provided, in rear of the building.

- b. A high proportion of streets where building facades have abundant windows and entrances facing the street and create a human-scaled wall near the lot line.
- c. Ground-level land uses that support pedestrian activity, such as retail, restaurants and services.
- d. Safe pedestrian streetscape connections.
- e. Reduction in the portion of street frontages and right-of-way lined by parking lot, blank walls or empty lots.
- f. Liner buildings at the street level of parking structures that promote pedestrian-oriented environment.

Policy 5.408

Country Estates at River Bend

The future land use designation for the Country Estates at River Bend property shall be Residential/Low Density and Environmentally Sensitive Lands.

- A. The following conditions apply to the Country Estates at River Bend property:
 - 1. The maximum number of residential units permitted is 250 dwelling units. Throughout the development the uses within the Residential/Low Density designation will be limited to the residential dwelling units, parks, playgrounds, gatehouse, gazebos, boardwalks, a clubhouse not to exceed 15,000 square feet, including kitchen facilities, and other ancillary clubhouse uses and structures such as pools, workout room, tennis courts, parking lot, and other traditional amenities associated with a residential community. The clubhouse and other ancillary clubhouse uses and structures will be for the exclusive use of the residents of Country Estates at River Bend; provided, however, that nothing in this policy prohibits the residents from allowing their guests the occasional use of the community amenities when accompanied by residents. The kitchen facilities shall not be used as or converted into a restaurant; provided, however, that nothing in this policy shall prevent the clubhouse and kitchen facilities from being used to prepare, serve and sell food and beverages to residents of Country Estates at River Bend.
 - 2. Commercial and retail uses, including, but not limited to, commercial docking facilities, are prohibited. Wet and dry boat slips are prohibited except as set forth in the following subsections.
 - 3. A maximum of forty-five (45) waterfront lots shall be allowed. A maximum of forty-five (45) docks with a maximum of sixty (60) wet slips distributed among such docks shall be allowed along the waterfront lots of the St. Johns River, which may be allocated as private residential single-family docks or private residential multi-slip docks, or any combination thereof. Subject to permitting requirements, the

docks may cross the Environmentally Sensitive Lands located adjacent to the 117 +/- acres, which are designated Residential/Low Density. A restrictive covenant, to be recorded in the public records of Volusia County, Florida at the time of recordation of subdivision plat, shall be placed on the entire 330 +/- acre property to restrict such property to the number of residential units, the size and use of the clubhouse, and the number of waterfront lots, docks, and wet slips, mentioned in subsections A(1), (2), and (3) above and also including the restrictions and limitations set forth in subsections A(4) and (5) below, and such covenant shall be enforceable by the City of DeBary and Save the Manatee Club, Inc.

4. A single lane boat ramp not exceeding sixteen (16) feet in width may be located on the portion of the property adjacent to the Residential/Low Density area at a location where it can be permitted by appropriate local, regional and state agencies. The boat ramp shall be for the exclusive use of the residents of the residential development. Trailer parking for the boat ramp facility shall be limited to 10 spaces.
 5. In addition to the docks and slips provided in subsection A (3), two (2) launch and recovery slips shall be allowed to assist in loading and unloading of watercraft at the boat ramp provided in subsection A(4) and such shall be used for temporary mooring purposes for the exclusive use of residents of the residential development, and shall not be used for the long-term mooring of any watercraft.
 6. At the time of rezoning the property, the City of DeBary shall be granted a conservation easement over all lands designated with the Environmentally Sensitive Lands future land use classification (approximately 213 +/- acres), subject to the allowance of impacts for the boat ramp, the two launching and recovery slips, the private residential single family docks and the private residential multi-slip docks, and passive recreational uses such as pedestrian trails, boardwalks and gazebos.
 7. The applicant for the permit for the boat ramp, the two launching and recovery slips, and the 10 parking spaces shall be the developer, and not individual property owners, residents, or the homeowners association. If the boat ramp above is permitted by the appropriate local, regional, and state agencies, then a conservation easement over all lands designated with the Environmentally Sensitive Lands future land use classification (approximately 213 +/- acres), subject to the allowance of impacts for the boat ramp, the two launching and recovery slips, the private residential single family docks and the private residential multi-slip docks and passive recreational uses such as pedestrian trails, boardwalks, and gazebos, shall be granted to the St. Johns River Water Management District and Save the Manatee Club, Inc.
- B. The rezoning of the property shall be processed as a Planned Unit Development and require a development agreement between the property owner/developer

and the City of DeBary governing the uses and development of the property and the public infrastructure improvements required by the development.

OBJECTIVE 5.5:

The City has established a set of land development regulations (the Land Development Code) to implement and support the provisions of this Plan.

Policy 5.501

This Plan (in conjunction with Chapter 163 and Chapter 166, F.S., and the City Charter) will act as the "enabling legislation" for the LDC. The LDC and this Plan are to be used together in collaboration to determine the appropriate location, character, extent, and timing for any particular development. While this Plan establishes the broad principles under which development occurs, the LDC determines the details of the development. The City Council, as the legislative body of the City, will use the Plan to determine the general standards applicable to development, and will use the LDC to determine the procedures for review and the applicable detailed standards. The City Council will ultimately make the determination as to whether or not the proposed development meets the requirements of both the Plan and the LDC.

Policy 5.502

The LDC will contain provisions addressing:

- a. The use of land, including compatibility of adjacent land uses;
- b. The density or intensity of development, including standards for open space within developments;
- c. Standards for parking and on-site traffic circulation;
- d. Standards for tree protection, landscaping, and buffers;
- e. Standards for management of environmental resources, including wetlands, well fields, flood plain, habitats for threatened and endangered species and species of special concern;
- f. Standards for location and construction of streets, roads, and utilities;
- g. Standards for stormwater management, both to prevent flooding and to ensure water quality;
- h. Standards for signage;
- i. Standards for Variances and Special Exceptions;
- j. Provisions to ensure that no development will be carried out unless the public facilities and water supplies necessary to serve the development will exist and will have sufficient capacity when needed by the development;

- k. Standards for transit oriented development to include urban design principles to create mixed use, aesthetic design, a quality pedestrian environment and intermodal connections, such as, but not limited to the following:
 - 1. Land use mix
 - 2. Building and site design
 - 3. Green building/infrastructure
 - 4. Streetscaping
 - 5. Landscaping
 - 6. Pedestrian connectivity
 - 7. Buffering
 - 8. Signage
 - 9. Vehicular/structured parking facilities
 - 10. Bicycle parking facilities
 - 11. Transit facilities
 - 12. Intermodal connections
- l. Incentives for the planning and development of master stormwater ponds and facilities to support transit oriented development through the Land Development Code.
- m. Cluster/compact development and smarter growth in order to conserve natural resource lands and open space; and to decrease local infrastructure costs.

Policy 5.503

The LDC will provide for implementation of mixed use land use categories as identified on the Future Land Use Map, including provisions addressing: types of land uses permitted the percentage distribution among different types of land use, and density or intensity for each type.

Policy 5.504

The LDC will constitute the minimum requirements necessary: to promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, prosperity, and the general welfare; to conserve the value of land, buildings, and resources; to protect the character and maintain the stability of the various areas within the City; and to promote its orderly development. It is the intent of the City that the LDC will be maintained and implemented in a manner which preserves all rights protected by the Constitution, while providing a vehicle for the overall protection of the general public and the enhancement of the community. Toward that end, the LDC will be designed and implemented to maintain due process and equal protection principles, while providing for expeditious action.

Policy 5.505

In making any decision regarding the approval of a development (including any decision to approve an amendment to the Comprehensive Plan, to approve an amendment to the zoning map, and/or to approve any other development permit), the City will consider at a minimum the following:

- a. Whether the proposed development is consistent with all of the applicable provisions of the adopted Comprehensive Plan, including its intent and purpose;
- b. The impact of the proposed development on the natural environment and the capability to adequately mitigate any adverse impacts;
- c. The impact of the proposed development on existing and future development in the vicinity, including impacts on public facility capacity, adequate water supplies and associated public facilities, environmental impacts, the resulting appearance of the overall community, and the subsequent ability to properly develop or redevelop other nearby land;
- d. The reasonableness of the development vis-a-vis good design, orderly pattern of development, compatibility with the development of nearby areas, safety and convenience of occupants and the general public, and the presence or absence of unusual features which are favorable to successful or unsuccessful development;
- e. The availability of other suitable land (properly located and with the necessary characteristics) to serve the needs represented by the proposed development; and
- f. Whether there are mitigating or unusual circumstances (such as the potential for a taking to exist if no development is approved) which might be addressed through the approval of the development, with or without amendments or conditions.

Policy 5.506

The LDC will provide for development agreements which contain the criteria set forth in Sections 163.3220 through 163.3243, F.S.

Policy 5.507

The LDC will provide that the City may impose conditions on the approval of a development where such conditions are necessary to ensure consistency with the provisions of this Plan, to ensure compliance any applicable development regulation or standard (including those established in the LDC), and/or to reduce or mitigate any specific adverse impact caused by the unusual character or an unusual feature of the site, the proposed development, or the surrounding area. Conditions may include, but are not limited to, reduction or expansion of the uses, densities or intensities of use, rearrangement of the site layout, provisions for buffers or other features, restrictions on operating conditions or procedures, and timing of development.

Policy 5.508

The LDC will incorporate those standards established as “Environmental Minimum Standards” pursuant to special provisions of the Volusia County Charter. These include: wetlands protection, well field protection, stormwater management, and tree protection. It will be the intent of this Plan and the LDC that these standards will be duplicated as closely as possible in the City of DeBary.

Policy 5.509

Where practical, the LDC will incorporate by reference those standards imposed by other agencies and not under the direct control of the City. These include such standards as those imposed by St. Johns River Water Management District (SJRWMD), the US Army Corps of Engineers (USACOE), the Florida Department of Environmental Regulations (FDER), and the Florida Game and Freshwater Fish Commission (FGFWFC). The City will not pursue contractual arrangements to implement standards imposed by these agencies unless such arrangements allow for streamlined procedures and local interpretation of requirements.

Policy 5.510

The intent of the City is to limit challenges to regulations under the Bert J. Harris Private Property Act. However, the following specific deviations from previously existing standards shall be included in the LDC:

- a. Standards for signage shall be reviewed and modified to reduce the number and height of signs in commercial areas. In the Village Center Overlay District and the Southeast Mixed Use Area/TOD Overlay District, the size of signs shall be reduced to reflect the increased density of signs and the lower vehicle operating speeds.
- b. Standards for landscaping shall be reviewed and modified as follows:
 1. Standards for buffers between dissimilar uses shall be enhanced, and a range of choices shall be offered amount effective buffer designs;
 2. Standards for landscaping around stormwater retention facilities shall be increased; and
 3. Standards for landscaping around parking lots and for tree planting within parking lots shall be increased.
- c. Standards for urban design, community appearance and transit oriented development shall be established.

6 | TRANSPORTATION

GOAL: To facilitate the development of a safe, cost-effective, coordinated, connected, energy efficient, multimodal transportation system for the movement of people and goods to benefit the social, economic and physical development of the City and to reduce greenhouse gas emissions and vehicle miles of travel.

OBJECTIVE 6.1:

The City will carry out a program of activities to facilitate the provision of a cost-effective, safe, convenient, and energy efficient multimodal transportation system.

Policy 6.101

The Future Transportation Map (2025) is hereby incorporated as a part of this Plan, and depicts the character and extent of transportation facilities to be provided by the target year (2025). The Map specifically shows the general or approximate location and character of:

- a. The street and highway network, including the Florida Intrastate Highway System (FIHS), the County road system, and local streets. The Map also shows the number of lanes, the maintenance responsibility, and the functional classification for each facility.
- b. Those parking facilities deemed necessary to support the City's transportation goals.
- c. The public transportation system, including specific trip generators and areas to be served, stations and terminals, and public transportation rights-of-way.
- d. Bicycle and pedestrian facilities deemed necessary to support the City's transportation goals.
- e. Railroads and railroad facilities.
- f. Terminals and other facilities specifically designed to support the interchange between different transportation modes.

Policy 6.102

The City may, from time to time, establish level of service standards in connection with the planning, design, and/or operation of a transportation facility. Such standards do not constitute level of service standards for the purpose of implementing the regulatory “concurrency” requirements of state law. When such planning standards are developed, they should be compared with regulatory standards to determine if the latter standards should be revised.

Policy 6.103

Pursuant to “concurrency” requirements, the following regulatory level of service (LOS) standards will be used to determine whether facilities are adequate to serve new development:

- a. Road facilities:
 - 1. Florida Intrastate Highway System (FIHS): as established by FDOT
 - 2. Balance of State Road System: as established by FDOT
 - 3. County Road System: D
 - 4. Local Street System: D
- b. Public Transportation facilities:
 - 1. Votran/Lynx Systems: no adopted standard
 - 2. Rail Transit System: no adopted standard

NOTE: *See also Section 10 Capital Improvements*

Policy 6.104

In order to meet regulatory level of service standards and to meet the objectives of this Plan, the following improvements shall be made to the transportation network during the planning period:

- a. CSX Railroad - provide rail transit service connecting DeLand, Orange City, DeBary, Sanford, and points south with downtown Orlando, continuing south to Haines City (FDOT responsibility).
- b. Dirksen Drive, Highbanks Road, Enterprise Road, DeBary Avenue - add lanes and/or make traffic operations improvements (City and County responsibility).
- c. Ft. Florida Road - widen and pave between Highbanks Road and US Hwy 17/92 - project to include alignment and stormwater conveyance improvements (City and County responsibility).
- d. PD&E Study for the Interstate 4 (I-4) "Beyond The Ultimate Project (BtU)"-I-4 widening project to include six (6) general use lanes and four (4) express lanes from SR 434 north to SR 472 in Volusia County.
- e. New north/south road between Benson Junction and west side of Orange City and DeLand (City and County responsibility).
- f. Commercial access road west of I-4 (City responsibility)

Policy 6.105

Funds for transportation improvements may come from transportation related revenues (such as the gas tax), mobility fees, the General Fund, special assessments, and/or other legally available sources. In addition to improvements which increase facility capacity, the City will include adequate funds in its annual budget to ensure adequate maintenance of its

existing transportation infrastructure and to make necessary traffic operations improvements.

Policy 6.106

The City will not provide funding for improvement or maintenance of private streets or roads. Where the City Council finds a City interest in paving private roads, it may authorize the City to facilitate improvements. However, unless the City is able to acquire all necessary right-of-way, such improvements will not be made.

Policy 6.107

The City has adopted land development regulations to implement the following standards for construction or modification of transportation facilities:

- a. Improvements made to highways in the state system will meet FDOT standards. Where access to a development is through a highway on the state system, the connection will conform to the applicable access management standards established by FDOT.
- b. Improvements made to roads or highways in the Volusia County road system will meet Volusia County standards. Where access to a development is through the highway on the County system, the connection will conform to the applicable standards established by Volusia County.
- c. Where access to a development is through a street or road in the City street system, the access will be designed to reduce the overall number of entrances by emphasizing side street and/or joint entrances, and by discouraging entrances to major roads in close proximity to major street interchanges.
- d. On-site parking will be provided adequate to serve the needs of the uses and activities on the property. Where special conditions exist (such as in a redevelopment area, in a transit station area, or in an area of intensive mixed uses) parking will be provided on an overall basis, rather than on a site by site basis, and provisions will be required to assure legal access for joint use.
- e. Provisions may be made to facilitate pedestrian circulation and use of bicycles and transit. Such provisions will include a comprehensive system of sidewalks, separate secure bicycle parking areas, transit bus shelters and bus pullouts, and (where appropriate) design of the on-site circulation to facilitate through movement by bus traffic.

Policy 6.108

The City may elect to repeal and replace City transportation concurrency and proportionate fair-share with a Mobility Fee based upon an adopted Mobility Plan. A Mobility Plan and Mobility Fee may be implemented and adopted city-wide or may be adopted only for specific areas or districts within the City. The repeal and replacement of City transportation concurrency and proportionate fair-share shall only occur in areas of the City where Mobility Fee and Mobility Plan have been adopted. Failure to repeal transportation concurrency and proportionate fair-share provisions shall not affect the validity of any adopted Mobility Fee or Mobility Plan.

Policy 6.109

A Mobility Plan and Mobility Fee may be adopted by resolution or ordinance of the City Council. The Mobility Plan and Fee would go into effect per the provisions of the implementing Mobility Fee ordinance. The City Council may elect to repeal and replace transportation concurrency and proportionate fair-share concurrently with, or subsequent to, the adoption of the implementing ordinance of a Mobility Plan and Mobility Fee.

Policy 6.110

Should the City Council elect to adopt a Mobility Plan and Mobility Fee, the City within one year of adoption of the implementing Ordinance, shall update the Transportation Element and Capital Improvement Elements of the Comprehensive Plan to reflect the repeal and replacement of transportation concurrency and proportionate fair-share for all or portions of the City for which a Mobility Plan and Fee have been adopted, and update relevant policies related to level and quality of service standards, complete streets, capacity determinations, backlogged facilities, transportation impact analysis and associated multimodal policies. The Growth Management Director may permit or require development, within an adopted mobility fee assessment area, to conduct a site access assessment in lieu of a traffic impact analysis. Within one year of adoption of a mobility plan and mobility fee, the City shall amend its land development regulations to establish requirements for site access assessments.

OBJECTIVE 6.2:

The City will carry out a program of activities to coordinate the transportation system with the future land uses policies on this Plan, and to ensure that population densities, housing and employment patterns, land use patterns, and the management of important natural features are consistent with transportation modes and services proposed to serve these areas.

Policy 6.201

In making zoning changes and plan amendments, the City will consider the need for new transportation facilities necessitated by the potential development, as well as the resources which can be reasonably expected to support new facilities not previously contemplated.

Policy 6.202

In reviewing concepts for new transportation facilities, the City will give consideration to the potential impacts of new facilities on land uses (including future land use patterns) and on natural resources.

Policy 6.203

Where conflicts appear to exist between new transportation facilities and other features (including existing and future land uses and natural resources), consideration will be given to mitigation through design modifications and project features, to the maximum extent feasible. Where such mitigation is insufficient to reduce adverse impacts to an acceptable level, consideration may then be given to overall project modifications and/or off-site mitigation.

Policy 6.204

In designing new transportation projects and transportation improvements, consideration may be given to methods for protecting existing neighborhoods. Such methods may include buffers with heavy vegetation, supplemented by berms and/or walls.

OBJECTIVE 6.3:

The City will carry out a program of activities to provide for the protection of future rights-of-way for roads and mass transit facilities (including exclusive mass transit corridors).

Policy 6.301

The City may periodically review plans for new transportation facilities, including plans of the FDOT and other transportation agencies) to identify opportunities for preserving future rights-of-way.

Policy 6.302

The City will consider the needs for future transportation rights-of-way in reviewing plans for major land developments. Where feasible, the City will seek to obtain future rights-of-way through dedication and/or reservation or future purchase. Where this is accomplished, consideration may be given to density increases, changes in uses, modification of environmental boundaries, and/or other measures in exchange for contribution of adequate rights-of-way. Such adjustments shall conform to this Plan.

Policy 6.303

Where need for a future right-of-way is identified but the right-of-way cannot be secured through the development review process, the City may withhold approvals for development within the right-of-way to the extent necessary to give the appropriate transportation agency an opportunity to obtain the right-of-way through its own procedures. The City will expect the appropriate transportation agency to pay costs of implementing this Policy.

Policy 6.304

The City should strive to develop and maintain adequate reserve funds for advance acquisition of right-of-way for local street projects and other transportation projects which are in the public interest.

OBJECTIVE 6.4:

The City will carry out a program of activities to coordinate the transportation system with access to the DeBary Commuter Rail Station, ports, airports, and related facilities and to ensure that access routes to these facilities are integrated with other modes of surface or water transportation.

Policy 6.401

The City will encourage the private sector to provide services to major regional transportation terminals for passenger and freight traffic, with particular emphasis on the DeBary Commuter Rail Station and on service to business areas within the City. These services include taxi and limousine passenger service to airports, ports and rail terminals, as well as package and express services. This will be done by accommodating appropriate uses and activities within

the land development regulations and by coordinating discussions between providers of these services and potential users.

Policy 6.402

The City will encourage the development of facilities for public access to the St. Johns River, particularly in support of public recreation, commercial recreation, and eco-tourism activities. This will be done by accommodating appropriate uses and activities within the land development regulations.

OBJECTIVE 6.5:

The City will carry out a program of activities to address the provision of efficient public transportation (including paratransit) services based on existing and proposed major trip generators, safe and convenient public transit terminals, and accommodation of passengers with special needs.

Policy 6.501

The City will maintain communication with providers of public transportation and providers of services to groups with special needs. This will include providing information on activities (particularly development activities) within the City as well as input on operational issues, such as routing, schedules, and fares. This will be accomplished largely by maintaining an active role in the TPO process.

Policy 6.502

The City will support development of appropriate facilities through the land development review process, as well as through design of City projects. Such facilities might include bus shelters, bus pull-outs, fringe parking facilities, and optimum street layouts.

OBJECTIVE 6.6:

The City will carry out a program of activities to coordinate with plans and programs of: the TPO, any transportation authority, the FDOT's Transportation Plan and Adopted Work Program, any port or airport provider, USACOE, FAA, any military services, the "Continuing Florida Aviation System Planning Process", and any resource planning and management plan associated with an identified "Area of Critical State Concern" (ACSC).

