

# City of Deltona

## REGULAR CITY COMMISSION MEETING MONDAY, SEPTEMBER 15, 2014

6:30 P.M.

**Mayor**

John Masiarczyk, Sr.

**Vice Mayor**

Heidi Herzberg

**District 3**

Zenaida Denizac

**District 1**

Webster Barnaby

**District 2**

Nancy Schleicher

**District 4**

Anthony Bellizio

**District 5**

Chris Nabicht

**District 6**

**Acting City Manager**

Dale Baker

### DELTONA COMMISSION CHAMBERS

2345 PROVIDENCE BLVD.

DELTONA, FLORIDA

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### AGENDA

1. CALL TO ORDER:
2. ROLL CALL – CITY CLERK:
3. INVOCATION AND PLEDGE TO THE FLAG:
  - A. Invocation Presented by Commissioner Denizac.
4. APPROVAL OF MINUTES & AGENDA:
  - A. Approval of Minutes - Regular City Commission Meeting of September 3, 2014.
  - B. Additions or Deletions to Agenda.
5. PRESENTATIONS/AWARDS/REPORT:
  - A. Presentation of Certificates - West Volusia Youth Baseball League (WVYB) 13U All-Star State Champions.
  - B. Recognition - John Atkinson 2014 Secondary Principal of the

Year - September 15, 2014.

- C. Recognition and presentation to IT System Administrator Robert Cordero for completing the Certified Public Technology Manager at the top of his class.

6. PUBLIC FORUM - Citizen comments for any items.  
(4 minute maximum length)

**CONSENT AGENDA:** All items marked with an \* will be considered by one motion unless removed from the Consent Agenda by a member of the City Commission.

7. CONSENT AGENDA:

- \*A. Request for consideration of change in Commission meeting dates for 2014 holiday season and approval of the 2015 holiday meeting schedule.
- \*B. Request for consideration and approval of Memorandum of Understanding (MOU) between the City of Deltona and the West Volusia Audubon Society, Inc.

8. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Resolution No. 2014-18, Adopting the Final Millage Rate for FY 2014/2015.
- B. Public Hearing - Resolution No. 2014-19, Adopting the Final Annual Budget for FY 2014/2015.
- C. Public Hearing - Ordinance No. 14-2014, amending Section 42-186, of Article IV, "Fire Codes", of Chapter 42, "Fire Prevention and Protection", of the Code of the City of Deltona, Adopting More Recent Standard Code Provisions and Providing for New Methods of Appeals of Certain Decisions, at second and final reading.
- D. Public Hearing - Ordinance No. 17-2014, Halifax Crossings Business Planned Unit Development, at second and final reading.
- E. Public Hearing - Ordinance No. 24-2014, to amend alarm ordinance to include false fire alarms, at second and final reading.
- F. Public Hearing - Ordinance No. 25-2014, Sales of Food on House of Worship Property, at second and final reading.
- G. Public Hearing - Lake Baton Estates Phase Two; Final Plat Application (Project No. FP13-002).
- H. Ordinance No. 28-2014; Repealing Business Tax Receipt for Rental

**Properties, for first reading and to schedule second and final reading for October 6, 2014.**

- I. Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.**

**9. OLD BUSINESS:**

**10. NEW BUSINESS:**

- A. Request for consideration of request from Dennis Chaffers for reduction of fine from \$320,900.00 assessed pursuant to Special Magistrate Case DEL-05-058.**

**11. CITY ATTORNEY COMMENTS:**

**12. CITY MANAGER COMMENTS:**

- A. Lobbyist Update.**

**13. CITY COMMISSION COMMENTS:**

**14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager            **AGENDA ITEM:** 3 - A  
**SUBJECT:** Invocation Presented by Commissioner Denizac.

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<b>LOCATION:</b>	N/A
<b>BACKGROUND:</b>	At the Regular City Commission Meeting on Monday, October 17, 2011, the City Commission approved to have each Commissioner by District schedule someone to present the invocation at each Regular City Commission meeting rotating each Commissioner by District starting with District #1, #2, #3, #4, #5, #6 and the Mayor.
<b>ORIGINATING DEPARTMENT:</b>	City Clerk's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	City Clerk
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	N/A - Invocation Only.
<b>POTENTIAL MOTION:</b>	N/A - Invocation Only.
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 4 - A  
**SUBJECT:** Approval of Minutes - Regular City Commission Meeting of September 3, 2014.

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<b>LOCATION:</b>	N/A
<b>BACKGROUND:</b>	N/A
<b>ORIGINATING DEPARTMENT:</b>	City Clerk's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	City Clerk
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	City Clerk Joyce Raftery - To approve the minutes of the Regular City Commission Meeting of September 3, 2014.
<b>POTENTIAL MOTION:</b>	"I move to approve the minutes of the Regular City Commission Meeting of September 3, 2014."
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• Minutes of September 3, 2014</li></ul>

**CITY OF DELTONA, FLORIDA  
REGULAR CITY COMMISSION MEETING  
WEDNESDAY, SEPTEMBER 3, 2014**

1 A Regular Meeting of the Deltona City Commission was held on Wednesday, September 3, 2014 at  
2 the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

3  
4 **1. CALL TO ORDER:**

5  
6 The meeting was called to order at 6:30 p.m. by Mayor Masiarczyk.

7  
8 **2. ROLL CALL:**

9			
10	Mayor	John Masiarczyk	Present
11	Vice Mayor	Heidi Herzberg	Present
12	Commissioner	Webster Barnaby	Present
13	Commissioner	Anthony Bellizio	Present
14	Commissioner	Zenaida Denizac	Present
15	Commissioner	Chris Nabicht	Present
16	Commissioner	Nancy Schleicher	Present
17	Acting City Manager	Dale Baker	Present
18	City Attorney	Becky Vose	Present
19	City Clerk	Joyce Raftery	Present
20			

21 Also present: Planning and Development Services Director Chris Bowley; Planning and  
22 Development Assistant Director Ron Paradise; Deputy City Manager Gerald Chancellor; Fire Chief  
23 Mark Rhame; Parks and Recreation Director Steve Moore; Finance Director Bob Clinger and VCSO  
24 Lieutenant Eric Eagan .

25  
26 **3. INVOCATION AND PLEDGE TO THE FLAG:**

27  
28 Silent Invocation Presented by Mayor Masiarczyk.

29  
30 The National Anthem was sung by Isabel Rios, a sixth grader at Galaxy Middle School.

31  
32 **4. APPROVAL OF MINUTES & AGENDA:**

33  
34 **A. Minutes:**

35  
36 **1. Approval of Minutes – Regular City Commission Meeting of August 18, 2014.**

37  
38 **Motion by Vice Mayor Herzberg, seconded by Commissioner Denizac to approve the minutes of**  
39 **the Regular City Commission Meeting of August 18, 2014.**

40  
41 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
42 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
43 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

44  
45 **B. Additions or Deletions to Agenda:**

46  
47 **City Attorney Becky Vose requested to pull Item 8-G from the agenda and the Commission**  
48 **concurred and Acting City Manager Dale Baker requested to pull Item 5-B from the agenda.**

1 **5. PRESENTATIONS/AWARDS/REPORTS:**

2  
 3 **A. Proclamation - Robert McFall Day - September 3, 2014.**

4  
 5 Mayor Masiarczyk and the Commission presented a Proclamation to Robert McFall in recognition of  
 6 Robert McFall Day, September 3, 2014 and thanked him for his service and dedication to the  
 7 community.

8  
 9 **B. Proclamation - Deltona Professional Fire Fighters Local 2913 Fire Fighter Appreciation**  
 10 **Day - September 3, 2014.**

11  
 12 **Item was pulled from the agenda by the Acting City Manager.**

13  
 14 **6. PUBLIC FORUM – Citizen comments for items not on the agenda.**

15  
 16 a) Rafael Ramirez, thanked the Commission for its support at their BBQ and welcoming them to  
 17 the community.

18  
 19 **7. CONSENT AGENDA:**

20  
 21 Commissioner Denizac asked to pull Items 7-A and 7-C.

22  
 23 **A. Request approval for budget amendment from General Fund to Parks Projects -**  
 24 **Application for Incidental Take Authority for Florida Scrub-Jays located at the 122 Acres.**

25  
 26 Commissioner Denizac stated the application is coming from the P&R Dept., but she thought it was  
 27 a joint venture with Deltona Water. Parks and Recreation Director Steve Moore stated Deltona  
 28 Water has already executed their portion of the responsibilities and now it is P&R turn to do so and  
 29 the permit would be good for 10 years.

30  
 31 Commissioner Denizac asked for an update on the Scrub Jay Mitigation Study.

32  
 33 **Approved by Consent Agenda – to approve the Budget Amendment from General Fund to**  
 34 **Parks Projects.**

35  
 36 **\*B. Resolution 2014-30, amending the existing minimum fund balance policy to add a**  
 37 **Grants Match reserve.**

38  
 39 **Approved by Consent Agenda – to approve Resolution 2014-30 establishing a \$500,000 Grants**  
 40 **Match fund balance reserve.**

41  
 42 **C. Request for approval of Facility Use Agreement for Game Changer Sports Academy**  
 43 **Basketball.**

44  
 45 Commissioner Denizac stated her concern is the entities on the board are from Orange City and the  
 46 City of DeLand and she asked if the kids from Deltona will be served. The Parks and Recreation  
 47 Director replied yes, this is a community wide project that will enhance both the middle and high  
 48 schools and is needed in the community.

1  
 2 Commissioner Denizac stated she would like to see this program expanded to Harris Saxon.

3  
 4 **Motion by Commissioner Denizac, seconded by Vice Mayor Herzberg to approve Consent**  
 5 **Agenda Items 7-A through 7-C.**

6  
 7 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
 8 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
 9 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

10  
 11 **8. ORDINANCES AND PUBLIC HEARINGS:**

12  
 13 **A. Public Hearing - Resolution No. 2014-16, Adopting the Tentative Millage Rate for FY**  
 14 **2014/2015.**

15  
 16 Mayor Masiarczyk opened the public hearing to hear and consider comments and questions regarding  
 17 the City's tentative millage rate and proposed annual budget for the coming fiscal year 2014/2015. The  
 18 City of Deltona hereby proposes a tentative millage rate of 7.99. The tentative millage rate reflects a  
 19 7.6% increase from the rolled-back rate of 7.4250 mills. The justification for the increase is the  
 20 tentative millage rate is higher than the roll-back rate of 7.4250 in order to cover increased property  
 21 costs as well as additional sidewalk construction. The floor is now open to hear public comments and to  
 22 take any questions from the public.

23  
 24 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

25  
 26 Commissioner Barnaby and Commissioner Denizac stated they would not be voting for the millage  
 27 rate as proposed.

28  
 29 Vice Mayor Herzberg asked about the 7.6% increase. The Finance Director explained that was the  
 30 amount of increase above the rollback rate.

31  
 32 Commissioner Schleicher asked the Finance Director if the Commission decided to go back to  
 33 rollback how much would have to be cut from the budget and the Finance Director replied \$899,000  
 34 would need to be cut from the budget.

35  
 36 The Commission discussed if the millage rate as presented is not approved what would be cut from  
 37 the budget, homesteaded property only being allowed to go up 3%, what each Commissioner would  
 38 save each month on their tax bill, can play with the percentages to make them sound good, the  
 39 average homeowner looking to spend an extra dollar or two a month for public safety, putting the  
 40 money toward sidewalks for public safety, the need for paving roads and adding sidewalks, the roads  
 41 being a \$30 million project which will not be cured by the millage increase, the residents know why  
 42 taxes are needed and what it needs to be used for, if there were significant savings by lowering the  
 43 millage rate would make more sense to do so, and the Commission taking a stand during the budget  
 44 hearings and putting money aside for sidewalks.

45  
 46 **Motion by Vice Mayor Herzberg, seconded by Commissioner Nabicht to approve Resolution**  
 47 **No. 2014-16, adopting the tentative millage rate of 7.9900 mills for the levy of ad valorem taxes**  
 48 **for fiscal year 2014/2015.**

1  
 2 The City Attorney read the title of Resolution No. 2014-16.

3  
 4 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA;**  
 5 **ADOPTING A TENTATIVE MILLAGE RATE FOR THE 2014-2015 FISCAL YEAR;**  
 6 **COMPARING TENTATIVE MILLAGE RATE WITH THE ROLLED-BACK RATE;**  
 7 **ESTABLISHING A DATE, TIME, AND PLACE AT WHICH A PUBLIC HEARING WILL**  
 8 **BE HELD TO ADOPT A FINAL MILLAGE RATE; PROVIDING FOR AN EFFECTIVE**  
 9 **DATE.**

10  
 11 **Motion carried with members voting as follows:**

12		
13	<b>Commissioner Barnaby</b>	<b>Against</b>
14	<b>Commissioner Bellizio</b>	<b>For</b>
15	<b>Commissioner Denizac</b>	<b>Against</b>
16	<b>Commissioner Nabicht</b>	<b>For</b>
17	<b>Commissioner Schleicher</b>	<b>For</b>
18	<b>Vice Mayor Herzberg</b>	<b>For</b>
19	<b>Mayor Masiarczyk</b>	<b>For</b>
20		

21 Mayor Masiarczyk stated that the City of Deltona has adopted a tentative millage rate of 7.99 mills for  
 22 fiscal year 2014/2015; the tentative millage rate reflects a 7.6% increase from the rolled-back rate of  
 23 7.4250.

24  
 25 Resolution No. 2014-16 was adopted at 7:05 p.m.

26  
 27 **B. Public Hearing - Resolution No. 2014-17, Adopting the Tentative Annual Budget for FY**  
 28 **2014/2015.**

29  
 30 Mayor Masiarczyk stated the proposed annual budget is summarized as follows: General Fund -  
 31 \$52,570,926; Special Revenue Funds - \$20,994,368; Enterprise Fund - \$64,044,127; Capital Project  
 32 Funds - \$5,375,821; and Total City-wide Annual Budget - \$142,985,242. The floor is now open to hear  
 33 public comments and to take any questions from the public.

34  
 35 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

36  
 37 Vice Mayor Herzberg requested that on Page 79, Line 11, the labor attorney's fees of \$25,000 be  
 38 moved from the City Manager's budget to the City Commission's budget because there is no need  
 39 for any additional money for a labor attorney when the City has the Vose Law Firm that can handle  
 40 that same litigation. Commissioner Denizac disagreed with the change.

41  
 42 Commissioner Barnaby asked why the increase in the labor attorney cost and who placed it in the  
 43 budget and Mr. Clinger replied he did not know why the increase, that it was more of an estimate  
 44 and that the placement of the funds was a collaborated effort between the City Manager and the  
 45 Finance Department. Mr. Baker stated that he believes the increase was due to expected contract  
 46 negotiations in the next fiscal year which may or may not require a labor attorney.

1 Commissioner Barnaby asked if Mrs. Vose had a labor attorney on staff and Mrs. Vose replied there  
 2 is not a specific labor attorney, but she has spent a significant amount of time in the last two (2)  
 3 years coming up to speed in labor law, she feels very qualified to handle this, she has been handling  
 4 it and it would save the City money.

5  
 6 Commissioner Nabicht stated in the budget workshop Mr. Denny stated that the reason for the  
 7 increase was because even though the City just settled the Union contract, the City is getting ready to  
 8 go into Union negotiations again. He stated the City paid this outside labor attorney over \$400,000  
 9 when Mrs. Vose was never in those negotiations until the last six (6) months of the contract  
 10 negotiations. The outside labor attorney is available to Mrs. Vose if necessary, but the problem is  
 11 that staff, department heads, that have contacted the outside labor attorney for advise and never  
 12 asked Mrs. Vose and as a Commission, we decided that “all” legal matters for the City were to go  
 13 through Mrs. Vose first and if anyone was going to contact outside legal counsel it would be Mrs.  
 14 Vose. He stated the money needs to be moved to the Commission’s budget and if Mrs. Vose needs  
 15 it she can make the request before the Commission.

16  
 17 **Motion by Vice Mayor Herzberg, seconded by Commissioner Schleicher to move the labor**  
 18 **attorney’s fees of \$25,000 from the City Manager’s budget to the City Commission’s budget.**

19  
 20 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
 21 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
 22 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

23  
 24 Vice Mayor Herzberg requested to move the Law Enforcement dollars for City events from the  
 25 Parks & Recreation Department to the Law Enforcement budget.

26  
 27 The Commission and staff discussed the dollars being in the Parks and Recreation Department’s  
 28 budget as an accounting issue and to show the Commission the total dollars to put on a City event,  
 29 next year to look at the Law Enforcement event dollars and to make sure they are included in the  
 30 Law Enforcement Agreement, why the increase in the animal control budget and it being based on  
 31 the number of animals picked up, the assumption that both humane societies will not increase their  
 32 rates, more code officers on the street, and the number of animals that are picked up for example  
 33 there were over 80 animals picked up just at one (1) house this year at \$84.00 each for impounding.

34  
 35 **Motion by Commissioner Nabicht, seconded by Vice Mayor Herzberg to approve Resolution**  
 36 **No. 2014-17, adopting a tentative budget for fiscal year 2014/2015, as amended.**

37  
 38 The City Attorney read the title of Resolution No. 2014-17.

39  
 40 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA;**  
 41 **ADOPTING A TENTATIVE BUDGET FOR THE 2014-2015 FISCAL YEAR;**  
 42 **ESTABLISHING A DATE, TIME, AND PLACE AT WHICH A PUBLIC HEARING WILL**  
 43 **BE HELD TO ADOPT A FINAL BUDGET; PROVIDING FOR AN EFFECTIVE DATE.**

44  
 45 **Motion carried with members voting as follows:**

46  
 47 **Commissioner Barnaby**                      **Against**  
 48 **Commissioner Bellizio**                    **For**

1	<b>Commissioner Denizac</b>	<b>Against</b>
2	<b>Commissioner Nabicht</b>	<b>For</b>
3	<b>Commissioner Schleicher</b>	<b>For</b>
4	<b>Vice Mayor Herzberg</b>	<b>For</b>
5	<b>Mayor Masiarczyk</b>	<b>For</b>

6  
 7 Mayor Masiarczyk closed the public hearing.

8  
 9 Resolution No. 2014-17 was adopted at 7:28 p.m.

10  
 11 **C. Ordinance No. 17-2014, Halifax Crossings Business Planned Unit Development, at first**  
 12 **reading and to schedule second and final reading for September 17, 2014.**

13  
 14 Planning and Development Services Assistant Director Ron Paradise gave a brief PowerPoint  
 15 Presentation on Halifax Crossing to include the proposal, land use intensity/density, land use  
 16 compatibility, traffic, and changes to the Development Agreement.

17  
 18 The Commission and staff discussed the County providing all the sufficient money needed to fix the  
 19 roads, where the impact fees would most likely go, the Planning and Zoning Board having not seen  
 20 the changes but had changes that were incorporated, all City impact fees of approximately \$4 million  
 21 from the development for transportation being paid to the City and there being no impact fee credits  
 22 at this time, the \$1.4 million being on top of the City's impact fees for roads, impact fees for Law  
 23 Enforcement and Fire was not looked at, the utility being owned by Volusia County and may have  
 24 some challenges, the item being handled as a Planned Unit Development (BPUD) and would come  
 25 back before the Commission, the 100 foot or 10 stories height restriction only being for Lot 12,  
 26 anything above a 75 feet in height would require significant setbacks, the number of TRIPS for this  
 27 project compared to Saxon Blvd. TRIPS, the Saxon Blvd. TRIPS decreasing significantly after it  
 28 was looked at again, the wide range of uses and the State having to do a "Certificate of Need" for a  
 29 hospital.

30  
 31 **Motion by Commissioner Nabicht, seconded by Commissioner Barnaby to approve Ordinance**  
 32 **No. 17-2014, an amendment to rezone ±148.13 acres of land from Agriculture (A) and**  
 33 **Industrial (I) to BPUD that is located at the northeast quadrant of the SR 472/Interstate 4**  
 34 **interchange, along the north side of Howland Boulevard, and within the Deltona Activity**  
 35 **Center; at first reading and to schedule second and final reading for September 15, 2014.**

36  
 37 Commissioner Denizac stated the Commission needs to be supportive of the project and getting the  
 38 support of the community and the State for a hospital in the area.

39  
 40 Mayor Masiarczyk opened the public hearing.

41  
 42 Bill Barfield, 225 S. Westmont, Suite 2040, Altamonte Springs, stated he worked diligently with staff  
 43 and staff did the City well, an agreement was reached that protects the City but allows this development  
 44 to move forward, the Fire flows were tested and today they work but will be addressed in the future.  
 45 The property is 146 acres and is currently being used as agriculture, it will be a 15-20 year build out, he  
 46 asked that the Development Order have a provision to allow a conditional use to continue agricultural  
 47 on the portions that remain undeveloped anticipating the area along I-4 and Howland being developed  
 48 first and explained some portions will remain undeveloped for a time for example this being done for

1 Deltona Village.

2  
 3 Kristofer Beatty, 2876 Forest Edge Drive, stated the community affected believed that staff knew more  
 4 than was being communicated to the public and that is very obvious tonight, the developer should know  
 5 about the wildlife which live in the property and will need to be dealt with, several years ago a fire  
 6 break was installed which now has vehicular and foot traffic on it, the community requesting gates at  
 7 the fire breaks to deter the vehicle traffic, what does the 40 foot landscape buffer mean and the request  
 8 is that it be kept natural which wouldn't have an impact on the drainage plan of the area, and the  
 9 property is a run off receiving land and the community has never had a drainage problems.

10  
 11 Mayor Masiarczyk closed the public hearing.

12  
 13 Commissioner Bellizio asked that staff identify the issues brought up by Mr. Beatty, the project  
 14 encompassing what the City needs to do economically and he thanked staff for mitigating the issues  
 15 and the community for its involvement.

16  
 17 City Attorney Becky Vose read the title of Ordinance No. 17-2014.

18  
 19 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL**  
 20 **ZONING MAP PURSUANT TO CHAPTER 110, SECTION 1101 OF THE CITY CODE OF**  
 21 **ORDINANCES FOR PROPERTY TOTALING APPROXIMATELY ±148.13 ACRES LOCATED**  
 22 **NORTH OF HOWLAND BLVD./SR 472 AND EAST OF INTERSTATE 4 IN THE DELTONA**  
 23 **ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN**  
 24 **EFFECTIVE DATE.**

25  
 26 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
 27 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
 28 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

29  
 30 Ordinance No. 17-2014 was adopted at 8:12 p.m.

31  
 32 Mr. Barfield asked if that meant that the Commission was not approving the agricultural conditional use  
 33 and Mayor Masiarczyk replied he would bring that up later in the meeting.

34  
 35 Mayor Masiarczyk called a recess at 8:15 p.m. and reconvened at 8:27 p.m.

36  
 37 **D. Ordinance No. 14-2014, amending Section 42-186, of Article IV, "Fire Codes", of**  
 38 **Chapter 42, "Fire Prevention and Protection", of the Code of the City of Deltona, Adopting**  
 39 **More Recent Standard Code Provisions and Providing for New Methods of Appeals of Certain**  
 40 **Decisions, at first reading and to schedule second and final reading for September 15, 2014.**

41  
 42 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

43  
 44 **Motion by Commissioner Schleicher, seconded by Vice Mayor Herzberg to adopt Ordinance**  
 45 **No. 14-2014 at first reading, and to schedule second and final reading for September 15, 2014.**

46  
 47 City Attorney Becky Vose read the title of Ordinance No. 14-2014.

48  
 49 **AN ORDINANCE AMENDING SECTION 42-186, OF ARTICLE IV, "FIRE CODES", OF**  
 12 **Item 4A**

1 **CHAPTER 42, "FIRE PREVENTION AND PROTECTION", OF THE CODE OF THE CITY**  
2 **OF DELTONA, FLORIDA, ADOPTING MORE RECENT STANDARD CODE**  
3 **PROVISIONS AND PROVIDING FOR NEW METHODS OF APPEALS OF CERTAIN**  
4 **DECISIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND**  
5 **AN EFFECTIVE DATE.**

6  
7 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
8 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
9 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

10  
11 Ordinance No. 14-2014 was adopted at 7:28 p.m.

12  
13 **E. Ordinance No. 24-2014, to amend alarm ordinance to include false fire alarms, at first**  
14 **reading and to schedule second and final reading for September 15, 2014.**

15  
16 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

17  
18 **Motion by Commissioner Schleicher, seconded by Vice Mayor Herzberg to approve Ordinance**  
19 **No. 26-2014 on first reading and to schedule second reading for September 15, 2014.**

20  
21 City Attorney Becky Vose read the title of Ordinance No. 24-2014.

22  
23 **AN ORDINANCE AMENDING DIVISION 2 OF CHAPTER 34, "EMERGENCY**  
24 **SERVICES" OF THE CODE OF THE CITY OF DELTONA, FLORIDA, ADDING FIRE**  
25 **ALARMS TO REGULATIONS GOVERNING OTHER EMERGENCY SERVICE**  
26 **ALARMS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN**  
27 **EFFECTIVE DATE.**

28  
29 Commissioner Barnaby asked for clarification on the ordinance number which was stated in the motion  
30 as number 26 and the item title shows number 24 and Mrs. Vose stated the ordinance is number 24.

31  
32 **Amended Motion by Commissioner Schleicher, seconded by Vice Mayor Herzberg to approve**  
33 **Ordinance No. 24-2014 on first reading and to schedule second reading for September 15, 2014.**

34  
35 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
36 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
37 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

38  
39 Ordinance No. 24-2014 was adopted at 7:30 p.m.

40  
41 **F. Ordinance No. 25-2014, Sales of Food on House of Worship Property, at first reading**  
42 **and to schedule second and final reading for September 15, 2014.**

43  
44 Commissioner Bellizio stated the development of the ordinance was by a combined effort of the City  
45 Commission, City Staff and the public to turn an issue into a productive outcome and he hopes this  
46 can be done more in the future. He commended everyone for solving an issue the proper way.

1  
 2 Vice Mayor Herzberg asked if the \$20 fee was reasonable as if there is no permit there is no fee.  
 3 Mayor Masiarczyk replied it is an annual fee of \$20 per property.

4  
 5 **Motion by Commissioner Nabicht, seconded by Commissioner Schleicher to approve Ordinance**  
 6 **No. 25-2014 on first reading and to schedule second reading for September 15, 2014.**

7  
 8 Mayor Masiarczyk opened the public hearing.

9  
 10 Terrie Maxwell, 1671 Montecito Blvd, stated she has an issue with the church being charged the \$20  
 11 fee, picking and choosing which vendor to be on the property, changing the wording to allow two (2)  
 12 vendors with different products on the property for one (1) day a week and she asked when and where  
 13 the permit would be available for the church.

14  
 15 Mayor Masiarczyk closed the public hearing.

16  
 17 Vice Mayor Herzberg asked if the church was not zoned residential, but zoned commercial what  
 18 would the difference be and Commissioner Nabicht replied the item would not be discussed because  
 19 it would be permitted. Vice Mayor Herzberg stated the ordinance being drafted is for one (1) entity  
 20 and a solution being to rezone in-house this particular property to commercial rather than residential  
 21 on a case by case basis. Mayor Masiarczyk stated the cost to do so would be expensive to the church.

22  
 23 Planning and Development Services Director Chris Bowley stated some tracks had deed restrictions  
 24 on then in perpetuity which cannot be rezoned without going through numerous layers as far back as  
 25 the Deltona Corporation.

26  
 27 City Attorney Becky Vose read the title of Ordinance No. 25-2014.

28  
 29 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING ARTICLE VI,**  
 30 **“STREET VENDORS”, OF CHAPTER 22 “BUSINESSES”, OF THE CODE OF THE CITY**  
 31 **OF DELTONA, MAKING AN EXCEPTION FOR FOOD SALES ON HOUSE OF WORSHIP**  
 32 **PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING FOR ISSUANCE OF**  
 33 **PERMITS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND**  
 34 **FOR AN EFFECTIVE DATE.**

35  
 36 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
 37 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**  
 38 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

39  
 40 Ordinance No. 25-2014 was adopted at 8:48 p.m.