Policy 6.601

The City will attend and actively participate in the TPO process. The City will seek to review and comment on plans for proposed transportation facilities and to facilitate citizen understanding of and participation in the review of plans.

Policy 6.602

The City will send proposed Plan amendments and copies of major and/or significant development proposals to the appropriate transportation agencies for review, and will actively solicit responses from these agencies.

Policy 6.603

The City will cooperate with the appropriate agencies to develop and implement strategies for transportation demand management, strategies for transportation system management, coordinating mechanisms to address transportation facilities, and development of measures and systems to monitor achievement toward mobility goals.

Policy 6.604

The City of DeBary adopts by reference the FDOT Transportation Plan and Adopted Work Program to include the Interstate 4 (I-4) “Beyond the Ultimate Project” to include six (6) general use lanes and four (4) express lanes from SR 434 north to SR 472 in Volusia County.

OBJECTIVE 6.7:

Support the expansion of the SunRail commuter rail system, bus transportation, and bicycle and pedestrian facilities and reduce emphasis on transportation system improvements that favor the use of single-occupancy vehicles as the primary means of transportation.

Policy 6.701

Encourage travel on the Central Florida Commuter Rail system (SunRail).

Policy 6.702

Support the expansion of public transportation including additional bus routes and park-and-ride parking facilities.

Policy 6.703

Develop a program for bicycle and pedestrian connections along US Hwy 17/92 and other streets, pathways and trails linking DeBary Commuter Rail Station with the transit oriented development, South East Mixed Use Area, and the Village Center Area. Specific streetscape design and site/transit amenities will be addressed in the land development regulations.

Policy 6.704

Where a road link is found to be deficient according to level of service methodology, the appropriate remedies to restore a satisfactory level of service may include the following options:

- Intersection improvements
- Signal timing changes
- Turning or auxiliary lanes,
- Access management
- Improvements in parallel corridors
- Roadway widening
- Change in level of service standard
- Improvements in bus system routing
- Improvements in other modes of travel

- Transportation demand management such as ridesharing, staggered work hours, or flex time
- Transportation system management strategies such as computerized Intelligent Transportation Systems (ITS) to manage congestion through timing of traffic signals, or
- Other traffic engineering measures

Policy 6.705

Provide a hierarchy of local streets that will offer flexibility in circulation options and will be effective in serving a changing range of land uses over time.

Policy 6.706

The City shall work with the FDOT, Volusia County TPO, and the County to prioritize transportation funding for alternative system projects related to the DeBary Commuter Rail Station, additional bus routes, pedestrian access and other transportation system management improvements in lieu of roadway widening projects as appropriate.

Policy 6.707

The City will seek to prioritize funding to construct safe pedestrian crossings on US Hwy 17/92, and other streets, pathways and trails to the DeBary Commuter Rail Station. Safe crossings may include the use of median landings, narrower lanes, timing on crosswalks, mid-block crossings, or other similar techniques.

Policy 6.708

To enhance pedestrian safety, the City will coordinate on planned roadway improvements with the appropriate responsible jurisdiction or agency to consider the inclusion of traffic calming devices and design elements that improve bus stop locations.

Policy 6.709

Locate and configure parking in ways that will not interrupt street frontages or public open spaces, such as location to the rear and in parking structures.

Policy 6.710

Develop alternative parking management strategies to encourage transit use, such as the following:

- Provide for maximum parking allotments
- Reduce current parking requirements in order to maximize usable floor space within the TOD Overlay District
- Encourage shared parking lots for those uses which are likely to demand parking spaces at different times of day
- Provide for park and ride facilities

7 | PUBLIC FACILITIES INFRASTRUCTURE

GOAL: To facilitate the development of adequate public infrastructure to serve the appropriate growth and development of the City, and with appropriate consideration to managing important natural resources.

7A. POTABLE WATER FACILITIES

OBJECTIVE 7A.1:

The City will carry out a program of activities to correct existing deficiencies in potable water treatment and distribution facilities, to provide adequate potable water facilities and to meet the needs of future growth.

Policy 7A.101

The City will continue to encourage potable water service providers in extending potable water service to already developed areas which are not currently served.

Policy 7A.102

The City will consider the use of funds from a variety of sources to help finance extension of the water system. Sources may include, but are not limited to: grants, joint venture arrangements, assessment districts, etc.

Policy 7A.103

Where available funds for extension of water service are not specifically restricted, the highest priority will be given to providing services in areas where actual water quality and quantity problems chronically exist in individual wells.

Policy 7A.104

Extension of water service specifically to serve new development will be financed by the new development except to the extent that the extension also serves other purposes consistent with POLICY 7A.103. The City will coordinate with potable water service providers to ensure that extensions are designed (including sizing) and located so as to best meet future system needs. Where the City, after consultation with the appropriate provider, determines that an extension to serve a development should be relocated or redesigned (including over-sizing) to best meet future system needs, the City will consider methods for assisting in the difference in cost to meet the future system needs.

Policy 7A.105

In determining future system needs, consideration will be given to the need for adequate storage, the need to "loop" major lines, the need for interconnections between systems, and the need to maintain adequate water pressure for fire protection.

Policy 7A.106

The following regulatory level of service (LOS) standards for adequate potable water facilities will be applied to the evaluation of new development through the concurrency management system (see also Objective 10.1, below):

- a. Volusia County Utilities: 300 Gallons/ ERU*/Day
Office: 0.15 GPD* per sq. ft. of build area
Institutional, Industrial, Retail: 0.10 GPD* per sq. ft. of build area
- b. Deltona: 300 Gallons/Connection/Day
- c. Lake Villa Estates: 47 Gallons/ERC*/Day

*ERC - Equivalent Residential Connection/ERU-Equivalent Residential Unit/GPD-Gallons Per Day

OBJECTIVE 7A.2:

The City will continue to coordinate with all service providers to maximize the use of existing potable water facilities so as to discourage urban sprawl, support high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development Overlay District and encourage the establishment of a coordinated potable water system to serve the City.

Policy 7A.201

The City will continue to help coordinate the expansion of the various potable water systems serving the City. A specific purpose of this coordination will be to ensure that areas of the City requiring service will obtain such service in timely and cost effective manner.

OBJECTIVE 7A.3:

The City will carry out a program of activities to encourage conservation of potable water resources and to protect the functions of natural groundwater recharge areas and natural drainage features. This program will include:

- The adoption of regulations to enforce the Water Management District's landscape and irrigation rule.
- The adoption of landscape water conservation regulations that provide waterwise landscape and irrigation standards.
- The adoption of regulations encouraging the installation of water-saving plumbing devices.
- The adoption of regulations that override green lawn deed restrictions.
- The promotion and encouragement of the use of low impact development techniques such as the Florida Water StarSM program.

Policy 7A.301

The City will continue to encourage coordination with the St. Johns River Water Management District to make information available to the public concerning water use restrictions, water conservation methods, and water resource management efforts generally.

Policy 7A.302

The City will review its standards for plumbing fixtures and will modify these standards (in coordination with Volusia County) to ensure that water conserving equipment and techniques will be used.

Policy 7A.303

The City will continue to enforce water use restrictions consistent with standards by the St. Johns River Water Management District, using the code enforcement process.

Policy 7A.304

The City will encourage the use of treated effluent in lieu of using primary water sources. This effort will focus on the largest users, such as golf course irrigation and power production.

OBJECTIVE 7A.4:

Improve the coordination of water supply and land use planning by maintaining a Water Supply Facilities Work Plan (WSFWP) that addresses the water supply facilities necessary to serve existing and future development that occurs within the city's water service area through 2025.

Policy 7A.401:

The City of DeBary shall maintain a Water Supply Facilities Work Plan (WSFWP) that is coordinated with SJRWMD, for at least ten (10) years as required by and in accordance with Florida Statutes that addresses the water supply facilities that are necessary to serve existing and future development within the city's water service area. The City of DeBary Water Supply Facilities Work Plan (FY 2010-2025) is herein adopted and affixed as "Exhibit A" to the Public Facilities Infrastructure Element of the Comprehensive Plan.

Policy 7A.402

The City will participate in the development of updates of the SJRWMD's water supply assessments and updates of the District Water Supply Plan and any other water supply development-related initiatives facilitated by SJRWMD.

Policy 7A.403

The City's WSFWP shall be updated within 18 months of an update to the St. Johns River Water Management District Water Supply Plan that affects the City.

7B. SANITARY SEWER FACILITIES

OBJECTIVE 7B.1:

The City will carry out a program of activities to correct existing deficiencies in sanitary sewer collection and treatment facilities and to provide adequate sanitary sewer facilities to support high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development District and to meet the needs of future growth.

Policy 7B.101

The City will continue to encourage sanitary sewer service providers in extending sanitary sewer service to already developed areas which are not currently served, and which experience contamination of individual wells.

Policy 7B.102

The City will consider the use of funds from a variety of sources to help finance extensions of the sanitary sewer system. Sources may include, but are not limited to: grants, joint venture arrangements, assessment districts, etc.

Policy 7B.103

Where available funds for extension of sewer facilities are not specifically restricted, the highest priority will be given to providing services in areas where actual water quality problems chronically exist in individual wells.

Policy 7B.104

Extension of sanitary sewer service specifically to serve new development will be financed by the new development except to the extent that the extension also serves other purposes consistent with POLICY 7B.103. The City will coordinate with sanitary sewer service providers to ensure that extensions are designed (including sizing) and located so as to best meet future system needs. Where the City, after consultation with the appropriate provider, determines that an extension to serve a development should be relocated or redesigned (including over-sizing) to best meet future system needs, the City will consider methods for assisting in the difference in cost to meet the future system needs.

Policy 7B.105

In determining future system needs, consideration will be given to the need for adequate line sizes and for adequate lift station capacity.

Policy 7B.106

The following regulatory level of service (LOS) standard for adequate sanitary sewer facilities will be applied to the evaluation of new development through the concurrency management system (see also Policy 10.104 (c)):

- a. Volusia County Utilities Southwest: *Residential*: 200 Gallons/ ERU*/Day
Office: 0.15 GPD* per sq. ft. of build area
Institutional, Industrial, Retail: 0.10 GPD*
per sq. ft. of build area
- b. City of Deltona Utilities: *Residential*: 284 Gallons/ERU* /Day Non-Residential-
1,500 gallons per day per acre

* ERU -Equivalent Residential Unit

* GPD- Gallons per Day

OBJECTIVE 7B.2:

The City will continue to coordinate with all service providers to maximize the use of existing sanitary sewer facilities so as to discourage urban sprawl, support high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development Overlay District and encourage the establishment of a single, coordinated sanitary sewer system to serve the City.

Policy 7B.201

The City will continue to help coordinate of the expansion of the various sanitary sewer systems serving the City. A specific purpose of this coordination will be to ensure that areas of the City requiring service will obtain such service in a timely and cost effective manner.

OBJECTIVE 7B.3:

The City will carry out a program of activities to help ensure the proper operation of sanitary sewer systems.

Policy 7B.301

The City will continue to coordinate with all service providers to ensure that new non-residential developments meet appropriate standards for separation of domestic and process wastes, and to require industrial pre-treatment where appropriate.

Policy 7B.302

The City will cooperate with all service providers to monitor non-residential land uses to help prevent improper use of the sewer system.

7C. STORMWATER MANAGEMENT FACILITIES

OBJECTIVE 7C.1:

The City will carry out a program of activities to correct existing deficiencies in the stormwater management system and to provide adequate facilities to support high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development Overlay District and to meet the needs of future growth.

Policy 7C.101

The City will continue improving stormwater management facilities to serve developed areas. Participation may include, but is not limited to: participating in evaluating the feasibility of making improvements; participating in the financing of improvements; coordinating improvements made to serve new developments with those needed to serve existing developments; and coordinating stormwater management projects with other public works projects.

Policy 7C.102

The City will consider using funds from a variety of sources to help finance improvements to the stormwater management system. Sources may include, but are not limited to: grants, joint venture arrangements, assessment districts, etc. but may include stormwater utility revenue.

Policy 7C.103

Where available funds for improvement to stormwater management facilities are not specifically restricted, the highest priority will be given to providing services in developed areas experiencing structural flooding. High priority may also be given to water quality improvements related to EPA's Total Maximum Daily Load (TMDL) Program for watershed planning and restoration.

Policy 7C.104

Improvement of stormwater management facilities specifically to serve new development will be financed by the new development except to the extent that the improvement also serves other purposes consistent with POLICY 7C.103. The City will coordinate with appropriate parties to ensure that improvements are designed (including sizing) and located so as to best meet future system needs. Where the City determines that an improvement to serve a development should be relocated or redesigned (including over-sizing) to best meet future system needs, the City may consider assisting with the difference in cost to meet the future system needs.

Policy 7C.105

In determining future system needs, consideration will be given to the need for adequate drainage capacity (storage and conveyance) to serve existing and future development.

Policy 7C.106

The regulatory level of service (LOS) standards for adequate stormwater management facilities will be based on the applicable requirements of the St. Johns River Water Management District and the city minimum stormwater and environmental standards, and will be applied to the evaluation of new development through the concurrency management system.

OBJECTIVE 7C.2:

The City will carry out a program of activities to help protect the functions of natural drainage features and natural groundwater recharge areas, and to maintain water quality in these natural systems.

Policy 7C.201

The City will continue to coordinate with the St. Johns River Water Management District to ensure that new developments meet applicable standards for design and construction of stormwater management facilities. Where applicable (including applicable exceptions), the standards of Rule 40C-42 and/or 40C-4, FAC, will be incorporated by reference and will be applied to the design of new stormwater management systems and to the significant expansion of existing systems.

Policy 7C.202

The City will cooperate with the St. Johns River Water Management District to monitor existing facilities and to enforce standards for adequate maintenance. This will not be interpreted to require the City to perform or be responsible for any sampling or water quality testing except as may otherwise be required for City facilities.

Policy 7C.203

The City will incorporate standards for drainage conveyance systems and for retention and detention areas in its land development regulations. Such standards will include provisions for safety, maintenance, and buffering of stormwater management facilities. The preferred solution for development of such facilities will be to incorporate them into the overall site design (including aesthetic design) of the project. Except where necessitated by public safety considerations, stormwater management facilities will not be fenced. Where fencing is required, landscaped buffers will be provided to improve the visual quality of the site. The City will coordinate with FDOT and other public agencies to encourage compliance with this standard.

7D. SOLID WASTE FACILITIES

OBJECTIVE 7D.1:

The City will continue to coordinate activities to correct existing deficiencies in the solid waste management system and to provide adequate facilities to support high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development Overlay District and to meet the needs of future growth.

Policy 7D.101

The City will continue to coordinate with solid waste providers with management facilities and services (including recycling services) in developed areas, particularly for existing non-residential land uses. Participation may include, but is not limited to: participating in analysis of the feasibility of making improvements; participating in the financing of improvements; coordinating improvements to serve one new development with those needed to serve existing developments; and coordinating solid waste management projects with other public works projects.

The City will continue to coordinate with solid waste providers with management facilities and services (including recycling services) in developed areas, particularly for existing non-residential uses and high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development Overlay District.

Policy 7D.102

The City will actively pursue a variety of sources of funds to finance improvements to the solid waste management system. Sources may include, but are not limited to: grants, joint venture arrangements, assessment districts, etc.

Policy 7D.103

Where available funds for improvement to solid waste management facilities are not specifically restricted, the highest priority will be given to providing services in developed areas experiencing service deficiencies. This specifically includes coordination with Volusia County in establishing collection programs for hazardous and toxic wastes so as to reduce the cost to individual businesses.

Policy 7D.104

The regulatory level of service (LOS) standards for adequate solid waste management facilities will be an overall capacity of 5 pounds/person/day, and will be applied to the evaluation of new development through the concurrency management system.

OBJECTIVE 7D.2:

The City will carry out a program of activities to help improve participation in recycling programs and proper disposal of hazardous and toxic wastes, with particular attention to wastes produced by high density mixed use developments within the Southeast Mixed Use Area/Transit Oriented Development Overlay District, households and small quantity generators.

Policy 7D.201

The City will coordinate with Volusia County to conduct "amnesty days" collection programs in locations and at times convenient for the residents and businesses in the City of DeBary. The City will also assist in the distribution of information on these programs to residents and businesses in the City.

Policy 7D.202

The City will coordinate with Volusia County to monitor existing small quantity generators and to enforce standards for commercial recycling.

7E. NATURAL GROUNDWATER AQUIFER RECHARGE

OBJECTIVE 7E.1:

The City will continue to coordinate activities to ensure the continued function of natural groundwater aquifer recharge.

Policy 7E.101

The City will continue to carry out a program in its land development regulations for standards to facilitate the continued function of natural groundwater aquifer recharge systems. These regulations will be applicable to new development and redevelopment activities. These regulations will be consistent with the applicable standards of the St. Johns River Water

Management District (SJRWMD) and of the Volusia County Environmental Minimum Standards.

Policy 7E.102

The City will coordinate with Volusia County to apply adopted well field protection standards to development and redevelopment activities within one thousand (1000) feet of public water supply well fields.

Policy 7E.103 (*See also Section 4. "Management of Natural Resources."*)

The City will continue to coordinate with the St. Johns River Water Management District to enforce water use restrictions, including emergency water use restrictions.

8 | RECREATION & CULTURE

GOAL: To facilitate the availability of recreational and cultural activities and to enhance the overall quality of life of the residents of the community; to facilitate the provisions of adequate facilities and programs through close cooperation between the City, community groups, and businesses.

OBJECTIVE 8.1:

The City will coordinate public and private resources in a program of activities to ensure the efficient provision of adequate recreational and cultural facilities for all age groups.

Policy 8.101

The regulatory level of service (LOS) standards for adequate parks will be applied to the evaluation of new development through the concurrency management system (see Objective 10.1 below). The standard shall be 4.0 acres of total park land per 1000 residents.

Policy 8.102

In addition to the regulatory LOS standard, the City may from time to time establish level of service standards to guide planning, design, and operation of facilities and programs. These standards shall not be construed to be regulatory level of service standards.

Policy 8.103

The park and recreation system of the City should include neighborhoods and community parks and neighborhood park lots (as described herein). In addition to parks, recreation programs should be carried out at schools, community buildings and other appropriate facilities.

Policy 8.104

Facilities should be designed to be easily accessible to the public being served. In the case of community parks, facilities should be located so as to be easily accessible from all areas of the community and should provide adequate parking. The number of individual parks and their location should also reflect convenience of the public and efficiency in terms of operations and maintenance. Neighborhood park lots should be located so as to be easily accessible on foot from those portions of the neighborhood serviced.

Policy 8.105

Neighborhood park lots should be included in new developments over ten (10) acres in size, and may be required in smaller developments where the design of the development yields a site which is adequate. Neighborhood park lots may also be located in non-residential developments where there is adequate room and where the location is convenient to the neighborhood being served. Neighborhood park lots may be located in conjunction with stormwater management facilities and/or other open space within the development, provided that the location is suitable for the purpose and is easily accessible to the population served. The land development regulations (Land Development Code) will provide specifications for the design and maintenance of such facilities.

Policy 8.106

The City will coordinate with the schools and other organizations to secure the use of appropriate facilities for indoor recreation and cultural activities.

Policy 8.107

By 2012, the City shall create a pedestrian network, linking the Southeast Mixed Use Area/Transit Oriented Development Overlay District with adjacent neighborhoods and other existing and planned trail systems.

Policy 8.108

Through Land Development Code requirements and processes, integrate public open spaces with private development to create focal points (i.e., public plazas, village greens, town squares, etc.) within the Southeast Mixed Use Area/Transit Oriented Development Overlay District.

OBJECTIVE 8.2:

The City will carry out a program of activities to ensure public access to recreation sites, including public water bodies.

Policy 8.201

The City will take action as needed to preserve existing public rights of legal access to recreational facilities, including access points on public water bodies. Where appropriate to the type of access and the physical facilities, the City will construct physical access improvements, including parking, sufficient to remove access as a constraint on the usability of the facility.

Policy 8.202

New facilities will be designed to include adequate access and parking, and with particular attention to accessibility from the area being served.

OBJECTIVE 8.3:

The City will carry out a program to facilitate the provision of opportunities for cultural activities.

Policy 8.301

The City will assist in creating a mechanism for interested groups to make the community aware of their availability and cultural offerings. This may be accomplished through public information poster sites (such as kiosks) and other appropriate means.

Policy 8.302

The City will assist in making sites available for use by cultural organizations.

9 | HOUSING

GOAL: To cooperate with the public and private sectors to ensure an adequate supply of affordable housing to support the appropriate future development of the City.

OBJECTIVE 9.1:

The City will carry out a program of activities to ensure an adequate supply of affordable housing for all current and projected future residents of the City, including households with special needs.

Policy 9.101

The City will conduct an ongoing monitoring process to determine if a need for affordable housing develops. Any data collected as part of this program will be periodically reviewed for consistency with Census data and data collected by other appropriate agencies.

Policy 9.102

The City will cooperate with other local governments in the vicinity, including Volusia County, to monitor affordable housing needs within the vicinity and to determine if the City is an appropriate location for meeting any portion of the needs which appear.

Policy 9.103

The City will cooperate on a continuing basis with the commercial housing industry, private non-profit housing agencies, and public agencies (such as the Volusia County Housing Authority) in evaluating needs and opportunities for affordable housing.

Policy 9.104

Where specific housing development actions are deemed appropriate, the City will consider the use of applicable federal, state, and local subsidy programs.

OBJECTIVE 9.2:

The City will monitor a program of activities to ensure that there are adequate sites, properly distributed, for housing for very-low income, low-income, and moderate income housing, and for mobile homes and manufactured homes. The City will carry out a program of activities to ensure that there are adequate sites in residential areas for group homes and foster care facilities licensed by the Agency for Health Care Administration (AHCA).

Policy 9.201

The City will provide specific standards in its land development regulations for the location and density of housing of different types. Unless specific policies are adopted to the contrary, these standards will apply equally to the location of market housing and affordable housing units of the same density and general type. The following general principles may apply:

- a. All housing construction will be restricted to areas with adequate supporting infrastructure, including roads, parks, provisions for drainage, and provisions for solid waste.

- b. Areas used for housing should be conveniently located and accessible to recreation facilities, shopping, schools, and other amenities.
- c. Areas for multi-family housing should be located in close proximity to transit services and within one mile of neighborhood shopping areas.
- d. Housing areas which are in close proximity to environmentally sensitive areas should be clustered or should be developed at a lower overall density in order to increase the amount of open space.
- e. Areas used for housing (particularly single family dwellings) should not be located in close proximity to major roads, or to commercial or industrial areas, without adequate buffering. Of particular concern should be the effect of noise, odor, smoke, glare, or other similar conditions, on the residential area as well as the appearance of the non-residential uses to the residents of the adjoining housing.
- f. Higher density housing opportunities shall be provided within the Southeast Mixed Use Area/Transit Oriented Development Overlay District with the highest density allowed within ¼ mile of the DeBary Commuter Rail Station.
- g. City shall incorporate incentives to encourage affordable housing within the Southeast Mixed Use Area/Transit Oriented Development Overlay District.
- h. Incorporate Green Building initiatives into the land development regulations using the Leadership in Energy and Environmental Design (LEED) rating system or similar alternatives for building and neighborhood design.

Policy 9.202

The following principles and criteria will be used to guide the location of housing for very-low-income, low-income, and moderate-income households, mobile homes, manufactured homes, group homes and foster care facilities, and households with special needs:

- a. Housing provided specifically for very-low-income, low-income, and moderate-income households should be located in close proximity to transit services, shopping, and other community services directly benefiting these households.
- b. Mobile homes and manufactured homes should be located only within planned mobile home developments. Only mobile home and manufactured home units which meet the HUD Code may be located or relocated within the City.
- c. Group homes and foster care facilities licensed by the Agency for Health Care Administration (AHCA) and meeting the definitions and other restrictions in the Florida Statutes, will be permitted as provided by such statutes. Specifically, units permitting occupancy of not more than six residents will be permitted in any area where single family dwellings are permitted; and units permitting occupancy of more than six but not more than fourteen residents will not be permitted in areas restricted to single family units, but will be permitted in any area where multi-family dwellings are permitted. Only units reported to the City by AHCA will be permitted. This provision will be implemented through the land development regulations.

- d. Housing units designed to meet special needs of the residents will be permitted on the same basis as are conventional housing of the same type and density. The land development regulations will provide flexibility so that amenities necessary to serve special needs residents will be permitted, even if there are specific conflicts with other standards.

OBJECTIVE 9.3:

The City will carry out a program of activities to help ensure the elimination of substandard housing conditions through the structural and aesthetic improvement of existing housing, and the conservation, rehabilitation, or demolition of housing, and including the provision of relocation housing where appropriate.

9.301

The City will continue to enforce the International Property Maintenance Code (IPMC), which is applicable to both owner-occupied and rental houses.

9.302

In the land development regulations the City will provide for restrictions on accessory uses and outdoor activities in residential areas. Restrictions will address home occupations and home businesses; storage of boats, trailers, and other items in exterior yards; location and use of accessory buildings; etc.

Policy 9.303

The City will continue its code enforcement program, including use of the Code Enforcement Board to ensure compliance.

10 | CAPITAL IMPROVEMENTS

GOAL: To facilitate the efficient provision of public facilities through coordination between needs and resources and through coordination between capital projects plans and the community's objectives as set forth in this Plan.

OBJECTIVE 10.1:

The City will carry out a continuing program of activities to plan and construct capital facilities so as to reduce existing deficiencies, so as to provide for replacement of obsolete or worn-out facilities, and so as to provide for the appropriate growth and development of the community. This program will ensure coordination between decisions about capital facility improvements and decisions about land development and redevelopment activities associated with public facilities.

Policy 10.101

The City will include the annual review of the Capital Improvements Element (CIE) of this Plan, the annual review and re-adoption of a Five-Year Capital Improvement Program (CIP), and the annual adoption of a capital budget as part of the annual operating budget. This process will ensure that the objectives and policies in this element CIE are met.

Policy 10.102

The annual review of the CIE will address changes which may have occurred in the City's situation with respect to land development, community facilities, and/or its fiscal capacity for constructing capital improvements, and will determine whether changes should be made in the level of service (LOS) standards, sources or amount of revenues allocated to capital facility improvements, and/or other policies contained in this Plan.

Policy 10.103

The annual review and adoption of the CIP and the annual adoption of the capital budget will take place outside of the comprehensive plan amendment process, and will conform to the following:

- a. The updated CIP and capital budget will be prepared and submitted to the City Council by the City Manager according to the same schedule used for the preparation and submission of the annual operating budget. In addition, the updated CIP and capital budget will be considered by the City Council and adopted according to the same schedule used for the consideration and adoption of the annual operating budget. The CIP and the capital budget will address all projects for which the City has responsibility for some or all of the funding and for which the City has authority for some or all of the project approval or management. In addition, all projects relating to the maintenance of regulatory LOS standards will be included.
- b. In preparing and recommending the CIP and capital budget, the City Manager will consider the potential for deficiencies to any of the regulatory level of service (LOS) standards (see Policy 10.104) and will recommend projects or other actions to avoid such deficiencies. Improvements proposed in the annual update of the CIP and in the

annual capital budget will at least meet the regulatory LOS standards set out in this element, and will reflect the needs of new development.

- c. The updated CIP and capital budget will be consistent with all provisions of this Plan, particularly including: the level of service standards set out in Policy 10.105, the policies for setting priorities and funding capital facility improvements, the list of projects required to implement the Plan as set out in Policy 10.107, and the general policies on land use and development patterns. Consistency will be determined by the City Council at the time of adoption or amendment of the CIP and/or capital budget.

Policy 10.104

The following regulatory level of service (LOS) standards set out in the other elements of this Plan will be used to determine concurrency:

- a. Roads:
 - i. State Roads: as determined by FDOT
 - ii. County Roads: as determined by Volusia County
 - iii. City Streets and Roads: D or lower as determined by the City Council

b. Potable Water:

Volusia County Utilities:

Southwest	Potable Water		
		Non-Residential	
	Residential Connection (ERU/GPD)*	Office	Retail, Institutional & Industrial
	300	0.15 GPD per sq. ft. of Building Area	0.10 GPD per sq. ft. of Building Area

- i. City of Deltona 300 gallons/ERU/day
- ii. Lake Villa Estates: 47 gallons/ERC/Day

c. Sanitary Sewer:

Volusia County Utilities:

Southwest	Sanitary Sewer Level of Service Standards		
		Non-Residential	
	Residential Connection (ERU/GPD)*	Office	Retail, Institutional & Industrial
	200	0.15 GPD per sq. ft. of Building Area	0.10 GPD per sq. ft. of Building Area

Deltona: Residential- 284 gallons/ERU/day
 Non-Residential-1,500 gallons per day per acre

- *ERC – Equivalent Residential Connection
- *ERU – Equivalent Residential Unit
- *GPD – Gallons per Day

- d. Drainage –Applicable requirements of the St. Johns River Water Management District and the Volusia County minimum environmental standards.
- e. Solid Waste - 5-pounds/person/day
- f. Parks -4.0 acres of total park land per 1,000 residents.

Policy 10.105

The City will incorporate provisions in its land development regulations to ensure that no development order will be issued unless the level of service (LOS) standards for all facilities necessary to serve the project meet the regulatory LOS standards as set forth in Policy 10.104. These provisions will take into account the needs for facilities by developments which have been permitted but not yet constructed, and will at least meet the standards of Rule 9J-5.055(3), FAC. These provisions will include the annual assessment of deficiencies in levels of service (more frequent if monitoring indicates that standards are close to being exceeded), the identification of deficient facilities and the areas served, and procedures to deny development orders to developments in affected areas for development types requiring on the deficient facilities. In addition, the City shall incorporate provisions in its land development regulations to ensure that:

- a. No building permit or its functional equivalent will be issued without first consulting with the appropriate water supplier (Volusia County, the City of Deltona or Lake Villa Estates) to determine whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent.
- b. Adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Policy 10.106

In developing the annual update of the CIP and the capital budget, the City may use the following criteria for the establishment of priorities for funding:

- a. Highest priority will be given to those projects necessary to remove an existing or imminent condition which poses a clear and present danger to the public health or safety or to meet a direct requirement of the law or of a court order.
- b. Next priority will be given to those projects necessary to prevent the deterioration of an existing facility, including projects for the necessary replacement and renewal of facilities.
- c. Lowest priority will be given to those projects necessary to reduce or prevent level of service deficiencies for facilities serving existing development, including developments for which development orders were issued prior to the adoption of the Plan.

Policy 10.107

The CIP and capital budget will include the improvements shown on the chart (the adopted 2011/2012 as amended Capital Improvements Program) on the following page.

City of DeBary

Exhibit A | 5-Year Capital Improvement Program (CIP)

Funding Sources:

1. General Fund 2. Grants/Special Revenue 3. Debt Financing

Project Description	Funding Source	Total Cost	Rank 1-5	FY	FY	FY	FY	FY
				2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
General Fund Departmental Capital Outlay	1	\$2,250,000	1	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000
Sidewalk Construction/Repair	2	\$75,000	3	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
East Highbanks Right-Turn-Lane Construction	1,2	\$30,000	5					\$30,000
Spring-to-Spring Trail Connector (FDOT)	2	\$250,000	2		\$25,000	\$225,000		
DeBary Elementary School Turn Lanes / Donald E. Smith	1,2	\$400,000	5			\$80,000	\$320,000	
Roundabout @ Donald E. Smith / West Highbanks Road	1,2	\$700,000	5					\$700,000
Highbanks Road / 17-92 Turn Lanes	1,2	\$735,000	5					\$735,000
Fort Florida Road - RR to Barwick - Reconstruction	1,2	\$1,472,000	5					\$1,472,000
Fort Florida Road - 17-92 to Railroad Reconstruction	1,2	\$1,198,000	5					\$1,198,000
Shell Road - Fort Florida Road to Benson Junction – Reconstruction	1,2	\$3,129,000	5					\$3,129,000
West Highbanks Road - Rob Sullivan Park to Ft. Fl. Rd Reconstruction	1,2	\$4,500,000	5					\$4,500,000

Project Description	Funding Source	Total Cost	Rank 1-5	FY	FY	FY	FY	FY
				2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Fort Florida Road - Urban Section Reconstruction	1,2	\$1,500,000	5					\$1,500,000
Gemini Springs Water Quality Improvements - Central Sewer Systems for Lake Marie Estates	1,2	\$2,624,000	5					\$2,624,000
US 17-92 Median Intersection Safety Improvements	1,2	\$800,000	5					\$800,000
Woodbound Lake Flood Protection - Phase 1 Improvements	2	\$595,000	1	\$595,000				
Woodbound Lake Flood Protection - Phase 2 Improvements	2	\$670,000	2	\$670,000				
273-284 Valencia Road Drainage Improvements	2	\$350,000	2	\$350,000				
Plantation Road and Grande Vista Street Drainage Improvements	2	\$270,000	2		\$40,000		\$230,000	
220 Acacia Road Drainage Improvements	2	\$210,000	2		\$35,000		\$175,000	
Glen Abbey and Summerhaven Drainage Maintenance Reports	2	\$300,000	1	\$150,000	\$150,000			
West Side Emergency Flood Management System Phase 7	2	\$200,000	5					\$200,000
Tropic Lagoon Outfall	2	\$75,000	3			\$75,000		
Lake Charles Pump Station	2	\$150,000	5					\$150,000

Project Description	Funding Source	Total Cost	Rank 1-5	FY	FY	FY	FY	FY
				2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
West Side Emergency Flood Management System Borrow Pit	2	\$25,000	4				\$25,000	
Saxon Woods Subdivision – Pond RA7	2	\$150,000	5					\$150,000
Rear Yard Swale Program	2	\$125,000	1	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Bathrooms – River City Nature Park	1,2	\$240,000	1	\$240,000				
Tree House – River City Nature Park	1,2	\$375,000	5					\$375,000
Boardwalk – River City Nature Park	1,2	\$500,000	5					\$500,000
Bill Keller Park Reconstruction	1,2	\$203,000	3		\$203,000			
Rob Sullivan Park Operations Center	1,2	\$350,000	1	\$350,000				
Fire Trucks/Equipment	1	\$1,200,000	3					\$1,200,000
Fire Station	1	\$900,000	3					\$900,000
City Hall Build-out	2	\$90,000	1	\$90,000				
TOTALS		\$26,641,000		\$2,935,000	\$943,000	\$870,000	\$1,240,000	\$20,653,000

Policy 10.108

The City will use the annual CIP as the principal means for ensuring the implementation of the projects listed in Policy 10.107. In addition, the concurrency management system will be used to monitor progress on specific projects where new development is dependent on facility capacity tied to such projects.

OBJECTIVE 10.2

The City will ensure the provision of capital facilities necessary to meet the level of service standards by requiring financial participation by new developments, by requiring the construction of facilities in new developments and by funding the projects for which the City has funding responsibility.

Policy 10.201

In preparing the annual update of the CIP and in adopting the capital budget, the City will conform to the following policy for financing of capital facility improvements:

The City will not incur debt beyond that which is scheduled to be repaid within seven (7) years as provided in the City Charter. Where necessary, a project requiring borrowing beyond the seven year limit will be submitted to the voters for approval, also as provided in the Charter. This provision will apply both to general obligation debt and to revenue bond debt.

Policy 10.202

The City will use a variety of methods for financing of capital improvements. Methods will include impact fees, mobility fees, grants, assessment districts, and other legally available resources. Special emphasis will be placed on making improvements which will increase employment and economic activity within the City.

OBJECTIVE 10.3 School Capacity:

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

Policy 10.301:

The level of service standard adopted by City of DeBary shall be applied consistently by all local governments within Volusia County and by the School Board district-wide to all schools of the same type.

Policy 10.302:

The uniform, district-wide level of service standard is as follows:

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

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

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

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

Special Purpose Schools: 100% of permanent FISH capacity

Policy 10.303:

The following schools shall achieve the adopted level of service no later than the identified date. The level of service presented in the following table is tiered level of service that shall apply to that school until the date noted in the table.

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

(Note: This policy designates a tiered LOS for those schools that exceed the desired levels at the end of the five- year capital improvements program.)

OBJECTIVE 10.4 SCHOOL CAPITAL FACILITIES PLANNING

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

Policy 10.401:

The City of DeBary adopts by reference the School Board’s five-year work program approved annually each September as part of the overall School District budget. The City of DeBary shall review the annual work program to verify that it is financially feasible and will maintain the level of service standards by the end of the five-year period.

Policy 10.402:

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

OBJECTIVE 10.5:

The City will ensure the provision of capital facilities necessary to meet level of service standards by requiring financial participation by new developments, by requiring the construction of facilities in new developments, and by funding the projects for which the City has funding responsibility.

11 | INTERGOVERNMENTAL COORDINATION

GOAL: To maintain and improve coordination between the City, other local governments, and other agencies having an interest in and having an influence on the appropriate growth and development of the City.

OBJECTIVE 11.1:

The City will carry out a program of activities to coordinate the City's adopted comprehensive plan and development within the City with the plans and activities of the school board, to coordinate the City's plan and development with the plans and activities of neighboring governments and other units of government which provide services but which do not have land use regulatory authority within the City, to coordinate the City's plan with the plans for dredge spoil disposal sites, and to coordinate level of service (LOS) standards in the City's plan with other jurisdictions having operational and maintenance responsibilities for those services.

Policy 11.101

The City will maintain formal interlocal communications through established procedures with other jurisdictions and/or agencies. Where appropriate, this will include maintaining membership in the organization. Coordination will also include sending representative(s) to participate in meetings of the organization or its subcommittees. These agencies are:

- a. East Central Florida Regional Planning Council (ECFRPC).
- b. Volusia County Transportation Planning Organization (VTPO).
- c. Volusia Council of Governments (VCOG).
- d. Volusia Growth Management Commission (VGMC) The VGMC was established pursuant to the Volusia County Charter (Section 202.3) for the purposes of determining the consistency of the municipalities' and the county's comprehensive plans and any amendments thereto with each other. The commission may perform such other directly related duties as the commission from time to time deems necessary.

Policy 11.102

The City will maintain coordination with outside agencies responsible for the construction, maintenance, and operation of infrastructure systems, including potable and non-potable water, serving the City. Coordination will include monitoring proposed facility improvement programs and projects to determine impacts of new projects on the City. Coordination will also include monitoring the potential impacts of development on the adequacy and capacity of infrastructure systems. Where there appears to be a potential impact on these facilities, the City will request the appropriate agency or agencies to review proposed new development and to assist the City in determining if there are significant impacts. Where adverse impacts on facility capacity adequacy are identified, the City will consider appropriate mitigation through the development review process. These agencies include, but are not limited to:

- a. Volusia County Public Works Services.
- b. Volusia County Water and Utility Services.
- c. Volusia County Parks and Recreation Services.
- d. Volusia County Land Development Services.
- e. Volusia County Solid Waste Services.
- f. Volusia County's Public Transit System (VOTRAN)
- g. Florida Water Services Corps, and other appropriate utility providers.
- h. Florida Department of Transportation.
- i. St. Johns River Water Management District

Policy 11.103

The City will transmit its proposed comprehensive plan and/or plan amendments to other agencies having an interest in the future development of the City. The City will request comments from these agencies. In addition, the City will request that these agencies provide copies of proposed plans or plan implementation programs to the City for review, and will review and comment on such plans and programs. These agencies include, but are not limited to:

- a. Volusia County.
- b. Seminole County.
- c. Lake County.
- d. City of Orange City.
- e. City of Deltona.
- f. City of Sanford.
- g. Volusia County School Board.
- h. Agencies referred to in Policies 11.101 and 11.102

The City will also comply with the requirements for distribution of proposed plans and plan amendments pursuant to Rule 9J-11, Florida Administrative Code.

Policy 11.104

The City will transmit copies of proposed plan implementation programs, such as the proposed land development regulations and capital improvement program or amendments thereto to the agencies identified in Policy 11.103.

Policy 11.105

The City will request the agencies identified in Policy 11.103 to review and comment on proposed changes in level of service (LOS) standards and will request these agencies to provide the city with any proposed changes affecting the City.

Policy 11.106

The City will review data and monitoring needs and will request appropriate agencies to assist in obtaining current data and projections. The City will provide any available data and/or projections made by the City to any other agency requesting such information. Where data and projections developed by the City differ from those of other agencies, the City will attempt to resolve these differences.

Policy 11.107

The City will request agencies providing services and facilities as well as adjacent local governments to provide analysis and comments on any proposed annexation by the City. The City will request nearby local governments to provide information on annexations proposed by them and to allow the City to make comments thereto. Where there is any conflict resulting from a proposed annexation, the City will recommend submitting unresolved issues to mediation through the dispute resolution process described under Objective 11.2.

Policy 11.108

The City will use interlocal agreements where appropriate to establish joint provision of services, to provide for services to be provided within the City by another agency, to provide for the City to supply services outside the boundaries of the City, and to establish operational relationships between the City and other agencies. This Policy shall not be interpreted to require the City to enter into an unfavorable agreement, or to enter into an agreement which is not fully consistent with the provisions of this plan. Such interlocal agreements may include, but are not limited to, the following:

- a. Agreement(s) with Volusia County or other appropriate agency or organization to provide development review technical services.
- b. Agreements(s) with VCOG or other appropriate agency to provide comprehensive planning and plan administration services.
- c. Agreement(s) with Volusia County or other appropriate agency or agencies to provide engineering, construction, and/or management services relating to potable water, sanitary sewer, stormwater management, roads, or parks recreation facilities.
- d. Agreement(s) with the Volusia County Sheriff, the fire service provider, and/or other appropriate agencies to provide public safety (police and fire protection services), including technical review of development plans and development regulations relating to public protection.

Policy 11.109

The City will coordinate with the school board in planning for school sites and development of school facilities, consistent with Policy 5.405. Coordination may include, but is not limited to sharing of technical information, including information on population growth, and sharing of information about projected development in the vicinity of school sites. Coordination will also include exploring opportunities with the Volusia County School Board to co-locate educational facilities with other public facilities such as parks, libraries and community centers as required by Policy 5.405(a).