41  
 42 **G. Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental**  
 43 **Regulatory License Ordinance.**

44  
 45 **Item was pulled from the agenda by the City Attorney.**

46  
 47 **9. OLD BUSINESS: None.**  
 48

1 **10. NEW BUSINESS:**  
2

3 Mayor Masiarczyk asked staff to provide the Commission with more information on the agriculture  
4 conditional use requested by Mr. Barfield on Item 8-C.  
5

6 Mayor Masiarczyk stated he had a letter from Healthy Start Coalition of Volusia/Flagler County on  
7 May 19<sup>th</sup> to follow-up on a visit to view the Deltona City Hall facility, apparently the organization  
8 has viewed the classrooms and would like to use the room to interview people for Healthy Start  
9 services.  
10

11 Vice Mayor Herzberg stated Healthy Start is partnering with Daytona State College Center for  
12 Women and Men which helps students with families and adults with families reintegrate into the  
13 system and stay in school and Healthy Start has a small space in the Community Center, there is no  
14 Department of Children and Families (DCF) office in Deltona, Healthy Start can help people  
15 navigate the applications to receive benefits, there are prenatal services as of July 1<sup>st</sup> all prenatal  
16 services have been cancelled through the Health Department and anyone who needs those services  
17 have to go to DeLand, Healthy Start will coordinate people meet their educational goals and the  
18 point is that we have the highest birth rate and the most need and there are no social services, there is  
19 classroom space available in City Hall which is currently being used for storage, Florida Hospital  
20 has also requested to use the classrooms for programs at no cost to us because the City is already  
21 heating and air conditioning the space, this is also on a bus route and she asked that the City consider  
22 allowing social services to come to the City and use those classrooms that are sitting idle.  
23

24 Commissioner Denizac suggested the more accessible place is the Harris Saxon Community Center  
25 because of the need in that area and there are computers available at Pine Ridge for people to use.  
26

27 Mayor Masiarczyk asked staff to find out what the organization's needs are and Vice Mayor  
28 Herzberg stated the organization is willing to come to a meeting and do a presentation.  
29

30 **11. CITY ATTORNEY COMMENTS:** None.  
31

32 **12. CITY MANAGER COMMENTS:**  
33

34 **A. Lobbyist Update:**  
35

36 Mr. Baker stated the Lobbyist is available on Monday, October 6, 2014 at a Workshop starting at  
37 5:30 p.m. before the Regular City Commission meeting and then a presentation with their general  
38 accomplishments for the public at the 6:30 p.m. Regular Commission Meeting and Mayor  
39 Masiarczyk asked that the Commission have a list of what to talk about so the Lobbyist can be  
40 moved in the right direction.  
41

42 **13. CITY COMMISSION COMMENTS:**  
43

44 a) Commissioner Denizac stated last year she held a Domestic Violence Forum, she would like to  
45 put together a "Domestic Violence March" at no cost to the City, she could get donations to assist with  
46 the event, she was looking at October 18<sup>th</sup> as the day and if there was no opposition she would like to  
47 proceed with the event.  
48

1 b) Commissioner Bellizio stated he is concerned with the City's liability when it comes to  
2 organizations coming to City Hall and using its facilities, and he commended any individual who  
3 chooses to serve as an elected official.  
4

5 c) Commissioner Schleicher welcomed Mr. Baker, announced the grand opening of the skating rink  
6 on Friday morning at 11:00 a.m. and the next week at the RaceTrac on Howland Blvd. at Noon.  
7

8 d) Vice Mayor Herzberg stated on September 27<sup>th</sup> in conjunction with Florida Hospital Fish and the  
9 rest of the Florida Hospitals will be hosting a Heart Caring Women's Health Conference at the Deltona  
10 Library from 10:00 a.m. – 1:30 p.m.  
11

12 e) Mayor Masiarczyk stated the Florida League of Cities Dinner is Thursday September 25<sup>th</sup> in  
13 DeLand at the new Sanborn Center, the City of Ormond Beach got involved in putting some money into  
14 a senior apartment complex in the city and he would like to contact Mayor Kelly and if you hear  
15 anything he will be trying to get information as to how the city got involved and he welcomed Mr.  
16 Baker.  
17

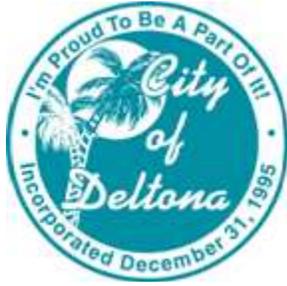
18 **14. ADJOURNMENT:**  
19

20 There being no further business, the meeting adjourned at 9:06 p.m.  
21  
22  
23  
24  
25

26 \_\_\_\_\_  
27 **John Masiarczyk Sr., Mayor**  
28

29 **ATTEST:**  
30  
31  
32

33 \_\_\_\_\_  
**Janet Day, Deputy City Clerk**



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager            **AGENDA ITEM:** 5 - A  
**SUBJECT:** Presentation of Certificates - West Volusia Youth Baseball League  
(WVYB) 13U All-Star State Champions.

**LOCATION:**

N/A

**BACKGROUND:**

The 13U All Star team was led by Manager Bobby Neller along with Coaches Wilfredo Munoz, Mike Daly and Ron Gregory. The team consisted of the best 13 year old All Stars at West Volusia Youth Baseball. These fine young men, along with a great group of parents, bested all of the teams in the state by finishing undefeated. In the tournament held in Sebring, FL. They were truly a team that was the sum of all it's parts with different players stepping up when needed.

With the state title in hand, the boys had 8 days to raise enough money to participate in the World Series in Bossier City, Louisiana (pronounced Bozer City). Throughout this incredible journey the boys were blessed to have Kelley Daly and Paula Neller to help coordinate all fundraising activities. Their support was immeasurable to the players and parents alike.

Although the boys didn't win the World Series title, they took home an award that is representative of themselves, their parents, coaches, and West Volusia Youth Baseball – the National Sportsmanship Award. It is the first time Florida has ever received this award and the decision to give it to these men was unanimous by the voting committee.

**ORIGINATING DEPARTMENT:**

City Manager's Office

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

City Clerk

**STAFF  
RECOMMENDATION  
PRESENTED BY:**

N/A - Presentations only.

**POTENTIAL  
MOTION:**

N/A - Presentations only.

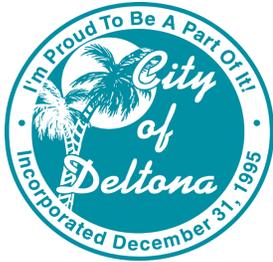
**AGENDA ITEM  
APPROVED BY:**

---

Dale Baker, Acting City Manager

**ATTACHMENTS:**

- West Volusia Youth Baseball All Star State Champions



# *City of Deltona*

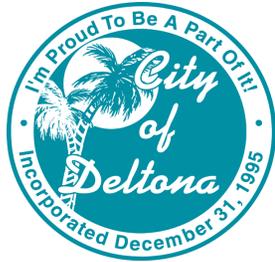
*Certificate of Recognition  
to*

**Bobby Neller, Manager  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of your management and leadership abilities  
in winning the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# *City of Deltona*

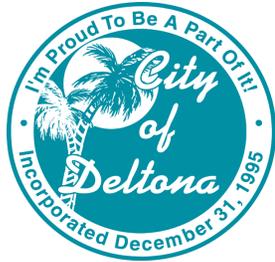
*Certificate of Recognition  
to*

**Mike Daly, Assistant Coach  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of your coaching and leadership abilities  
in winning the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# *City of Deltona*

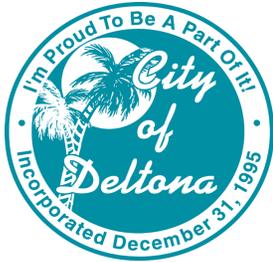
*Certificate of Recognition  
to*

**Ronnie Gregory, Assistant Coach  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of your coaching and leadership abilities  
in winning the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# *City of Deltona*

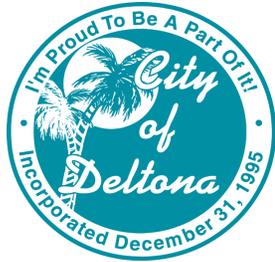
*Certificate of Recognition  
to*

**Wilfredo Munoz, Assistant Coach  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of your coaching and leadership abilities  
in winning the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

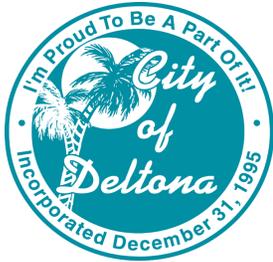
*Certificate of Recognition  
to*

**Julius Ayala**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

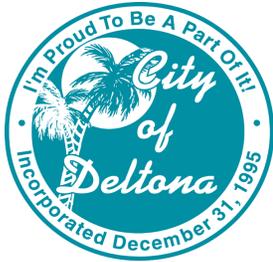
*Certificate of Recognition  
to*

**David Barahona**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

*Certificate of Recognition  
to*

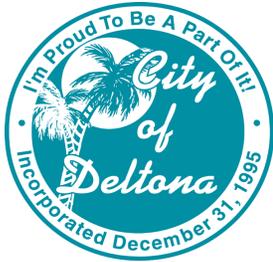
**Joey Brill**

**West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# *City of Deltona*

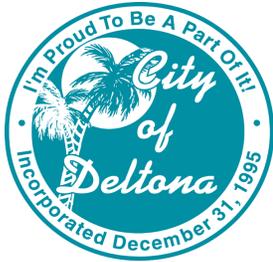
*Certificate of Recognition  
to*

**Graeme Daly**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

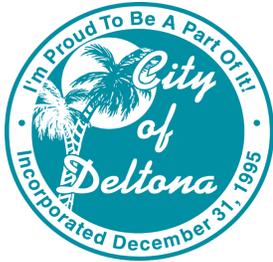
*Certificate of Recognition  
to*

**Micael Garcia**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

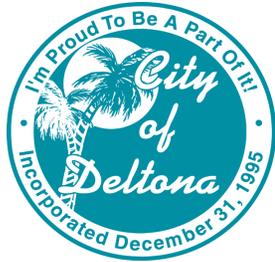
*Certificate of Recognition  
to*

**Tyler Gregory**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

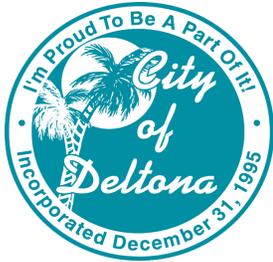
*Certificate of Recognition  
to*

**Dilyn Lemons**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# *City of Deltona*

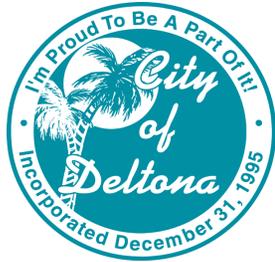
*Certificate of Recognition  
to*

**Jafed Negron  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

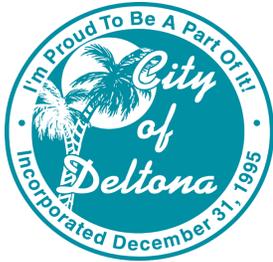
*Certificate of Recognition  
to*

**Hunter Neller  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# *City of Deltona*

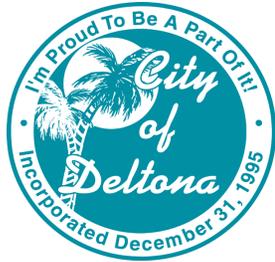
*Certificate of Recognition  
to*

**Gabriel Pellot**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

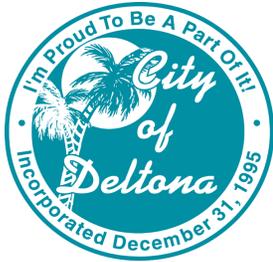
*Certificate of Recognition  
to*

**Dean Revlett  
West Volusia Youth Baseball  
13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor



# City of Deltona

*Certificate of Recognition  
to*

**Ethan Spinner**  
**West Volusia Youth Baseball**  
**13U All-Star State Champions**

In recognition of you and your team winning  
the 2014 13U All-Star State Championship.

September 15, 2014

\_\_\_\_\_  
John Masiarczyk, Mayor

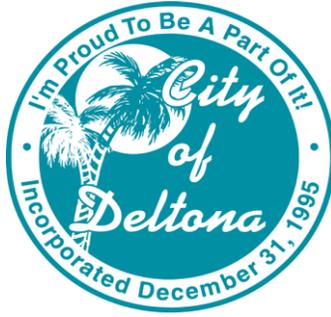


## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager            **AGENDA ITEM:** 5 - B  
**SUBJECT:** Recognition - John Atkinson 2014 Secondary Principal of the Year - September 15, 2014.

---

<b>LOCATION:</b>	City - Wide
<b>BACKGROUND:</b>	Recognition for John Atkinson being named the 2014 Secondary Principal of the Year by the School District of Volusia County and FUTURES Foundation.
<b>ORIGINATING DEPARTMENT:</b>	City Manager's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	City Clerk
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	N/A - Recognition/Proclamation only.
<b>POTENTIAL MOTION:</b>	N/A - Recognition/Proclamation only.
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• John Atkinson 2014 Secondary Principal of the Year</li></ul>



**WHEREAS**, the City of Deltona would like to recognize John Atkinson, Principal of Pine Ridge High School, for serving in the Volusia County School system for 24 years; and

**WHEREAS**, John Atkinson has served a total of 15 years as Principal with 9 years in Elementary School, 3 years in Middle School and 3 years at Pine Ridge High School; and

**WHEREAS**, through Mr. Atkinson's leadership, Pine Ridge High School received its first B grade for the school year 2012-2013; and

**WHEREAS**, through Mr. Atkinson's leadership, Pine Ridge High School received its first Five Star School Award for outstanding parent and community involvement.

**NOW, THEREFORE**, We, the Mayor and City Commission of Deltona, Florida, do hereby recognize John Atkinson on his many achievements and encourage all citizens to join together and congratulate him on being named the

## **“2014 Secondary Principal of the Year”**

by the School District of Volusia County and FUTURES Foundation.

**EXECUTED** this 15<sup>th</sup> day of September, 2014.

---

*John Masiarczyk, Mayor*



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 5 - C  
**SUBJECT:** Recognition and presentation to IT System Administrator Robert Cordero for completing the Certified Public Technology Manager at the top of his class.

**LOCATION:**

N/A

**BACKGROUND:**

Robert Cordero joined the City of Deltona's IT staff in February of 2003 as a PC Technician and through hard work and a willingness to learn and grow professionally he rose through the ranks to System Administrator and then Information Systems Supervisor and with the IT Division's development into an IT Department now IT Manager.

His progress is both a testament to his never ending desire to be the best IT professional he can possibly be to and to the City's commitment to opportunity and professional advancement. Robert's commitment to his profession coupled with his great customer service skills are both an example to all employees and invaluable asset to the IT team.

Robert recently completed his certification through the Florida Institute of Government at Florida State University, finishing in the top three in his class and is now recognized as a Certified Public Technology Manager.

Congratulations to Robert on his achievement. Job well done.

**ORIGINATING DEPARTMENT:**

City Manager's Office

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

Acting City Manager

**STAFF**

**RECOMMENDATION  
PRESENTED BY:**

N/A - Presentation Only.

**POTENTIAL  
MOTION:**

N/A - Presentation Only.

**AGENDA ITEM  
APPROVED BY:**

---

Dale Baker, Acting City Manager



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 7 - A  
**SUBJECT:** Request for consideration of change in Commission meeting dates for 2014 holiday season and approval of the 2015 holiday meeting schedule.

**LOCATION:**

N/A

**BACKGROUND:**

In the past, the Commission has chosen to change the Commission meeting schedule in December due to the holiday season, i.e. combining the two (2) regular meetings in December to one (1) meeting in the middle of the month of December and to have no workshops during the month of December.

At the regular City Commission meeting on October 7, 2013, staff presented and the Commission approved the 2014 City Commission meeting schedule which included only one (1) regular City Commission meeting on Monday, December 15, 2014. Staff is presenting for the Commission's approval to not have any workshops in the month of December which are tentatively scheduled for December 8<sup>th</sup> and 22<sup>nd</sup>.

Also, attached for the Commission's approval is the proposed schedule for the 2015 City Commission meetings which includes one (1) regular City Commission meeting and no workshops for the month of December, 2015 and for the Commission's information the invocation schedule for 2015.

**ORIGINATING DEPARTMENT:**

City Manager's Office

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

City Clerk

**STAFF**

**RECOMMENDATION  
PRESENTED BY:**

Dale Baker, Acting City Manager - to confirm the December Commission meeting schedule to include only one (1) Regular Commission Meeting on Monday, December 15th, and no Commission workshop meetings in the month of December 2014 and to approve the meeting and invocation calendars for 2015 as presented.

**POTENTIAL  
MOTION:**

"I move to change the December meeting schedule to include only one (1) Regular Commission meeting on Monday, December 15th and no Commission Workshop meetings in the month of December 2014 and to approve the meeting and invocation calendars for 2015 as presented."

**AGENDA ITEM  
APPROVED BY:**

---

Dale Baker, Acting City Manager

**ATTACHMENTS:**

- 2014 Holiday Meeting Schedule
- 2015 Holiday Meeting Schedule
- 2015 Invocation Meeting Schedule

**City of Deltona**  
**City Commission Meeting Dates and City Holiday Schedule**  
**January – December, 2014**

**City Commission Meeting Dates**

The City of Deltona City Commission meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month (unless otherwise noted below) in the Commission Chambers located in City Hall, 2345 Providence Blvd., Deltona, FL. For questions on any Commission or Workshop meeting, please contact the City Clerk's Office at (386) 878-8500.

January	6 <sup>th</sup> and *21 <sup>st</sup>	July	7 <sup>th</sup> and 21 <sup>st</sup>
February	3 <sup>rd</sup> and 17 <sup>th</sup>	August	4 <sup>th</sup> and 18 <sup>th</sup>
March	3 <sup>rd</sup> and 17 <sup>th</sup>	September	*2 <sup>nd</sup> and 15 <sup>th</sup>
April	7 <sup>th</sup> and 21 <sup>st</sup>	October	6 <sup>th</sup> and 20 <sup>th</sup>
May	5 <sup>th</sup> and 19 <sup>th</sup>	November	3 <sup>rd</sup> and 17 <sup>th</sup>
June	2 <sup>nd</sup> and 16 <sup>th</sup>	December	15 <sup>th</sup>

The City of Deltona City Commission Workshops take place the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month at 5:30 p.m. and are held in the 2<sup>nd</sup> Floor Conference Room located in City Hall, 2345 Providence Blvd., Deltona, FL and are subject to change or be cancelled due to no topics. Special Meetings of the City Commission are scheduled as needed.

**City Holiday Schedule**

January	1 <sup>st</sup> – New Year's Day
January	20 <sup>th</sup> – Martin Luther King, Jr. Day
April	18 <sup>th</sup> – Good Friday
May	26 <sup>th</sup> – Memorial Day
July	4 <sup>th</sup> – Independence Day
September	1 <sup>st</sup> – Labor Day
November	11 <sup>th</sup> – Veteran's Day 27 <sup>th</sup> – Thanksgiving Day 28 <sup>th</sup> – Thanksgiving Friday
December	24 <sup>th</sup> – Christmas Eve Wednesday 25 <sup>th</sup> – Christmas Day Thursday

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.

**City of Deltona**  
**City Commission Meeting Dates and City Holiday Schedule**  
**January – December, 2015**

**City Commission Meeting Dates**

The City of Deltona City Commission meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month (unless otherwise noted below) in the Commission Chambers located in City Hall, 2345 Providence Blvd., Deltona, FL. For questions on any Commission or Workshop meeting, please contact the City Clerk's Office at (386) 878-8500.

January	5 <sup>th</sup> and *20 <sup>th</sup>	July	6 <sup>th</sup> and 20 <sup>th</sup>
February	2 <sup>nd</sup> and 16 <sup>th</sup>	August	3 <sup>rd</sup> and 17 <sup>th</sup>
March	2 <sup>nd</sup> and 16 <sup>th</sup>	September	*8 <sup>th</sup> and 21 <sup>st</sup>
April	6 <sup>th</sup> and 20 <sup>th</sup>	October	5 <sup>th</sup> and 19 <sup>th</sup>
May	4 <sup>th</sup> and 18 <sup>th</sup>	November	2 <sup>nd</sup> and 16 <sup>th</sup>
June	1 <sup>st</sup> and 15 <sup>th</sup>	December	14 <sup>th</sup>

The City of Deltona City Commission Workshops take place the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month at 5:30 p.m. and are held in the 2<sup>nd</sup> Floor Conference Room located in City Hall, 2345 Providence Blvd., Deltona, FL and are subject to change or be cancelled due to no topics. Special Meetings of the City Commission are scheduled as needed. There will not be any workshop meetings in the month of December.

**City Holiday Schedule**

January	1 <sup>st</sup> – New Year's Day
January	19 <sup>th</sup> – Martin Luther King, Jr. Day
April	3 <sup>rd</sup> – Good Friday
May	25 <sup>th</sup> – Memorial Day
July	3 <sup>rd</sup> - 4 <sup>th</sup> Independence Day
September	7 <sup>th</sup> – Labor Day
November	11 <sup>th</sup> – Veteran's Day 26 <sup>th</sup> – Thanksgiving Day 27 <sup>th</sup> – Thanksgiving Friday
December	24 <sup>th</sup> – Christmas Eve Thursday 25 <sup>th</sup> – Christmas Day Friday

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.

**City of Deltona**  
**City Commission Meeting Dates and Invocation Schedule**  
**January – December, 2015**

At the Workshop on Monday, October 10, 2011, the City Commission concurred to have each Commissioner by District schedule someone to present the invocation at each Regular City Commission meeting rotating each Commissioner by District starting with District #1, #2, #3, #4, #5, #6 and the Mayor. The Commissioner will need to provide the name of the person(s) giving the invocation and the organization they are with to the City Clerk's Office 10 days prior to the meeting date (see below), the invocation should be 100 words or less, if a Commissioner does not have someone to present the invocation and it is their designated meeting then that Commissioner can present the invocation themselves if they so choose or the information is not provided to the City Clerk's Office by the due date then the agenda will read "Silent Invocation" as it does currently.

Below are the dates for the City Commission Meetings, the Commissioner by District # responsible for scheduling the invocation and the date the information is due to the City Clerk's Office in order to be placed on the agenda.

<b>MEETING DATE</b>	<b>COMMISSIONER'S DISTRICT #</b>	<b>INFO. DUE TO CLERK</b>
January 5, 2015	Mayor	December 26, 2014
January 20, 2015	District #1 Commissioner	January 9, 2015
February 2, 2015	District #2 Commissioner	January 23, 2015
February 16, 2015	District #3 Commissioner	February 6, 2015
March 2, 2015	District #4 Commissioner	February 20, 2015
March 16, 2015	District #5 Commissioner	March 6, 2015
April 6, 2015	District #6 Commissioner	March 20, 2015
April 20, 2015	Mayor	April 10, 2015
May 4, 2015	District #1 Commissioner	April 24, 2015
May 18, 2015	District #2 Commissioner	May 8, 2015
June 1, 2015	District #3 Commissioner	May 22, 2015
June 15, 2015	District #4 Commissioner	June 5, 2015
July 6, 2015	District #5 Commissioner	June 26, 2015
July 20, 2015	District #6 Commissioner	July 10, 2015
August 3, 2015	Mayor	July 24, 2015
August 17, 2015	District #1 Commissioner	August 7, 2015
September 8, 2015	District #2 Commissioner	August 21, 2015
September 21, 2015	District #3 Commissioner	September 4, 2015
October 5, 2015	District #4 Commissioner	September 25, 2015
October 19, 2015	District #5 Commissioner	October 9, 2015
November 2, 2015	District #6 Commissioner	October 23, 2015
November 16, 2015	Mayor	November 6, 2015
December 14, 2015	District #1 Commissioner	December 4, 2015



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 7 - B  
**SUBJECT:** Request for consideration and approval of Memorandum of Understanding (MOU) between the City of Deltona and the West Volusia Audubon Society, Inc.

**LOCATION:**

City wide

**BACKGROUND:**

The City of Deltona and the West Volusia Audubon Society, Inc., have certain common goals which include the preservation of important scrub jay habitat, the education of the public as to the importance of the preservation of natural resources and wildlife, and the encouragement of eco-tourism consistent with both their goals.

They recognize that there is a mutual advantage in working together to accomplish certain goals common to both entities.

The purpose of this Memorandum of Understanding is to set forth terms and conditions under which the City of Deltona and the West Volusia Audubon Society, Inc., can cooperate in fulfilling common goals of both entities.

Under the MOU, Deltona and Audubon will work together to apply for and obtain grant funds and donations that will benefit both of the parties to the MOU.

**ORIGINATING DEPARTMENT:**

City Attorney's Office

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

Planning and Development Services, Finance Department, Acting City Manager, City Attorney

**STAFF RECOMMENDATION**

Becky Vose, City Attorney – That the City Commission

**PRESENTED BY:**

consider and approve the Memorandum of Understanding between the City of Deltona and the West Volusia Audubon Society, Inc.

**POTENTIAL MOTION:**

“I move approve the Memorandum of Understanding between the City of Deltona and the West Volusia Audubon Society, Inc.”

**AGENDA ITEM APPROVED BY:**

---

Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Audubon Memorandum of Understanding

## MEMORANDUM OF UNDERSTANDING

**THE PARTIES TO THIS MEMORANDUM OF UNDERSTANDING (“MOU”)** are the City of Deltona, a Florida municipal corporation, (“Deltona”), and the West Volusia Audubon Society, Inc., a Florida not for profit corporation, (“Audubon”). The purpose of this MOU is to set forth terms and conditions under which Deltona and Audubon can cooperate in fulfilling common goals of both entities.

WHEREAS, Deltona and Audubon have certain common goals which include the preservation of important scrub jay habitat, the education of the public as to the importance of the preservation of natural resources and wildlife, and the encouragement of eco-tourism consistent with the goals of Audubon and Deltona; and

WHEREAS, Deltona and Audubon recognize that there is a mutual advantage in working together to accomplish certain goals common to both entities;

NOW, THEREFORE, it is agreed between Deltona and Audubon as follows:

1. **Recitations.** The recitations above are a part of this MOU.
2. **Grants and Donations.** Deltona and Audubon will work together to apply for and obtain grant funds and donations that will benefit both of the parties to this MOU. Grant applications under this MOU shall only be submitted if both parties agree to such submission.
3. **Funds.** Once funds are acquired through a grant or donation for which the parties have cooperated, such funds shall be held by Audubon in a bank sub-account that segregates such funds. Audubon will keep accurate records of funds that are deposited and disbursed from that sub-account and shall make those records available to Deltona upon the request of Deltona. Disbursements from such sub-account shall only be upon the direction of the Finance Director of Deltona. Audubon will not be responsible for completion of any work order forms, shipping orders or other like paperwork and will only be responsible for disbursing funds to payees/vendors as instructed by the Finance Director of Deltona.
4. **Assistance with paperwork.** Deltona will provide assistance to Audubon when requested in the completion of grant applications, and the completion of any required forms or paperwork required during the pendency of any grant, or to fulfill reporting requirements after the end of any grant.
5. **Cancellation.** This MOU may be cancelled by either party upon thirty (30) days written notice to the other party; provided, however that Audubon’s responsibilities regarding the handling of funds already in its sub-account shall survive the cancellation of this MOU.

- 6. **Notices.** Notices under this MOU shall be effective upon personal delivery or five (5) days after the placing of such notice in the U.S. Mail, postage prepaid to the following addresses:

If to Deltona:

City Manager  
 City of Deltona  
 2345 Providence Boulevard  
 Deltona, Florida 32725

with copy to:

Gretchen R. H. Vose, City Attorney  
 324 W. Morse Blvd.  
 Winter Park, Florida 32789

If to Audubon:

West Volusia Audubon Society, Inc.  
 P.O. Box 1268  
 Deland, Florida 32721-1268

with copy to:

Stephen Kintner  
 Vice President for Conservation  
 2412 Oxford Rd.  
 DeLand, Florida 32724

This Memorandum of Understanding was entered into this \_\_\_ day of \_\_\_\_\_, 2014.