OBJECTIVE 11.2:

The City may recognize and attempt to use an appropriate process for the resolution of any conflict which arises from a dispute over a growth management issue. Where dispute resolution is indicated by a policy in this plan, the following policies will apply:

Policy 11.201

The City may offer to participate in a meeting with the other party or parties to resolve the dispute, to define the parameters of the dispute, and/or to establish a formal process for resolving the dispute. Where the City is the aggrieved party, this offer may be incorporated in the notification to the other party or parties. Where the City is the responding party, the offer will be included in the initial response. Any notice or response may request a response within 30 days as to the willingness of the other party or parties to use the dispute resolution process provided under this objective. The City's notice or response may include any applicable information as to the current status of any permit(s) issued or action(s) taken by the City, including the expected date(s) of issuance of any permit(s).

Policy 11.202

Where an informal meeting does not resolve the dispute, the City may suggest that one or more of the following entities be used to facilitate in the resolution of the dispute:

- a. Volusia Growth Management Commission (VGMC) The VGMC shall be used to resolve all area-wide conflicts affecting jurisdictions in Volusia County as they pertain to land use, transportation and infrastructure issues.
- b. East Central Florida Regional Planning Council (ECFRPC).
- c. Florida Growth Management Conflict Resolution Consortium (FCRC).

OBJECTIVE 11.3:

Establish and maintain a cooperative relationship between the City of DeBary and School District to provide an effective joint planning process including procedures to coordinate land use planning with the development of school facilities including public school siting, calculate population projections, and provide for the development of public education facilities concurrently with residential development and other public facilities and services.

Policy 11.301:

The City of DeBary shall establish coordination mechanisms with the School Board to achieve a collaborative effort to identify school needs, provide for schools facilities and implement school concurrency using consistent supporting data and analysis.

Policy 11.302:

In cooperation with the School Board, the City of DeBary shall adopt and implement the interlocal agreement as required by Section 1013.33 F.S., which includes procedures for:

- a. Coordinating and sharing information
- b. Educational and ancillary siting procedures
- c. Comprehensive plans and plan amendment review
- d. Site design and development plan review
- e. Joint development of schools, parks and other uses
- f. School concurrency implementation
- g. Implementation and amendments
- h. Resolution of disputes

Policy 11.303:

In accordance with the schedule established in the interlocal agreement, the City of DeBary shall appoint a representative to meet with School Board and other local government representatives to review data and annually approve a projection of the amount, type, and distribution of population growth and student enrollment. Data shall include but not be limited to:

- a. Capital budgets for each jurisdiction
- b. School Board five-year facilities work program
- c. School Board educational plant survey (every fifth year)
- d. Volusia County five-year road improvement program
- e. Anticipated new development, infill development and redevelopment
- f. Student enrollment and school utilization including portable classroom assignments

Policy 11.304:

The City of DeBary shall provide the School Board with a copy of each planning board and Council/Commission agenda.

Policy 11.305:

The City of DeBary and the School Board shall coordinate the acquisition and development of sites for future educational and ancillary facilities in accordance with the process established in the interlocal agreement.

Policy 11.306:

The City of DeBary shall adopt regulations necessary to implement school concurrency and Section 206 of the Volusia County Charter no later than February 1, 2008.

Policy 11.307:

The City of DeBary shall provide notice to adjacent jurisdictions as required by the Volusia County Interlocal Agreement for School Planning when school capacity in the adjacent jurisdiction is anticipated to be applied to meet concurrency requirements for proposed residential development.

OBJECTIVE 11.4: MONITORING AND EVALUATION

The City of DeBary shall regularly monitor and evaluate the implementation of the Public School Facilities Element to assure compliance with the provisions of the comprehensive plan and the interlocal agreement, to assure the use of best practices in the joint planning of school facilities, and to provide for the continuing coordination of school planning.

Policy 11.401:

In accordance with the interlocal agreement but no less than once per year, the City of DeBary shall submit a report to the School Board reporting on the implementation actions and coordinated planning efforts for planning and developing school facilities including joint development opportunities. If the School Board finds that implementation of the plan or interlocal agreement is not occurring, the School Board shall make recommendations to the City of DeBary of steps necessary to achieve successful implementation.

Policy 11.402:

For each comprehensive plan amendment reviewed by the Volusia Growth Management Commission (VGMC), the City of DeBary shall identify in the VGMC application support materials how anticipated impacts of the proposed amendment to school facilities are addressed.

Policy 11.403:

The City of DeBary shall appoint a citizen to serve as a member of the oversight committee created by the adopted Interlocal Agreement and shall appoint a staff member to serve on the technical committee created by the adopted Interlocal Agreement.

OBJECTIVE 11.5

Effectively coordinate with all applicable local, state and federal agencies regarding the City's adopted Water Supply Facilities Work Plan (WSFWP).

Policy 11.501

The City shall exchange water supply needs and services information with the SJRWMD, the ECFRPC and applicable local governments through water supply planning and work groups and through meetings on an as-needed basis.

12 | PUBLIC SCHOOL FACILITIES ELEMENT

GOAL 12.1:

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

OBJECTIVE 12.1.1: COORDINATION AND CONSISTENCY

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

Policy 12.1.101:

Pursuant to the procedures and requirements of the adopted interlocal agreement, the City of DeBary shall coordinate with the School Board on growth and development trends, general population and student projections to ensure that the plans of the School Board and City of DeBary are based on consistent data.

Policy 12.1.102:

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

Policy 12.1.103:

The City of DeBary shall provide the representative of the School Board with copies of all meeting agendas and staff reports.

Policy 12.1.104:

The City of DeBary shall meet at least annually with representatives from the School District and other local governments in Volusia County to review the Public School Facilities Element including enrollment projections. The timing and content of these meetings shall be done according to the requirements and procedures set forth in the adopted interlocal agreement.

OBJECTIVE 12.1.2: SCHOOL FACILITY SITING AND AVAILABILITY

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

Policy 12.1.201:

The City of DeBary shall coordinate with the School Board to assure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan. Schools shall be permitted in all future land use classifications except for industrial land use classifications and environmentally restricted land use classifications.

Policy 12.1.202:

Coordination of the location, acquisition, phasing and development of future school sites and ancillary facilities shall be accomplished through the procedures adopted in the interlocal agreement.

Policy 12.1.203:

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

Policy 12.1.204:

The City of DeBary shall encourage the School Board to land bank sites for future use as school facilities. The City of DeBary shall coordinate with the School Board on the acquisition and use of land banked sites in the same manner as established for other sites in order to ensure adequate infrastructure is planned and constructed in advance of school construction.

Policy 12.1.205:

The City of DeBary shall protect schools and land banked school sites from the adverse impact of incompatible land uses by providing the School District with the opportunity to participate in the review process for all proposed development adjacent to schools.

Policy 12.1.206:

In developing capital improvements plans and programs for public services, the City of DeBary shall consider required infrastructure to service existing and proposed schools and any land banked school sites.

OBJECTIVE 12.1.3 ENHANCE COMMUNITY DESIGN

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

Policy 12.1.301:

The City of DeBary shall coordinate with the School Board on opportunities for the expansion and rehabilitation of existing schools so as to support neighborhoods and redevelopment.

Policy 12.1.302:

The City of DeBary shall collaborate with the School Board on the siting of public facilities such as parks, libraries, and community centers near existing or planned public schools, to the extent feasible.

Policy 12.1.303:

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

Policy 12.1.304:

The City of DeBary shall reduce hazardous walking conditions consistent with Florida's safe ways to school program. In conjunction with the School Board, the City of DeBary shall implement the following strategies:

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

Policy 12.1.305:

The City of DeBary and School Board shall coordinate with Volusia County Emergency Services on efforts to build new school facilities, and facility rehabilitation and expansion, to be designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes.

OBJECTIVE 12.1.4: COORDINATE COMPREHENSIVE PLAN AMENDMENTS AND DEVELOPMENT ORDERS WITH SCHOOL CAPACITY

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

Policy 12.1.401:

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

Policy 12.1.402:

Amendments to the future land use map shall be coordinated with the School Board and the Public School Facilities Planning Maps.

Policy 12.1.403:

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

GOAL 12.2: IMPLEMENT PUBLIC SCHOOL CONCURRENCY

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

OBJECTIVE 12.2.1: LEVEL OF SERVICE STANDARDS

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

Policy 12.2.101:

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

Policy 12.2.102:

Consistent with the interlocal agreement, the uniform, district-wide level-of-service standards are set as follows:

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

Financial Feasibility

Policy 12.2.103:

The following schools shall achieve the adopted level of service no later than the identified date. The level of service presented in the following table is tiered level of service that shall apply to that school until the date noted in the table.

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

(Note: This policy designates a tiered LOS for those schools that exceed the desired levels at the end of the five- year capital improvements program.)

Policy 12.2.104: The following schools shall be considered constrained schools at the designated LOS due to the inability to add capacity at the site and the nature of the communities they serve. Concurrency will be reviewed in the adjacent concurrency service areas and requests to increase residential densities in the constrained concurrency service areas will need to be accompanied by a plan to address school capacity.

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

Source: Volusia County Interlocal Agreement

Policy 12.2.105: The City of DeBary and School Board recognize and agree that short-term changes in enrollment unrelated to new development approvals can and do occur, and that students enrolling in their assigned school will be accepted consistent with the School District’s constitutional obligations regardless of the utilization levels at the assigned school.

Policy 12.2.106: If there is a consensus to amend any level of service, the amendment shall be accomplished by execution of an amendment to the interlocal agreement by all parties and the adoption of amendments to each local government’s comprehensive plan. The amended level of service shall not be effective until all plan amendments are effective and the amended interlocal agreement is fully executed. No level of service standard shall be amended without showing that the amended level of service standard is financially feasible and can be achieved and maintained within the five years of the capital facilities plan.

OBJECTIVE 12.2.2: SCHOOL CONCURRENCY SERVICE AREAS

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

Policy 12.2.201:

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

Policy 12.2.202:

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

Policy 12.2.203:

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

Policy 12.2.204:

The concurrency service area for special use schools shall be district wide.

Policy 12.2.205:

The concurrency service area maps designate three areas where school capacity is not anticipated for the planning period.

Policy 12.2.206:

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

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

Central Concurrency Service Areas

Policy 12.2.207:

Within the central concurrency service areas all current and future students shall be assigned to schools designated for them as part of the School District's normal school assignment procedures. Requests for development orders for new development consistent with the future land use designations and existing residential zoning densities shall be evaluated for concurrency based on the assigned school and that school's concurrency service area. If adequate capacity is not available in the assigned concurrency service area, the proposed development shall be evaluated in comparison to the concurrency service areas adjacent to the assigned concurrency service area, subject to the limitations of Policy 12.2.307. The school district shall maintain a listing of assigned and adjacent concurrency service areas for each central school concurrency service area.

Policy 12.2.208:

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

OBJECTIVE 12.2.3: PROCESS FOR SCHOOL CONCURRENCY IMPLEMENTATION

In coordination with the School Board the City of DeBary will establish a process for implementation of school concurrency which includes applicability and capacity

determination, availability standards and school capacity methods. The City of DeBary shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with the adopted level of service standards for public schools.

Policy 12.2.301:

School concurrency applies to residential development not otherwise exempt as specified by Policy 12.2.303.

Policy 12.2.302:

Development orders may be issued for residential development where:

1. Adequate school capacity, as determined by the School Board, exists or will be under construction for each level of school in the affected concurrency service area within three years after the issuance of the development order allowing the residential development.
2. Adequate school facilities, as determined by the School Board, are available within an adjacent concurrency service area subject to the limitations of Policy 12.2.307. Where capacity from an adjacent concurrency service area or areas is utilized, the impacts of development shall be shifted to that area. If capacity exists in more than one concurrency service area or school within a concurrency service area, the School District shall determine where the impacts of development shall be allocated based on the School District policies for student assignment.
3. The developer executes a legally binding commitment with the School Board and City of DeBary to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property as provided by Objective 2.4 and its supporting policies.

Policy 12.2.303:

The following residential development shall be considered exempt from the school concurrency requirements:

1. Single family lots of record existing as such at the time School Concurrency implementing ordinance is adopted which otherwise would be entitled to build, shall be exempt from School Concurrency requirements.
2. Any residential development or any other development with a residential component that received approval of a Final Development Order or Functional Equivalent or is otherwise vested prior to the implementation date of school concurrency is considered vested for that component which was previously approved for construction and shall not be considered as proposed new residential development for purposes of school concurrency.
3. Amendments to residential development approvals which do not increase the number of students generated by the development based on the student generation rates for each school type

4. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy by a resident under the age of fifty-five. Such deed restrictions must be recorded and be irrevocable for a period of at least thirty years.
5. Group quarters that do not generate students including residential facilities such as jails, prisons, hospitals, bed and breakfast, hotels and motels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

Policy 12.2.304:

The creation of subdivisions and/or single family lots equal to or less than ten units shall be subject to school concurrency as part of an annual concurrency management review. The City of DeBary shall report such projects to the School Board as part of the annual planning coordination process established by the interlocal agreement and these units shall be included by the School Board in planning student allocations by school.

Policy 12.2.305:

By February 1, 2008 the City of DeBary shall adopt a school concurrency ordinance which establishes the application procedures and process for evaluating school capacity and making concurrency determinations consistent with the provisions of the interlocal agreement.

Policy 12.2.306:

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

Adjacency Limitations

Policy 12.2.307:

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

1. Areas established for diversity at schools shall not be considered contiguous.
2. Concurrency service areas generating excessive transportation costs shall not be considered contiguous. Excessive transportation costs are defined as transporting students requiring a transport time of fifty minutes one way as determined by School District transportation routing staff.

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

Policy 12.2.308:

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

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

OBJECTIVE 12.2.4: PROPORTIONATE SHARE MITIGATION

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

Policy 12.2.401:

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

Policy 12.2.402:

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

Policy 12.2.403:

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

Policy 12.2.404:

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

Policy 12.2.405:

The student generation rates used to determine the impact of a particular development shall be the student generation rates adopted in the most recent school impact fee study.

Policy 12.2.406:

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

Policy 12.2.407:

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

1. Donation of buildings for use as a primary or alternative learning facility
2. Renovation of existing buildings for use as learning facilities
3. Funding dedicated to, or construction of permanent student stations or core capacity

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

OBJECTIVE 12.2.5: CAPITAL FACILITIES PLANNING

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

Policy 12.2.501:

In accordance with the adopted interlocal agreement the City of DeBary shall collaborate with the School Board in locating required school sites as identified in the School Board's five, ten and twenty year capital facilities plan.

Policy 12.2.502:

The City of DeBary shall ensure that future development pays a proportionate share of the costs of capital facilities capacity needed to accommodate new development and to assist in maintaining the adopted level of service standards via impact fees and other legally available and appropriate methods.

Policy 12.2.503:

The City of DeBary adopts by reference the School Board's five-year work program approved annually each September as part of the overall School District budget. The City of DeBary shall review the annual work program to verify that it is financially feasible and will maintain the level of service standards by the end of the five-year period.

13 | PROPERTY RIGHTS ELEMENT

13.1 STATEMENT OF RIGHTS.

The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property, subject to state law and local ordinances.
4. The right of a property owner to dispose of her or her property through sale or gift.

13.2 EFFECT OF ELEMENT.

This Element and the Statement of Rights contained herein are not intended to require evidence, discussion, or findings of fact concerning the matters set forth herein. This Element and the Statement of Rights do not create any property rights or due process rights that are not already judicially acknowledged and constitutionally protected. This Element and the Statement of Rights are not intended to alter the legislative nature of decisions made in the adoption of comprehensive plan amendments and land development code amendments. Ordinances adopted and land use and zoning decisions made by the City are presumed to have considered the matters set forth in this Element.

DEFINITIONS

AD VALOREM (PROPERTY) TAX – The primary source and only major source under the control of the County to fund its general operations. This tax includes real property, including land and buildings, as well as improvements erected or affixed to the land. The County Property Appraiser determines the value of all taxable land.

AFFORDABLE HOUSING – Housing which costs 30% or less of a family's monthly gross income.

AQUIFER – A formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs (see also "FLORIDAN", "SURFICAL", AND "SOLE SOURCE AQUIFER").

ARCHAEOLOGICAL SITE – Any area that provides the context for and contains evidence of past human activity. An archaeological site can be as vast and intricate as an ancient city or as simple as the remains of an overnight campfire.

ARTIFICIAL DRAINAGE SYSTEM – A man-made conveyance system for stormwater runoff.

ASSESSMENT BONDS – Special obligations of a district which are payable solely from proceeds of the special assessment levied for an assessable project.

BEST MANAGEMENT PRACTICES (BMPs) – Design, construction, operational or maintenance techniques which are accepted by research institutes, professional societies or regulatory agencies as the most advance and effective for any given application. Best Management Practices have been developed for stormwater pollution control, agricultural activities, silvicultural management and construction practices.

BUDGET (OPERATING) – An annual financial plan of operation which includes an estimate of proposed expenditures and revenues for a given period.

BUFFER – An area or zone between two land uses which is intended to ameliorate, reduce or mitigate the adverse effects one may have on the other. Buffer may include but is not limited to:

CAPITAL BUDGET – An annual plan of proposed expenditures for capital improvements and the means of financing these expenditures. The Capital Budget is the first year in the five year schedule of programmed capital improvements.

CAPITAL IMPROVEMENT – Physical assets constructed or purchased to improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. A capital improvement has a physical life of five years.

CAPITAL IMPROVEMENTS PROGRAM – A proposed timetable or schedule of all future capital improvements to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project.

CHARTER – Cities operating under charters shall have all the powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors...the charter shall provide which shall prevail in the event of conflict between county and municipal ordinances"

CONCURRENCY MANAGEMENT – A process for regulating development in accordance with the state mandated legislation, for the purpose of managing growth concurrently with available levels-of-service requirements.

CONCURRENCY FACILITIES –The following facilities shall be subject to the concurrency determination: potable water, wastewater treatment/sanitary sewer, solid waste, parks & recreation (land & recreation

facilities), roads (in thoroughfare system), storm drainage, mass transit (urban bus system only). These facilities shall be designated as Class "A" facilities.

COUNTY – The County of Volusia, Florida

DENSE URBAN LAND AREA (DULA) – DeBary qualifies as a DULA. It is defined by Senate Bill 360 to mean – A municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000;

- a. A county, including the municipalities located therein, which has an average of at least 1,000 people per square mile of land area; or
- b. A county, including the municipalities located therein, which has a population of at least 1 million.

DEVELOPMENT AGREEMENT – An agreement entered into between the City of DeBary and another party or parties. The purpose of the agreement is to specify enforceable terms to insure that the actions of all those party to the agreement will result in compliance with the purpose and intent of the Comprehensive Plan. Development Agreements may include reference to other applicable rules and regulations of the City which are to be subordinate to the Comprehensive Plan and its policies. The preparation, adoption and implementation of Development Agreements may include but are not necessarily limited to those specified in Chapter 163.3220, F.S. cited as the "Florida Local Government Development Agreement Act"

DEVELOPMENT ORDER – An order authorizing the denial, approval or approval with conditions of a development plan. Once the development plan is approved, the applicant may apply for the necessary development permits. A building permit should be considered as the final development order.

EASEMENT – A right, as a right of way, afforded a person, government, or utility to make limited use of another's real property.

EAST CENTRAL FLORIDA PLANNING COUNCIL (ECFRPC) – The independent governmental agency which provides technical assistance to local governments in a 6 county area, in Central Florida. This agency reviews DRI's, and conducts federal intergovernmental coordination and coastal zone consistency reviews, and has the responsibility of reviewing local comprehensive plans within its region for consistency with the Comprehensive Regional Policy Plan. Brevard, Lake, Osceola, Orange, Seminole and Volusia Counties are members of the ECFRPC.

ENVIRONMENTAL BUFFER – An area of land normally left in its natural state to separate an area of development from an environmentally sensitive land.

FISCAL YEAR – The twelve-month biannual period used by the County which begins October 1 and ends September 30 of the following calendar year.

FLOOR AREA RATIO (FAR) – The floor area of a building or buildings on a lot divided by the lot area.

$$\text{FAR} = \frac{\text{Building Floor Area}}{\text{Lot Area}}$$

FLORIDA SITE FILE – An inventory of historic resources in each Florida county maintained by the Florida Department of State, Division of Historical Resources. Resources listed in this inventory do not have to meet a historical or cultural significance requirement.

FLORIDAN AQUIFER – The confined, artesian aquifer underlying the East Central Florida Region which serves as the principal supply of water for this region. (See also "SOLE SOURCE AQUIFER").

FUND – A set of interrelated accounts which records assets and liabilities related to a specific purpose.

HAZARDOUS WASTE MANAGEMENT – The systematic control of the collection, accumulation, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous waste.

HISTORIC RESOURCE – Any prehistoric or historic district, site, building, object or other real or personal property of historical, architectural or archeological value. These properties resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the City.

HISTORICAL SIGNIFICANCE – A term used to denote the relative importance of a historic resource to local, regional, or national prehistory or history.

IMPACT FEES – Single payments required to be made by builders or developers at the time of development approval, usually tied to the issuance of a building permit unless such a fee is to reserve capacity for concurrency purposes and must be paid at the time of preliminary plat approval or final site plan approval or however prescribed in the Land Development Code and calculated to be that development's proportionate (fair) share of the capital costs of providing major facilities serving that development. Implied in this definition is that new developments will not be required to pay more than their proportionate share. Deficiencies in facility capacity due to the accumulated demand resulting from previous development taking place before the implementation of an impact fee ordinance cannot be paid for or cured from revenues derived from impact fees. Also implied in this definition is that impact fees collected from a particular development must be spent for facilities in the vicinity of that development that will directly or indirectly serve that development.

INTERGOVERNMENTAL COORDINATION – Two or more governments working together to establish a common understanding of mutual concern.

INTERLOCAL AGREEMENT – Formal written arrangements between local governments which specify each jurisdiction's rights, responsibilities and obligations.

INTERMODAL FACILITIES -A place where interface occurs between transportation systems including transit connections, choices and coordination of various modes. Such facilities shall include, but are not limited to intercity bus connections, transit shelters, greenways/pedestrian-ways, bicycle lanes, multimodal centers, kiss & ride drop-offs, park & ride lots, etc.

LAND DEVELOPMENT CODE – The Land Development Code of DeBary, Florida, including all amendments thereto contains the City's planning, zoning, subdivision and building regulations.

LAND DEVELOPMENT REGULATIONS – The Combination of the City ordinances that regulate land development. These include, but are not limited to, the Land Development Code and the Zoning Ordinance.

LANDSCAPED BUFFER – The addition of lawns, trees, plants, and other natural and decorative features along the entire length of any property line to visually and physically separate one land use from another.

LAND USE BUFFER – A land use which is of an intermediate intensity between a more intensive and less intensive use.

LEVEL OF SERVICE – An indicator of the extent or degree of service provided by or proposed to be provided by a facility based on the operational characteristics of the facility.

LINER BUILDING – A liner building is a specialized building, parallel to the street, which is designed to conceal an area such as a parking lot or loading dock. Liner buildings may include commercial, office or residential uses.

MANUFACTURED DWELLING – A dwelling fabricated in a manufacturing facility and bearing a seal certifying it is constructed to standards as adopted under the authority of Part IV, Chapter 553, Florida Statutes

and rules adopted by the Florida Department of Community Affairs under Chapter 9B-1 et seq, Florida Administrative Code.

"MARINA" or Boat Facility – A public or private structure or operation where boats are moored and/or launched, including commercial, recreational, industrial and residential marinas, dry storage, boat ramps and private docks. For the purpose of this plan, marina shall be synonymous with “marine facility”, or “boat facility”; however, single family docks with (2) or fewer wet and/or dry slips are not considered boat facilities.

MILL – One one-thousandth of a United States dollar (\$.001). In terms of the millage rate, 1 mill is equal to \$1 per \$1,000 of assessed real property valuation.

MITIGATION – Steps taken to avoid or minimize negative environmental impacts. Mitigation can include: avoiding the impact by not taking a certain action' minimizing impacts by limiting the degree or magnitude of the action' rectifying the impact by repairing or restoring the affected environment' reducing the impact by protective steps required with the action' and compensating for the impact by replacing or providing substitute resources.

NATIONAL REGISTER OF HISTORIC PLACES – Maintained by the United States Department of Interior, National Park Service, the National Register of Historic Places is a listing of historic resources, nationwide, that are recognized for significance at a national, regional or local level. To consider a resource for listing, a nomination form, including a detailed description and significance statement, must be completed and submitted for review at the state and federal level. The National Register is primarily a means of recognition, although limited protection and preservation incentives are provided to listed properties.

OPEN SPACE – Any parcel or area essentially unimproved and set aside, dedicated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

OVERLAY DISTRICT - An overlay district can serve as an opt-in, incentive based district that overlays but does not supersede existing zoning or land use districts.

PLAT – A map or delineated representation of the subdivision of land showing the designation of such land as lot(s), block(s), parcel(s), or other portions thereof, and other information. "Plat" may include the terms "replat," "amended plat," or "revised plat."

POLLUTION – Is the presence in the outdoor atmosphere, ground or surface waters any substances, contaminants, noise, or man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property. Pollution includes, but is not necessarily limited to violations of FDEP standards for air quality (Chapter 62-72, F.A.C.) water quality (Chapter 62-3, F.A.C.), dredge and fill (Chapter 62-312, F.A.C.), and drinking water (Chapter 62-550, F.A.C.).

POTABLE WATER – Water which is suitable for human consumption.

POTABLE WATER FACILITIES – A system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, storage tanks, reservoirs, and distribution mains.

PUBLIC FACILITIES – Transportation systems, wastewater treatment systems, solid waste systems, drainage systems, potable water systems, educational systems, parks and recreation systems and public health systems that are owned, leased or operated by a government entity.

PUBLIC SERVICES – Programs and employees determined necessary by local government to provide adequate operation and maintenance of "PUBLIC FACILITIES" and “INFRASTRUCTURE" as well as those

education, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law.

PUBLIC WATER SYSTEM – That system defined by Chapter 17-550, Florida Administrative Code.

RECREATION FACILITIES – Those improvements or artificially installed accessories which facilitate the use of an area or a resource for outdoor recreation. Facilities are divided into two categories: primary facilities are those that are essential or extremely desirable for conducting a particular outdoor recreation activity, such as launching ramps for boating, trails for cycling, roads for access to areas, etc.; secondary facilities are those that are desirable as a further enhancement of the recreational experience but are still dispensable, such as outdoor grills for picnicking and camping, docks for boating, etc.

RETENTION – To prevent the discharge of a given volume of stormwater into surface waters through complete on-site storage. (see also “DETENTION,” “DIVERSION”).

ROLLBACK AD VALOREM TAX RATE – The millage rate needed to be levied in order to generate the same amount of tax dollars as collected in the previous fiscal year.

SINGLE FAMILY RESIDENCE – A building that comprises a single dwelling unit occupied by one person or two or more persons related by blood, marriage or social commitment and its primary use is as a residence.

SLUDGE – The material precipitated after sewage has been treated. Sludge may be toxic and/or harmful depending upon the constituents and characteristics of the influent wastewater and therefore pose a public health or safety hazard if improperly managed.

SOLID WASTE FACILITIES – Structures or systems designed for the collection, processing or disposal of SOLID WASTES and includes transfer stations, processing plants, recycling plants, and disposal systems.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) – A governmental agency with jurisdiction on water-related matters over the entire St. Johns River and Nassau Rivers watersheds. This includes all of Volusia County and all or portions of eighteen (18) other counties.

STORMWATER – The flow of runoff which results from a rainfall event.

STORMWATER MANAGEMENT SYSTEMS FACILITY – A system of man-made structures or natural resources designed or used to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, retention structures, lakes, holding basins, wetlands, and natural depressions.

STORMWATER RETENTION FACILITY – A structure designed to collect and prevent the release of a given volume of STORMWATER by complete on-site storage for a given storm event.

SURFACE WATER – That which is not groundwater and can be seen on the ground. Includes lakes, rivers, ponds, estuaries, and bays.

SWALES – A slight depression in generally level land which directs the flow of surface water.

TAX RATE – The amount of tax stated in terms of a unit of the tax base, usually stated in terms mills per valuation of taxable property.

TRANSIT ORIENTED DEVELOPMENT – Land use planning concept that promotes mix of residential, commercial, office and public uses, all within a comfortable walking distance to maximize access to public transportation, and incorporates features to encourage transit ridership. Examples of transit-supportive land uses include, but are not limited to the following: apartments; live-work units; townhouses; single-family houses; affordable housing; lodging; retail stores; restaurants; banks; private offices/professional businesses;

government offices; medical centers; high schools and post-secondary institutions; child-care centers; libraries; recreational and cultural facilities; theatres; public spaces; and other facilities.

UTILITIES – Including, but not limited to, water systems, electric power, sanitary sewer systems, gas distribution systems, storm drainage systems, telephone systems and cable television systems.

VOLUSIA COUNTY TRANSPORTATION PLANNING ORGANIZATION (TPO) – Formed by an interlocal agreement between Volusia County's cities, the County, and the Florida Department of Transportation. The TPO develops transportation plans and provides programming guidance for short and long range transportation projects.

VOLUSIA COUNTY GROWTH MANAGEMENT COMMISSION (VGMC) – The group represented by appointees from each city and Volusia County, whose decisions are binding regarding the consistency of comprehensive plans, elements, plan amendments, or portions thereof with other applicable plans, as described in Ordinance 87-24. Non-voting members include: St. Johns River Water Management District, Volusia County School Board and the Volusia County Business Development Corporation.

WATER RECLAMATION – Similar to "WATER REUSE", but implies that some form of processing and/or decontamination is required before the water can be used. Except as specifically provided in Chapter 62-610 F.A.C., reclaimed water means water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility. For example, wastewater can be treated to advanced standards and then reused for irrigation. Even "GRAYWATER" may need some processing to reduce high risks associated with its use.

WATER REUSE – The recovery of water after its application for one use (which requires relatively high-quality water), and diverting it to another use (which requires water of lesser quality). Water reuse means the deliberate application of reclaimed water, in compliance with the Department of Environmental Protection and St. Johns River Water Management District Rules, for a beneficial purpose. Criteria used to classify projects as reuse, or "effluent disposal" and contained in Rule 62-610, F.A.C.

WATERSHED – The area defined by topographic boundaries which contributes to a drainage system, estuarine water, or oceanic waters, including all artificial drainage systems.

WATER SUPPLY PLANNING AREA – A water supply planning area is a geographically defined area created for the purpose of addressing existing and future water supplies and facilities consistent with the requirements of State Statute. A municipal utility may include unincorporated area within its respective water supply planning area if the unincorporated area is encompassed by an interlocal agreement with the County which sets the ground rules for the water supply planning activities allowed within the unincorporated area. A municipal water supply planning area may include unincorporated areas that do not fall within an interlocal agreement if potable water service within the unincorporated area occurred prior to the adoption of the County's Comprehensive Plan.

WETLANDS – Lands which are identified by being inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and non-contiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hydric hammocks, riverine cypress, cypress ponds, bayheads, bogs, wet prairies, freshwater marshes, tidal flats, salt marshes, mangrove swamps and marine meadows. The landward extent of wetlands shall be determined in accordance with 62-340 F.A.C.

ZONING – The system which regulates what uses can go where and the development standards to which new development must be built.

ZONING ORDINANCE – The Zoning Ordinance of DeBary, Florida, as amended.

ACRONYMS AND ABBREVIATIONS

AADT	Annual Average Daily Traffic
ACSC	Area of Critical State Concern
ADA	Americans with Disabilities Act
ADT	Average Daily Trips
AHCA	Agency for Health Care Administration
ASV	Annual Service Volume
CDA	Compact Deferral Area
CDD	Community Development District
CIE	Capital Improvements Element
CIP	CIP Capital Improvement Plan
CMS	Concurrency Management System
COE	United States Army Corps of Engineers
CV	Commercial Village Overlay
DRI	Development of Regional Impact
ECFRPC	East Central Florida Regional Planning Council
EIS	Environmental Impact Statement
ESL	Environmentally Sensitive Lands
FAA	Federal Aviation Administration
FAC	Florida Administrative Code
FAR	Federal Aviation Regulation
FCRC	Florida Growth Management Conflict Resolution Consortium
FCTD	Florida Commission for the Transportation Disadvantaged
FDACS	Florida Department of Agriculture and Consumer Services
FDCA	Florida Department of Community Affairs
FDEP	Florida Department of Environmental Protection
FDOH	Florida Department of Health
FDOT	Florida Department of Transportation
FEC	Florida East Coast Railroad
FIHS	Florida Intrastate Highway System
FLUM	Future Land Use Map
FRA	Federal Railroad Administration
FS	Florida Statutes
ICE	Intergovernmental Coordination Element
IPMC	International Property Maintenance Code
LDC	Land Development Code
LOS	Level of Service
SEMUA	Southeast Mixed Use Area Future Land Use Designation
SJRWMD	St. Johns River Water Management District
SSPP	Safety System Program Plan
TAZ	Traffic Analysis Zone
TE	Transportation Element
TOD	Transit Oriented Development
TPO	Transportation Planning Organization

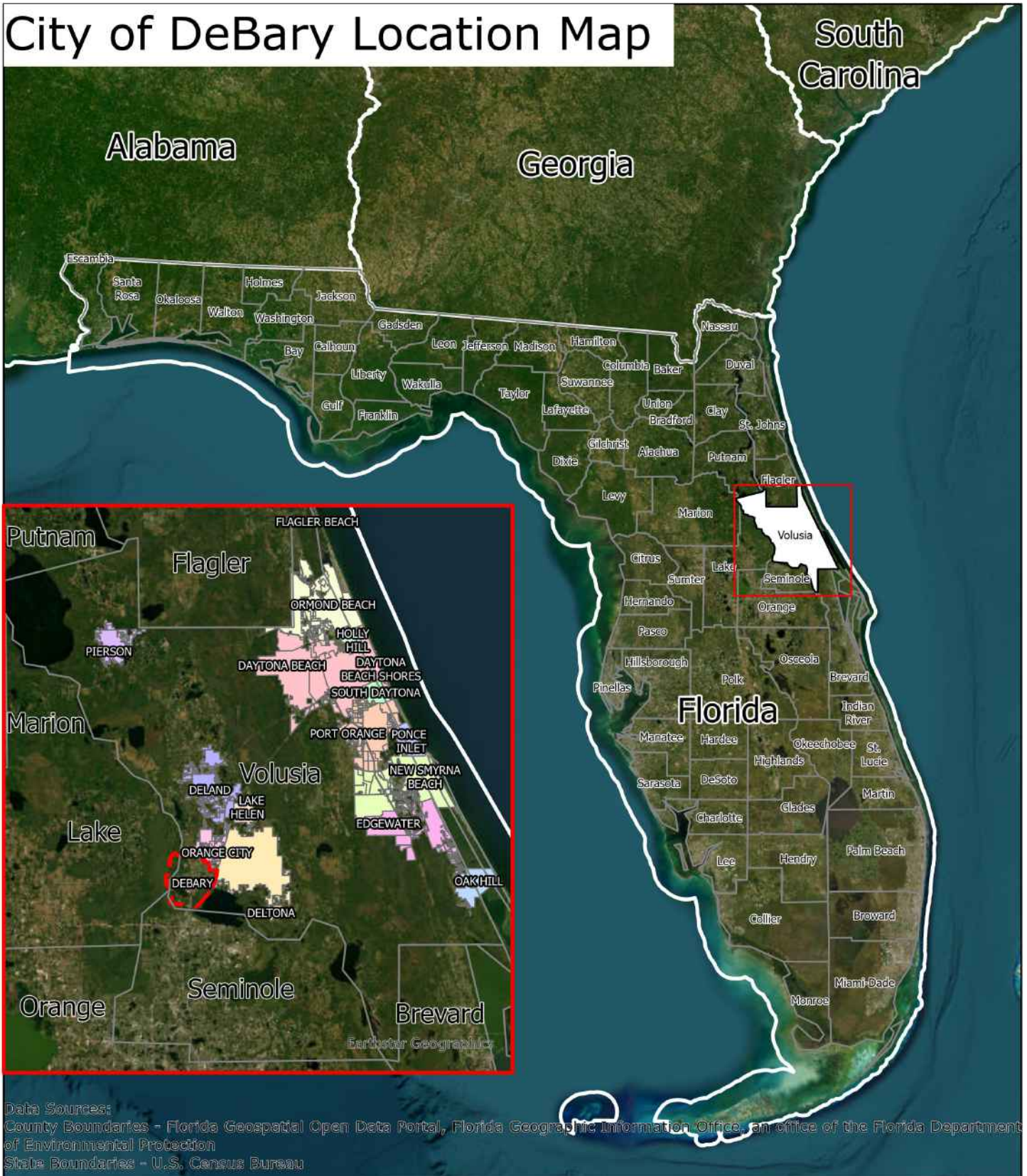
TRIPS	Traffic Review and Impact Planning System
TSM	Transportation System Management
USDOT	United States Department of Transportation
V/C	V/C Volume to Capacity Ratio
VGMC	Volusia Growth Management Commission
VCOG	Volusia Council of Governments
VCTPO	Volusia County Transportation Planning Organization
WMD	Water Management District
WSFWP	Water Supply Facilities Work Plan

INDEX

C		
CAPITAL IMPROVEMENTS	66	
COMMERCIAL LAND USE CLASSIFICATIONS.....	29	
Commercial/Office (CO).....	29	
Commercial/Retail (CR).....	30	
COMMUNITY FACILITIES INFRASTRUCTURE	52	
CONSERVATION AND RURAL LAND USE CLASSIFICATIONS.....	25	
Country Estates at River Bend	37	
D		
Data and Analysis (DA).....	8	
Department of Community Affairs, (DCA)	9	
E		
ECONOMIC DEVELOPMENT	11	
Evaluation and Approval Report (EAR).	8	
F		
FUTURE LAND USE	22	
G		
Goals, Objectives and Policies (GOPs).....	8	
H		
HOUSING.....	63	
I		
INDUSTRIAL LAND USE CLASSIFICATIONS	31	
Industrial/Service (IS).....	32	
Industrial/Utility (IU).....	32	
INTERGOVERNMENTAL COORDINATION.....	74	
M		
MANAGEMENT OF NATURAL RESOURCES	16	
MIXED USE CLASSIFICATIONS	33	
N		
NATURAL GROUNDWATER AQUIFER RECHARGE	59	
P		
POTABLE WATER FACILITIES	52	
PUBLIC/INSTITUTIONAL LAND USE CLASSIFICATION	33	
R		
RECREATION & CULTURE	61	
RESIDENTIAL LAND USE CLASSIFICATIONS	26	
Residential/Low Density (R/LD).....	26	
Residential/Low-Medium Density (R/LMD).....	27	
Residential/Mobile Home (R/MH).....	29	
Review and Adoption Process	9	
S		
SANITARY SEWER FACILITIES	55	
Southeast Mixed Use Area (SE)	34	
Southwest Mixed Use Area (SW).....	36	
STORMWATER MANAGEMENT (DRAINAGE) FACILITIES	56	
T		
TRANSPORTATION	44	




MAPS

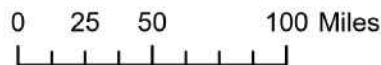
City of DeBary Location Map



Data Sources:
 County Boundaries - Florida Geospatial Open Data Portal, Florida Geographic Information Office, an office of the Florida Department of Environmental Protection
 State Boundaries - U.S. Census Bureau

Legend

-  County Boundaries
-  Volusia County
-  City of DeBary City Limits



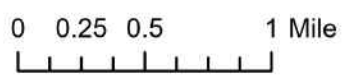
City of DeBary Historic Structures



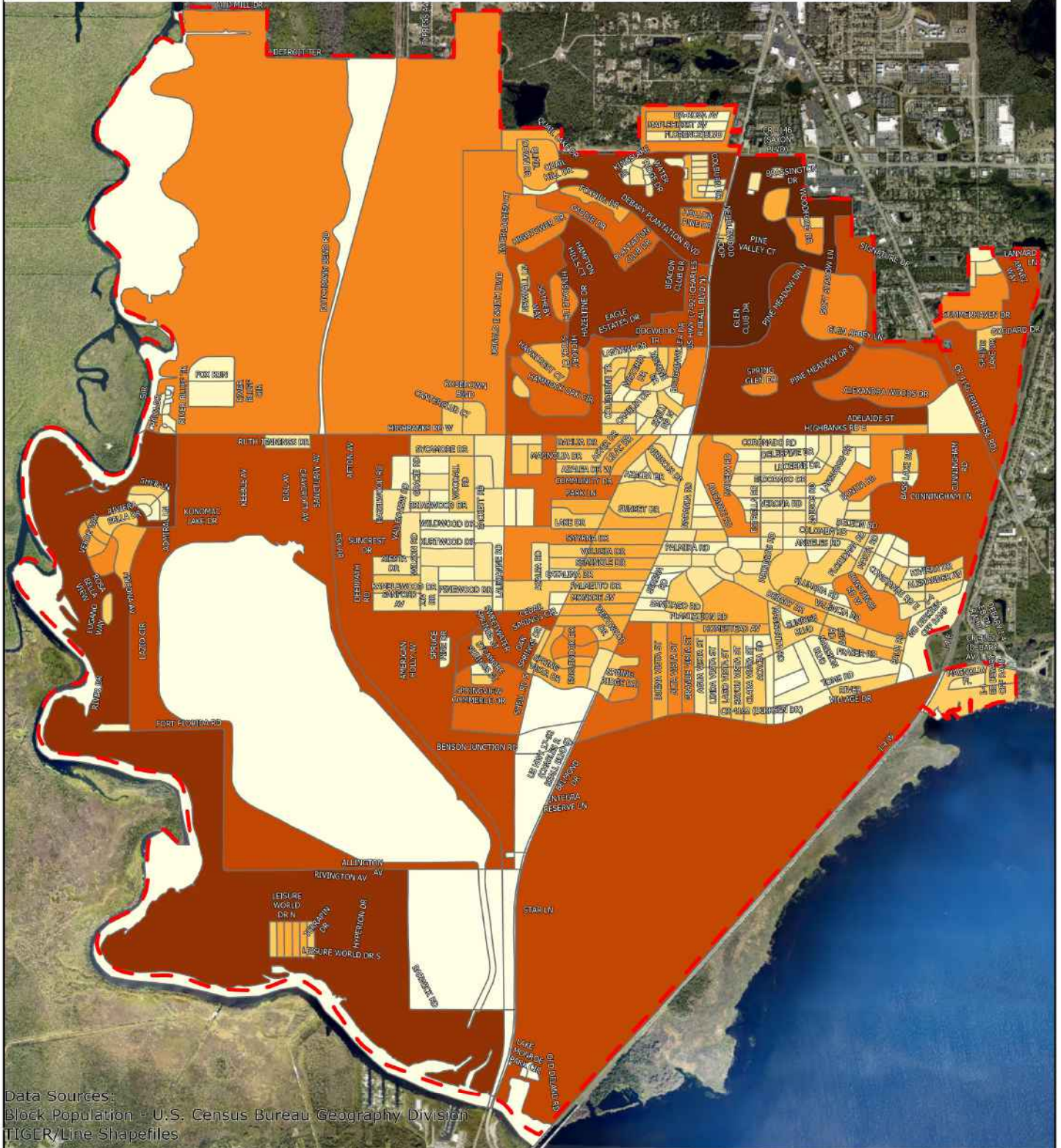
Data Sources:
 Historic Structures - Florida Master Site File as provided by the Division of Historical Resources, a department of the Florida Department of State