**West Volusia Audubon Society, Inc.**

**City of Deltona, Florida**

\_\_\_\_\_  
 By: Harry Robinson  
 Co-President

\_\_\_\_\_  
 By:



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager            **AGENDA ITEM:** 8 - A  
**SUBJECT:** Public Hearing - Resolution No. 2014-18, Adopting the Final Millage Rate for FY 2014/2015.

**LOCATION:**

City-wide.

**BACKGROUND:**

State law requires that the City hold a public hearing to adopt the final millage rate and budget.

At this hearing, the City will:

- First discuss the percentage increase or decrease in millage over the rolled-back rate. The millage rate reflects a 7.6% increase from the rolled-back rate.
- Adopt the millage rate and budget by separate votes with the millage adopted first. The millage rate adopted cannot exceed the millage rate tentatively adopted.
- Prior to adopting the millage-levy resolution, the name of the taxing authority (City of Deltona, Florida), the rolled-back rate (7.4250), the percentage increase (7.6%), and the millage rate to be levied (7.9900) must be publicly announced.

**ORIGINATING DEPARTMENT:**

Finance

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

Acting Deputy City Manager, City Attorney, Finance Director

**STAFF RECOMMENDATION PRESENTED BY:**

Robert Clinger, Finance Director - to adopt the final millage rate of 7.9900 for FY 2014/2015.

**POTENTIAL**

**MOTION:**

“I move for the approval of Resolution No. 2014-18, adopting the final millage rate of 7.9900 mills for the levy of ad valorem taxes for fiscal year 2014/2015.”

**AGENDA ITEM  
APPROVED BY:**

---

Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Resolution No. 2014-18-Final Millage Rate

**RESOLUTION NO. 2014-18****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; ADOPTING AN AD VALOREM MILLAGE RATE FOR THE 2014-2015 FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, on September 3, 2014, City Commission adopted a tentative millage rate and a tentative budget, and established a date, time, and place for a public hearing to consider the final millage rate and the final budget for the 2014-2015 fiscal year; and

**WHEREAS**, the City Manager has delivered a recommended final budget for the 2014-2015 fiscal year; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA**, as follows:

**Section 1.** A final ad valorem millage rate of 7.9900 mills is hereby adopted and levied for the 2014-2015 fiscal year.

**Section 2.** The final ad valorem millage rate of 7.9900 mills is 7.6 percent more than the rolled-back rate of 7.4250.

**Section 3.** This resolution shall take effect immediately upon its final adoption by the City Commission.

City of Deltona, Florida  
Resolution No. 2014-18  
Page 2 of 2

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

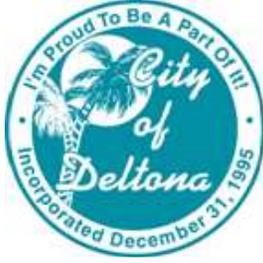
BY: \_\_\_\_\_  
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, City Clerk

Approved as to form and legality for use  
and reliance of the City of Deltona, Florida:

\_\_\_\_\_  
GRETCHEN R.H. VOSE, City Attorney



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 8 - B  
**SUBJECT:** Public Hearing - Resolution No. 2014-19, Adopting the Final Annual Budget for FY 2014/2015.

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<b>LOCATION:</b>	City-wide.
<b>BACKGROUND:</b>	State law requires that the City hold a public hearing to adopt the final millage rate and budget. This agenda item is to adopt the final budget.  Under this agenda item the City will, after having adopted the final millage rate, adopt the final budget by separate vote.
<b>ORIGINATING DEPARTMENT:</b>	Finance
<b>SOURCE OF FUNDS:</b>	FY 14/15 Annual Budget
<b>COST:</b>	Total proposed annual budget including all funds: \$142,985,242.
<b>REVIEWED BY:</b>	Acting Deputy City Manager, City Attorney, Finance Director
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	Robert Clinger, Finance Director - to adopt the final annual budget for FY 2014/2015.
<b>POTENTIAL MOTION:</b>	“I move for the approval of Resolution No. 2014-19, adopting the final General Fund, Special Revenue Funds, Enterprise Fund, and Capital Project Funds budgets for fiscal year 2014/2015.”
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• Resolution No. 2014-19-Final Annual Budget</li></ul>

**RESOLUTION NO. 2014-19****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; ADOPTING THE FINAL ANNUAL GENERAL FUND, SPECIAL REVENUE FUNDS, ENTERPRISE FUND, AND CAPITAL PROJECT FUNDS BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, on September 3, 2014, City Commission adopted a tentative millage rate and a tentative budget, and established a date, time, and place for a public hearing to consider the final millage rate and the final budget for the 2014-2015 fiscal year; and

**WHEREAS**, the City Manager has delivered a recommended final budget for the 2014-2015 fiscal year; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA**, as follows:

**Section 1.** The City Commission hereby adopts the final General Fund, Special Revenue Funds, Enterprise Fund, and Capital Project Funds budgets, which are attached hereto and by reference made a part hereof, of the City of Deltona, Florida, for the fiscal year beginning October 1, 2014, and ending September 30, 2015, said budgets showing combined sources and uses of \$142,985,242.

**Section 2.** This resolution shall take effect immediately upon its final adoption by the City Commission.

City of Deltona, Florida  
Resolution No. 2014-19  
Page 2 of 2

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

BY: \_\_\_\_\_  
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, City Clerk

Approved as to form and legality for use  
and reliance of the City of Deltona,  
Florida:

\_\_\_\_\_  
GRETCHEN R.H. VOSE, City Attorney



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014

**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 8 - C

**SUBJECT:** Public Hearing - Ordinance No. 14-2014, amending Section 42-186, of Article IV, "Fire Codes", of Chapter 42, "Fire Prevention and Protection", of the Code of the City of Deltona, Adopting More Recent Standard Code Provisions and Providing for New Methods of Appeals of Certain Decisions, at second and final reading.

**LOCATION:**

N/A

**BACKGROUND:**

The current city code adopts the 2001 Florida Fire Prevention Code and the 1994 Life Safety Code. This ordinance adopts the most recent edition of the Florida Fire Prevention Code, as adopted by the State Fire Marshal, which contains the Florida specific version of NFPA 1, Fire Code and NFPA 101, Life Safety Code.

This ordinance also provides that appeals of decisions of the city Life Safety Manager pertaining to the codes may be appealed to the city Fire Chief. In the event a dispute occurs that is not resolved by the appeal to the Fire Chief, an appeal can be taken to the city's Special Magistrate.

**ORIGINATING DEPARTMENT:**

City Attorney's Office

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

Finance Director, City Attorney, Acting City Manager

**STAFF RECOMMENDATION PRESENTED BY:**

City Attorney Becky Vose - That the City Commission adopt Ordinance No. 14-2014 at second and final reading.

**POTENTIAL MOTION:**

"I move to adopt Ordinance No. 14-2014, at second and

**AGENDA ITEM  
APPROVED BY:**

final reading.”

---

Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Fire Code Amendment

**ORDINANCE NO. 14 – 2014**

**AN ORDINANCE AMENDING SECTION 42-186, OF ARTICLE IV, “FIRE CODES”, OF CHAPTER 42, “FIRE PREVENTION AND PROTECTION”, OF THE CODE OF THE CITY OF DELTONA, FLORIDA, ADOPTING MORE RECENT STANDARD CODE PROVISIONS AND PROVIDING FOR NEW METHODS OF APPEALS OF CERTAIN DECISIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

BE IT ORDAINED by the City Commission of the City of Deltona, Florida, as follows:

**SECTION 1.** Section 42-186, “Adopted”, of Article IV, “Fire Codes”, of Chapter 42, “Fire Prevention and Protection”, of the Code of the City of Deltona, Florida, are amended to read as follows:

**Sec. 42-186. - Adopted.**

(a) The most recent edition of the Florida Fire Prevention Code, as adopted by the State Fire Marshal, which contains the Florida specific version of NFPA 1, Fire Code and NFPA 101, Life Safety Code, shall be adopted and by reference made a part of this article, as set forth in this section, as the minimum fire safety code for the City. ~~The 2001 Florida Fire Prevention Code and documents adopted by section 4A-60 of the Florida Fire Prevention Code adopted by the State Fire Marshal copies of which are on file in the office of the city clerk, are adopted and by reference made a part of this article as if set forth in this section as the fire prevention code for the city.~~ The same are hereby adopted as the code of the City of Deltona for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees.

(b) ~~The Life Safety Code, 1994 edition, a copy of which is on file in the office of the city clerk, is adopted and by reference made a part of this article as if set forth in this section as the life safety code for the city.~~

(be) Any decision of the fire official pertaining to these codes may be appealed to the Fire Chief. In the event a dispute occurs that is not resolved by the appeal to the Fire Chief, the matter can be appealed to the city’s Special Magistrate upon the payment of an appeal fee of \$125.00. Such appeal shall be heard at the next regularly scheduled Special Magistrate session. ~~building code board of adjustments and appeals pursuant to the Standard Building Code, section 5.105 and A105.4. The member of the board from the public sector shall be replaced by an individual with expertise in fire safety standards for an appeal from the Life Safety Code only.~~

~~(d) If the building official and fire official are unable to agree on a resolution of a conflict between the Standard Building Code and the Life Safety Code, the building code board of adjustments and appeals shall resolve the conflict in favor of the code that offers the greatest degree of life safety or alternatives that would provide an equivalent method of construction.~~

(ce) In the event of any conflict between this article, the adopted codes of the city, and any applicable state or county law, ordinance, rule or regulation, the more stringent shall apply.

**SECTION 2. CONFLICTS.** All Ordinances or parts of Ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any conflict.

**SECTION 3. CODIFICATION.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

**SECTION 4. SEVERABILITY.** In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**FIRST READING:** \_\_\_\_\_  
**ADVERTISED:** \_\_\_\_\_  
**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CITY CLERK**

Approved as to form and legality for use  
and reliance by the City of Deltona, Florida

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



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 8 - D  
**SUBJECT:** Public Hearing - Ordinance No. 17-2014, Halifax Crossings Business Planned Unit Development, at second and final reading.

**LOCATION:**

The subject property is generally located at the northeast quadrant of the SR 472/Interstate 4 interchange, along the north side of Howland Boulevard, and within the Deltona Activity Center.

**BACKGROUND:**

The City recently processed a series of antiquated plats (Davis Park and Yourlando Farms) and right-of-way vacations to allow for this rezoning action. The vacation events are not reflected as part of the final legal description of the property and the rights-of-way and related lot patterns appear on the staff report map series because Volusia County has not yet updated their GIS coverage.

The City received an application to amend the Official Zoning Map from Agriculture (A) and Industrial (I) to Business Planned Unit Development (BPUD) for a ±148.13-acre property located within the Deltona Activity Center. Properties within the Deltona Activity Center are required to be rezoned to a form of PUD zoning classification and that is consistent with the Activity Center Commercial Power Center future land use designation for the site. The BPUD would allow for a mixture of land uses (see the attached Development Agreement for the proposed list of permitted uses).

The proposed land uses for this application are warranted within the Activity Center that is designed to accommodate intensive land uses and maintains a functional regional roadway network. The attached staff report and supporting documents delve into land use and transportation matters associated with upgrades to the roadway network as proposed development creates 17,415 new external trips at project build-out.

The property is also adjacent to several

neighborhoods and their residents have attended the Planning and Zoning Board and City Commission meetings opposing interconnectivity between this project and their homes. As proposed, there will only be pedestrian connections (sidewalks) and an emergency vehicle access (20-foot wide, 32-ton stabilized, and unpaved) at Tealwood Terrace. Land use intensity measures were added to the east side of the BPUD property and to proposed building height bonuses (see the attached staff report).

Finally, Ordinance No. 17-2014 was approved at first reading at the September 3, 2014, City Commission hearing and the proposed BPUD rezoning is consistent with the City's Comprehensive Plan.

**ORIGINATING DEPARTMENT:**

Planning and Development Services

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

Planning Director, Finance Director, City Attorney

**STAFF RECOMMENDATION PRESENTED BY:**

Ron Paradise, Assistant Director, Planning and Development Services - Staff recommends that the City Commission adopt Ordinance No. 17-2014, an amendment to rezone ±148.13 acres of land from Agriculture (A) and Industrial (I) to BPUD that is located at the northeast quadrant of the SR 472/Interstate 4 interchange, along the north side of Howland Boulevard, and within the Deltona Activity Center; at second and final reading."

**POTENTIAL MOTION:**

"I move to adopt Ordinance No. 17-2014, an amendment to rezone ±148.13 acres of land from Agriculture (A) and Industrial (I) to BPUD that is located at the northeast quadrant of the SR 472/Interstate 4 interchange, along the north side of Howland Boulevard, and within the Deltona Activity Center; at second and final reading."

**AGENDA ITEM APPROVED BY:**

---

Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Ordinance No. 17-2014
- Proposed Development Agreement
- Staff Report 060414

- Master Development Plan (MDP)
- DRMP Peer Review Memo 061114
- Volusia County Traffic Memo 072914
- GMB Response Memo 081114
- Temporary Access Easement

**ORDINANCE NO. 17-2014**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP PURSUANT TO CHAPTER 110, SECTION 1101 OF THE CITY CODE OF ORDINANCES FOR PROPERTY TOTALING APPROXIMATELY ±148.13 ACRES LOCATED NORTH OF HOWLAND BLVD./SR 472 AND EAST OF INTERSTATE 4 IN THE DELTONA ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has received an application to amend the zoning for a 148.13+/- acre portion of the Activity Center from Agriculture and Industrial to Business Planned Unit Development (BPUD); and

**WHEREAS**, the City of Deltona, Florida, and its Land Planning Agency have complied with the requirements of Municipal Home Rule Powers Act, sections 166.011 et seq., Florida Statutes, in considering the proposed BPUD amendment; and

**WHEREAS**, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the BPUD zoning is consistent with the Comprehensive Plan of the City of Deltona, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** Located in the City of Deltona, Florida, The Halifax Crossing zoning is hereby amended BPUD for the following property: Davis Park 5<sup>th</sup> Addition subdivision, Map Book 18, Page 128: Lots 1 through 24 Block 1; Lots 1 through 48 Block 2; Lots 1 through 24 Block 10; Lots 1 through 48 Block 9; Lots 1 through 48 Block 8; Lots 6 through 48 Block 3; Lots 1 through 48 Block 4; Lots 1 through 48 Block 7; Lots 1 through 24 Block 5 and Lots 1 through 24 Block 6, 5<sup>th</sup> Addition, Davis Park according to the map or plat thereof recorded in

City of Deltona, Florida  
Ordinance No. 17-2014  
Page 2 of 3

Map Book 18, Page 147, Public Records of Volusia County, Florida; and Davis Park 3<sup>rd</sup> Addition subdivision Map Book 18, Page 117: a portion of Lot 1 and Lots 4 through 23 Block 5 less and accept the right of way for Graves Ave.; Lots 1 through 46 Block 4 less and except the right of way for Graves Ave. Lots 1 through 4, less and except the right of way of Graves Ave, and Lots 42 through 46 Block 7; Lots 24 through 37 Block 3; Lots 1 through 12 and Lots 35 through 46 Block 8, 3<sup>rd</sup> Addition, Davis Park, according to the map or plat thereof recorded in Map Book 18, Page 117, of the Public Records of Volusia County, Florida; and Yourlando Farms and Groves subdivision, Map Book 10, Pages 227 - 228: Lots 40, 47, and 48; and Lots 55, 56 and 63 lying north of the right of way of State Road 472; Lots 41 and 46 lying north of State Road 472 and east of State Road 400; Lots 32 through 39, Yourlando Farms and Groves according to the map or plat thereof recorded in Map Book 10, Pages 227 and 228, Public Records of Volusia County, Florida.

**SECTION 2.** This Ordinance is adopted in conformity with and pursuant to the Comprehensive Plan of the City of Deltona, the Local Government Planning and Land Development Act, Sections 163.161 et. Seq., Florida Statutes, and the Municipal Home Rule Powers Act, Sections 166.011 et. seq., Florida Statutes.

**SECTION 3.** Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.** Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid

City of Deltona, Florida  
Ordinance No. 17-2014  
Page 3 of 3

provision or application, and to this end the provisions of this Ordinance are declared severable.

**SECTION 5.** Effective Date. This Ordinance shall become effective immediately upon its final passage and adoption.

**ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA,  
FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2014.**

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

**BY:** \_\_\_\_\_  
**JOHN C. MASIARCZYK, SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CMC, CITY CLERK**

Approved as to form and legality  
for use and reliance by the  
City of Deltona, Florida

\_\_\_\_\_  
**GRETCHEN R. H. VOSE, ESQ., CITY ATTORNEY**

## DEVELOPMENT AGREEMENT

**THIS AGREEMENT** entered into and made as of the \_\_\_ day of \_\_\_\_\_, 2014, by and between the **CITY OF DELTONA, FLORIDA**, (hereinafter referred to as the "**City**"), and TRAFALGAR HOLDINGS, LLC (hereinafter referred to as the "**Owner/Developer**").

### W I T N E S S E T H

**WHEREAS**, the Owner/Developer warrants that it holds legal title to the property described in Paragraph 2 below and that the holders of any and all liens and encumbrances affecting such property will subordinate their interests to this Agreement; and

**WHEREAS**, the Owner/Developer desires to facilitate the orderly development of the subject property, in compliance with the laws and regulations of the City and of other governmental authorities, and the Owner/Developer desires to ensure that its development is compatible with other properties in the area and planned traffic patterns; and

**WHEREAS**, it is the purpose of this Agreement to clearly set forth the understanding and agreement of the parties concerning the matters contained herein; and

**WHEREAS**, the Owner/Developer has sought the City's approval for plans to develop its property, and the City Commission of the City of Deltona has approved a Master Development Plan ("MDP") contemporaneously with the approval of this Agreement, subject to the covenants and restrictions offered by the Owner/Developer and contained herein. A copy of the MDP is attached hereto as Exhibit "B".

**NOW THEREFORE**, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

*Page 1*

1. **Incorporation.** The recitals herein contained are true and correct and are incorporated herein by reference.

2. **Ownership.** The Owner/Developer represents that it is the present owner of the following described property (hereinafter referred to as the "Subject Property"):

**See legal description attached hereto as Exhibit "A"**

3. **Title Opinion/Certification.** The Owner/Developer will provide to the City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Subject Property to be in the name of the Owner/Developer and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

4. **Subordination/Joinder.** Unless otherwise agreed to by the City, all liens, mortgages, and other encumbrances not satisfied or released of record, must be subordinated to the terms of this Agreement or the lienholder must join in this Agreement. It shall be the responsibility of the Owner/Developer to promptly obtain the said subordination or joinder, in form and substance acceptable to the City Attorney, prior to the City's execution of the Agreement.

5. **Internal Roadway Improvements.** The road(s) depicted on the MDP attached hereto shall be dedicated to the public through the platting process. The City of Deltona shall not be required to accept such roadways, and any related infrastructure, until such time as construction of the roads have been completed and the City of Deltona determines that the construction was completed in conformity with all applicable regulations. In addition, the Owner/Developer shall provide a temporary ingress/egress easement to the parcel of property which is surrounded by the Subject Property but which is not owned by the Owner/Developer and which is otherwise not subject

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to this Agreement. The temporary ingress/egress easement shall expire upon Owner/Developer providing alternative access to an improved public street.

**6. Development Conditions.**

1. Minimum lot area: 0.50 acres
2. Minimum lot width: 100 ft.
3. Minimum building setbacks:
  - a. Front yard: 35 ft.
  - b. Rear yard: 10 ft. / 40 ft. if abutting residential
  - c. Side yard: 10 ft. / 40 ft. if abutting residential
  - d. Yards for buildings over 75 ft.: 100 ft. adjacent to residential areas and half the height of building for side yards abutting other uses
4. Maximum density/intensity: 20 units per acre/0.55 FAR
5. Maximum building coverage: 35%
6. Maximum impervious surface over entire site: 75%
7. Maximum building height (excluding towers and antennae): 100 ft. for Lot 12 depicted on the Master Development Plan; 75 ft. all other lots.
8. Landscape buffer requirements: Consistent with Section 110-808; however a 40 ft. landscape buffer will be afforded to abutting residential areas.
9. Minimum building separation: 10 ft. or comply with Development Condition 3(d); as applicable.

10. Project open space requirements for residential development, inclusive of retention pond buffers and green space: 25% of the site proposed for residential type development (i.e. living facilities).
11. Off-street parking requirements: Consistent with Section 110-828 and Section 110-829, excluding subsection “K” of Section 110-829 of the City Code, as it may be amended from time to time.
13. Signage: Consistent with Chapter 102 of the City Code, as it may be amended from time to time.

7. **Architectural Controls.** A common architectural theme shall be established by harmoniously coordinating the general appearance of all buildings and accessory structures and should, to the extent practicable, be designed consistent with the City of Deltona’s Urban Design Pattern Book and Urban Design Master Plan, as it may be updated from time to time, to provide visual compatibility and functional continuity with other adjacent developments within the Activity Center. For purposes herein, general appearance includes, but is not limited to, exterior wall finishes, construction materials, roof styles, slopes, architectural details and ornamentation. The following general requirements shall apply to development on the Subject Property:

- a. All structures shall complement one another and shall convey a sense of quality and permanence.
- b. Exterior walls facing public rights-of-way shall be constructed of finished materials such as stucco, natural brick or stone, finished concrete, wood, or concrete fiberboard, or other similar material on all sides.
- c. All amenities, accessory structures, and signage shall be consistent with the

*Page 4*

overall theme of the project.

d. All drive-through canopies shall be compatible with the architectural design of the principle structure.

e. All service areas and mechanical equipment visible from public rights-of-way (ground or roof) including, but not limited to, air conditioning condensers, heating units, electric meters, satellite dishes, irrigation pumps, ice machines and dispensers, outdoor vending machines, and propane tanks, displays and refilling areas and other mechanicals, shall be screened using architectural features consistent with the structure, or landscaping of sufficient density and maturity at planting to provide opaque screening.

f. Loading docks shall be located away from the street and screened from public view.

Architectural elevations shall be submitted with a Final Site Plan application for each lot and the Development Review Committee (DRC) shall determine compliance before issuing a Development Order.

**8. Environmental and Tree Preservation.** The property contains habitat that may be suitable for scrub jays and gopher tortoises. As part of the site plan review process, the property shall be surveyed to determine the presence and/or population density of jays and tortoises. If tortoises are found to inhabit a development area then the removal and location shall be required in lieu of a 'take' consistent with all permitting requirements. If scrub jays are noted on site, then any modification of that habitat shall be permitted consistent with the requirements of the U.S. Fish and Wildlife Service. Tree protection shall be in accordance with Chapter 98 of the City Code as it may

*Page 5*

be amended from time to time. Tree protection areas and habitat protection set aside land may coincide with buffer yards and other open space acreage. All stormwater shall be managed by stormwater systems (which may include common systems and systems servicing a single parcel) that are permitted by the City, the St. Johns River Water Management District, etc. Irrigation shall comply with the requirements of the utility servicing the project and applicable permitting agencies. However, the use of potable water for irrigation shall be prohibited. Owner/Developer shall install appropriate reuse irrigation lines/infrastructure, including stub-outs, throughout the project as development occurs. Upon reclaimed water lines being available at the intersection of Graves Ave. and Howland Blvd. with sufficient capacity to service the development, Owner/Developer shall connect to the reclaimed water source and irrigation by means other than reclaimed water shall be discontinued.

**9. Permitted Uses.** The uses permitted on the Subject Property are those uses set forth in the use list attached hereto as Exhibit “C”. Consistent with the City Future Land Use Map, more intensive permitted uses (business and medical) shall be located towards the Interstate 4/Howland Blvd. corridors in ‘Area A’. ‘Area A’ shall be described as follows: All of the south half of Government Lot 7 east of I-4; the west 850 feet of Davis Park 5<sup>th</sup> Addition, except lots 1-5 Block 3 Davis Park 5<sup>th</sup> Addition and less and except the north 60’ of the west 134.50’ of the east 660’ of Davis Park 5<sup>th</sup> Addition, AKA non-vacated 60’ Walter Av right of way extending from the northwest corner of Lot 1 Block 3 to the northeast corner of Lot 1 Block 3 Davis Park 5<sup>th</sup> Addition; less and except the north 125.98’ of the south 1,271.05’ of the west 60’ of the east 530’ of Davis Park 5<sup>th</sup> Addition, AKA non-vacated 60’ Persimmon St. right of way extending from the northeast corner of Lot 1 Block 3 to the southeast corner of Lot 5 Block 3 Davis Park 5<sup>th</sup> Addition; and Lots 40, 41, 46,

*Page 6*

47, 48, 55, 56, and 63, all lying north and east of Howland Blvd./SR 472 and I-4, Yourlando Farms and Groves, less and except the Graves Av. right of way; and lots 24 – 37 Block 3 Davis Park 3<sup>rd</sup> Addition, including vacated portion of the 60' Illinois Av. right of way extending between the southwest corner of Lot 24 and the southeast corner of Lot 24 Block 3, Davis Park 3<sup>rd</sup> Addition, including the vacated portion of the 60' Orange St. right of way extending between the northwest corner of Lot 37 Block 3, Davis Park 3<sup>rd</sup> Addition to the Graves Av. right of way; All of Block 4, Davis Park 3<sup>rd</sup> Addition, including the vacated portion of the 60' Wisconsin Av extending from the northeast corner of Lot 1, Block 4, Davis Park 3<sup>rd</sup> Addition to the northwest corner of Lot 46, Block 4, Davis Park 3<sup>rd</sup> Addition, including the vacated 60' Illinois Av from the southwest corner of Lot 24 to the Graves Av. right of way; and Lots 1 and 4 – 23 Block 5 Davis Park 3<sup>rd</sup> Addition, including the Grape St. right of way from the Graves Av. right of way south to the Howland Blvd./SR 472 right of way, and including the Illinois right of way from the southeast corner of lot 23 Block 5, Davis Park 3<sup>rd</sup> Addition to the Howland Blvd./SR 472 right of way; and Lots 1 – 12 and Lots 35 – 46 Block 8, Davis Park 3<sup>rd</sup> Addition. Less and except the Graves Av right of way. Lots 1-3 lying North and East of Howland Blvd./ SR 472, Davis Park 3<sup>rd</sup> Addition and Lots 1-4 and Lots 46-42 lying North of Howland Blvd./SR 472 less and except Graves Avenue right of way. All located in Section 6, Township 18 South, Range 31 East.

Less intensive uses (living facilities and office) shall be sited in the eastern sections of the property referred to as 'Area B'. 'Area B' will be described as follows: All of the south half of Government Lot 8, AKA Lots 32 – 39 Yourlando Farms and Groves; and the east 455' of Davis Park 5<sup>th</sup> Addition, AKA all of Blocks 1, 2, 9, and 10 and vacated 60' Mangoe St. right of way and the vacated 60' Walter Av. right of way between the northwest corner of Lot 48, Block 2 and the

*Page 7*

northeast corner of Lot 1 Block 1 Davis Park 5<sup>th</sup> Addition; and all of the 60' Wamber Av. right of way between the northwest corner of Lot 48, Block 9 and the northeast corner of Lot 1, Block 10, Davis Park 5<sup>th</sup> Addition. All located in Section 6, Township 18 South, Range 31 East.

**10. Property Owners Association.** The charter and by-laws of any property owners association which will be formed for the Subject Property and any deed restrictions related thereto, shall be furnished to the City of Deltona and recorded before a Certificate of Occupancy is issued for the first development project on land covered by this BPUD Development Agreement. The property owner association shall, at minimum be responsible for maintaining the common open space. The Owner/Developer shall be responsible for establishing the POA and recording said information in the Public Records of Volusia County, Florida. Also, the Owner/Developer shall bear and pay all costs for recording all of the aforementioned documents.

The City of Deltona will have no responsibility for the enforcement of said agreements or deed restrictions entered into between owners or occupiers of the Subject Property.

**11. Enforcement.** In the event that enforcement of this Agreement by the City becomes necessary, the City reserves the right to issue development orders only upon full compliance with the terms of this agreement.

**12. Compliance.** The Owner/Developer agrees that it, and its successors and assigns, will abide by the provisions of this Agreement, the City's Comprehensive Plan, and the City's Land Development Code, including but not limited to, the site plan regulations of the City as amended from time to time, which are incorporated herein by reference and such subsequent amendments hereto as may be applicable. Further, all required improvements, including landscaping, shall be continuously maintained by the Owner/Developer, or its successors and assigns, in accordance with

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the City's Land Development Code. The City may, without prejudice to any other legal or equitable right or remedy it may have, withhold permits, certificates of occupancy or approvals, etc. should the Owner/Developer fail to comply with the terms of this Agreement.

**13. Utility Easements.** The Owner/Developer shall provide to the City or the County, as applicable, such easements and other legal documentation, in form mutually acceptable to the City/County Attorney and the Owner/Developer, as the City/County may deem reasonably necessary or appropriate for the installation and maintenance of the utility and other services, including but not limited to, sewer, potable water, and reclaimed water services, electric, cable, fire protection and telecommunications.

**14. Concurrency and Vested Rights.** The Owner/Developer acknowledges and agrees that prior to the issuance of any building permit(s) for the Subject Property, the Owner/Developer must have received and be in the possession of a valid and unexpired Certificate of Capacity. The Certificate of Capacity verifies the reservation of infrastructure capacity sufficient to permit development pursuant to the approved site plan for the Subject Property without causing a reduction in the levels of service adopted in the City's Comprehensive Plan. The Certificate of Capacity shall be effective for a term as defined in the Land Development Code. Except as specifically provided herein, neither this Development Agreement nor the site plan approved shall create or result in a vested right or rights to develop the Subject Property without a current and valid Certificate of Capacity.

**15. Transportation.** Traffic generated from the overall project is hereby capped at 17,415 total daily trips, of which no more than 4,997 total daily trips shall be generated from Lot 12 as depicted on the Master Development Plan (trip generation rates shall be determined utilizing the

*Page 9*

Institute of Traffic Engineers (ITE) Trip Generation Manual 9<sup>th</sup> Edition.) The overall trip cap of 17,415 and the 4,997 total daily trip allocation of Lot 12 shall limit land use intensity/density notwithstanding the 0.55 FAR intensity/20 units per acre allowance within a two (2) phase project. Traffic generated from Phase I of the Development shall not exceed 13,567 total daily trips of which daily trips from Lot 12 as depicted on the Master Development Plan shall not exceed 4,997 total daily trips. A schedule of trip entitlements controlled by the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> Edition, shall be maintained by the City in a concurrency management system and the Owner/Developer and/or individual developments shall be responsible for paying for peer review to verify trip generation characteristics from individual developments. As used herein “ADT” following a number shall mean the number of average annual daily trips being generated by the Project.

Phase I and Phase II of the Project is vested for Traffic Concurrency for the total daily trips set forth herein above. Phase I and Phase II adversely impacts Graves Ave from Kentucky to Howland. Based upon the TIA reports, the Owner/Developer shall pay to the County or, as per the County, perform improvements of equivalent value to the applicable segment of Graves Av., a fair share assessment amount as contemplated by Florida Statutes 163.3180 to mitigate for the adverse traffic impacts as follows:

Upon consumption of 6,500 ADT in the Project	\$ 606,540.98
Upon consumption of 15,500 ADT in the Project	<u>\$ 792,071.16</u>
Cumulative Total	\$1,398,612.14

The payments/equivalent improvements are authorized upon the consumption of the Average Daily Trips referenced in the above three lines. If the above thresholds are tripped, and the above

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referenced payments/equivalent improvements are not made in full, no site plan development orders or building permits shall be issued until the respective proportionate fair share contributions are made.

Public transportation and other multimodal methods shall be accommodated consistent with the City's Codes of Ordinances. The transportation elements of this agreement, including the daily trip end limitation set forth herein, the amount of trip ends generated per project, etc. shall be submitted as development review material to be analyzed in the site plan review process regardless if a project is projected to generate less than 1,000 daily trip ends per day.

Finally, the intersection of SR 472-Howland Blvd./Graves Ave. will need to be improved in a timely and uniform manner. The following improvements are required of the Owner/Developer to accomplish as per the specific traffic thresholds articulated below:

- 1) SR 472 at the SR 472/Graves Av. intersection eastbound direction: Install dual left turn lanes, 24 feet in width, with 200 feet of storage and 100 feet of transition when the cumulative development program reaches 8,664 ADT or when the project development program generates 200 peak hour left turn movements at the intersection.
- 2) Howland Blvd. at the Howland Blvd. /Graves Av. intersection westbound direction: Install one right turn lane, 12 feet in width, storage and transition to be symmetrical with the left turn lane from Howland Blvd. to Graves Av. when the cumulative development program reaches 4,237 ADT or when the project development program generates 75 peak hour right turn movements at the intersection.
- 3) Graves Av. at the Graves Av. /Howland Blvd. intersection southbound direction: install dual left turn lanes, 24 feet in width, with 200 feet of storage and 100 feet of transition when the

cumulative development program reaches 13,567 ADT or when the development program generates 200 peak hour left turn movements at the intersection.

- 4) Graves Av. at the Graves Av. /Howland Blvd. intersection, southbound direction, is currently designed and constructed with a right turn lane, a through lane and a left turn lane. The right turn lane and through lane shall be maintained even after the improvements illustrated in subsection 3 above are accomplished.

Owner/Developer and County may enter into an impact fee credit agreement which may provide that all eligible cost associated with the improvements set forth in subparagraphs 1, 2 and 3 above as well as the proportionate fair share payments shall be entitled to impact fee credits against Volusia County Road Impact Fees at the time the improvements are made or the contributions are paid. Owner/Developer shall not be entitled to any credits against the City of Deltona Road or other Impact Fees.

**16. Access.** Access to the property, internal and external, shall comply with City Codes. No access to the property from Howland Blvd. /SR 472 shall be allowed westward of the Graves Ave./Howland Blvd. intersection in keeping with the Interstate 4 limited access right of way. In addition, there shall be one (1) emergency vehicular access point provided to the residential neighborhood at Tealwood Terrace right of way that is a stabilized base to support at minimum 32 tons and is no more than 20 feet wide. To encourage multi-model transportation the Owner/Developer shall construct bicycle/pedestrian access to the Timbercrest and Arbor Ridge neighborhoods at east property line of the Development. The bicycle/pedestrian accesses shall be constructed before any site plan approvals are issued within the east 800' of the Development property.

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**17. Notices.** Where notice is herein required to be given, it shall be by certified mail return receipt requested, addressee only, hand delivery or couriered. Said notice shall be sent to the following, as applicable:

**OWNER/DEVELOPER'S REPRESENTATIVES:**

William E. Barfield, PA  
225 South Westmont Avenue, Suite 2040  
Altamonte Springs, Florida 32714

**CITY'S REPRESENTATIVES:**

Joyce Raftery, CMC, City Clerk  
City of Deltona  
2345 Providence Boulevard  
Deltona, Florida 32725

Gretchen R. H. (Becky) Vose, Esq., City Attorney  
City of Deltona  
2345 Providence Boulevard  
Deltona, Florida 32725

Should any party identified above change, it shall be said party's obligation to notify the remaining parties of the change in a fashion as is required for notices herein. It shall be the Owner/Developer's obligation to identify its lender(s) to all parties in a fashion as is required for notices herein.

**18. Captions.** The captions used herein are for convenience only and shall not be relied upon in construing this Agreement.

**19. Binding Effect.** This Agreement shall run with the land, shall be binding upon and inure to the benefit of the Owner/Developer and its assigns and successors in interest, and the City and its assigns and successors in interest. The Owner/Developer agrees to pay the cost of recording this document in the Public Records of Volusia County, Florida, and shall reimburse the

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City for the preparation of this Agreement in such amount to be determined by the City. This Agreement does not, and is not intended to, prevent or impede the City from exercising its legislative authority as the same may affect the Subject Property.

**20. Severability.** If any part of this Development Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Development Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Development Agreement is declared severable.

**Remainder of this page intentionally left blank.**

**IN WITNESS WHEREOF**, the Owner/Developer and the City have executed this Agreement as of the day and year first above written.

**SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF OWNER/DEVELOPER:**

\_\_\_\_\_  
Signature of Witness # 1

\_\_\_\_\_  
Print or type name

\_\_\_\_\_  
Signature of Witness #2

\_\_\_\_\_  
Print or Type Name

**BY:**  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or type name

**AS:**  
\_\_\_\_\_  
Print or type

**ATTEST:**  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

**AS:**  
\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF FLORIDA**  
**COUNTY OF \_\_\_\_\_**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_, and \_\_\_\_\_, respectively, of \_\_\_\_\_, who is/are personally known to me or who has/have produced \_\_\_\_\_ identification and who did not (did) take an oath.

\_\_\_\_\_  
Signature

(NOTARY SEAL)

\_\_\_\_\_  
Print or type name

**ACCEPTED FOR THE CITY OF DELTONA:**

**By:**

\_\_\_\_\_  
John C. Masiarczyk, Sr., Mayor

**Date:**

**ATTEST:**

\_\_\_\_\_  
Joyce Raftery, CMC, City Clerk

**Date**

Mailing Address: City of Deltona  
2345 Providence Boulevard  
Deltona, Florida, 32725

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, who are personally known to me and acknowledge executing the same freely and voluntarily under authority vested in them and that the seal affixed thereto is the true and corporate seal of the City of Deltona, Florida.

\_\_\_\_\_  
Signature of Notary

(NOTARY SEAL)

\_\_\_\_\_  
Print or type name

Approved as to form and legality for use and reliance by the City of Deltona, Florida

\_\_\_\_\_  
GRETCHEN R.H. VOSE, City Attorney

**CURRENT OWNER:  
TRAFALGAR HOLDINGS, LLC.**

By: \_\_\_\_\_

Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness # 1

\_\_\_\_\_  
Print or type name

\_\_\_\_\_  
Signature of Witness #2

\_\_\_\_\_  
Print or type name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, of TRAFALGAR HOLDINGS, LLC, who is personally known to me or who has/have produced \_\_\_\_\_ as identification and who did not (did) take an oath.

\_\_\_\_\_  
Signature of Notary

(NOTARY SEAL)

\_\_\_\_\_  
Print or type name:

**This instrument approved by:**

Gretchen R. H. Vose, City Attorney  
as to form and legality for use and  
reliance by the City of Deltona.

**This instrument prepared by:**

City of Deltona  
Department of Planning & Development Services  
2345 Providence Boulevard  
Deltona, Florida 32725

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**EXHIBIT "B"**  
**MASTER DEVELOPMENT PLAN**

**EXHIBIT “C”****LIST OF PERMITTED USES****Permitted Uses for Area A:**

1. Adult family-care home.
2. Antique shops.
3. Art, dance, modeling, and music schools.
4. Artist studios.
5. Assisted living facility.
6. Automobile body and repair shops associated with car dealerships.
7. Automobile new parts, equipment and accessories; sales only.
8. Automobile rental agencies associated with car dealerships.
9. Automobile sales, new and used.
10. Automobile service stations, type A and C; permitted only on building sites with not less than 150 feet frontage on all abutting streets.
11. Bakeries, retail (including preparation of products for sale on the premises).
12. Banks and other financial businesses.
13. Barber and beauty shop.
14. Bicycle stores.
15. Bowling alleys.
16. Bus stations.
17. Catering services.
18. Cigar stores.
19. Confectionery and ice cream stores.
20. Conservatories.
21. Convenience stores.
22. Cultural, historical, and art centers and museums.
23. Day care centers.
24. Dental offices, clinics, and laboratories.

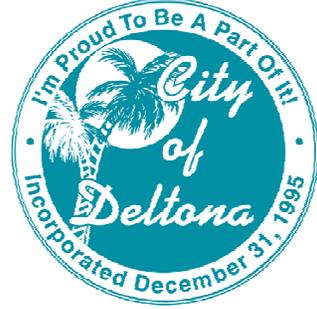
25. Diagnostic imaging centers.
26. Drug and sundry stores.
27. Dry cleaning establishments.
28. Electronic sales.
29. Essential utility services.
30. Excavations only for stormwater retention ponds, subject to applicable permitting requirements.
31. Exempt excavations.
32. Fire stations.
33. Florist shops.
34. Funeral homes.
35. Furniture stores.
36. General, professional, and business offices.
37. Grocery stores.
38. Hardware stores (retail only).
39. Hospitals (shall be limited to Lot 12 on the MDP).
40. Houses of worship ancillary to primary uses.
41. Interior decorating, costuming, draperies.
42. Jewelry stores, watch repairs.
43. Libraries.
44. Medical offices and clinics.
45. Motels and hotels.
46. Non-profit membership and charitable organizations.
47. Paint stores.
48. Pest exterminators.
49. Pet stores.
50. Photograph galleries.
51. Physical fitness centers.
52. Police and sheriff stations.

53. Printing and engraving, including photo-stating and publishing.
54. Professional or trade schools related to permitted uses.
55. Publicly owned parks and recreational areas.
56. Radio and television broadcasting stations (Related towers or antennae must be consistent with Chapter 82 of the City Code).
57. Restaurants, types A and B.
58. Retail sales and services.
59. Schools, parochial or private.
60. Surgery centers.
61. Tailor shops.
62. Taxicab stands.
63. Theaters.
64. Travel agencies.
65. Utility offices.
66. Veterinary clinics without outside kennels, runs, etc.

**Permitted Uses for Area B:**

- 1) Adult family-care home.
- 2) Art, dance, modeling and music schools.
- 3) Artist studio.
- 4) Assisted Living Facilities.
- 5) Bakeries (retail only).
- 6) Barber and beauty shops.
- 7) Bicycle stores.
- 8) Cigar stores.
- 9) Coffee shops.
- 10) Convenience stores.
- 11) Confectionary and ice cream stores.
- 12) Day care center.

- 13) Dental offices, clinics and laboratories.
- 14) Diagnostic and imaging centers.
- 15) Electronic shops
- 16) Essential utilities.
- 17) Excavation only for stormwater retention ponds subject to applicable permitting requirements.
- 18) Exempt excavations.
- 19) Florist shops.
- 20) Funeral Homes, without cremation activities.
- 21) General, professional and business office.
- 22) Jewelry stores.
- 23) Medical offices and clinics.
- 24) Non-profit membership and charitable organizations.
- 25) Physical fitness center.
- 26) Publically owned parks and recreation areas.
- 27) Restaurants, type A.
- 28) Schools parochial/private.
- 29) Taxicab stands.
- 30) Travel agencies.
- 31) Utility office.
- 32) Veterinary clinics without outside kennels, runs, etc.



# Memorandum

**To:** Planning and Zoning Board

**From:** Chris Bowley, AICP

**Date:** June 4, 2014

**Re:** Project No. RZ14-003. Amendment to the Official Zoning Map for the property known as Halifax Crossings, located at the intersection of Graves Avenue and Howland Boulevard.

## I. SUMMARY OF APPLICATION:

**APPLICANT:** Zev Cohen & Associates  
 c/o Paul Momberger, RLA  
 300 interchange Blvd  
 Ormond Beach, FL 32174

**Request:** The City of Deltona has received an application from Zev Cohen & Associates, to rezone the subject property from Agriculture and Industrial to BPUD

### A. SITE INFORMATION:

1. **Tax Parcel No.:** Numerous
2. **Property Addresses:** NA.
3. **Property Acreage:** ±148 acres.
4. **Property Location:** Located at the northeast corner of the Interstate 4/SR 472 - Howland Boulevard interchange north of the intersection of Graves Ave. and Howland Blvd. and west of the Arbor Ridge and Timbercrest subdivisions.
5. **Property Legal Description:**

Note: this description is generalized and does not reflect three City Commission plat/rights of way vacation resolutions approved in April of 2014. The applicant will generate an up to date description by the July 16, 2014 Planning and Zoning meeting.

Davis Park 5<sup>th</sup> Addition subdivision, Map Book 18, Page 128: Lots 1 through 24 Block 1; Lots 1 through 48 Block 2; Lots 1 through 24 Block 10; Lots 1 through 48 Block 9; Lots 1 through 48 Block 8; Lots 6 through 48 Block 3; Lots 1 through 48 Block 4; Lots 1 through 48 Block 7; Lots 1 through 24 Block 5 and Lots 1 through 24 Block 6, 5<sup>th</sup> Addition, Davis park according to the map or plat thereof recorded in Map Book 18 Page 147 Public Records of Volusia County, Florida

Davis Park 3<sup>rd</sup> Addition subdivision Map Book 18 Page 117: A portion of Lot 1 and Lots 4 through 23 Block 5 Less and accept the right of way for Graves Ave.; Lots 1 through 46 Block 4 Less and except the right of way for Graves Ave. Lots 1 through 4, less and except the right of way of Graves Ave, and Lots 42 through 46 Block 7; Lots 24 through 37 Block 3; Lots 1 through 12 and Lots 35 through 46 Block 8, 3<sup>rd</sup> Addition, Davis Park, according to the map or plat thereof recorded in Map Book 18 Page 117 of the public records of Volusia County, Florida

Yourlando Farms and Groves subdivision, Map Book 10, Pages 227 - 228: Lots 40, 47, and 48; and Lots 55, 56 and 63 lying north of the right of way of SR 472; Lots 41 and 46 lying north of SR 472 and east of SR 400; Lots 32 through 39, Yourlando Farms and Groves according to the map or plat thereof recorded in Map Book 10 Pages 227 and 228, Public Records of Volusia County, Florida

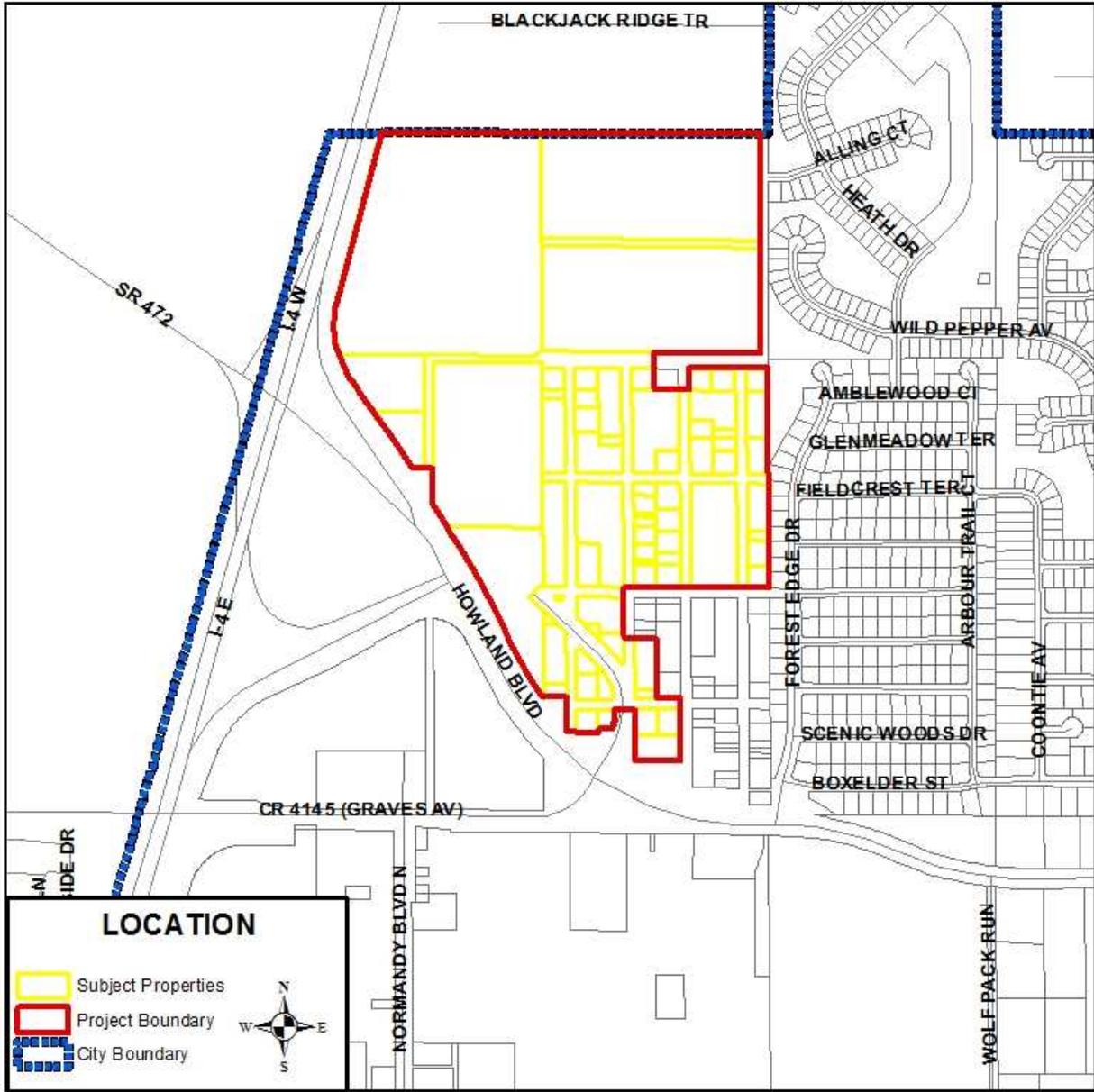


Figure 1: Location map

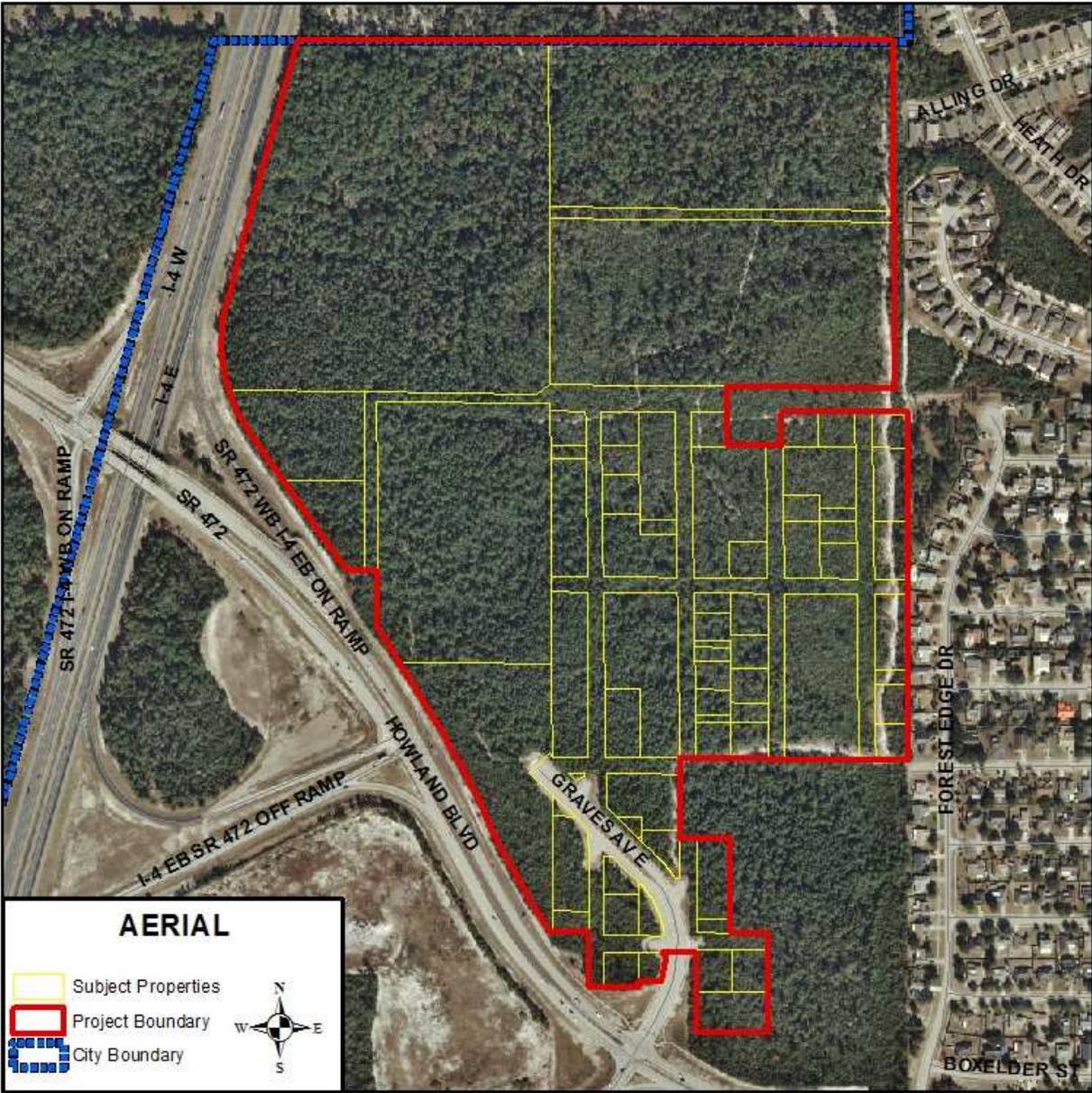
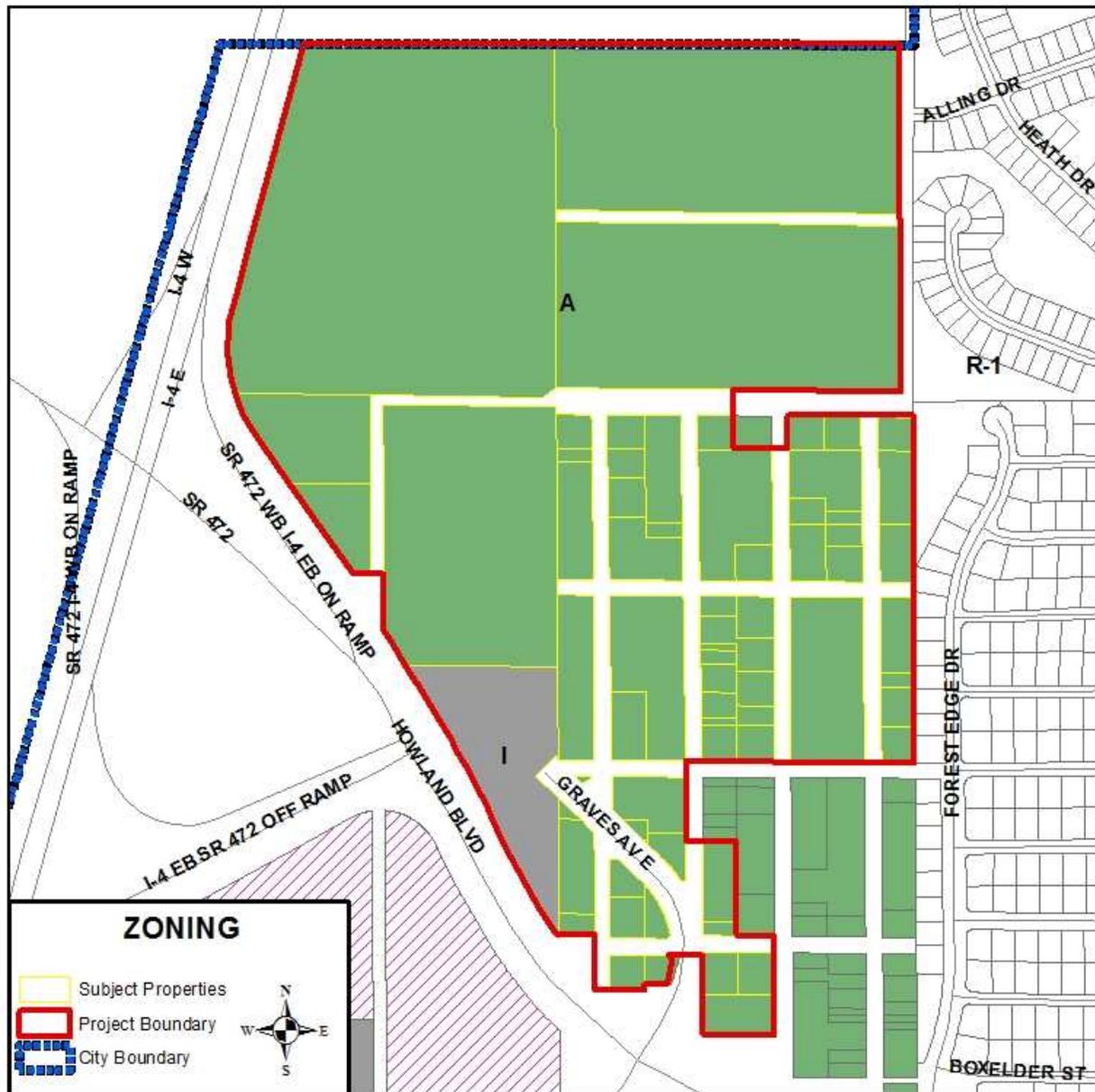