Legend

-  Historic Structures
-  City of DeBary City Limits














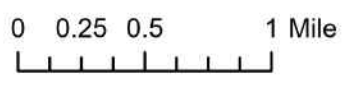
City of DeBary U.S. Census Block Population 2020



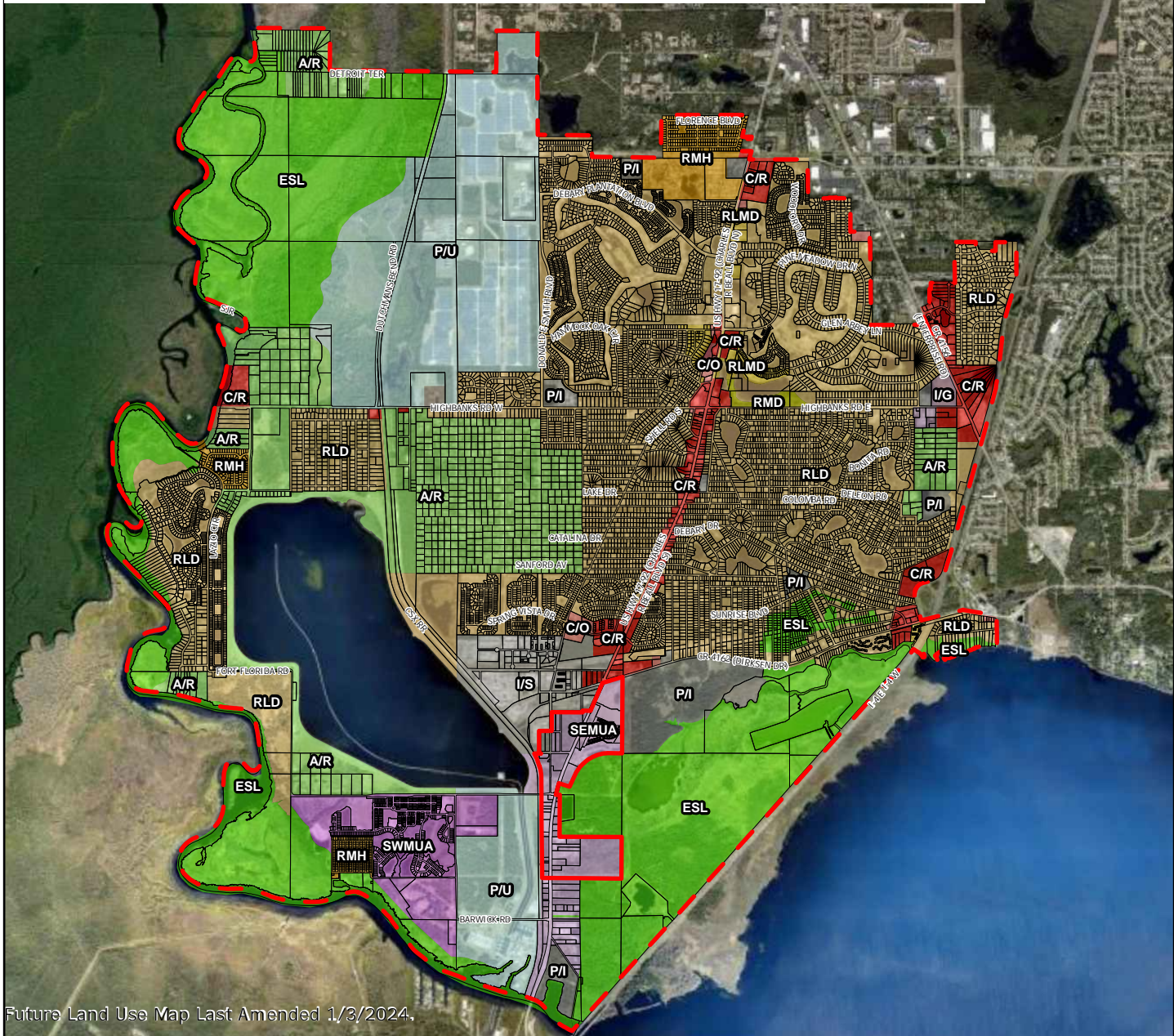
Data Sources:
 Block Population - U.S. Census Bureau Geography Division
 TIGER/Line Shapefiles

Legend

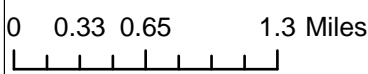
 City of DeBary City Limits	 64 - 98
Total Population	 99 - 158
 0 - 10	 159 - 266
 11 - 26	 267 - 405
 27 - 42	 406 - 798
 43 - 63	 799 - 1097


















City of DeBary Future Land Use Map



Future Land Use Map Last Amended 1/3/2024.



Future Land Use



- | | |
|--|--|
|  ESL, Environmentally Sensitive Lands |  I/G, Industrial/General |
|  A/R, Agriculture/Rural Residential |  I/S, Industrial/Service |
|  RLD, Residential/Low Density |  P/I, Public/Institutional |
|  RLMD, Residential/Low-Medium Density |  P/U, Public/Utility |
|  RMD, Residential/Medium Density |  SEMUA, Southeast Mixed Use Area |
|  RMH, Residential/Mobile Home |  SWMUA, Southwest Mixed Use Area |
|  C/O, Commercial/Office |  TOD, Transit Oriented Development Overlay District |
|  C/R, Commercial/Retail | |

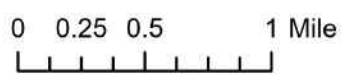
City of DeBary Vacant Residential Property



Data Sources:
Vacant Residential Property - Volusia County Property Appraiser

Legend

-  Vacant Residential Property 2023
-  City of DeBary City Limits



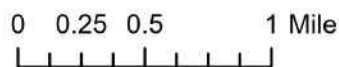
City of DeBary Vacant Commercial Property



Data Sources:
Vacant Commercial Property - Volusia County Property Appraiser

Legend

-  Vacant Commercial Property 2023
-  City of DeBary City Limits



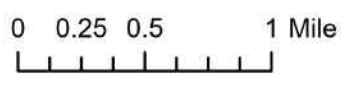
City of DeBary Vacant Industrial Property



Data Sources:
 Vacant Industrial Property - Volusia County Property Appraiser

Legend

- Vacant Industrial Property 2023
- City of DeBary City Limits





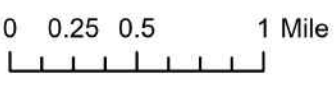
City of DeBary Area Active Permitted Wells



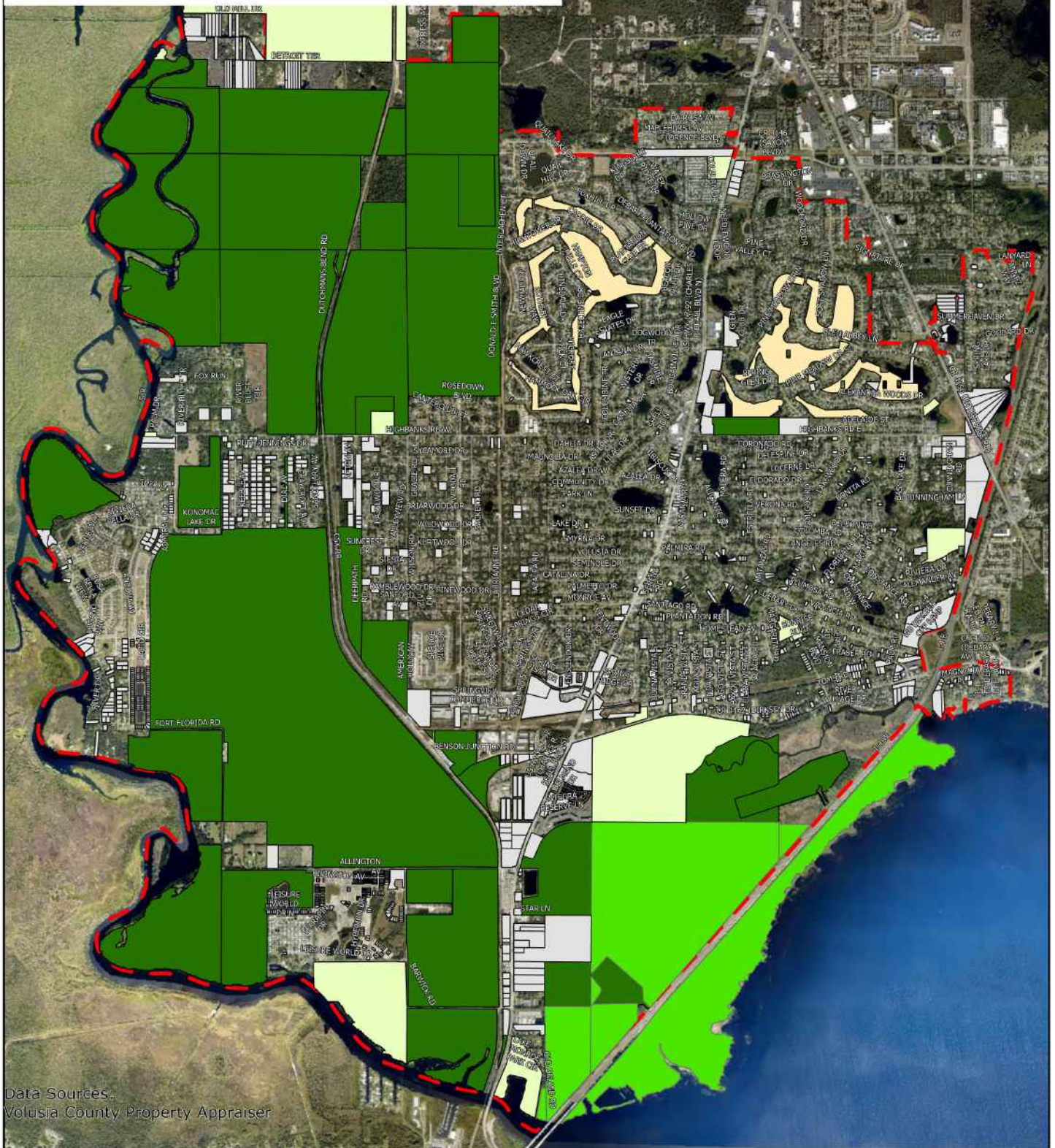
Data Sources:
 St. John's River Water Management District Geospatial Open Data
 Well completion report sites District issued permits

Legend

-  Well Stations Active in City
-  City of DeBary City Limits



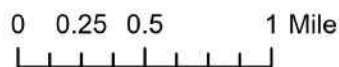
City of DeBary Open Space



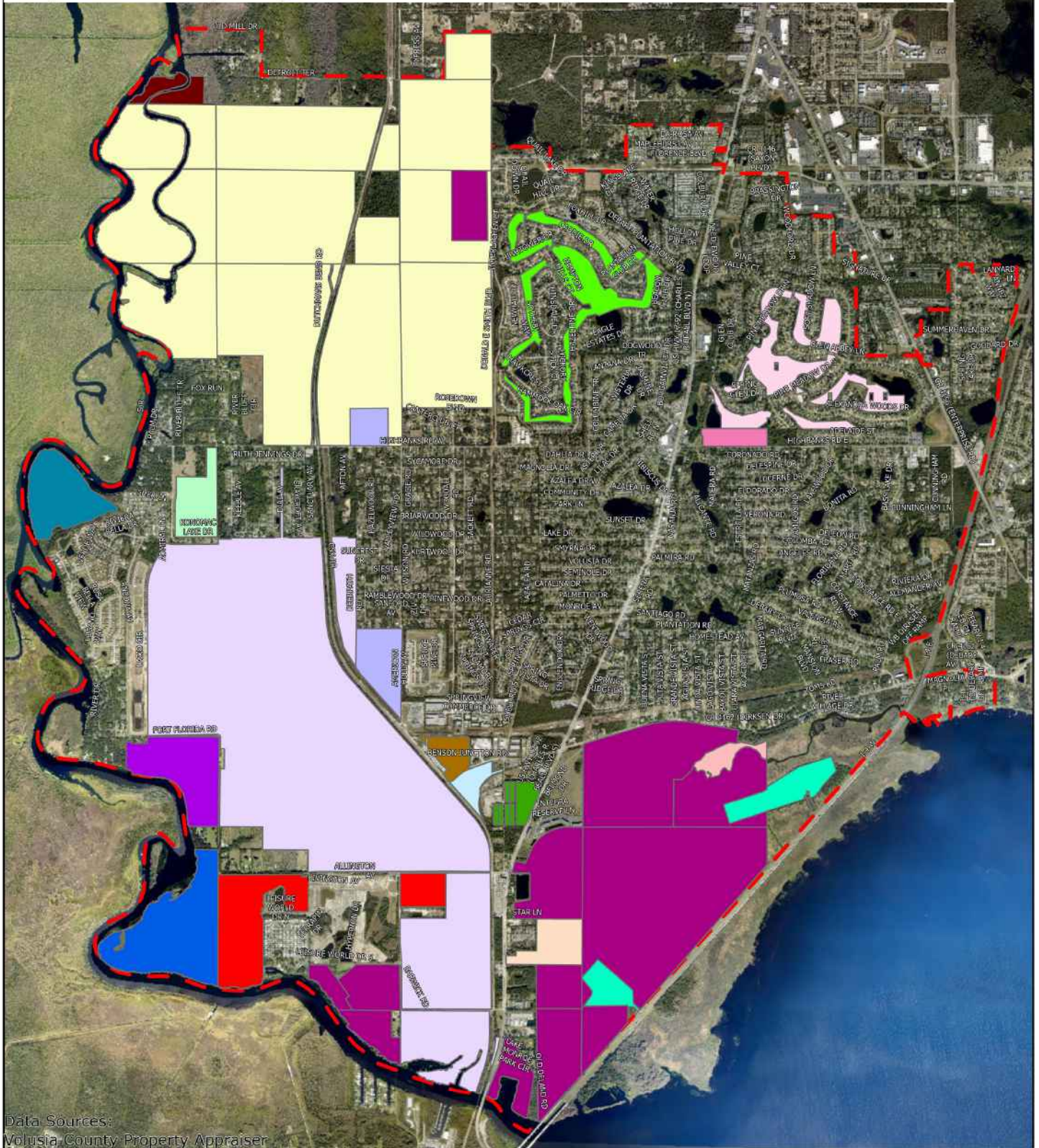
Data Sources:
Volusia County Property Appraiser

Legend

- Parks
- Conservation Lands
- Golf Courses
- Undeveloped Land
- Parcels \geq 20 Acres
- City of DeBary City Limits



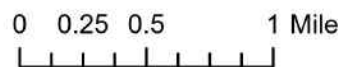
City of DeBary Major Land Ownership (Minimum 20-Acres)



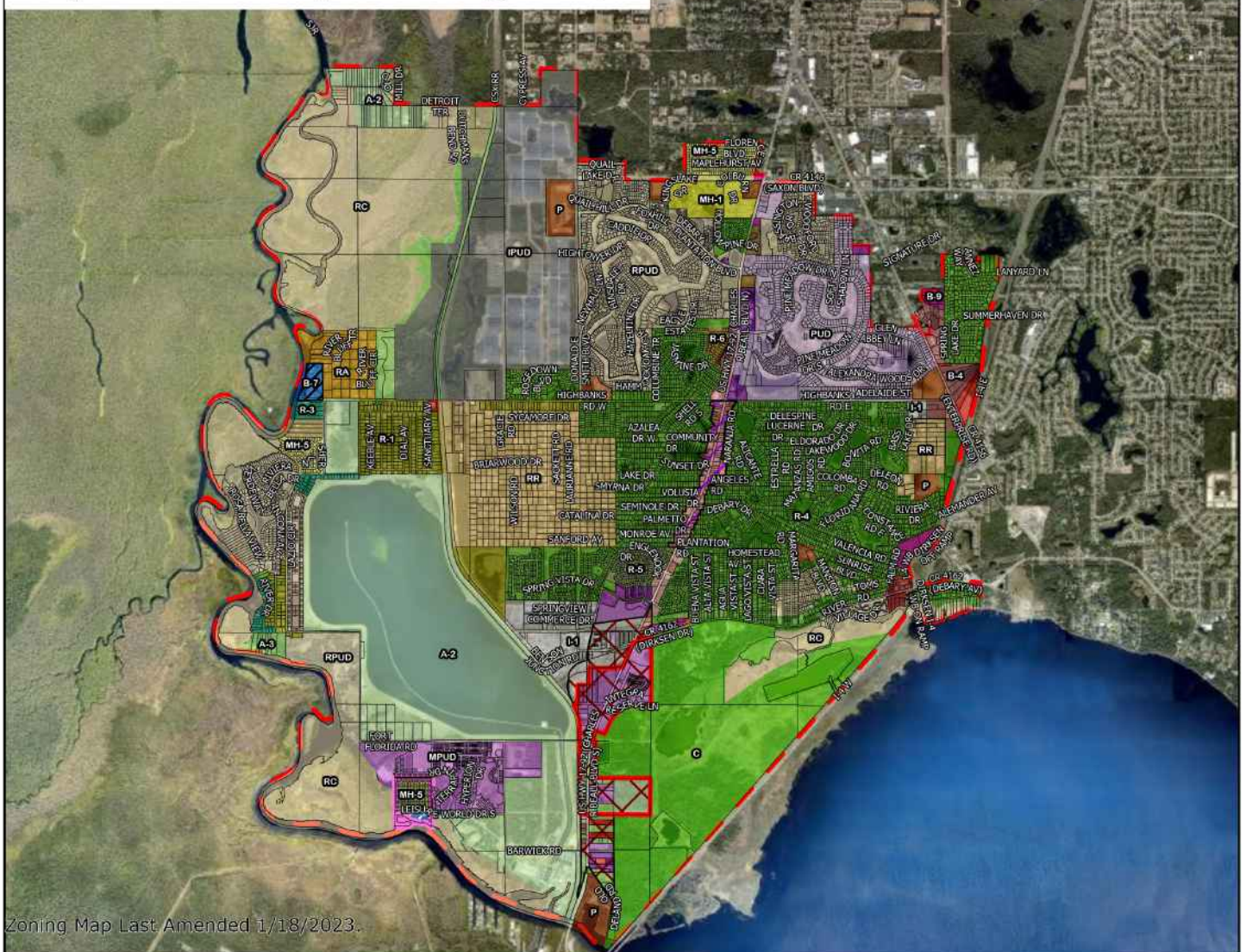
Data Sources:
Volusia County Property Appraiser

Legend

- | | | | |
|--|----------------------------|--|-----------------------------|
| | ALLEN NICHOLAS | | HR RIVINGTON LLC |
| | CITY OF DEBARY | | MEJSTEDT SVERKER |
| | COSTA RICHARD STEVEN JR TR | | OLIVE C ADAMS FAMILY LP |
| | COUNTY OF VOLUSIA | | RECICAR THOMAS S TR |
| | DEBARY OPS LAND LLC | | RIVER RANCH HOLDINGS LLC |
| | FLORIDA POWER & LIGHT CO | | STATE OF FLORIDA DOT |
| | FLORIDA POWER CORP | | STEDRONSKY GEORGE R TR |
| | GOLF DEBARY LLC | | STORE MASTER FUNDING XX LLC |
| | GRAY J CHARLES | | WILD FLORIDA HOLDINGS LLC |
| | HENIN HOLDINGS LLC | | City of DeBary City Limits |