Figure 2: Aerial Photo



**Figure 3: Existing Zoning**

**B. Existing Zoning:**

1. **Subject Property:**  
**Existing:** Agriculture and Industrial  
**Requested:** BPUD
2. **Adjacent Properties**  
**North:** Volusia County  
**South:** BPUD

East: R-1  
West: Volusia County

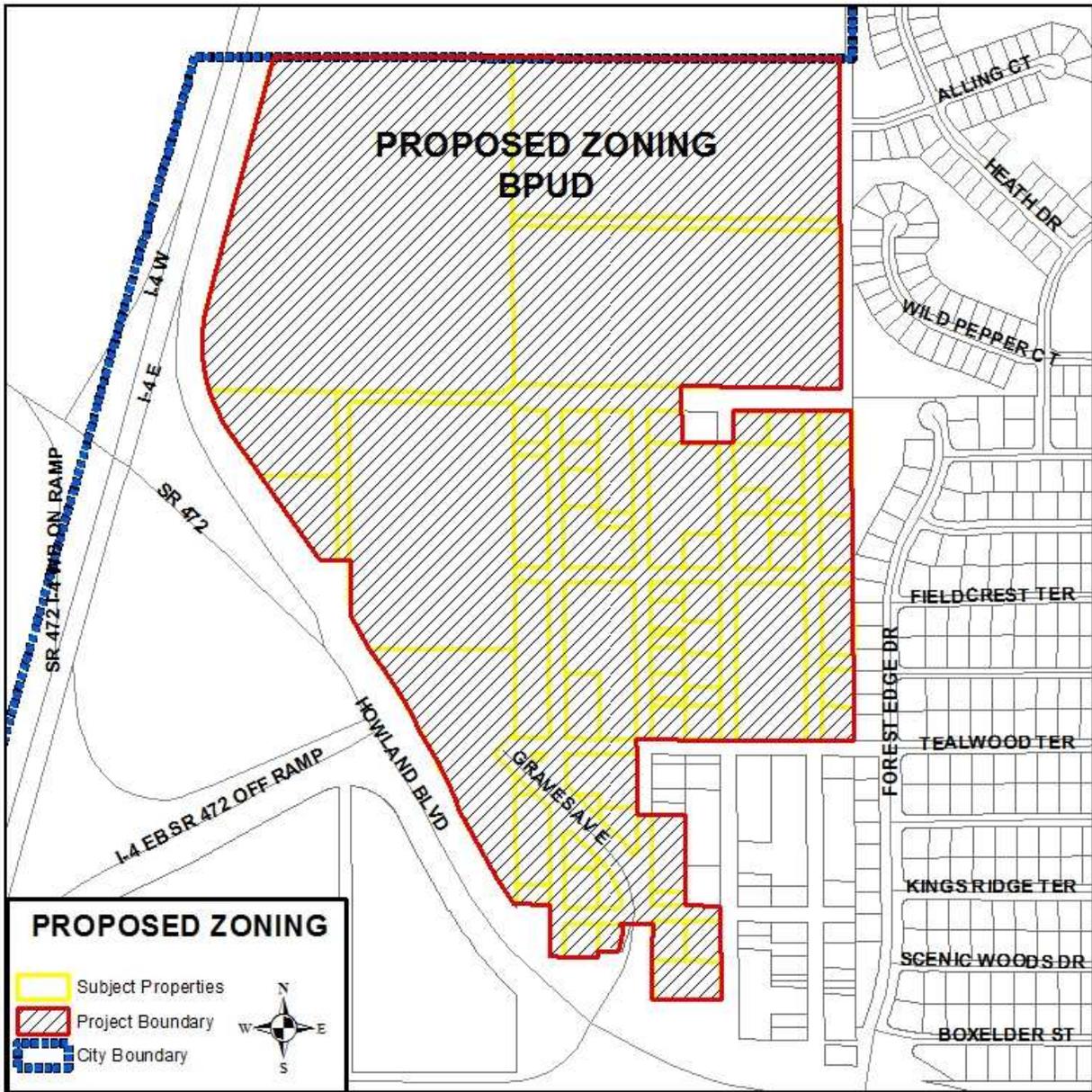


Figure 4: Proposed Zoning

### C. Proposed Zoning:

**Business Planned Unit Development (BPUD)** The purpose and intent of the planned unit development is to provide for integrated developments, which are consistent with the Comprehensive Plan, so as to promote the orderly development of compatible land uses. Further, it is intended that a proposed development be sensitive to existing adjacent and future land uses, the natural environment and the impact upon supporting public infrastructure. A BPUD may consist of uses found within the commercial zoning classifications contained within Chapter 110 of the City's Land Development Code and uses consistent with the Comprehensive Plan.

### D. Back Ground

The proposed property to be rezoned is in the northern portion of the area known as the Deltona Activity Center. The Activity Center concept dates back to the early 1990's when the County designated an approximately 1800 acre area, including the subject land, on both sides of Interstate 4 with the Activity Center moniker on the County Future Land Use Map. The Activity Center eventually evolved into an area-wide Development of Regional Impact or DRI, but after years of inactivity the City of Deltona DRI, Development Order expired. However, the Activity Center is still managed under a local plan appended to the Future Land Use Element of the City Comprehensive Plan.

As has been stated, before development can take place, the properties must be rezoned utilizing the PUD process. The applicant has applied to rezone approximately 148 acres from Agriculture and Industrial to BPUD, allowing for a wide mixture of uses such as medical offices, auto dealerships, hotels, assisted living facilities, restaurants, retail uses and more.

### E. Support Information

#### Public Facilities

- a. Potable Water: to be supplied by Volusia County Deltona North Franchise
- b. Sanitary Sewer: to be supplied by Volusia County Deltona North Franchise
- c. Fire Protection: City Fire Station 65
- d. Law Enforcement: Volusia County Sheriff's Office (VCSO)
- e. Electricity: Duke Energy (FKA Progress Energy)

**F. Matters for Consideration** – Section 110-1101, Code of City Ordinances, states that the City shall consider the following matters when reviewing applications for amendments to the Official Zoning Map:

1. **Whether it is consistent with all adopted elements of the Comprehensive Plan.**

The City is underserved by commercial uses and there is a significant land use imbalance between residential and non-residential land uses. To respond to this situation, the Comprehensive Plan contains policies that encourage a diversification of land uses within the City. The rezoning of the subject property is meant to allow for large scale regional commercial and institutional development, meeting the original intent of the Activity Center. There is recognition that there is a living facility aspect of this application. However, according to the Comprehensive Plan (Policy FLU1-8.4) such living facilities may be compatible within commercial areas/developments. Therefore, the proposed rezoning would be consistent with the Comprehensive Plan if the suggested recommendations by City staff are implemented.

**2. Its impact upon the environment or natural resources.**

The property is largely undeveloped. The natural condition of the site can be described as sand pine scrub and long leaf pine sandhill vegetative communities. The property is managed for timber production and is taxed at an agricultural rate for silviculture. Portions of both the sand pine scrub area and long leaf pine areas have been timbered. The timbered area is dominated by early successional scrub vegetation such as saw palmetto and sand live oak. The soils on site are sandy, well drained and classed predominately as Orsino, Astutula, and Paola Fine Sands.

According to the February 2014 FEMA flood zone maps; two small portions of the subject property are located within the 100 year floodplain. These depressional areas are likely a result of karstic geological activity. Topography on the site is undulating. Typically for large scale development projects level areas are preferred. Therefore, to facilitate development, there will be extensive cut and fill activity occurring on the property.

The site is  $\pm 148$  acres and may be used as habitat for small and large animals, such as raccoons, deer, and wild pigs. The most probable listed species that could use the site include gopher tortoises and/or scrub jays. Gopher tortoise burrows were observed by City staff during a recent field visit. The site will need to be appropriately surveyed for tortoises to determine population density and burrow location. Tortoises within the development will have to be relocated following State procedures. The property will also need to be surveyed for scrub jays. If jays are noted on site, permits from the U.S. Fish and Wildlife Service will be required. All permits to address listed species protection will be required by the City during the site plan review process.

**3. Its impact upon the economy of any affected area.**

The proposed impact of the development upon the local economy, if built as depicted in the application material, will be tremendous for the City. The BPUD would create a wide range of jobs from service employment opportunities to high paying medical professional jobs. Also, such development would help diversify the City tax base.

**4. Notwithstanding the provisions of Article XIV of the Land Development Code, Ordinance No. 92-25 [Chapter 86, Code of Ordinances] as it may be amended from time to time, its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste or transportation systems.**

- a. **Schools:** The Volusia County School Board staff has indicated that this rezoning will not affect local schools.
- b. **Sewage Disposal:** The site will be served by the Volusia County Deltona North system and the County has indicated that there is capacity to serve the project.
- c. **Potable Water:** The site will be served by the Volusia County Deltona North system and the County has indicated that there is capacity to serve the project.
- d. **Drainage:** All site related stormwater runoff will be managed on-site and all stormwater management facilities will be constructed in accordance with the necessary requirements of the City's Land Development Code and other permitting agencies.
- e. **Transportation Systems:**

The area to be rezoned is a relatively large area (almost 150 acres) and the development program proposed is intensive. Under the proposed Development Agreement, an applicant suggested floor area ratio (FAR) of 0.55 would yield in excess of 3 million square feet of floor space, facilitating various development formats including office, retail commercial and medical. Known as the Activity Center, a wide range of urban, mostly non-residential uses have been contemplated for the subject property and surrounding area for decades.

With the land use types and related intensities planned for the Activity Center, the Activity Center, after development, will be a very desirable destination. Expressed in more certain terms, traffic will increase. An increase of traffic should not be viewed as a negative if there are safeguards, including infrastructure improvements, afforded to ensure a safe and efficient flow of traffic. With this concept in mind, protecting the function of the traffic network is even more needed in this instance because the area proposed to be rezoned is located near a major interstate interchange – I-4 and SR 472. The I-4/SR 472 interchange is a critical City resource. The interchange allows a flow of people and goods to and from the City. If the function of the interchange is compromised, the result will be reduced mobility which would deleteriously impact City economic competitiveness and quality of life.

As per the City Land Development Code, the applicant was required to generate a traffic impact analysis (TIA). The applicant's TIA was prepared by the consulting

firm GMB. The GMB TIA was reviewed by City staff as well as a consultant that is experienced in traffic engineering matters. The firm used by the City to review the GMB work was DRMP.

The applicant's TIA revealed the project in the build out year of 2025 would generate 17,415 daily trips. This is a significant volume of traffic. However, the 17,415 trips were predicated on a development program consisting of about 1,183,300 square feet of hospital, medical office, sit-down restaurant and general office uses. The development program used to assess the traffic impacts of the project did not account for various traffic intensive uses that are proposed within the Development Agreement including big box retail, uses with drive through facilities (i.e. fast food), and various institutional activities. The TIA square footage assumption results an intensity equivalent of 0.183 FAR which is far less than the proposed 0.55 FAR illustrated within the proposed Development Agreement. Basically, the traffic amount indicated by the applicant's TIA is considerably underrepresented based on the intensity proposed via the Development Agreement.

The GMB work also has indicated that the project should be phased. The first phase would extend to the year 2020 and would generate 13,567 trips and phase II, or build out, would occur in 2025 with the remaining 3848 trips being realized. Again, the phasing approach illustrated in the TIA is not part of the applicant's Development Agreement.

The TIA phasing approach and development intensity inconsistency is an attempt to facilitate a significant level of traffic on the City transportation network without having to engage in significant transportation mitigation activities. The TIA indicates that State law (Chapter 163 F.S.) basically does not require a development to address pre-existing deficiencies. The most up to date version of Chapter 163 F.S. does allow local governments flexibility with regard to traffic concurrency but local governments still have the ability to implement traffic level of service standards. Mobility in the City is of critical importance and is why the City still implements level of service standards for roadways within the City. The LOS approach represents a yardstick of sorts of which to gauge mobility within the City and is a tool to manage land use. The LOS thresholds are also used to facilitate appropriate capital investments in City infrastructure. Finally, safe, efficient and effective mobility within the City falls under the basic health, safety and welfare mission of any unit of government including the City of Deltona. Therefore, the City, through the land development process, including rezoning, has the ability (and obligation) to ensure that mobility is addressed, at minimum, in a safe manner that makes the most efficient use of public infrastructure.

As has been stated, the applicant's TIA suggest that the City should allow over 13,000 trip ends to the City network without any mitigation including developer oriented contributions. It is highly unlikely the existing City road network in the

vicinity, including the interchange, could function with the addition of over 13,000 trip ends added to the network without the need for some traffic management improvements. Therefore, City staff directed its consultant, DRMP, as part of the GMB TIA review, to generate a list of roadway improvement strategies to address traffic impacts. The DRMP roadway improvement strategies include upgrading the Graves Ave./Howland Blvd. intersection. This intersection represents the main entrance to the development. All land to the west is part of the Interstate 4 limited access envelope and is not eligible for driveways. Improvements to the Graves/Howland intersection include the addition of westbound left turn storage to remove turning traffic from the travel lanes, and an additional eastbound through lane on Howland Blvd. to increase capacity. The intent of the suggested Graves Ave./Howland Blvd. improvements is to basically protect the flow characteristics of the intersection. Suggested improvements to the Catalina Blvd./Howland Blvd. intersection consist of the addition of a southbound right turn lane on Catalina Blvd. to serve the high volume of vehicles in this movement. Out of City jurisdiction improvements to the SR 472/MLK intersection are also mentioned. For more information on the DRMP review of the GMB TIA, including potential improvements, see the attached comments from DRMP. Also, City staff has created a map series that depicts the location of the DRMP suggested improvements.

The above mentioned traffic improvement strategies identified through the traffic analysis work of both the applicant and the City will require that the City, State, and County work with the applicant to afford appropriate traffic mitigation including off-site improvements. An important note to make is that traffic mitigation, especially in the vicinity of the project is not only in the public interest but the interest of the developer. If access to the site becomes a challenge and traffic leading to the project is snarled, the viability of the development will be jeopardized. Another incentive for the developer/applicant to provide appropriate traffic mitigation is to ensure that traffic impact fee obligations are used to better manage impacts of the project more locally versus the impact fee payments incrementally collected by the City and County that are distributed City wide or in the case of the County used anywhere within the requisite impact fee zone. (The County impact fee zone of which the City is located includes much of south west Volusia and extends well east of the community of Osteen.)

Of course from the prospective of the developer, providing upfront improvements that are impact fee credit eligible requires an infusion of resources which will only be realized as those credits are used as the property is developed. On the other hand, such a commitment from the developer/applicant would ensure that there is incentive to following through with the development plan and the proposal does not represent a mere speculative positioning of the property via entitlement approval.

Traffic is a major component of this request and with that theme in mind, the following actions need to occur:

- 1) The entire project should be associated with a trip cap. In the absence of any other data, the trip cap should be the GMB assumed 17,415 trips.
  - 2) To help implement the trip cap, there needs to be a land use/trip equivalency matrix formulated. The equivalency matrix will provide a level of flexibility with regard to what type of land uses are eventually developed on the site but still comply with the overall trip cap. The equivalency matrix should be formulated by the applicant to allow a range of land use types that comports with the applicant's development vision. However, land use mixtures needs to be consistent with the City Comprehensive Plan.
  - 3) The project needs to be phased and certain traffic mitigation activities, including off-site improvements need to be linked to the phasing schedule. The phasing schedule should be benchmarked by trip end attainment. The applicant should be responsible for proposing a phasing schedule with mitigation benchmarks.
  - 4) All traffic improvements that are programed to the phases need to be in place before any City development reviews are initiated by the City. For example, if an application is made for site review without requisite improvements in place, the application will be considered inconsistent with, at minimum, Chapter 86 (Concurrency Management) of the City Land Development Code.
  - 5) Traffic monitoring and modeling needs to occur every five (5) years, regardless if any development occurs within in the BPUD, to ensure that the traffic assumptions in place when development approval was granted are still applicable to the contemporary transportation environment.
- 5. Any changes in circumstances or conditions affecting the area.**  
Commercial development is beginning to take place in the Activity Center. In addition, in the late spring of 2014, the City Commission did vacate some antiquated plats which unencumbered the property proposed to be rezoned from previous plat requirements (i.e. dedicated rights of way).
- 6. Any mistakes in the original classification.**  
No known mistakes in the original classification.
- 7. Its effect upon the public health, welfare, safety or morals.**  
Business and commercial growth have been long standing goals of the City. The benefits of such growth including tax base diversification, more readily accessible shopping and entertainment venues, and expanded employment opportunity seem to consistently resonate through the community. However, those pro-business growth sentiments, the yearning for tax base diversification and jobs by the constituent base can be seriously tested when there is a business development planned near residential areas. This dynamic is very common in the City of Deltona where the most dominate land use is residential. However, new business

development as it relates to existing residential development, need not be a contentious issue when framed by some basic parameters: 1) Business growth and development within the present City limits is generally a good thing. 2) Residential areas deserve protection. The reconciliation of these two parameters is considered land use compatibility and land use compatibility is a major cornerstone of the City Comprehensive Plan and implementing ordinances (i.e. Land Development Code).

Land use compatibility can be effectuated in numerous ways; however, for the greatest effect all or a combination of these tools should be employed.

- 1) Limitation of density/intensity
- 2) Limitation of uses on a parcel
- 3) Strategic location of uses on a parcel
- 4) Buffers, setbacks and open space
- 5) Traffic management
- 6) Aesthetic controls

With these strategies in mind, City staff suggests that the project be conditioned. The following list of conditions have been proposed by the applicant and/or are suggested by City staff will be implemented as part of the existing or updated of the Development Agreement and the Master Development Plan (MDP). Attached will be a Development Agreement presented in an underline and strike through format illustrating changes proposed by staff.

- 1) City staff as illustrated under the “Transportation Systems” section of this report has suggested that a trip cap be implemented. The trip cap will limit overall project intensity. However, the 0.55 FAR proposed by the applicant will remain. What this means is that an individual development may be developed at a relatively high intensity but other developments in the project will be less intense.
- 2) The project, as proposed, has an expansive list of uses. For a site of this size and strategic location (i.e. near a major interstate interchange), a wide range of uses is appropriate. However, some uses have been suggested by staff to be deleted or combined with other uses. Perhaps the most notable recommended deletion is the proposed big box home improvement store format. The logic behind the elimination of the big box home improvement store was to promote more land use harmony with the residential land uses located to the east. Big box stores tend to be associated with extensive activity like high customer/traffic volumes and frequent deliveries. These uses also tend to operate long hours.
- 3) Land use intensity gradation on the project property should be terraced from west to east with the most intensive land uses located near the interstate and less intensive uses being earmarked for the eastern section of the property.

- 4) Buffers will need to comply with Section 110-808 of the City Land Development Code. However, staff and the applicant are suggesting that there be a minimum of a 40 foot landscape buffer afforded to the abutting Timbercrest/Arbor Ridge residential areas. In order to comply with Section 110-808 the residential areas to the north located in unincorporated Volusia County will also need to be afforded a 40 foot buffer. In addition, as designed on the applicant's MDP, a large retention area is proposed for the east side of the property which will enhance buffering. The BPUD will be required to set aside 20% of the site for common open space (Sec 110-319(k)(3)). Also to manage the open space a property owners association will need to be established. The open space requirement is especially important because a portion of this property could be developed for residential oriented uses such as assisted living facilities. The open space can be used to enhance the aesthetics of the development which is important since it is a gateway project.
- 5) Traffic management as it relates to the City transportation network has been discussed elsewhere in this report. However, there will be no vehicular access to the project through adjacent neighborhoods except for emergency access as may be deemed appropriate by the City public safety offices (police/fire). However, there should be pedestrian and bike access to the project to facilitate convenient multi-modal travel options for the Arbor Ridge and Timbercrest neighborhoods to access the goods and services provided by the project.
- 6) The applicant has pledged to implement architectural controls and has indicated that the City Urban Design Pattern Book will be used to guide the physiognomy of the built environment. In addition, all signs shall comport with Chapter 102 of the City Land Development Code.

Therefore, with the proposed changes to the Development Agreement that capture the above referenced compatibility parameters and the appropriate management of traffic (including applicant developed off-site traffic improvements) would create a condition where the project would not conflict with the public health, welfare, safety and morals of the City.

## **CONCLUSION/STAFF RECOMMENDATION**

The proposed rezoning helps to diversify the local development pattern, and hopefully facilitate actual development of the property in a manner that will provide goods, services and jobs for the City. However, the development of the property needs to occur in a manner that minimizes the impacts to City infrastructure, complies with City Code requirements, and is compatible with existing land uses. Staff recommends approval of Ordinance 17-2014 rezoning the 148+ acres of the Activity Center from Agriculture and Industrial to BPUD subject to the following conditions:

- 1) The Development Agreement and Master Development Plan be revised to integrate the traffic management provisions as illustrated below:
  - a) The development will be limited to 17,415 trips.

- b) By the first City Commission hearing the applicant needs to generate an equivalency matrix, consistent with the Comprehensive Plan to implement the trip cap.
  - c) By the first City Commission meeting the applicant generate a phasing/traffic mitigation plan.
  - d) All traffic improvements that are programed to the phases need to be in place before any City development reviews are initiated by the City.
  - e) The applicant will be responsible for monitoring and modeling at five (5) year intervals that complies with acceptable transportation planning methodology.
- 2) The Development Agreement be revised to include the compatibility parameters as indicated elsewhere in this staff report and in the attached underline and strike through changes in the attached Development Agreement.

**Prohibited land uses for both primary parcel and outparcels include:**

- Sale of fireworks
- Carnival, fairs and circuses
- Outdoor storage; except for temporary storage at main buildings in areas designed for that purpose and screened from view from on or off site
- Tattoo parlors
- Industrial land uses
- Adult entertainment
- Game rooms
- Any operations primarily used as warehouses, excluding uses incidental to retail operations
- Manufacturing, mining or processing facilities
- Recycling or waste transfer facilities
- Central laundry or dry cleaning plants
- Any establishment selling drug paraphernalia
- Massage parlors
- Pawn shops
- Flea markets
- Junk Yards
- Any gambling establishments
- Pool or billiard parlors
- Amusement parks or skating rinks
- Dance, music halls, or night clubs (excluding restaurants which also have dancing as an ancillary use)
- Psychic, Tarot card reading, fortune telling or similar activities
- Bail bondsmen
- Bargain retail stores
- Crematoriums
- Animal shelters or kennels
- Jails
- Guyed or lattice towers
- Agricultural, nursery, or greenhouses



*Halifax Crossings BPUD Transportation Impact Analysis  
Transportation Impact Analysis Review  
City of Deltona, Florida*

## MEMORANDUM

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**Date:** June 11, 2014 **DRMP Project #:** 09-0857.008

**To:** Mr. Chris Bowley, AICP  
Planning and Development Services Director  
City of Deltona  
2345 Providence Boulevard  
Deltona, Florida 32725

**Review By:** Lisa Lanman, AICP & Melissa Gross, EI  
DRMP, Inc.  
941 Baldwin Lane  
Orlando, Florida 32814

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As requested by the City, DRMP has reviewed the Transportation Impact Analysis provided by the applicant that corresponds to the Halifax Crossings BPUD provided by the City on May 13, 2014. The following narrative provides further input regarding DRMP's recommendations for further information.

Comment Number	Section/ Page Number	Comment
1	Introduction	Please include a figure depicting the proposed site plan and access at the Howland Blvd/E. Graves Ave intersection, with the proposed site access intersection geometry.
2	Figure 1, pg.2	Please include I-4 ramps on this graphic. The figure does not show project access as indicated in the text.
3	Study Area, pg.3	Study area intersections: Please include the Saxon Blvd/Normandy Blvd intersection in the analysis. It has been indicated by the City of Deltona to be an important intersection in the city.
4	Study Area, Table 2, pg.4	Please include following roadway segments in the study area. <ul style="list-style-type: none"> <li>• Catalina Blvd from Wolf Pack to Howland Blvd</li> <li>• Wolf Pack Run from Catalina Blvd to Howland Blvd</li> <li>• Normandy Blvd from Elkcam Blvd to Saxon Blvd</li> </ul>
5	Existing Conditions	Please include a figure depicting the existing intersection geometries of all study area intersections.

Comment Number	Section/ Page Number	Comment
6	Existing Conditions	General Comment: The reviewer suggests including information on existing pedestrian & bicycle facilities, and any transit service in the study area, with route and schedule information included in the Appendix.
7	Existing Roadway Conditions, Table 3, pg. 7	Please include the unadjusted MSV and / or if the corridor is a County of State facility the adjusted MSV per the FDOT Generalized LOS Manual.
8	Existing Intersection Conditions, pg.9	Please cite the source for the LOS "E" standard for intersection operations addressed after Table 4.
9	Future Conditions, pg.10	Approved/Planned Development Traffic: Please include a discussion on any planned and approved development related traffic in the study area and include these numbers in you 2020 Future Year analysis. For instance there is a Race Track Gas station near completion and the Deltona Village trip generation volumes should be included in the 2020 Background volumes.
10	Trip Generation, pg.11	Internal Capture: Please include discussion on internal capture. The maximum allowable by Volusia County is 20%. Internal capture worksheets in Appendix G appear to show internal capture rates above the allowable 20%.
11	Trip Generation, pg.11	Passer-by Capture: Please include discussion on passer-by trip generation, how it was calculated, and a figure identifying these trips separately. A maximum passer-by rate of 14% is allowable for commercial land uses only as per the Volusia County standards.
12	Trip Distribution and Assignment, pg.11	The reviewer suggests including a figure to illustrate the proposed development trip distribution percentages and net external volumes at study area intersections.
13	Trip Distribution and Assignment	General Comment: Are any development generated trips distributed to Wolf Pack Run or Catalina Blvd south of Howland Blvd?
14	Yr 2020 Roadway Capacity Analysis	The reviewer suggests including a figure that illustrates volumes at the study area intersection to show background + passer-by + new external trips = future intersection volumes.
15	Yr 2020 Intersection Conditions, pg.18	2 <sup>nd</sup> Sentence: The reviewer suggests inserting the word "for" between "elimination" and "the."

Comment Number	Section/ Page Number	Comment
16	Appendix B	Volusia County 2013 Average Annual Daily Traffic & Historical Counts: Please use landscape orientation on 11x17 size page to make the information more legible. Please highlight study area roadways for easy reference.
17	Appendix D	Please include the timing diagram on all Synchro reports.
18	Appendix D	2020 Future AM and PM Synchro Reports for Providence Blvd/Howland Blvd: Please check intersection volume inputs, it appears that NB/SB & WB/EB volumes appear to be reversed.
19	Appendix D	The 2020 AM Peak Hour Synchro Report for Wolf Pack Run is missing the cross street name on the title at the top of the page.
20	Appendix D	2020 AM E. Graves Ave/Howland Blvd Synchro Report: NB and SB should be run with split phasing

At the request of the City of Deltona staff, DRMP has analyzed some of the critical and near critical roadways and intersections in the study area, and developed a list of potential improvement suggestions. While the deficiencies found within the study area are considered “pre-existing” by Florida legislation and are not a direct result of the Phase I traffic, the proposed development will add traffic volume to these facilities and cause additional degradation. The following mitigation strategy suggestions are intended to help offset the additional degradation caused by the proposed development for the Phase I construction. The table below lists these suggested improvement strategies to be further investigated and evaluated.

Roadway/Intersection	Potential Improvement Strategy
SR 472/MLK (W. Volusia Bltwy)	<ul style="list-style-type: none"> <li>Channelized WB right turn with receiving lane</li> <li>Changing existing NB &amp; SB LT lane into a dedicated left turn and a dedicated thru lane.</li> </ul>
Howland Blvd/I-4 NB Ramps	Note: This intersection will not fail in 2020, however is an important intersection providing access to I-4. A change in cycle length to 124 seconds is suggested to yield LOS C.
Howland Blvd/E. Graves Ave	<ul style="list-style-type: none"> <li>Add a third eastbound through lane on Howland Blvd. with a receiving lane for 800 feet</li> <li>Add second westbound left turn lane on Howland Blvd.</li> </ul>
Howland Blvd/Catalina Blvd	Intersection Geometry Improvements: Potential additional SB Right Turn Lane. Note: The addition of a SBRTL will bring the intersection to LOS D with no movement less than D.
Howland Blvd. from Providence Blvd. to Elkcam Blvd.	Consider widening this section of Howland Blvd from 2 to 4 lanes for consistency with 4-lane sections of Howland Blvd. to the north and south.

It should be noted that while the Phase II 2025 Future conditions were only provided for reference and the developer is not seeking concurrency for this phase at this time, there are roadway LOS failures caused by the Phase II projected traffic in 2025. Further discussion with the City of Deltona regarding potential mitigation requirements will be required when seeking concurrency for Phase II of the proposed development. These potential suggestion listed above are only intended to provide a basis for further discussion between the developer and the City/County.

DRMP appreciates the opportunity to support the City of Deltona on this project. Please contact Lisa Lanman at [llanman@drmp.com](mailto:llanman@drmp.com) if you have any questions or wish to discuss further.



Volusia County  
Traffic Engineering

Project Name: Halifax Crossings BPUD  
Subject: TIA Comments  
Date: 07-29-14

1. Page 4, Table 2: Providence Blvd's status is near-critical as opposed to critical.
2. Figure 2: Study Area Roadways and Intersections: The map does not depict all the segments and intersections that were analyzed in the TIA. There are several critical and near-critical segments that are missing.
3. Tables 6 and 7: Traffic counts used in the analysis vary from those in the Volusia County Traffic Engineering count spreadsheet, especially on Howland Blvd and Martin Luther King Blvd. Please see the attached table that depicts the differences, and explain why counts vary so much.
4. Table 4, Intersection Analysis: 1) Rerun the analysis of SR 472/I-4 SB ramps using correct planning; i.e., leading WB left turn and not lagging WB left turn. 2) Rerun the analysis of Howland/Providence using correct directions/volumes and phasing. The volumes don't match TMCs direction.
5. Page 13, Alternative Mode Analysis: 1) How will the development allow connectivity between all outparcels and the medical center? 2) Please coordinate with Votran's Transit Friendly Guidelines, contact Heather Blank at 386-756-7496. System users of all types will have travel needs to the site. The development should be prepared to address alternative mode access ease, especially considering there will be a higher percentage of disabled persons traveling to the site.
6. Build out dates: The proposed buildout dates for Phases 1 and 2 are 2020 and 2025. Please confirm with the city and developer that the buildout for Phase I is 6 years from now and not before.
7. Page 14, Programmed improvements: 1) Saxon Blvd is currently under construction for 6 lanes and should be reflected as a programmed improvement in the area. 2) Deltona Village: Deltona Village has more improvements than the one described. Please list all improvements that will occur over the next 3 years.
8. Page 15: How was Deltona Village's growth accounted for in the analysis?
9. Page 22 & 23, Growth Rates:
  - a. I-4 (Saxon Blvd to SR 472) and (SR 472 to Orange Camp Road): We did not see documentation provided to support a 4.3% growth rate.
  - b. Catalina: Howland to Wolf Pack was not provided. Also, Trends analysis shows 6.3% growth rate between Howland and Sixma.
  - c. Howland Blvd (Providence to Elkcam): Trends shows -0.7%; therefore, growth rate should be 1.0%.
  - d. Saxon Blvd: FDOT Park and Ride to I-4, Trends shows 1.9%.
  - e. Veterans Memorial Parkway: We did not see documentation for the 4.4% growth rate. Only the segment between Graves and Rhode Island was provided and that was 1.9%.

Please redo the growth rate computation for segments that either have no supporting documentation or those that used the wrong growth rate percentage.
10. Page 22 & 23, Saxon Blvd: Please revise to show Saxon Blvd as 6 lanes.
11. Page 24, Table 8: 1) SR 472/I-4 SB ramps – Any lead/lag changes need to be approved by FDOT. 2) Refer to comments on Table 4.
12. Page 32: 2020 comments carry over to the 2025 analysis.



Volusia County  
Traffic Engineering

13. Conclusions and Recommendations: 2020/2025 analyses need to be redone prior to making any conclusions.
14. The analysis shows that there are several segments that are over capacity in 2020 and 2025. Although, in the development phase, the project would not have to address the existing deficient roads and intersections deficiencies due to current legislation, this project is in the rezoning stage and not the development stage. As such, the analysis proves that there is insufficient capacity on various road segments and intersections to handle the additional trips brought forth by the respective rezoning application. It will be up to the developer to address this rezoning issue with the City of Deltona for purposes of approving the rezoning/BPUD application.
15. Since the project generates over 5,000 trips per day, please coordinate with FDOT. Attn: Judy Pizzo, Planning Project Manager, ISD, FDOT District V, DeLand, FL 32720.



GMB ENGINEERS &amp; PLANNERS, INC.

August 11, 2014

Volusia County Traffic Engineering  
 123 W. Indiana Ave.  
 DeLand, FL 32720-4262

**RE: Response to Comments**  
**Halifax Medical Center, Deltona**  
**TIA Methodology Comments**  
*GMB Project # 14-017.01*

The following are GMB Engineers & Planners responses to comments received on the above-mentioned project:

**Comments by: Volusia County Traffic Engineering**  
**Dated: 07-29-14**

1. Page 4. Table 2: Providence Blvd's status is near-critical as opposed to critical.

**Response:** Table 2 has been corrected.

2. Figure 2: Study Area Roadways and Intersections: The map does not depict all the segments and intersections that were analyzed in the TIA. There are several critical and near-critical segments that are missing.

**Response:** Missing segments have been added to Figure 2.

3. Tables 6 and 7: Traffic counts used in the analysis vary from those in the Volusia County Traffic Engineering count spreadsheet, especially on Howland Blvd and Martin Luther King Blvd. Please see the attached table that depicts the differences, and explain why counts vary so much.

**Response:** The traffic counts depicted in Tables 6 and 7 represent data collected from TMC's at intersections respective to associated roadway segments. The TMCs were derived from video and verified for accuracy. The AM condition retains data collected from the TMCs to represent roadway segment volumes. The PM condition is revised to represent the latest Volusia County count data.

**GMB Orlando**

2602 E. Livingston St.  
 Orlando, FL 32803  
 Office: 407.898.5424  
 Fax: 407.898.5425

4. Table 4, Intersection Analysis: 1) Rerun the analysis of SR 472/I-4 SB ramps using correct planning; i.e., leading WB left turn and not lagging WB left turn. 2) Rerun the analysis of Howland/Providence using correct directions/volumes and phasing. The volumes don't match TMCs direction.

**Response:** 1) The SR 472/I-4 SB Ramps has been revised to emulate the existing westbound left turn lead phase for existing and future conditions. The revised SYNCHRO analysis is provided. 2) The analysis has been revised to represent the correct directionality for volumes at the intersection for the existing and future analysis. The revised SYNCHRO analysis is provided.

5. Page 13, Alternative Mode Analysis: 1) How will the development allow connectivity between all outparcels and the medical center? 2) Please coordinate with Votran's Transit Friendly Guidelines, contact Heather Blank at 386-756-7496. System users of all types will have travel needs to the site. The development should be prepared to address alternative mode access ease, especially considering there will be a higher percentage of disabled persons traveling to the site.

**Response:** 1) The applicant will address all connectivity issues during the site plan approval process. 2) The applicant will coordinate with Votran Staff regarding possible solutions for bus stop availability and convenience during the site plan approval process.

6. Build out dates: The proposed buildout dates for Phases 1 and 2 are 2020 and 2025. Please confirm with the city and developer that the buildout for Phase I is 6 years from now and not before.

**Response:** After discussions with the applicant, the anticipated time frame to construct all of Phase 1 is retained as specified in the analysis.

7. Page 14, Programmed improvements: 1) Saxon Blvd is currently under construction for 6 lanes and should be reflected as a programmed improvement in the area. 2) Deltona Village: Deltona Village has more improvements than the one described. Please list all improvements that will occur over the next 3 years.

**Response:** 1) Saxon Boulevard has been revised in the analysis to reflect the six laning from Enterprise Road to I-4. 2) At the present moment Deltona Village has not contributed to the turn lane improvement provided in the analysis at Graves Road and Howland Boulevard and will therefore be removed from the future analysis. The revised SYNCHRO analysis is provided. At this time Deltona Village has not sought vesting for their Phase 1 project and subsequent improvements associated with Phase 1 construction will not be included in the analysis. Furthermore, additional future phase improvements will not be included. Only the vested 96,000

*Halifax Medical Center  
Response to Methodology Comments – Volusia County  
August 11, 2014  
Page 3 of 4*

square foot of development will be included in future analysis of which approximately 51,000 square feet of theatre and 5,000 square feet of convenience store are already accounted for in the existing conditions.

8. Page 15: How was Deltona Village's growth accounted for in the analysis?

**Response:** Please see above. The remainder of the 96,000 square foot of vested or committed development does not exceed the one (1) percent background growth accounted for in the future analysis.

9. Page 22 & 23, Growth Rates:

a. I-4 (Saxon Blvd to SR 472) and (SR 472 to Orange Camp Road): We did not see documentation provided to support a 4.3% growth rate.

**Response:** Trends analysis is provided.

b. Catalina: Howland to Wolf Pack was not provided. Also, Trends analysis shows 6.3% growth rate between Howland and Sixma.

**Response:** Trends analysis is provided. Trends analysis has been revised.

c. Howland Blvd (Providence to Elkcam): Trends shows -0.7%; therefore, growth rate should be 1.0%.

**Response:** Growth Rate has been revised.

d. Saxon Blvd: FDOT Park and Ride to I-4, Trends shows 1.9%.

**Response:** Growth Rate has been revised.

e. Veterans Memorial Parkway: We did not see documentation for the 4.4% growth rate. Only the segment between Graves and Rhode Island was provided and that was 1.9%.

**Response:** Trends analysis is provided.

Please redo the growth rate computation for segments that either have no supporting documentation or those that used the wrong growth rate percentage.

**Response:** Noted

10. Page 22 & 23, Saxon Blvd: Please revise to show Saxon Blvd as 6 lanes.

**Response:** Saxon Boulevard has been revised in the analysis.

11. Page 24, Table 8: 1) SR 472/I-4 SB ramps – Any lead/lag changes

*Halifax Medical Center  
Response to Methodology Comments – Volusia County  
August 11, 2014  
Page 4 of 4*

need to be approved by FDOT. 2) Refer to comments on Table 4.

**Response:** 1) Noted. 2) Table 4 has been revised in the analysis.

12. Page 32: 2020 comments carry over to the 2025 analysis.

**Response:** 2025 analysis has been revised accordingly and is provided.

13. Conclusions and Recommendations: 2020/2025 analyses need to be redone prior to making any conclusions.

**Response:** The revised Conclusions and Recommendations are provided.

14. The analysis shows that there are several segments that are over capacity in 2020 and 2025. Although, in the development phase, the project would not have to address the existing deficient roads and intersections deficiencies due to current legislation, this project is in the rezoning stage and not the development stage. As such, the analysis proves that there is insufficient capacity on various road segments and intersections to handle the additional trips brought forth by the respective rezoning application. It will be up to the developer to address this rezoning issue with the City of Deltona for purposes of approving the rezoning/BPUD application.

**Response:** Rezoning is defined as development approval. The current legislation still applies.

15. Since the project generates over 5,000 trips per day, please coordinate with FDOT. Attn: Judy Pizzo, Planning Project Manager, ISD, FDOT District V, DeLand, FL 32720.

**Response:** Coordination with FDOT staff will occur throughout the approval process.

If you have any questions or concerns, please do not hesitate to contact me at (407) 898-5424.

Regards,  
GMB Engineers & Planners, Inc.



Karl Krichbaum,  
Project Manager



In addition, Table 2 depicts the study area roadways based on the criteria for study impact area:

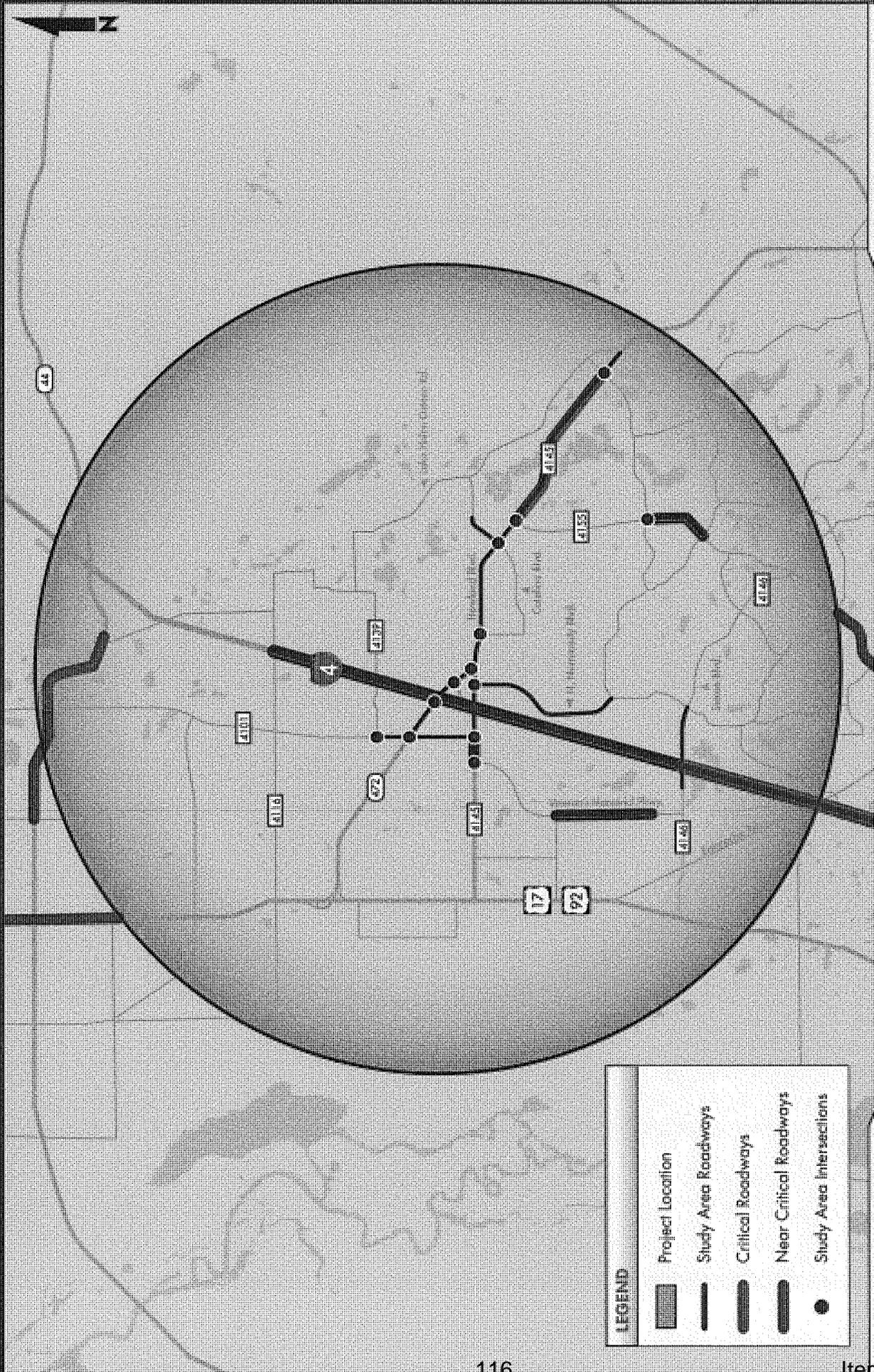
(Revised) Table 2 - Study Area Roadways

Roadway	From / To	Critical / Near Critical
<b>I-4</b>	Dirksen Dr. to Saxon Blvd.	Critical
	Saxon Blvd. to SR 472	Near Critical
	SR 472 to Orange Camp Rd.	Near Critical
<b>SR 472</b>	MLK Blvd to I-4 (end of state road)	
<b>Catalina Blvd</b>	Howland Blvd. to Sixma Rd.	
<b>Graves Av / CR 4145</b>	Veteran's Memorial Pkwy. to Kentucky Ave.	Near Critical
	Kentucky Ave. to Howland Blvd.	
<b>Howland Blvd</b>	I-4/SR 472 to Project Entrance / E. Graves Ave	
	Project Entrance / E. Graves Ave to Wolf Pack Run	
	Wolf Pack Run to Catalina Blvd.	
	Catalina Blvd. to Providence Blvd.	
	Providence Blvd. to Elkcam Blvd.	Critical
	Elkcam Blvd. to Lake Helen-Osteen Rd.	
<b>Normandy Blvd</b>	Graves (old Howland) to Rhode Island Ave	
	Rhode Island Ave to Elkcam Blvd.	
<b>Providence Blvd.</b>	Elkcam Blvd. to Ft Smith Blvd.	Near Critical
<b>Saxon Blvd.</b>	VMP to FDOT Park & Ride	Near Critical
	FDOT Park & Ride to I-4	Near Critical
	I-4 to Finland Dr.	Near Critical
	Finland Dr. to Normandy Blvd.	Near Critical
<b>W. Volusia Bltwy (MLK)</b>	Cassadaga Rd. to SR 472	
	SR 472 to Graves Ave	
<b>W. Volusia Bltwy (VMP)</b>	Rhode Island Ave. to Harley Strickland Blvd.	Near Critical

Study area roadways and intersections are illustrated in Figure 2.

### EXISTING TRAFFIC COUNTS

GMB Engineers & Planners assembled the necessary traffic counts for the intersections identified in the study area. The existing AM peak hour (7:00-9:00) & PM peak hour (4:00-6:00) traffic volumes were conducted during the month of February 2014.



PROJECT NUMBER: 14-017-01

FIGURE 2  
Study Area Roadways & Intersections

# Halifax Crossings BPUD

DATE CREATED: 4/25/2014

Table 3  
 Halifax Crossings BPUD  
 Existing AM & PM Peak Hour Roadway Analysis  
 (Revised 8-5-14)

Roadway	Station #	No. of Lanes	Critical / Near-Critical	Level of Service		Two Way AM PKHR		Two Way PM PKHR	
				Adopted LOS	Adjusted MSV	Two-way Traffic	LOS	Two-way Traffic	LOS
<b>I-4</b>									
Dirksen Dr. to Saxon Blvd.	9906	6	Critical	C	8,370	8,368	C	8,676	D
Saxon Blvd. to SR 472	1003	6	Near Critical	C	8,370	6,333	C	7,965	C
SR 472 to Orange Camp Rd.	485	6	Near Critical	C	8,370	5,576	C	6,930	C
<b>SR 472</b>									
MLK Blvd to I-4 (end of state road)	535	4		D	3,580	2,262	C	2,160	C
<b>Catalina Blvd</b>									
Howland Blvd. to Sixma Rd.	DLT-20.02	2		E	1,020	957	D	1,006	E
<b>Graves Av / CR 4145</b>									
Veteran's Memorial Pkwy. to Kentucky Ave.	775	2	Near Critical	E	1,620	1,200	C	1,528	C
Kentucky Ave. to Howland Blvd.	900	2		E	1,620	952	C	1,167	C
<b>Howland Blvd</b>									
I-4/SR 472 to Project Entrance / E. Graves Ave	901	4		E	3,410	2,233	C	2,473	C
Project Entrance / E. Graves Ave to Wolf Pack Run	901	4		E	3,410	2,771	C	2,473	C
Wolf Pack Run to Catalina Blvd	903	4		E	3,410	2,348	C	2,443	C
Catalina Blvd. to Providence Blvd.	905	4		E	3,410	1,713	C	1,806	C
Providence Blvd. to Elkcam Blvd.	906	2	Critical	E	1,230	1,223	D	1,364	F
Elkcam Blvd. to Lake Helen-Osteen Rd.	908	4		E	3,410	1,039	C	1,280	C
<b>Normandy Blvd</b>									
Normandy Blvd (old Howland) to Rhode Island Ave.	DLT-105	2		E	1,230	712	C	648	C
Rhode Island Ave. to Elkcam Blvd.	DLT-105	4		E	2,740	694	C	627	C
<b>Providence Blvd.</b>									
Elkcam Blvd. to Ft. Smith Blvd.	1541	2	Near Critical	E	1,020	865	D	1,176	F
<b>Saxon Blvd.</b>									
VMP to FDOT Park & Ride	1674	6		E	5,390	1,565	C	3,270	C
FDOT Park & Ride to I-4	1685	6		E	5,390	1,565	C	3,280	C
I-4 to Finland Dr.	1675	4	Near Critical	E	3,410	2,832	C	3,098	C
Finland Dr. to Normandy Blvd.	1676	4	Near Critical	E	3,410	2,546	C	2,924	C
<b>W. Volusia Bldwy (Dr. MLK Jr)</b>									
Cassadaga Rd. to SR 472	1940	2		E	1,540	902	C	1,135	C
SR 472 to Graves Ave	1030	2		E	1,540	684	C	951	C
<b>W. Volusia Bldwy (Veteran's Memorial)</b>									
Rhode Island Ave. to Harley Strickland Blvd.	1901	2	Near Critical	E	1,540	978	C	1,620	F

August-14

Source:  
 GMB Engineers & Planners, Inc.  
 Year 2013 City of Deltona Traffic Count Report  
 Volusia County 2013 Average Annual Daily Traffic & Historical Counts  
 FDOT Florida Traffic Online (2013)

## EXISTING INTERSECTION CONDITIONS

The study area intersections were evaluated using the methodology outlined in the Highway Capacity Manual and using SYNCHRO (v9). The existing intersection analyses is based on turning movement data collected in the month of February 2014, during the AM (7:00-9:00) and PM (4:00-6:00) peak hour periods. Furthermore, the existing intersection signal timings were obtained from Volusia County (see Appendix "C"). Table 4 provides a summary of the existing intersection analysis, including intersection delay and LOS:

Table 4 - YR 2014 Existing Intersection Analysis

<b>(Revised) YR 2014 Intersection Analysis</b>					
<b>Intersection</b>	<b>Control</b>	<b>AM peak hour</b>		<b>PM peak hour</b>	
		<b>LOS</b>	<b>Delay (sec/veh)</b>	<b>LOS</b>	<b>Delay (sec/veh)</b>
SR 472 at MLK (W. Volusia Bltwy)	Signal	D	48.5	E	67.8
SR 472 at I-4 SB Ramps	Signal	B	17.5	C	27.8
Howland Blvd at I-4 NB Ramps	Signal	C	20.1	D	47.6
Howland Blvd at E. Graves Ave	Signal	B	19.0	D	50.9
Howland Blvd at Wolf Pack Run	Signal	C	20.0	B	16.9
Howland Blvd at Catalina Blvd	Signal	E	55.1	D	37.6
Howland Blvd at Providence Blvd	Signal	C	23.3	C	34.5
Howland Blvd at Elkcam Blvd	Signal	C	24.8	C	28.1
E. Graves Ave at Normandy Blvd	Signal	B	13.0	B	14.0
E. Graves Ave at MLK (Kentucky Ave)	Signal	C	25.6	D	35.1
E. Graves Ave at Veterans Memorial Pkwy	Signal	B	16.4	B	19.5
MLK (W. Volusia Bltwy) at Cassadaga Rd	Stop	C	23.3	C	22.8
Normandy Blvd at Elkcam Blvd	Signal	B	19.3	B	13.0

As shown in Table 4, all study area intersections operate at the allowable LOS "E" or better for the existing conditions with the exception of the intersection of Howland Blvd at Providence Blvd, which is operating below acceptable LOS in the PM peak hour condition. SYNCHRO summary sheets can be found in Appendix "D", and the intersections analysis summary can be found in Appendix "E".