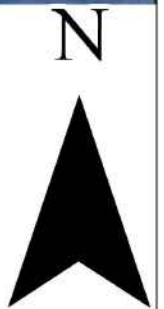
City of DeBary Zoning Map



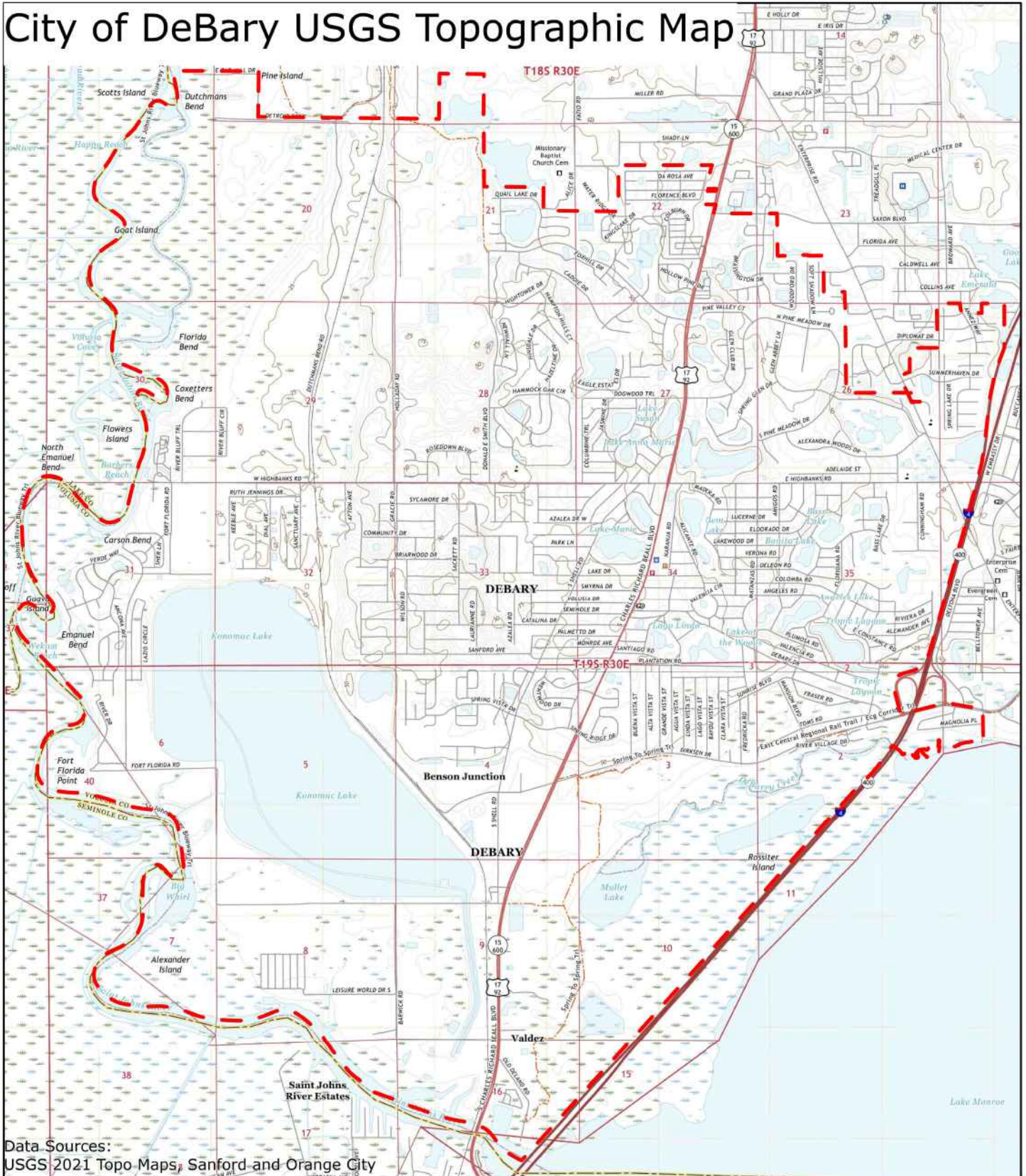
Zoning Map Last Amended 1/18/2023.

Zoning Classifications

- | | |
|--------------------------------------|--|
| C, Conservation | B-4, General Commercial |
| P, Public Use | B-5, Heavy Commercial |
| RC, Resource Corridor | B-6, Highway Interchange Commercial |
| A-2, Rural Agriculture | B-7, Commercial Marina |
| A-3, Transitional Agriculture | B-9, General Office |
| RR, Rural Residential | I-1, Light Industrial |
| RA, Rural Agricultural Estate | PUD, Planned Unit Development |
| R-1, Urban Single-Family Residential | RPUD, Residential Planned Unit Development |
| R-3, Urban Single-Family Residential | BPUD, Commercial Planned Unit Development |
| R-4, Urban Single-Family Residential | IPUD, Industrial Planned Unit Development |
| R-5, Urban Single-Family Residential | MPUD, Mixed Planned Unit Development |
| R-6, Urban Two-Family Residential | Village Center Overlay District |
| R-7, Urban Multifamily Residential | South 17/92 Overlay District |
| R-8, Urban Multifamily Residential | Waterfront Use Overlay District |
| MH-1, Mobile Home Park | South Waterfront Use Overlay District |
| MH-5, Urban Mobile Home | Meadowlea Overlay District |
| B-2, Neighborhood Commercial | TOD, Transit Oriented Development Overlay District |



City of DeBary USGS Topographic Map




Data Sources:
USGS 2021 Topo Maps, Sanford and Orange City

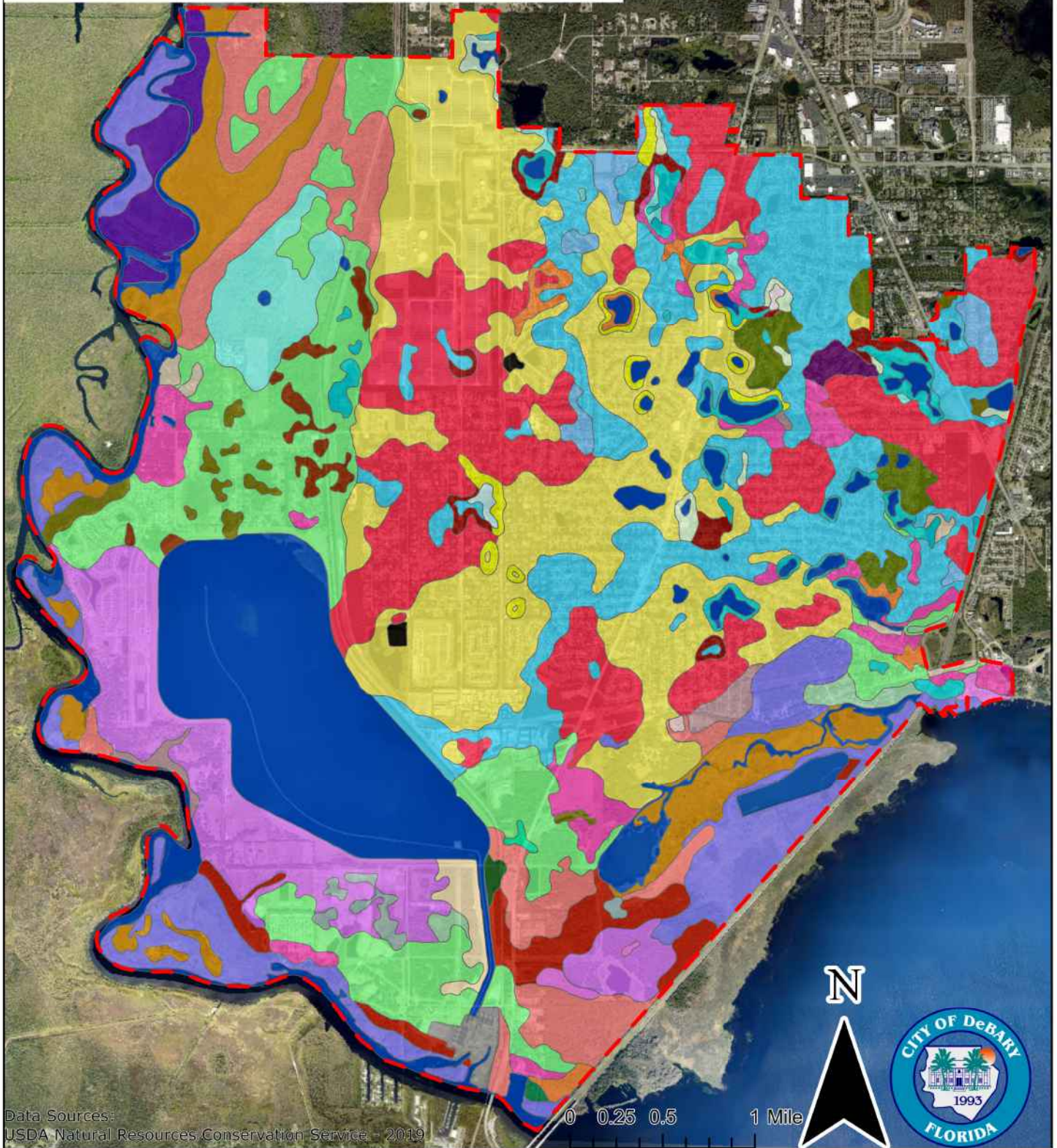
Legend

 City of DeBary City Limits

0 0.25 0.5 1 Mile



City of DeBary NRCS Soils Map

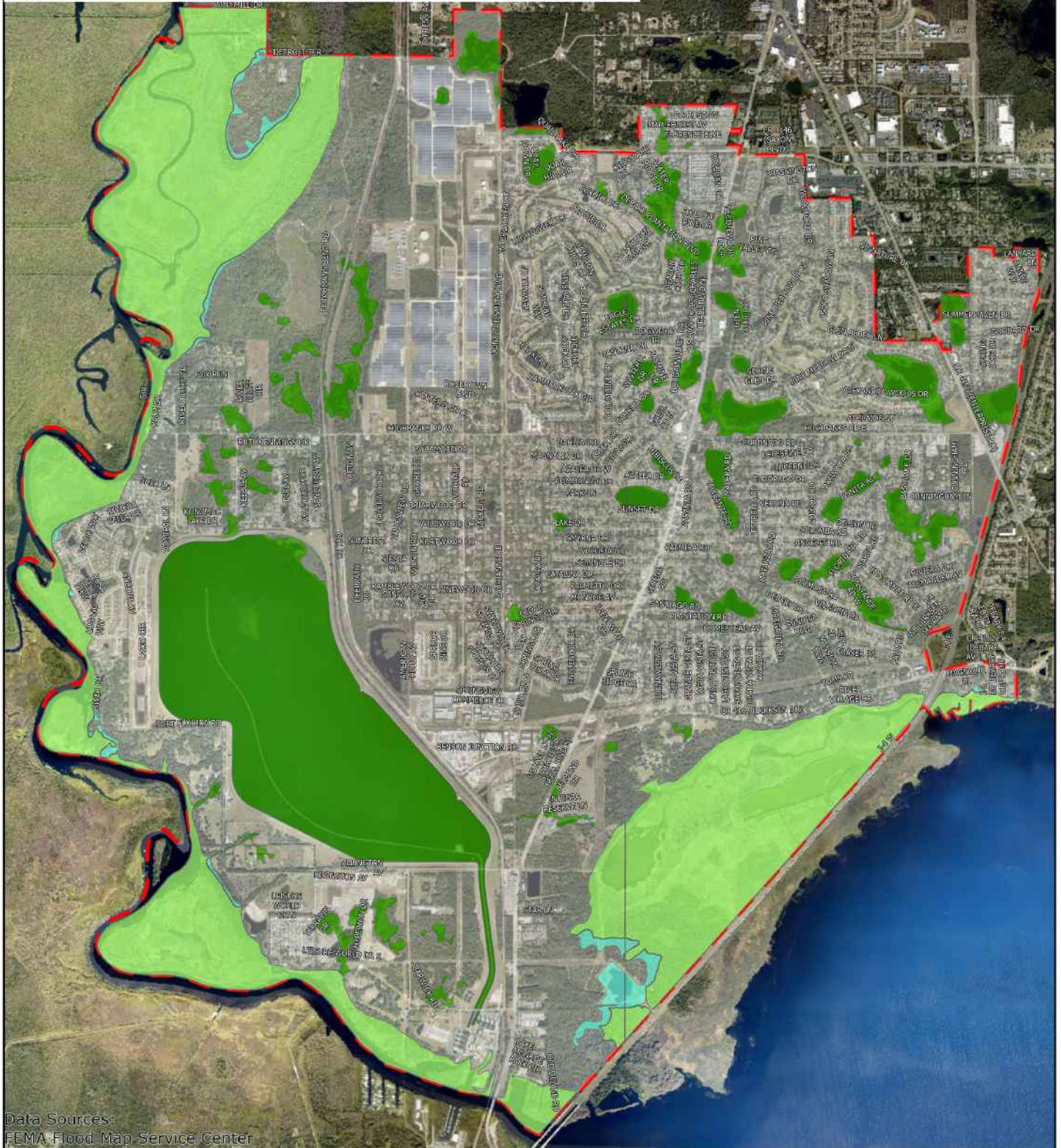


Data Sources:
 USDA Natural Resources Conservation Service - 2019

Legend

- | | | | |
|--|--|--|--|
| <ul style="list-style-type: none"> City of DeBary City Limits Bluff sandy clay loam Cassia fine sand, 0 to 2 percent slopes Chobee fine sandy loam Daytona sand, 0 to 5 percent slopes Apopka fine sand, 5 to 12 percent slopes EauGallie fine sand EauGallie fine sand, frequently ponded, 0 to 1 percent slopes Electra fine sand, 0 to 5 percent slopes Apopka fine sand, 0 to 5 percent slopes | <ul style="list-style-type: none"> Farnton fine sand Fluaquents Gator muck, 0 to 1 percent slopes, frequently flooded Immokalee sand Immokalee sand, depressional Malabar fine sand Myakka-Myakka, wet, fine sands, 0 to 2 percent slopes Myakka fine sand, frequently ponded, 0 to 1 percent slopes Orsino fine sand, 0 to 5 percent slopes Astatula fine sand, 0 to 8 percent slopes | <ul style="list-style-type: none"> Paola fine sand, 0 to 8 percent slopes Paola fine sand, 8 to 17 percent slopes Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes Pits Placid fine sand, frequently ponded, 0 to 1 percent slopes Pomona fine sand Pomona fine sand, depressional, 0 to 2 percent slopes Quartzipsamments, gently sloping Riviera fine sand Samula muck, frequently ponded, 0 to 1 percent slopes | <ul style="list-style-type: none"> St. Johns fine sand St. Lucie fine sand, 0 to 5 percent slopes Tavares fine sand, 0 to 5 percent slopes Terra Ceia muck, frequently ponded, 0 to 1 percent slopes Tomoka muck, frequently ponded, 0 to 1 percent slopes Urban land, 0 to 2 percent slopes Wabasso-Wabasso, wet, fine sand, 0 to 2 percent slopes Winder fine sand, 0 to 2 percent slopes Basinger fine sand, frequently ponded, 0 to 1 percent slopes Water |
|--|--|--|--|

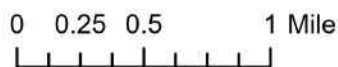
City of DeBary FEMA Flood Map



Data Sources:
FEMA Flood Map Service Center

Legend

- 0.2 % Annual Chance Flood Hazard
- A - No Base Flood Elevation Determined
- AE - Base Flood Elevation Determined
- X - Outside 0.2% Annual Chance Flood Hazard
- City of DeBary City Limits





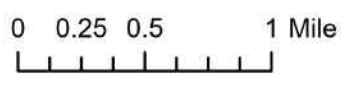
City of DeBary Surface Waters



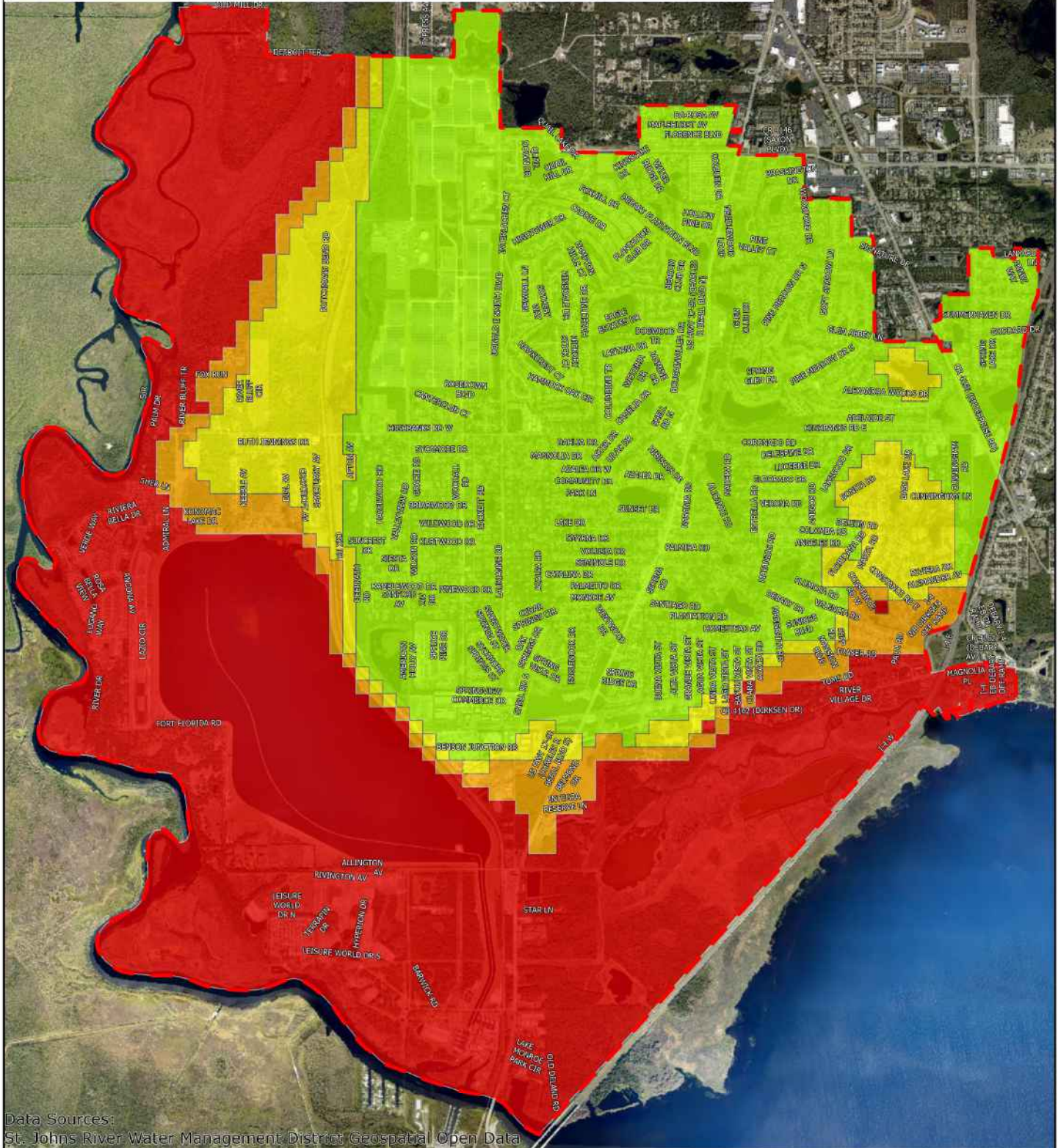
Data Sources:
Volusia County Property Appraiser

Legend

-  City of DeBary City Limits
-  Surface Waters



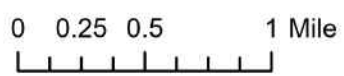
City of DeBary Aquifer Recharge Areas



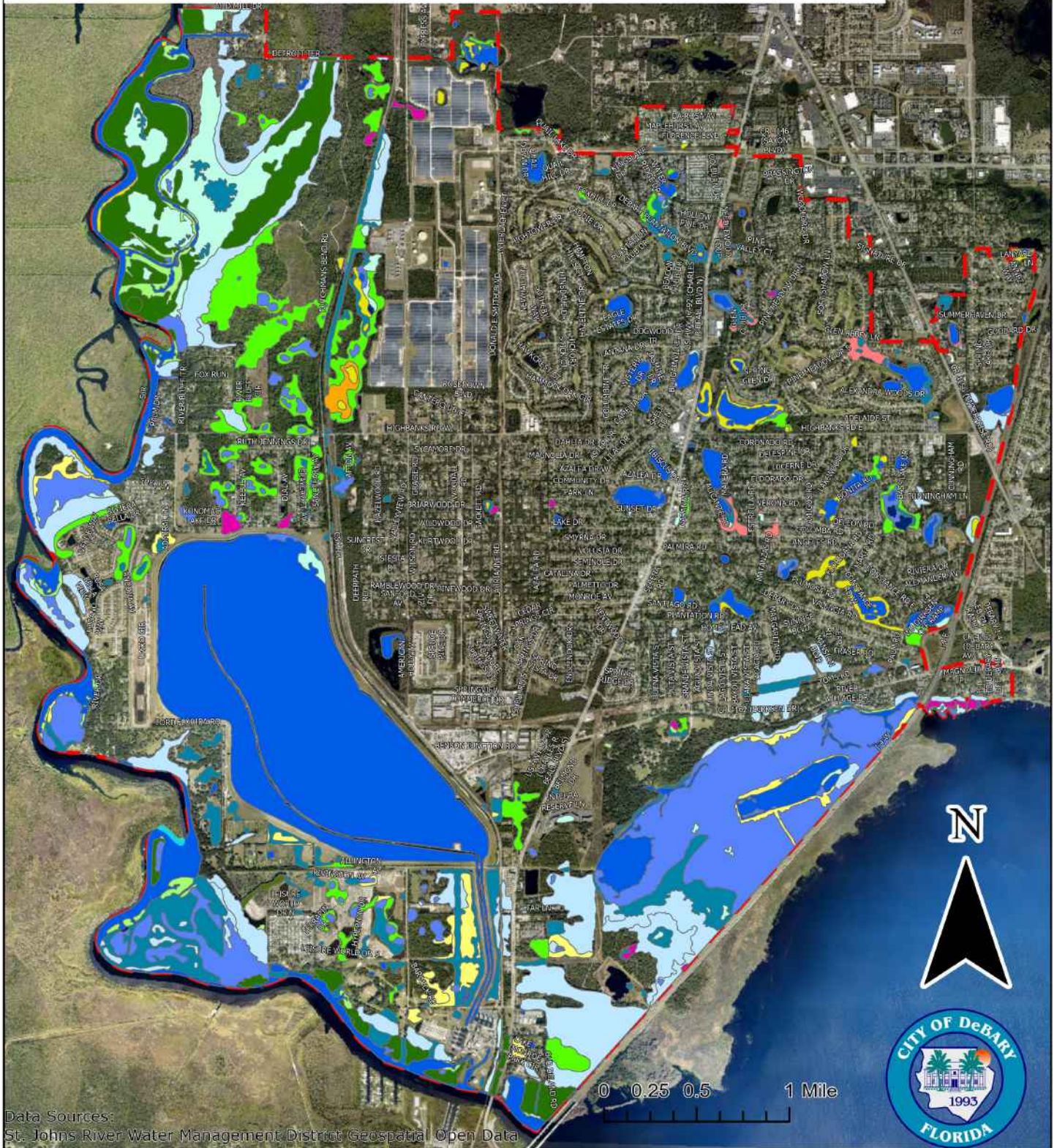
Data Sources:
St. Johns River Water Management District Geospatial Open Data