Table 6  
Halifax Crossings BPUD  
Phase I - Future (YR 2020) AM Peak Hour Roadway Analysis  
(Revised B-5-14)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing AM PK	Growth Rate	Background Traffic		YR 2020 Project Traffic		Total Traffic	LOS	Project Deficiency? Y/N
			Adopted LOS	Adjusted MSV			AM PK	Total	Trips	Dis%			
I-4													
Dirksen Dr. to Saxon Blvd.	6	Critical	C	8,370	8,368 **	1.0%	8,870	8,870	56	5.46%	8,926	D	No
Saxon Blvd. to SR 472	6	Near Critical	C	8,370	6,333 **	4.3%	7,968	7,968	81	8.03%	8,049	C	No
SR 472 to Orange Camp Rd.	6	Near Critical	C	8,370	5,576 **	4.3%	7,015	7,015	62	6.19%	7,077	C	No
SR 472													
MLK Blvd to I-4 (end of state road)	4		D	3,580	2,262	1.0%	2,398	2,398	360	35.63%	2,758	C	No
Catalina Blvd													
Howland Blvd. to Sixma Rd.	2		E	1,020	957 *	9.3%	1,490	1,490	64	6.33%	1,554	F	No
Graves Av / CR 4145													
Veteran's Memorial Pkwy. to Kentucky Ave.	2	Near Critical	E	1,620	1,200	1.0%	1,272	1,272	119	11.79%	1,391	C	No
Kentucky Ave. to Howland Blvd.	2		E	1,620	952	1.0%	1,009	1,009	379	37.43%	1,388	C	No
Howland Blvd													
I-4/SR 472 to Project Entrance / E. Graves Ave	4		E	3,410	2,233	1.0%	2,366	2,366	360	35.63%	2,726	C	No
Project Entrance / E. Graves Ave to Wolf Pack Run	4		E	3,410	2,771	1.0%	2,938	2,938	273	26.95%	3,211	C	No
Wolf Pack Run to Catalina Blvd	4		E	3,410	2,348	1.0%	2,489	2,489	257	25.38%	2,746	C	No
Catalina Blvd. to Providence Blvd.	4		E	3,410	1,713	1.0%	1,816	1,816	152	15.09%	1,968	C	No
Providence Blvd. to Elkcam Blvd.	2	Critical	E	1,230	1,223	1.7%	1,347	1,347	91	9.05%	1,438	F	No
Elkcam Blvd. to Lake Helen-Osteen Rd.	4		E	3,410	1,039	1.0%	1,101	1,101	56	5.55%	1,157	C	No
Normandy Blvd													
Graves (old Howland) to Rhode Island Ave.	2		E	1,230	712 *	1.0%	755	755	175	17.22%	930	C	No
Rhode Island Ave. to Elkcam Blvd.	4		E	2,740	694 *	1.0%	736	736	160	15.78%	896	C	No
Providence Blvd.													
Elkcam Blvd. to Ft Smith Blvd.	2	Near Critical	E	1,020	865	1.0%	916	916	51	5.04%	967	E	No
Saxon Blvd.													
VMP to FDOT Park & Ride	6		E	5,390	1,565 **	1.0%	1,658	1,658	32	3.08%	1,690	C	No
FDOT Park & Ride to I-4	6		E	5,390	1,565 **	1.0%	1,658	1,658	28	2.74%	1,686	C	No
I-4 to Finland Dr.	4	Near Critical	E	3,410	2,832	1.0%	3,002	3,002	40	3.96%	3,042	C	No
Finland Dr. to Normandy Blvd.	4	Near Critical	E	3,410	2,546	1.0%	2,699	2,699	38	3.76%	2,737	C	No
W. Volusia Bitywy (Dr MILK Jr)													
Cassadaga Rd. to SR 472	2		E	1,540	902	1.0%	956	956	93	9.16%	1,049	C	No
SR 472 to Graves Ave	2		E	1,540	684	1.0%	725	725	73	7.16%	798	C	No
W. Volusia Bitywy (Veteran's Memorial)													
Rhode Island Ave. to Harley Strickland Blvd.	2	Near Critical	E	1,540	978	4.4%	1,236	1,236	46	4.55%	1,282	C	No

Source: GMB Engineers & Planners, Inc. Year 2013 City of Deltona Traffic Count Report FDOT Florida Traffic Online (2013) August-14

Notes:  
Existing AM peak traffic volumes are obtained from the turning movements counts conducted by GMB during the month of February & April 2014.  
\* AM peak traffic volumes obtained from the Year 2013 City of Deltona Raw Traffic Counts  
\*\* AM peak traffic volumes obtained from the FDOT Traffic Online (2013) Synopsis Reports

Table 7  
Halifax Crossings BPUD  
Phase I - Future (YR 2020) PM Peak Hour Roadway Analysis  
(Revised 8-5-14)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing PM PK Two Way	Growth Rate	Background Traffic		YR 2020 Project Traffic		Total Traffic	LOS	Project Deficiency? Y/N	
			Adopted LOS	Adjusted MSV			Background Total	Background LOS	Background Deficiency? Y/N	Trips				Dis%
I-4														
Dirksen Dr. to Saxon Blvd.	6	Critical	C	8,370	8,676 *	1.0%	9,283	D	***	50	5.46%	9,333	D	No
Saxon Blvd. to SR 472	6	Near Critical	C	8,370	7,965 *	4.3%	10,362	E	***	75	8.03%	10,437	E	No
SR 472 to Orange Camp Rd.	6	Near Critical	C	8,370	6,930 *	4.3%	9,016	D	***	57	6.19%	9,073	D	No
SR 472														
MLK Blvd to I-4 (end of state road)	4		D	3,580	2,160 *	1.0%	2,311	C	No	332	35.63%	2,643	C	No
Catalina Blvd														
Howland Blvd. to Sixma Rd.	2		E	1,020	1,006 **	9.3%	1,661	F	Yes	59	6.33%	1,720	F	No
Graves Av / CR 4145														
Veteran's Memorial Pkwy. to Kentucky Ave.	2	Near Critical	E	1,620	1,528	1.0%	1,635	F	Yes	110	11.75%	1,745	F	No
Kentucky Ave. to Howland Blvd.	2		E	1,620	1,066	1.0%	1,141	C	No	348	37.43%	1,489	C	No
Howland Blvd														
I-4/SR 472 to Project Entrance / E. Graves Ave	4		E	3,410	2,237	1.0%	2,994	C	No	332	35.63%	2,726	C	No
Project Entrance / E. Graves Ave to Wolf Pack Run	4		E	3,410	2,925	1.0%	3,130	C	No	251	26.95%	3,381	D	No
Wolf Pack Run to Catalina Blvd	4		E	3,410	2,443	1.0%	2,614	C	No	237	25.38%	2,851	C	No
Catalina Blvd. to Providence Blvd.	4		E	3,410	2,139	1.0%	2,289	C	No	141	15.09%	2,430	C	No
Providence Blvd. to Elkcam Blvd.	2	Critical	E	1,230	1,834	1.7%	2,052	F	Yes	84	9.05%	2,136	F	No
Elkcam Blvd. to Lake Helen-Osteen Rd.	4		E	3,410	1,191	1.0%	1,274	C	No	52	5.55%	1,326	C	No
Normandy Blvd														
Graves (old Howland) to Rhode Island Ave.	2		E	1,230	648	1.0%	693	C	No	160	17.22%	853	C	No
Rhode Island Ave. to Elkcam Blvd.	4		E	2,740	627 **	1.0%	671	C	No	146	15.78%	817	C	No
Providence Blvd.														
Elkcam Blvd. to Ft Smith Blvd.	2	Near Critical	E	1,020	1,176 *	1.0%	1,259	F	Yes	47	5.04%	1,306	F	No
Saxon Blvd.														
VMP to FDOT Park & Ride	6		E	5,390	3,270 *	1.0%	3,499	C	No	29	3.08%	3,528	C	No
FDOT Park & Ride to I-4	6		E	5,390	3,280 *	1.0%	3,509	C	No	25	2.74%	3,534	C	No
I-4 to Finland Dr.	4	Near Critical	E	3,410	3,098	1.0%	3,315	D	No	36	3.96%	3,351	D	No
Finland Dr. to Normandy Blvd.	4	Near Critical	E	3,410	2,924	1.0%	3,129	C	No	35	3.76%	3,164	C	No
W. Volusia Bitwy (Dr MLK Jr)														
Cassadaga Rd. to SR 472	2		E	1,540	1,135	1.0%	1,214	C	No	85	9.16%	1,299	C	No
SR 472 to Graves Ave	2		E	1,540	951	1.0%	1,018	C	No	67	7.16%	1,085	C	No
W. Volusia Bitwy (Veteran's Memorial)														
Rhode Island Ave. to Harley Strickland Blvd.	2	Near Critical	E	1,540	1,620	4.4%	2,119	F	Yes	42	4.55%	2,161	F	No

August-14

Source:  
GMB Engineers & Planners, Inc.  
Year 2013 City of Deltona Traffic Count Report  
Volusia County 2013 Average Annual Daily Traffic & Historical Counts  
FDOT Florida Traffic Online (2013)

Notes:

Existing PM peak traffic volumes are obtained from the latest Volusia County Count Data  
\*\*Two-way PM peak hour traffic was calculated by multiplying AADT obtained from the Volusia County 2013 Average Annual Daily Traffic & Historical Counts by Standard K factor (K=0.09)  
\*\* Standard K factor Values for City roadways were calculated from the Year 2013 City of Deltona Traffic Count Report

## YR 2020 INTERSECTION CONDITIONS

The study area intersections were evaluated with the addition of project traffic in order to quantify the impacts created by the proposed development. The intersections were grown at their respective rate per year and project traffic was added to reflect YR 2020 future conditions for both the AM and PM peak hours. The intersection analysis summary can be found in Appendix "E" of this report. Table 8 summarizes the results of the intersection capacity analysis:

Table 8 - YR 2020 Intersection Analysis

<b>(Revised) Phase-I YR 2020 Intersections Analysis</b>					
<b>Intersection</b>	<b>Control</b>	<b>AM peak hour</b>		<b>PM peak hour</b>	
		<b>LOS</b>	<b>Delay (sec/veh)</b>	<b>LOS</b>	<b>Delay (sec/veh)</b>
SR 472 at MLK (W. Volusia Bltwy)	Signal	E	78.1	E	70.2
SR 472 at I-4 SB Ramps	Signal	C	31.2	C	24.4
Howland at I-4 NB Ramps	Signal	E	56.0	D	51.5
Howland Blvd at E. Graves Ave	Signal	E	70.7	E	76.1
Howland Blvd at Wolf Pack Run	Signal	C	22.0	B	18.5
Howland Blvd at Catalina Blvd	Signal	F	164.1/190.0	E	55.6
Howland Blvd at Providence Blvd	Signal	C	33.6	C	27.5
Howland Blvd at Elkcam Blvd	Signal	C	24.3	C	28.6
E. Graves Ave at Normandy Blvd	Signal	B	14.3	B	18.4
E. Graves Ave at MLK (Kentucky Ave)	Signal	C	28.3	D	35.3
E. Graves Ave at Veterans Memorial Pkwy	Signal	B	19.7	C	27.4
MLK (W. Volusia Bltwy) at Cassadaga Rd	Stop	C	24.3	D	26.4
Normandy Blvd at Elkcam Blvd	Signal	C	21.8	B	12.8

\* Optimized Split Time

As shown in Table 9, all study area intersections are anticipated to operate at the allowable LOS "E" or better for the for the YR 2020 with the exception of the intersection of Howland Blvd at Providence Blvd, which is operating below acceptable LOS for the PM peak hour. It should be noted that during the PM peak hour, the intersection of Howland Blvd at Providence Blvd is operating below allowable LOS in the existing conditions, without the project generated from the Halifax Crossings

Table 12  
 Halifax Crossings BPUD  
 Build-Out - Future (YR 2025) PM Peak Hour Roadway Analysis  
 (Revised 8-5-2014)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing PM PK Two Way	Growth Rate	Background Traffic		YR 2025 Project Traffic		Background Deficiency? Y/N	LOS	Total Traffic	Project Deficiency? Y/N
			Adopted LOS	Adjusted LOS			MSV	Total	LOS	Trips				
I-4 Dirksen Dr. to Saxon Blvd. Saxon Blvd. to SR 472 SR 472 to Orange Camp Rd.	6	Critical	C	8,370	8,676	1.00%	9,197	D	83	5.46%	Yes	9,280	No	
	6	Near Critical	C	8,370	7,965	4.30%	10,020	D	123	8.03%	Yes	10,143	No	
	6	Near Critical	C	8,370	6,930	4.30%	8,718	D	94	6.19%	Yes	8,812	No	
SR 472 MLX Blvd to I-4 (end of state road)	4		D	3,580	2,160	1.00%	2,290	C	543	35.63%	No	2,833	No	
Catalina Blvd Howland Blvd. to Sixma Rd.	2		E	1,020	1,006	1.00%	1,067	F	97	6.33%	Yes	1,164	No	
	2	Near Critical	E	812	1,528	1.00%	1,620	F	180	11.79%	Yes	1,800	No	
Graves Av / CR 4145 Veteran's Memorial Pkwy to Kentucky Ave. Kentucky Ave. to Howland Blvd.	2		E	1,620	1,167	1.00%	1,237	C	570	37.43%	No	1,807	Yes	
	4		E	3,410	2,473	1.00%	2,621	C	543	35.63%	No	3,164	No	
Howland Blvd I-4/SR 472 to Project Entrance / E. Graves Ave Project Entrance / E. Graves Ave to Wolf Pack Run Wolf Pack Run to Catalina Blvd Catalina Blvd. to Providence Blvd. Providence Blvd. to Elkcam Blvd. Elkcam Blvd. to Lake Helen-Osteen Rd.	4		E	3,410	2,473	1.00%	2,621	C	543	35.63%	No	3,164	No	
	4		E	3,410	2,473	1.00%	2,621	C	411	26.95%	No	3,032	No	
	4		E	3,410	2,443	1.00%	2,590	C	386	25.38%	No	2,976	No	
	4	Critical	E	3,410	1,806	1.00%	1,914	C	230	15.09%	No	2,144	No	
Normandy Blvd Graves (old Howland) to Rhode Island Ave. Rhode Island Ave. to Elkcam Blvd. Elkcam Blvd. to Saxon Blvd.	2		E	1,230	1,364	1.70%	1,503	F	138	9.05%	Yes	1,641	No	
	4		E	3,410	1,280	1.00%	1,357	C	85	5.55%	No	1,442	No	
	2		E	1,230	648	1.00%	687	C	262	17.22%	No	949	No	
	4		E	2,740	627	1.00%	665	C	240	15.78%	No	905	No	
Providence Blvd. Howland Blvd. to Elkcam Blvd. Elkcam Blvd. to Ft Smith Blvd.	2	Near Critical	E	1,270	1,016	1.00%	1,077	D	91	6.03%	No	1,168	No	
	2		E	1,020	1,176	1.00%	1,247	F	77	5.04%	Yes	1,324	No	
Saxon Blvd. VMP to FDOT Park & Ride FDOT Park & Ride to I-4 I-4 to Finland Dr. Finland Dr. to Normandy Blvd.	6		E	5,390	3,270	1.00%	3,466	C	47	3.08%	No	3,513	No	
	6		E	5,390	3,280	1.00%	3,476	C	42	2.74%	No	3,518	No	
	4	Near Critical	E	3,410	3,098	1.00%	3,284	D	60	3.96%	No	3,344	No	
	4	Near Critical	E	3,410	2,924	1.00%	3,100	C	57	3.76%	No	3,157	No	
W. Volusia Bldwy (Dr MLK Jr) Orange Camp Rd. to Cassadaga Rd. Cassadaga Rd. to SR 472 SR 472 to Graves Ave	2		E	1,540	929	1.00%	985	C	108	7.07%	No	1,093	No	
	2		E	1,540	976	1.00%	1,035	C	140	9.16%	No	1,175	No	
	2		E	1,540	815	1.00%	864	C	110	7.16%	No	974	No	
	2	Near Critical	E	1,620	1,396	3.80%	1,714	F	106	6.95%	Yes	1,820	No	
W. Volusia Bldwy (Veteran's Memorial) Graves Ave. to Rhode Island Ave. Rhode Island Ave. to Harley Strickland Blvd.	2		E	1,540	1,620	4.40%	2,048	F	69	4.55%	Yes	2,117	No	
	2	Near Critical	E	1,540	1,620	4.40%	2,048	F	69	4.55%	Yes	2,117	No	

August-14

Source:  
 GMB Engineers & Planners, Inc.  
 Year 2013 City of Deltona Traffic Count Report  
 Volusia County 2013 Average Annual Daily Traffic & Historical Counts  
 FDOT Florida Traffic Online (2013)

Table 11  
 Halifax Crossings BPUD  
 Build-Out - Future (YR 2025) AM Peak Hour Roadway Analysis  
 (Revised 8-5-2014)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing AM PK	Growth Rate	Background Traffic		Background Deficiency? Y/N	YR 2025 Project Traffic		Total Traffic	LOS	Project Deficiency? Y/N
			Adopted	Adjusted			AM PK	Total		Trips	Dis%			
I-4 Dirksen Dr. to Saxon Blvd. Saxon Blvd. to SR 472 SR 472 to Orange Camp Rd.	6	Critical	C	8,370	8,368	1.00%	9,289	D	Yes	89	5.46%	9,378	D	No
	6	Near Critical	C	8,370	6,333	4.30%	9,329	D	Yes	131	8.03%	9,460	D	No
	6	Near Critical	C	8,370	5,576	4.30%	8,214	C	No	101	6.19%	8,315	C	No
SR 472 MLK Blvd to I-4 (end of state road)	4		D	3,580	2,262	1.00%	2,511	C	No	580	35.63%	3,091	C	No
Catalina Blvd Howland Blvd. to Sikma Rd.	2		E	1,020	957	1.00%	1,062	F	Yes	103	6.33%	1,165	F	No
Graves Av / CR 4145 Veteran's Memorial Pkwy. to Kentucky Ave. Kentucky Ave. to Howland Blvd.	2 2	Near Critical	E E	8 1,620	1,200 952	1.00% 1.00%	1,332 1,056	C C	No No	191 609	11.79% 37.43%	1,523 1,665	C F	No Yes
Howland Blvd I-4/SR 472 to Project Entrance / E. Graves Ave Project Entrance / E. Graves Ave to Wolf Pack Run Wolf Pack Run to Catalina Blvd Catalina Blvd. to Providence Blvd. Providence Blvd. to Elkcam Blvd. Elkcam Blvd. to Lake Helen-Osteen Rd.	4 4 4 4 2 4		E E E E E E	3,410 3,410 3,410 3,410 1,230 3,410	2,233 2,771 2,348 1,713 1,223 1,039	1.00% 1.00% 1.00% 1.00% 1.70% 1.00%	2,478 3,076 2,607 1,901 1,451 1,153	C C C C F C	No No No No Yes No	580 439 413 246 148 91	35.63% 26.95% 25.38% 15.09% 9.05% 5.55%	3,058 3,515 3,020 2,147 1,599 1,244	C F C C F C	No Yes No No No No
Normandy Blvd Graves (old Howland) to Rhode Island Ave. Rhode Island Ave. to Elkcam Blvd. Elkcam Blvd. to Saxon Blvd.	2 4 4		E E E	1,230 2,740 2,740	712 694 591	1.00% 1.00% 1.00%	790 770 656	C C C	No No No	281 257 204	17.22% 15.78% 12.50%	1,071 1,027 860	C C C	No No No
Providence Blvd. Howland Blvd. to Elkcam Blvd. Elkcam Blvd. to Ft. Smith Blvd.	2 2	Near Critical	E E	1,270 1,020	553 865	1.00% 1.00%	614 960	D D	No No	98 82	6.03% 5.04%	712 1,042	D F	No Yes
Saxon Blvd. VMP to FDOT Park & Ride FDOT Park & Ride to I-4 I-4 to Finland Dr. Finland Dr. to Normandy Blvd.	6 6 4 4		E E E E	5,390 5,390 3,410 3,410	1,565 1,565 2,832 2,546	1.00% 1.00% 1.00% 1.00%	1,737 1,737 3,144 2,826	C C C C	No No No No	50 45 65 61	3.08% 2.74% 3.96% 3.76%	1,787 1,782 3,209 2,887	C C C C	No No No No
W. Volusia Bitywy (Dr MLK Jr) Orange Camp Rd. to Cassadaga Rd. Cassadaga Rd. to SR 472 SR 472 to Graves Ave	2 2 2		E E E	1,540 1,540 1,540	825 902 684	1.00% 1.00% 1.00%	915 1,001 759	C C C	No No No	115 149 117	7.07% 9.16% 7.16%	1,030 1,150 876	C C C	No No No
W. Volusia Bitywy (Veteran's Memorial) Graves Ave. to Rhode Island Ave. Rhode Island Ave. to Harley Strickland Blvd.	2 2	Near Critical	E E	1,620 1,540	1,112 978	3.80% 4.40%	1,576 1,451	D D	No No	113 74	6.95% 4.55%	1,689 1,525	F D	Yes No

August-14

Source:  
 GMB Engineers & Planners, Inc.  
 Year 2013 City of Daytona Traffic Count Report  
 FDOT Florida Traffic Online (2013)

## PHASE-I: FUTURE YR 2020 CONDITIONS

- The analysis concludes that all study area roadways exhibit traffic volumes lower than their respective maximum roadway capacities for the AM & PM peak hours for the YR 2020 with the exception of following roadway segments:

### AM peak hour:

- I-4 from Dirksen Dr. to Saxon Blvd.
- Catalina Blvd. from Howland Blvd. to Sixma Rd.
- Howland Blvd. from Providence Blvd. to Elkcam Blvd.

### PM peak hour:

- I-4 from Dirksen Dr. to Saxon Blvd.
- I-4 from Saxon Blvd to SR 472
- I-4 from SR 472 to Orange Camp Rd
- Catalina Blvd. from Howland Blvd. to Sixma Rd.
- Graves Ave. from Veteran's Memorial Pkwy to Kentucky Ave.
- Howland Blvd. from Providence Blvd. to Elkcam Blvd.
- Providence Blvd. from Elkcam Blvd. to Ft. Smith Blvd.
- W. Volusia Bltwy (VMP) from Rhode Island Ave. to Harley Strickland Blvd.

The deficient roadway segments listed above operating below their respective maximum service volumes for the YR 2020, are deficient either in the existing conditions or due to background traffic growth, without adding the Halifax Crossings BPUD project trips. Based on the Florida legislation found in Chapter No. 2011-139 (H.B. 7207), effective June 2, 2011, the identified deficient roadways and intersections are considered a pre-existing transportation deficiency. Therefore, consistent with this legislation, the proposed

development should not be required to contribute towards the cost of elimination the pre-existing deficiency.

- The analysis concludes that all study area intersections are anticipated to operate at an acceptable overall level of service for the YR 2020 during both AM & PM peak hours, with the exception of the intersection of Howland Blvd at Catalina Blvd, which is operating below acceptable LOS "E" for the AM peak hour. It should be noted that the intersection of Howland Blvd at Providence Blvd is deficient in the YR 2014 background conditions, without the addition of the Halifax Crossings BPUD project trips.
- The existing signal head configuration at Graves Avenue and Howland Boulevard does not provide an eastbound left turn protected maneuver. A three (3) section head is required to be installed for the operation of the intersection to operate acceptably. In addition, there are sidewalks present on the north side of the intersection. Although there are pedestrian features installed on the span wire signal poles the crosswalk has been eradicated. Installation of new crosswalk striping will be require to achieve appropriate standards for safe access for pedestrian movements.

#### RECOMMENDATION:

- As demonstrated in the analysis the applicant seeks concurrency for impacts related to construction of Phase 1 development. It is recommended that a monitoring and modeling (M&M) study is conducted prior to execution of vested rights for further subsequent phases of the development. The M&M will be utilized to provide appropriate trip rates as it relates to future development. Future development is subject to parameters

brought forth by City and County guidelines and requirements for concurrency approval.

- The applicant is responsible for construction of one (1) three (3) section signal head for the eastbound left turn movement at the project entrance. The signal timing sequence is necessary to provide operation of the intersection to operate acceptably for the 2020 future condition. In addition, crosswalk striping shall be provided for connection of the existing sidewalks.
- Based on the above conclusions and recommendations, GMB respectfully requests traffic concurrency approval for Phase-I of the proposed Halifax Crossings BPUD.

Existing AM peak hour  
50: I-4 SB Ramps & SR 472

8/6/2014

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↑	↓	↑↑					↓↓		↓	
Volume (vph)	0	423	640	783	1115	0	0	0	0	110	0	84	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5	
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00	
Fr <sub>t</sub>		1.00	0.85	1.00	1.00					1.00		0.85	
Fit Protected		1.00	1.00	0.95	1.00					0.95		1.00	
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583	
Fit Permitted		1.00	1.00	0.95	1.00					0.95		1.00	
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583	
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	
Adj. Flow (vph)	0	465	703	860	1225	0	0	0	0	121	0	92	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	85	
Lane Group Flow (vph)	0	465	703	860	1225	0	0	0	0	121	0	7	
Turn Type		NA	Free	Prot	NA					Prot		Prot	
Protected Phases		6		5	2					8		8	
Permitted Phases			Free										
Actuated Green, G (s)		26.8	140.0	81.4	115.2					10.3		10.3	
Effective Green, g (s)		26.8	140.0	81.4	115.2					10.3		10.3	
Actuated g/C Ratio		0.19	1.00	0.58	0.82					0.07		0.07	
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5	
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0	
Lane Grp Cap (vph)		677	1583	1029	2912					252		116	
v/s Ratio Prot		c0.13		c0.49	0.35					0.04		0.00	
v/s Ratio Perm			c0.44										
v/c Ratio		0.69	0.44	0.84	0.42					0.48		0.06	
Uniform Delay, d <sub>1</sub>		52.7	0.0	23.9	3.4					62.3		60.3	
Progression Factor		0.97	1.00	0.68	0.65					1.00		1.00	
Incremental Delay, d <sub>2</sub>		4.8	0.8	4.3	0.3					1.4		0.2	
Delay (s)		56.1	0.8	20.6	2.5					63.7		60.5	
Level of Service		E	A	C	A					E		E	
Approach Delay (s)		22.8			10.0			0.0			62.4		
Approach LOS		C			A			A			E		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			17.5		HCM 2000 Level of Service						B		
HCM 2000 Volume to Capacity ratio			0.80										
Actuated Cycle Length (s)			140.0		Sum of lost time (s)					21.5			
Intersection Capacity Utilization			75.9%		ICU Level of Service					D			
Analysis Period (min)			15										
c Critical Lane Group													

Existing PM peak hour  
50: SR 472 & I-4 SB Ramps

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↑	↖	↑↑					↖↖		↗
Volume (vph)	0	651	589	271	874	0	0	0	0	312	0	165
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00
Frt		1.00	0.85	1.00	1.00					1.00		0.85
Flt Protected		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583
Flt Permitted		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	0	678	614	282	910	0	0	0	0	325	0	172
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	150
Lane Group Flow (vph)	0	678	614	282	910	0	0	0	0	325	0	22
Turn Type		NA	Free	Prot	NA					Prot		Prot
Protected Phases		6		5	2					8		8
Permitted Phases			Free									
Actuated Green, G (s)		79.9	150.0	29.1	116.0					19.5		19.5
Effective Green, g (s)		79.9	150.0	29.1	116.0					19.5		19.5
Actuated g/C Ratio		0.53	1.00	0.19	0.77					0.13		0.13
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0
Lane Grp Cap (vph)		1885	1583	343	2736					446		205
v/s Ratio Prot		0.19		c0.16	0.26					c0.09		0.01
v/s Ratio Perm			c0.39									
v/c Ratio		0.36	0.39	0.82	0.33					0.73		0.11
Uniform Delay, d1		20.3	0.0	58.0	5.2					62.7		57.6
Progression Factor		1.50	1.00	1.05	1.87					1.00		1.00
Incremental Delay, d2		0.4	0.5	11.2	0.2					5.9		0.2
Delay (s)		30.8	0.5	72.0	9.9					68.6		57.8
Level of Service		C	A	E	A					E		E
Approach Delay (s)		16.4			24.6			0.0			64.9	
Approach LOS		B			C			A			E	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			27.8			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.56									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)				21.5		
Intersection Capacity Utilization			56.9%			ICU Level of Service				B		
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour  
50: I-4 SB Ramps & SR 472

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↑	↘	↑↑					↘↘		↘
Volume (vph)	0	650	679	830	1247	0	0	0	0	148	0	89
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00
Fr <sub>t</sub>		1.00	0.85	1.00	1.00					1.00		0.85
Fl <sub>t</sub> Protected		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583
Fl <sub>t</sub> Permitted		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	0	684	715	874	1313	0	0	0	0	156	0	94
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	87
Lane Group Flow (vph)	0	684	715	874	1313	0	0	0	0	156	0	7
Turn Type		NA	Free	Prot	NA					Prot		Prot
Protected Phases		6		5	2					8		8
Permitted Phases			Free									
Actuated Green, G (s)		36.6	140.0	72.0	115.6					9.9		9.9
Effective Green, g (s)		36.6	140.0	72.0	115.6					9.9		9.9
Actuated g/C Ratio		0.26	1.00	0.51	0.83					0.07		0.07
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0
Lane Grp Cap (vph)		925	1583	910	2922					242		111
v/s Ratio Prot		c0.19		c0.49	0.37					0.05		0.00
v/s Ratio Perm			c0.45									
v/c Ratio		0.74	0.45	0.96	0.45					0.64		0.06
Uniform Delay, d <sub>1</sub>		47.3	0.0	32.6	3.4					63.3		60.7
Progression Factor		1.58	1.00	1.38	1.58					1.00		1.00
Incremental Delay, d <sub>2</sub>		3.4	0.6	3.4	0.0					5.8		0.2
Delay (s)		78.1	0.6	48.4	5.4					69.1		60.9
Level of Service		E	A	D	A					E		E
Approach Delay (s)		38.5			22.6			0.0			66.0	
Approach LOS		D			C			A			E	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			31.2			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.88									
Actuated Cycle Length (s)			140.0			Sum of lost time (s)			21.5			
Intersection Capacity Utilization			83.2%			ICU Level of Service			E			
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 PM peak hour  
50: I-4 SB Ramps & SR 472

PM Future IMP

8/6/2014

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↑	↑	↑↑					↑↑		↑	
Volume (vph)	0	760	624	287	1103	0	0	0	0	342	0	175	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5	
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00	
Frt		1.00	0.85	1.00	1.00					1.00		0.85	
Flt Protected		1.00	1.00	0.95	1.00					0.95		1.00	
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583	
Flt Permitted		1.00	1.00	0.95	1.00					0.95		1.00	
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	0	800	657	302	1161	0	0	0	0	360	0	184	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	101	
Lane Group Flow (vph)	0	800	657	302	1161	0	0	0	0	360	0	83	
Turn Type		NA	Free	Prot	NA					Prot		Prot	
Protected Phases		6		5	2					8		8	
Permitted Phases			Free										
Actuated Green, G (s)		76.8	150.0	30.7	114.5					21.0		21.0	
Effective Green, g (s)		76.8	150.0	30.7	114.5					21.0		21.0	
Actuated g/C Ratio		0.51	1.00	0.20	0.76					0.14		0.14	
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5	
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0	
Lane Grp Cap (vph)		1811	1583	362	2701					480		221	
v/s Ratio Prot		0.23		c0.17	0.33					c0.10		0.05	
v/s Ratio Perm			c0.41										
v/c Ratio		0.44	0.42	0.83	0.43					0.75		0.38	
Uniform Delay, d1		23.1	0.0	57.2	6.3					62.0		58.6	
Progression Factor		0.92	1.00	1.01	1.45					1.00		1.00	
Incremental Delay, d2		0.6	0.6	8.5	0.3					6.5		1.1	
Delay (s)		21.9	0.6	66.5	9.4					68.5		59.6	
Level of Service		C	A	E	A					E		E	
Approach Delay (s)		12.3			21.1			0.0			65.5		
Approach LOS		B			C			A			E		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			24.4		HCM 2000 Level of Service						C		
HCM 2000 Volume to Capacity ratio			0.59										
Actuated Cycle Length (s)			150.0		Sum of lost time (s)					21.5			
Intersection Capacity Utilization			61.7%		ICU Level of Service					B			
Analysis Period (min)			15										
c Critical Lane Group													