Legend

- Recharge Range
- Discharge Area
 - High Range
 - Medium Range
 - Low Range
 - City of DeBary City Limits



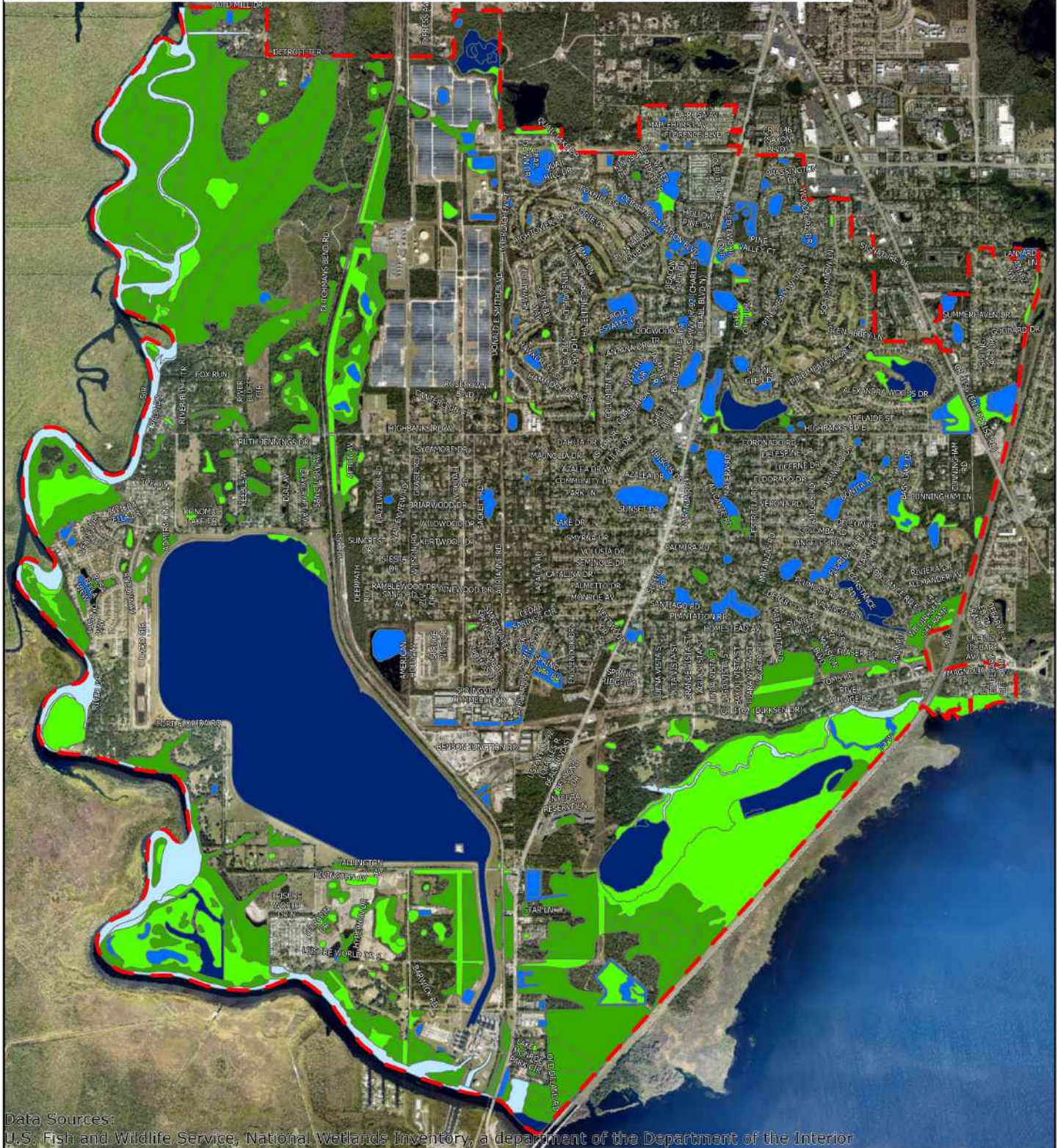
City of DeBary SJRWMD Wetland Vegetation



Legend

- | | | |
|--|---|---|
| ■ AB - Submerged Aquatic Beds | ■ FD - Forested Flatwoods Depression | ■ SM - Shallow Marsh |
| ■ BG - Baygull | ■ FF - Floating Marsh | ■ SS - Shrub Swamp |
| ■ BH - Bay Head | ■ HH - Hydric Hammock | ■ TS - Transitional Shrub |
| ■ BL - Bottomland Hardwoods | ■ HS - Hardwood Swamp | ■ W - Water |
| ■ CY - Cypress | ■ PI - Pines | ■ WP - Wet Prairie |
| ■ DM - Deep Marsh | ■ SB - Shrubgall | ■ City of DeBary City Limits |

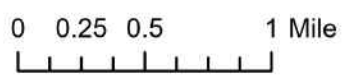
City of DeBary National Wetland Inventory



Data Sources:
 U.S. Fish and Wildlife Service, National Wetlands Inventory, a department of the Department of the Interior

Legend

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Riverine
- Freshwater Pond
- Lake
- City of DeBary City Limits



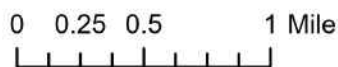
City of DeBary Existing Transportation Network



Data Sources:
Volusia County Growth and Resource Management

Legend

-  Interstate Highway
-  U.S. Highway
-  County Road
-  Incorporated Local Road
-  Unincorporated Local Road
-  Railroad
-  City of DeBary City Limits



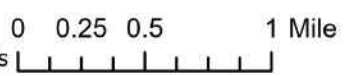
City of DeBary Public Transportation Network



Data Sources:
VOTRAN

Legend

- Route 20
- Route 21
- Route 22
- Route 23
- Route 31
- Route 32
- Route 33
- stops
- Railroad
- SunRail
- City of DeBary City Limits



City of DeBary Levels of Service



Data Sources:
Volusia County Traffic Engineering

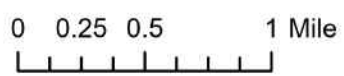
Legend

Level of Service (LOS)

— C

— D

▭ City of DeBary City Limits



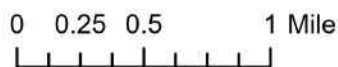
City of DeBary Long-Range Transportation Plan



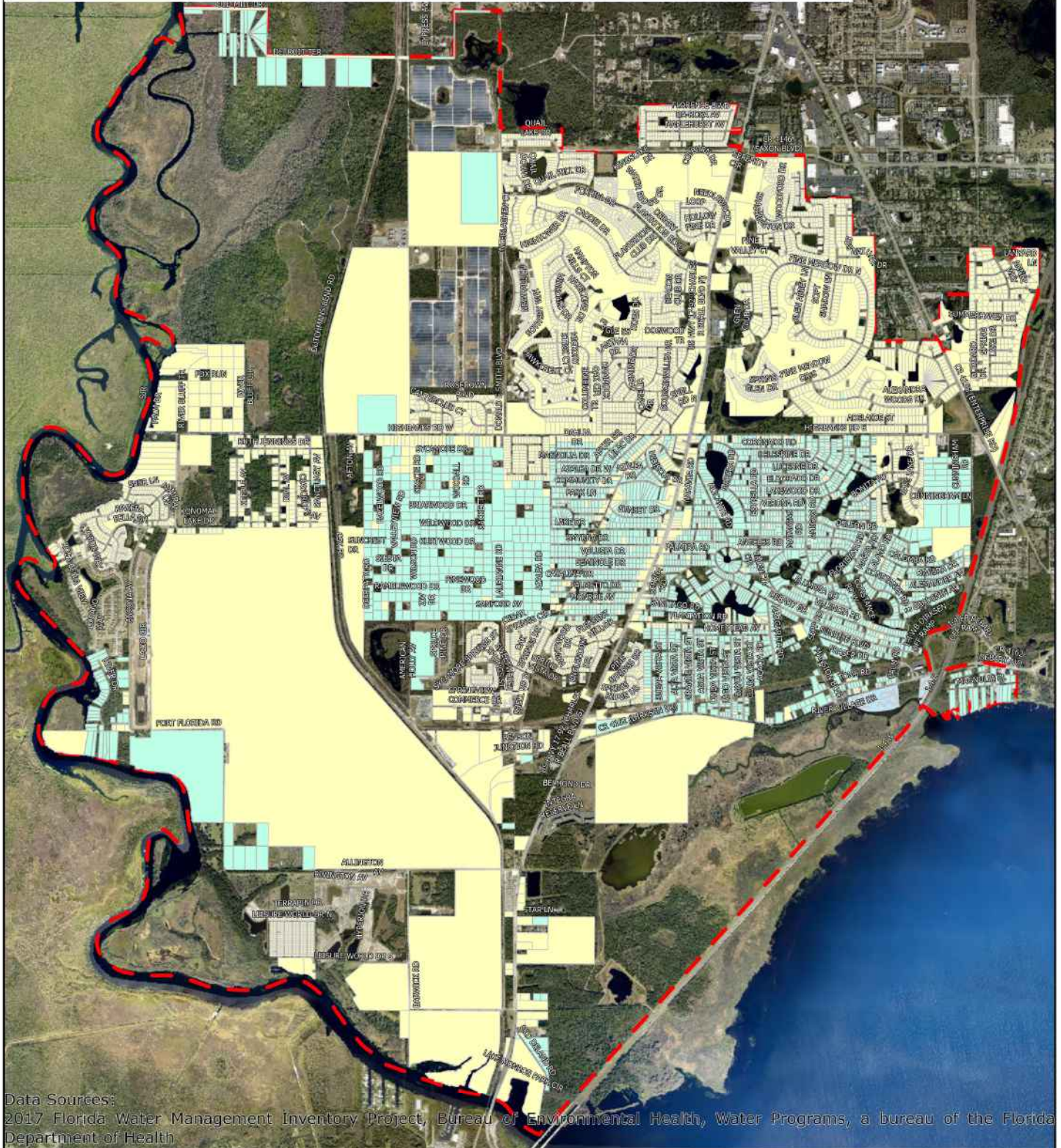
Data Sources:
Long-Range Transportation Plan - River to Sea Transportation Planning Organization

Legend

- I-4 Beyond the Ultimate
- City of DeBary City Limits







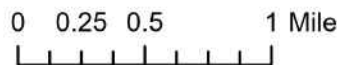
City of DeBary Potable Water Service Area



Data Sources:
 2017 Florida Water Management Inventory Project, Bureau of Environmental Health, Water Programs, a bureau of the Florida Department of Health

Legend

-  City of DeBary City Limits
-  Volusia County
-  Deltona
-  Private



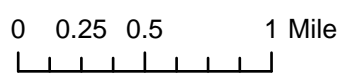
City of DeBary Onsite Sewage Treatment and Disposal System Locations



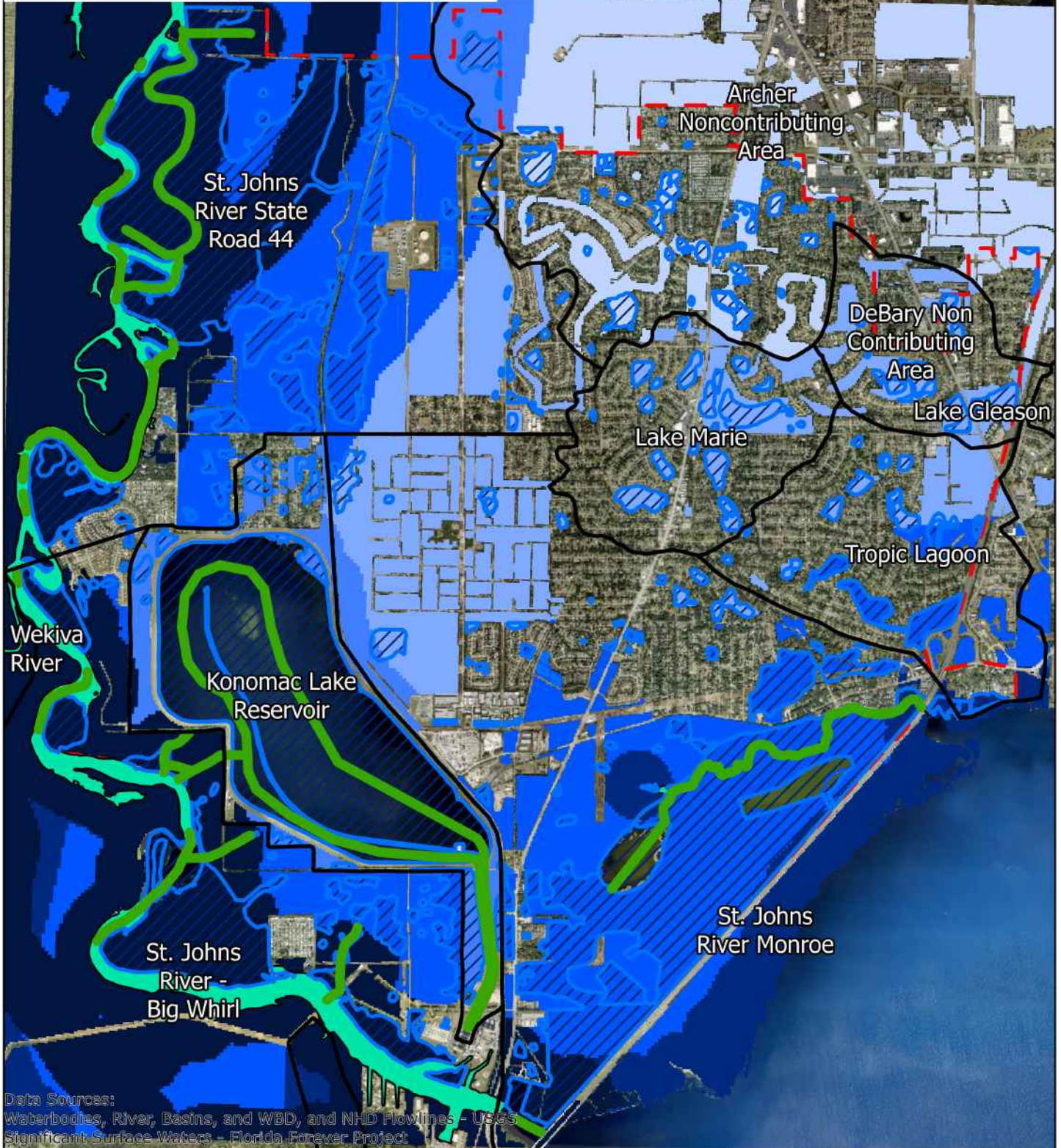
Data Sources:
 2017 Florida Water Management Inventory Project, Bureau of Environmental Health, Water Programs, a bureau of the Florida Department of Health

Legend

- - - City of DeBary City Limits
- Existing Septic Systems



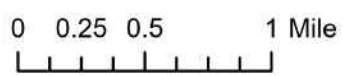
City of DeBary Drainage



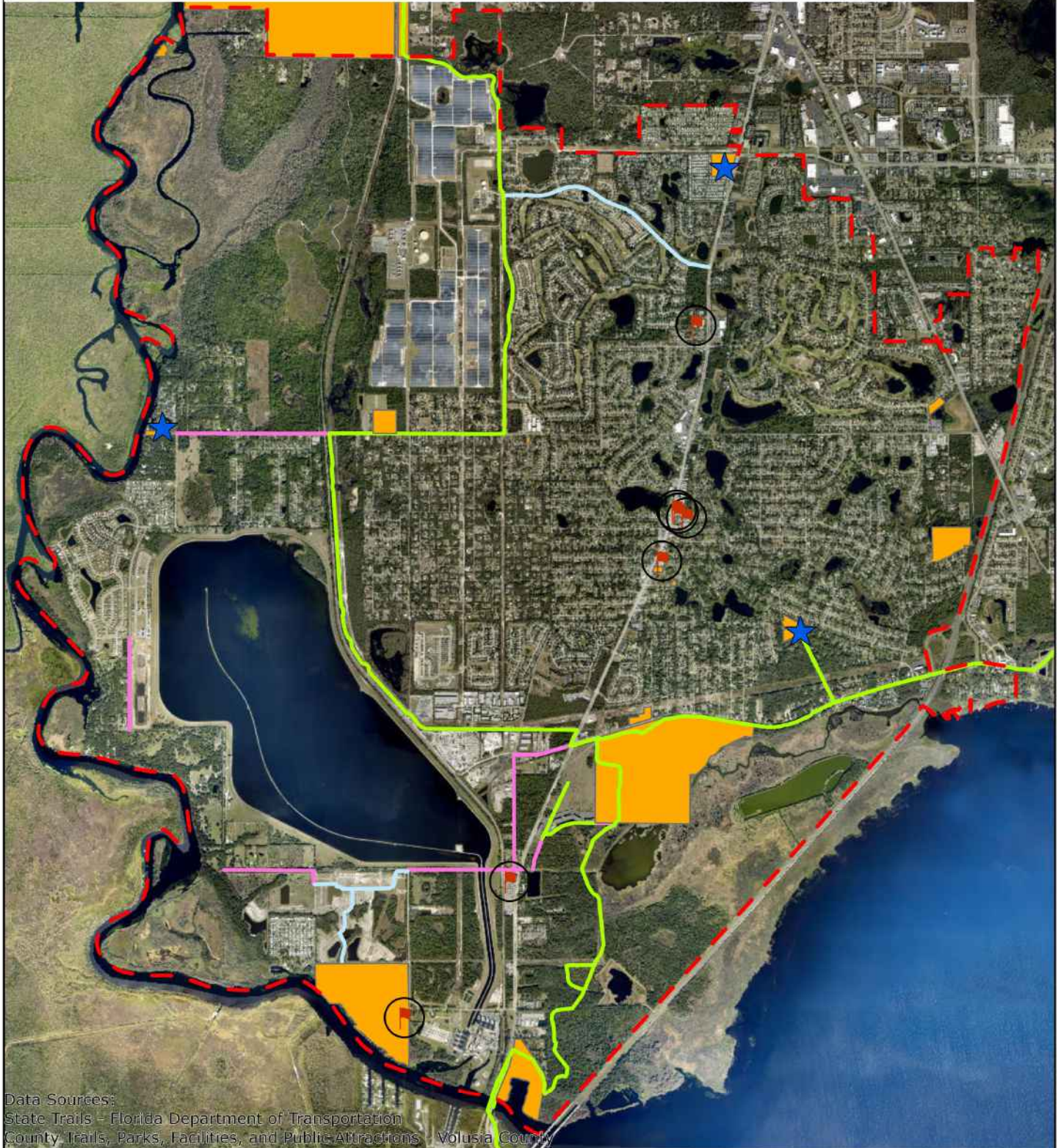
Data Sources:
 Waterbodies, River, Basins, and WBD, and NHD Flowlines - USGS
 Significant Surface Waters - Florida Forever Project

Legend

- ▬ City of DeBary City Limits
- Priority 2
- Priority 4
- Priority 5
- Priority 6
- Priority 7 - LOWEST
- ▬ River
- ▬ NHD Flowline
- Basins
- Priority 1 - HIGHEST



City of DeBary Existing Parks & Recreational Facilities



Data Sources:
State Trails - Florida Department of Transportation
County Trails, Parks, Facilities, and Public Attractions - Volusia County

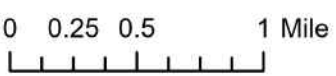
Legend

Trails

- City
- State/County
- In Design Phase

Parks

- Facilities
- Public Attractions
- City of DeBary City Limits



City of DeBary Educational Centers



Data Sources:
Schools - Volusia County

Legend

-  Schools
-  City of DeBary City Limits