Existing AM peak hour  
46: Providence Blvd. & Howland Blvd

8/6/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	4	292	316	84	797	1	298	1	48	1	0	5
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Frt	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.89	
Fit Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1862		1770	1589			1640	
Fit Permitted	0.25	1.00	1.00	0.41	1.00		0.54	1.00			1.00	
Satd. Flow (perm)	458	1863	1583	773	1862		1007	1589			1653	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	4	307	333	88	839	1	314	1	51	1	0	5
RTOR Reduction (vph)	0	0	213	0	0	0	0	39	0	0	6	0
Lane Group Flow (vph)	4	307	120	88	840	0	314	13	0	0	0	0
Turn Type	Perm	NA	Perm	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6		5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	22.1	22.1	22.1	33.1	33.1		14.6	14.6			0.9	
Effective Green, g (s)	22.1	22.1	22.1	33.1	33.1		14.6	14.6			0.9	
Actuated g/C Ratio	0.36	0.36	0.36	0.54	0.54		0.24	0.24			0.01	
Clearance Time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	4.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	165	672	571	483	1007		329	379			24	
v/s Ratio Prot		0.16		0.01	c0.45		c0.11	0.01				
v/s Ratio Perm	0.01		0.08	0.09			c0.12				0.00	
v/c Ratio	0.02	0.46	0.21	0.18	0.83		0.95	0.03			0.00	
Uniform Delay, d1	12.6	15.0	13.5	7.4	11.8		22.5	17.9			29.7	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.1	0.7	0.3	0.2	6.3		37.4	0.0			0.1	
Delay (s)	12.7	15.6	13.8	7.5	18.1		59.9	17.9			29.8	
Level of Service	B	B	B	A	B		E	B			C	
Approach Delay (s)		14.7			17.1			53.9			29.8	
Approach LOS		B			B			D			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			23.3			HCM 2000 Level of Service					C	
HCM 2000 Volume to Capacity ratio			1.17									
Actuated Cycle Length (s)			61.2			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			91.4%			ICU Level of Service					F	
Analysis Period (min)			15									
c Critical Lane Group												

Existing PM peak hour  
46: Providence Blvd. & Howland Blvd

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	10	754	358	47	457	0	249	1	58	2	0	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Frt	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.90	
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1863		1770	1588			1649	
Flt Permitted	0.48	1.00	1.00	0.11	1.00		0.53	1.00			1.00	
Satd. Flow (perm)	897	1863	1583	209	1863		980	1588			1667	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	820	389	51	497	0	271	1	63	2	0	7
RTOR Reduction (vph)	0	0	157	0	0	0	0	49	0	0	9	0
Lane Group Flow (vph)	11	820	232	51	497	0	271	15	0	0	0	0
Turn Type	Perm	NA	Perm	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6		5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	28.6	28.6	28.6	38.3	38.3		14.4	14.4			1.1	
Effective Green, g (s)	28.6	28.6	28.6	38.3	38.3		14.4	14.4			1.1	
Actuated g/C Ratio	0.43	0.43	0.43	0.58	0.58		0.22	0.22			0.02	
Clearance Time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	4.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	387	804	683	184	1077		294	345			27	
v/s Ratio Prot		c0.44		0.01	c0.27		c0.09	0.01				
v/s Ratio Perm	0.01		0.15	0.15			c0.11				0.00	
v/c Ratio	0.03	1.02	0.34	0.28	0.46		0.92	0.04			0.01	
Uniform Delay, d1	10.8	18.8	12.5	13.7	8.0		24.9	20.5			32.0	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.0	36.8	0.4	0.8	0.4		32.6	0.1			0.1	
Delay (s)	10.9	55.6	12.9	14.6	8.4		57.6	20.5			32.1	
Level of Service	B	E	B	B	A		E	C			C	
Approach Delay (s)		41.6			9.0			50.5			32.1	
Approach LOS		D			A			D			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			34.5			HCM 2000 Level of Service					C	
HCM 2000 Volume to Capacity ratio			1.12									
Actuated Cycle Length (s)			66.2			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			71.4%			ICU Level of Service					C	
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour  
46: Providence Blvd & Howland Blvd

8/6/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↑	↗	↖	↗		↖	↗			↕	
Volume (vph)	4	331	350	59	914	1	362	1	51	1	0	5
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Flt Protected	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.89	
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1862		1770	1588			1640	
Satd. Flow (perm)	294	1863	1583	807	1862		993	1588			1653	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	4	348	368	62	962	1	381	1	54	1	0	5
RTOR Reduction (vph)	0	0	188	0	0	0	0	41	0	0	6	0
Lane Group Flow (vph)	4	348	180	62	963	0	381	14	0	0	0	0
Turn Type	Perm	NA	Perm	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6		5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	43.0	43.0	43.0	53.9	53.9		20.5	20.5			1.0	
Effective Green, g (s)	43.0	43.0	43.0	53.9	53.9		20.5	20.5			1.0	
Actuated g/C Ratio	0.49	0.49	0.49	0.61	0.61		0.23	0.23			0.01	
Clearance Time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	4.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	143	911	774	537	1141		346	370			18	
v/s Ratio Prot		0.19		0.01	c0.52		c0.16	0.01				
v/s Ratio Perm	0.01		0.11	0.07			c0.09				0.00	
v/c Ratio	0.03	0.38	0.23	0.12	0.84		1.10	0.04			0.00	
Uniform Delay, d1	11.6	14.1	12.9	7.5	13.6		32.9	26.1			43.0	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.1	0.4	0.2	0.1	6.1		78.4	0.0			0.1	
Delay (s)	11.7	14.5	13.2	7.6	19.7		111.3	26.1			43.0	
Level of Service	B	B	B	A	B		F	C			D	
Approach Delay (s)		13.8			19.0			100.5			43.0	
Approach LOS		B			B			F			D	

## Intersection Summary

HCM 2000 Control Delay	33.6	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	1.08		
Actuated Cycle Length (s)	87.9	Sum of lost time (s)	27.0
Intersection Capacity Utilization	87.0%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			

YR 2020 PM peak hour  
46: Providence Blvd. & Howland Blvd

PM Future  
8/6/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	11	860	420	49	508	0	280	1	61	2	0	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	6.5	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Fr <sub>t</sub>	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.90	
Fl <sub>t</sub> Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1863		1770	1588			1653	
Fl <sub>t</sub> Permitted	0.46	1.00	1.00	0.07	1.00		0.51	1.00			1.00	
Satd. Flow (perm)	856	1863	1583	136	1863		943	1588			1674	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	12	905	442	52	535	0	295	1	64	2	0	6
RTOR Reduction (vph)	0	0	114	0	0	0	0	47	0	0	8	0
Lane Group Flow (vph)	12	905	328	52	535	0	295	18	0	0	0	0
Turn Type	Perm	NA	pm+ov	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6	7	5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	70.4	70.4	96.4	82.6	82.6		33.9	33.9			1.4	
Effective Green, g (s)	70.4	70.4	96.4	82.6	82.6		33.9	33.9			1.4	
Actuated g/C Ratio	0.54	0.54	0.74	0.64	0.64		0.26	0.26			0.01	
Clearance Time (s)	7.0	7.0	6.5	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	3.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	463	1008	1173	151	1183		411	414			18	
v/s Ratio Prot		c0.49	0.06	0.01	c0.29		c0.14	0.01				
v/s Ratio Perm	0.01		0.15	0.20			c0.04				0.00	
v/c Ratio	0.03	0.90	0.28	0.34	0.45		0.72	0.04			0.00	
Uniform Delay, d1	13.9	26.6	5.5	24.2	12.1		42.7	35.9			63.6	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.1	12.4	0.1	1.4	1.2		5.9	0.0			0.1	
Delay (s)	14.0	39.0	5.6	25.5	13.4		48.6	36.0			63.7	
Level of Service	B	D	A	C	B		D	D			E	
Approach Delay (s)		27.9			14.5			46.3			63.7	
Approach LOS		C			B			D			E	

Intersection Summary

HCM 2000 Control Delay	27.5	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.88		
Actuated Cycle Length (s)	130.0	Sum of lost time (s)	27.0
Intersection Capacity Utilization	78.7%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

Existing AM peak hour  
15: E. Graves Ave. & SR 472

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	470	33	404	1578	4	162	2	313	2	0	5
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0		7.0	7.0		7.5	7.5	4.0	7.0		7.0
Lane Util. Factor		0.95		1.00	0.95		0.95	0.95	1.00	1.00		1.00
Fr <sub>t</sub>		0.99		1.00	1.00		1.00	1.00	0.85	1.00		0.85
Fl <sub>t</sub> Protected		1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (prot)		3505		1770	3538		1681	1687	1583	1770		1583
Fl <sub>t</sub> Permitted		1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (perm)		3505		1770	3538		1681	1687	1583	1770		1583
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	0	516	36	444	1734	4	178	2	344	2	0	5
RTOR Reduction (vph)	0	3	0	0	0	0	0	0	0	0	0	5
Lane Group Flow (vph)	0	549	0	444	1738	0	91	89	344	2	0	0
Turn Type	Perm	NA		Prot	NA		Split	NA	Free	Split		Perm
Protected Phases		6		5	2		4	4		8		8
Permitted Phases	6								Free			8
Actuated Green, G (s)		57.1		40.2	104.3		12.9	12.9	140.0	1.3		1.3
Effective Green, g (s)		57.1		40.2	104.3		12.9	12.9	140.0	1.3		1.3
Actuated g/C Ratio		0.41		0.29	0.74		0.09	0.09	1.00	0.01		0.01
Clearance Time (s)		7.0		7.0	7.0		7.5	7.5		7.0		7.0
Vehicle Extension (s)		3.0		3.0	3.0		3.0	3.0		3.0		3.0
Lane Grp Cap (vph)		1429		508	2635		154	155	1583	16		14
v/s Ratio Prot		0.16		c0.25	c0.49		c0.05	0.05		0.00		
v/s Ratio Perm									c0.22			0.00
v/c Ratio		0.38		0.87	0.66		0.59	0.57	0.22	0.12		0.00
Uniform Delay, d <sub>1</sub>		29.1		47.5	8.9		61.0	60.9	0.0	68.8		68.7
Progression Factor		0.43		1.10	0.72		1.00	1.00	1.00	1.00		1.00
Incremental Delay, d <sub>2</sub>		0.2		13.8	1.2		6.0	5.1	0.3	3.5		0.1
Delay (s)		12.6		65.9	7.6		67.0	66.0	0.3	72.3		68.8
Level of Service		B		E	A		E	E	A	E		E
Approach Delay (s)		12.6			19.4			23.0			69.8	
Approach LOS		B			B			C			E	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			19.0			HCM 2000 Level of Service			B			
HCM 2000 Volume to Capacity ratio			0.75									
Actuated Cycle Length (s)			140.0			Sum of lost time (s)			28.5			
Intersection Capacity Utilization			87.0%			ICU Level of Service			E			
Analysis Period (min)			15									
c Critical Lane Group												

Existing PM peak hour  
15: E. Graves Ave & Howland Blvd

8/7/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	2	1446	127	371	600	1	62	0	506	1	0	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		7.5	7.5	4.0	7.0		7.0
Lane Util. Factor	1.00	0.95		1.00	0.95		0.95	0.95	1.00	1.00		1.00
Frt	1.00	0.99		1.00	1.00		1.00	1.00	0.85	1.00		0.85
Flt Protected	0.95	1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (prot)	1770	3496		1770	3538		1681	1681	1583	1770		1583
Flt Permitted	0.41	1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (perm)	757	3496		1770	3538		1681	1681	1583	1770		1583
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	2	1555	137	399	645	1	67	0	544	1	0	1
RTOR Reduction (vph)	0	4	0	0	0	0	0	0	0	0	0	1
Lane Group Flow (vph)	2	1688	0	399	646	0	33	34	544	1	0	0
Turn Type	Perm	NA		Prot	NA		Split	NA	Free	Split		Perm
Protected Phases		6		5	2		4	4		8	8	
Permitted Phases	6								Free			8
Actuated Green, G (s)	67.2	67.2		45.7	119.9		7.4	7.4	150.0	1.2		1.2
Effective Green, g (s)	67.2	67.2		45.7	119.9		7.4	7.4	150.0	1.2		1.2
Actuated g/C Ratio	0.45	0.45		0.30	0.80		0.05	0.05	1.00	0.01		0.01
Clearance Time (s)	7.0	7.0		7.0	7.0		7.5	7.5		7.0		7.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0		3.0
Lane Grp Cap (vph)	339	1566		539	2828		82	82	1583	14		12
v/s Ratio Prot		c0.48		c0.23	0.18		0.02	0.02		0.00		
v/s Ratio Perm	0.00								c0.34			0.00
v/c Ratio	0.01	1.08		0.74	0.23		0.40	0.41	0.34	0.07		0.00
Uniform Delay, d1	22.9	41.4		46.8	3.7		69.2	69.2	0.0	73.8		73.8
Progression Factor	0.54	0.91		1.08	0.85		1.00	1.00	1.00	1.00		1.00
Incremental Delay, d2	0.0	45.6		5.3	0.2		3.2	3.4	0.6	2.2		0.0
Delay (s)	12.4	83.3		55.7	3.3		72.4	72.6	0.6	76.0		73.8
Level of Service	B	F		E	A		E	E	A	E		E
Approach Delay (s)		83.2			23.3			8.5			74.9	
Approach LOS		F			C			A			E	

**Intersection Summary**

HCM 2000 Control Delay	50.9	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.94		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.5
Intersection Capacity Utilization	90.9%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			

YR 2020 AM peak hour  
15: E. Graves Ave & Howland Blvd

8/6/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	283	488	35	428	1665	217	172	300	332	76	104	103
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	7.0		7.0	7.0		7.0	7.5	4.0	7.0	7.0	7.0
Lane Util. Factor	1.00	0.95		1.00	0.95		0.95	0.95	1.00	1.00	1.00	1.00
Frt	1.00	0.99		1.00	0.98		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3504		1770	3478		1681	1765	1583	1770	1863	1583
Flt Permitted	0.09	1.00		0.95	1.00		0.38	0.99	1.00	0.55	1.00	1.00
Satd. Flow (perm)	162	3504		1770	3478		666	1744	1583	1025	1863	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	298	514	37	451	1753	228	181	316	349	80	109	108
RTOR Reduction (vph)	0	3	0	0	7	0	0	0	0	0	0	99
Lane Group Flow (vph)	298	548	0	451	1974	0	163	334	349	80	109	9
Turn Type	pm+pt	NA		Prot	NA		pm+pt	NA	Free	Perm	NA	Perm
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6						4		Free	8		8
Actuated Green, G (s)	63.0	46.0		40.0	72.0		32.5	32.5	140.0	11.8	11.8	11.8
Effective Green, g (s)	63.0	46.0		40.0	72.0		32.5	32.5	140.0	11.8	11.8	11.8
Actuated g/C Ratio	0.45	0.33		0.29	0.51		0.23	0.23	1.00	0.08	0.08	0.08
Clearance Time (s)	4.0	7.0		7.0	7.0		7.0	7.5		7.0	7.0	7.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	3.0
Lane Grp Cap (vph)	268	1151		505	1788		257	406	1583	86	157	133
v/s Ratio Prot	c0.13	0.16		0.25	c0.57		0.06	c0.08			0.06	
v/s Ratio Perm	0.37						0.08	c0.11	0.22	0.08		0.01
v/c Ratio	1.11	0.48		0.89	1.10		0.63	0.82	0.22	0.93	0.69	0.07
Uniform Delay, d1	44.1	37.4		47.9	34.0		46.0	51.0	0.0	63.7	62.3	59.0
Progression Factor	1.34	0.99		1.03	0.89		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	76.0	0.2		15.4	54.4		5.0	12.6	0.3	73.9	12.5	0.2
Delay (s)	135.1	37.3		64.6	84.5		51.0	63.7	0.3	137.6	74.9	59.3
Level of Service	F	D		E	F		D	E	A	F	E	E
Approach Delay (s)		71.7			80.8			35.1			86.1	
Approach LOS		E			F			D			F	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			70.7			HCM 2000 Level of Service				E		
HCM 2000 Volume to Capacity ratio			1.12									
Actuated Cycle Length (s)			140.0			Sum of lost time (s)			28.0			
Intersection Capacity Utilization			111.1%			ICU Level of Service			H			
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 PM peak hour  
15: E. Graves Ave & Howland Blvd

8/6/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	106	1523	135	393	628	79	66	109	537	186	258	247
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.5	6.5		6.5	6.5		6.5	7.5	4.0	7.0	7.0	7.0
Lane Util. Factor	1.00	0.95		1.00	0.95		0.95	0.95	1.00	1.00	1.00	1.00
Frt	1.00	0.99		1.00	0.98		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3496		1770	3480		1681	1765	1583	1770	1863	1583
Flt Permitted	0.37	1.00		0.95	1.00		0.19	0.78	1.00	0.67	1.00	1.00
Satd. Flow (perm)	688	3496		1770	3480		333	1384	1583	1257	1863	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	112	1603	142	414	661	83	69	115	565	196	272	260
RTOR Reduction (vph)	0	0	0	0	5	0	0	0	0	0	0	215
Lane Group Flow (vph)	112	1745	0	414	739	0	62	122	565	196	272	45
Turn Type	pm+pt	NA		Prot	NA		pm+pt	NA	Free	Perm	NA	Perm
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6						4		Free	8		8
Actuated Green, G (s)	81.9	73.2		22.6	88.1		33.7	33.7	150.0	25.7	25.7	25.7
Effective Green, g (s)	81.9	73.2		22.6	88.1		33.7	33.7	150.0	25.7	25.7	25.7
Actuated g/C Ratio	0.55	0.49		0.15	0.59		0.22	0.22	1.00	0.17	0.17	0.17
Clearance Time (s)	5.5	6.5		6.5	6.5		6.5	7.5		7.0	7.0	7.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	3.0
Lane Grp Cap (vph)	438	1706		266	2043		92	316	1583	215	319	271
v/s Ratio Prot	0.01	c0.50		c0.23	0.21		0.01	0.01			0.15	
v/s Ratio Perm	0.12						0.14	0.08	c0.36	c0.16		0.03
v/c Ratio	0.26	1.02		1.56	0.36		0.67	0.39	0.36	0.91	0.85	0.16
Uniform Delay, d1	16.5	38.4		63.7	16.2		58.6	49.4	0.0	61.0	60.3	53.0
Progression Factor	0.87	1.21		0.91	1.07		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	0.2	25.4		267.7	0.5		17.7	0.8	0.6	37.9	19.2	0.3
Delay (s)	14.6	72.0		325.8	17.9		76.4	50.2	0.6	98.9	79.5	53.3
Level of Service	B	E		F	B		E	D	A	F	E	D
Approach Delay (s)		68.6			128.0			15.0			75.4	
Approach LOS		E			F			B			E	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			76.1			HCM 2000 Level of Service			E			
HCM 2000 Volume to Capacity ratio			1.10									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)			26.5			
Intersection Capacity Utilization			110.5%			ICU Level of Service			H			
Analysis Period (min)			15									
c Critical Lane Group												

Existing AM peak hour  
37: Catalina Blvd. & Howland Blvd

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	121	491	38	29	992	22	187	89	53	125	45	519
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Fr <sub>t</sub>	1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.86	
Fl <sub>t</sub> Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3501		1770	3528		1770	1759		1770	1605	
Fl <sub>t</sub> Permitted	0.11	1.00		0.39	1.00		0.11	1.00		0.66	1.00	
Satd. Flow (perm)	205	3501		728	3528		204	1759		1229	1605	
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	130	528	41	31	1067	24	201	96	57	134	48	558
RTOR Reduction (vph)	0	5	0	0	1	0	0	21	0	0	155	0
Lane Group Flow (vph)	130	564	0	31	1090	0	201	132	0	134	451	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4				8
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	44.1	36.3		37.1	32.8		45.5	45.5		30.0	30.0	
Effective Green, g (s)	44.1	36.3		37.1	32.8		45.5	45.5		30.0	30.0	
Actuated g/C Ratio	0.41	0.34		0.35	0.31		0.43	0.43		0.28	0.28	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	199	1192		295	1085		219	750		345	451	
v/s Ratio Prot	c0.05	0.16		0.00	c0.31		c0.08	0.07			c0.28	
v/s Ratio Perm	c0.22			0.03			0.31			0.11		
v/c Ratio	0.65	0.47		0.11	1.00		0.92	0.18		0.39	1.00	
Uniform Delay, d <sub>1</sub>	24.8	27.6		23.1	36.9		25.3	18.9		30.9	38.3	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d <sub>2</sub>	7.5	0.4		0.2	28.4		39.0	0.1		0.7	41.9	
Delay (s)	32.2	28.0		23.3	65.3		64.3	19.0		31.6	80.2	
Level of Service	C	C		C	E		E	B		C	F	
Approach Delay (s)		28.8			64.1			44.8			71.4	
Approach LOS		C			E			D			E	

## Intersection Summary

HCM 2000 Control Delay	55.1	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.97		
Actuated Cycle Length (s)	106.6	Sum of lost time (s)	27.0
Intersection Capacity Utilization	102.1%	ICU Level of Service	G
Analysis Period (min)	15		
c Critical Lane Group			

Existing PM peak hour  
37: Catalina Blvd. & Howland Blvd

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	485	1033	74	30	579	74	81	98	24	99	70	191
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Fr <sub>t</sub>	1.00	0.99		1.00	0.98		1.00	0.97		1.00	0.89	
Fit Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3504		1770	3479		1770	1807		1770	1658	
Fit Permitted	0.19	1.00		0.20	1.00		0.18	1.00		0.67	1.00	
Satd. Flow (perm)	359	3504		372	3479		338	1807		1248	1658	
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	539	1148	82	33	643	82	90	109	27	110	78	212
RTOR Reduction (vph)	0	4	0	0	8	0	0	9	0	0	100	0
Lane Group Flow (vph)	539	1226	0	33	717	0	90	127	0	110	190	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	56.2	46.5		32.2	29.5		26.0	26.0		15.8	15.8	
Effective Green, g (s)	56.2	46.5		32.2	29.5		26.0	26.0		15.8	15.8	
Actuated g/C Ratio	0.59	0.49		0.34	0.31		0.27	0.27		0.17	0.17	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	501	1702		164	1072		147	490		206	273	
v/s Ratio Prot	c0.22	0.35		0.01	0.21		c0.02	0.07			0.11	
v/s Ratio Perm	c0.41			0.06			c0.14			0.09		
v/c Ratio	1.08	0.72		0.20	0.67		0.61	0.26		0.53	0.70	
Uniform Delay, d1	22.0	19.5		21.5	28.8		28.2	27.3		36.6	37.7	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	62.1	1.6		0.6	1.8		8.4	0.3		2.6	7.5	
Delay (s)	84.1	21.1		22.1	30.6		36.6	27.6		39.2	45.2	
Level of Service	F	C		C	C		D	C		D	D	
Approach Delay (s)		40.3			30.2			31.2			43.5	
Approach LOS		D			C			C			D	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			37.6			HCM 2000 Level of Service				D		
HCM 2000 Volume to Capacity ratio			1.03									
Actuated Cycle Length (s)			95.7			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			87.7%			ICU Level of Service				E		
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour Background  
37: Catalina Blvd. & Howland Blvd

8/6/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	129	520	40	31	1052	24	238	113	68	195	70	809
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.86	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3501		1770	3527		1770	1757		1770	1606	
Flt Permitted	0.07	1.00		0.40	1.00		0.10	1.00		0.64	1.00	
Satd. Flow (perm)	130	3501		744	3527		186	1757		1187	1606	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	136	547	42	33	1107	25	251	119	72	205	74	852
RTOR Reduction (vph)	0	4	0	0	1	0	0	15	0	0	174	0
Lane Group Flow (vph)	136	585	0	33	1131	0	251	176	0	205	752	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	68.2	57.2		55.0	50.6		57.6	57.6		33.6	33.6	
Effective Green, g (s)	68.2	57.2		55.0	50.6		57.6	57.6		33.6	33.6	
Actuated g/C Ratio	0.49	0.41		0.39	0.36		0.41	0.41		0.24	0.24	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	192	1433		325	1277		275	724		285	386	
v/s Ratio Prot	c0.06	0.17		0.00	c0.32		c0.11	0.10			c0.47	
v/s Ratio Perm	0.29			0.04			0.26			0.17		
v/c Ratio	0.71	0.41		0.10	0.89		0.91	0.24		0.72	1.95	
Uniform Delay, d1	30.2	29.3		26.2	41.8		40.6	26.8		48.7	53.0	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	11.3	0.3		0.1	7.9		32.7	0.2		8.4	436.1	
Delay (s)	41.5	29.5		26.3	49.7		73.3	27.0		57.1	489.2	
Level of Service	D	C		C	D		E	C		E	F	
Approach Delay (s)		31.8			49.0			53.3			410.9	
Approach LOS		C			D			D			F	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			164.1			HCM 2000 Level of Service			F			
HCM 2000 Volume to Capacity ratio			1.19									
Actuated Cycle Length (s)			139.7			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			126.3%			ICU Level of Service			H			
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour

37: Catalina Blvd. &amp; Howland Blvd

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	145	557	45	31	1167	24	255	113	68	195	70	857
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.86	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3500		1770	3529		1770	1757		1770	1605	
Flt Permitted	0.07	1.00		0.37	1.00		0.10	1.00		0.64	1.00	
Satd. Flow (perm)	127	3500		698	3529		186	1757		1187	1605	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	153	586	47	33	1228	25	268	119	72	205	74	902
RTOR Reduction (vph)	0	3	0	0	1	0	0	15	0	0	169	0
Lane Group Flow (vph)	153	630	0	33	1252	0	268	176	0	205	807	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4				8
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	70.5	59.0		56.4	51.9		57.5	57.5		33.5	33.5	
Effective Green, g (s)	70.5	59.0		56.4	51.9		57.5	57.5		33.5	33.5	
Actuated g/C Ratio	0.50	0.42		0.40	0.37		0.41	0.41		0.24	0.24	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	197	1459		312	1294		271	713		281	379	
v/s Ratio Prot	c0.06	0.18		0.00	c0.35		c0.12	0.10			c0.50	
v/s Ratio Perm	0.32			0.04			0.28			0.17		
v/c Ratio	0.78	0.43		0.11	0.97		0.99	0.25		0.73	2.13	
Uniform Delay, d1	36.2	29.3		26.2	44.0		43.3	27.7		49.8	54.0	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	17.3	0.3		0.2	17.7		51.2	0.2		9.1	517.4	
Delay (s)	53.5	29.6		26.3	61.6		94.4	27.9		58.9	571.4	
Level of Service	D	C		C	E		F	C		E	F	
Approach Delay (s)		34.3			60.7			66.7			482.4	
Approach LOS		C			E			E			F	
<b>Intersection Summary</b>												
HCM 2000 Control Delay		190.0			HCM 2000 Level of Service			F				
HCM 2000 Volume to Capacity ratio		1.29										
Actuated Cycle Length (s)		141.5			Sum of lost time (s)			27.0				
Intersection Capacity Utilization		134.3%			ICU Level of Service			H				
Analysis Period (min)		15										
c Critical Lane Group												

YR 2020 PM peak hour  
37: Catalina Blvd. & Howland Blvd

8/7/2014

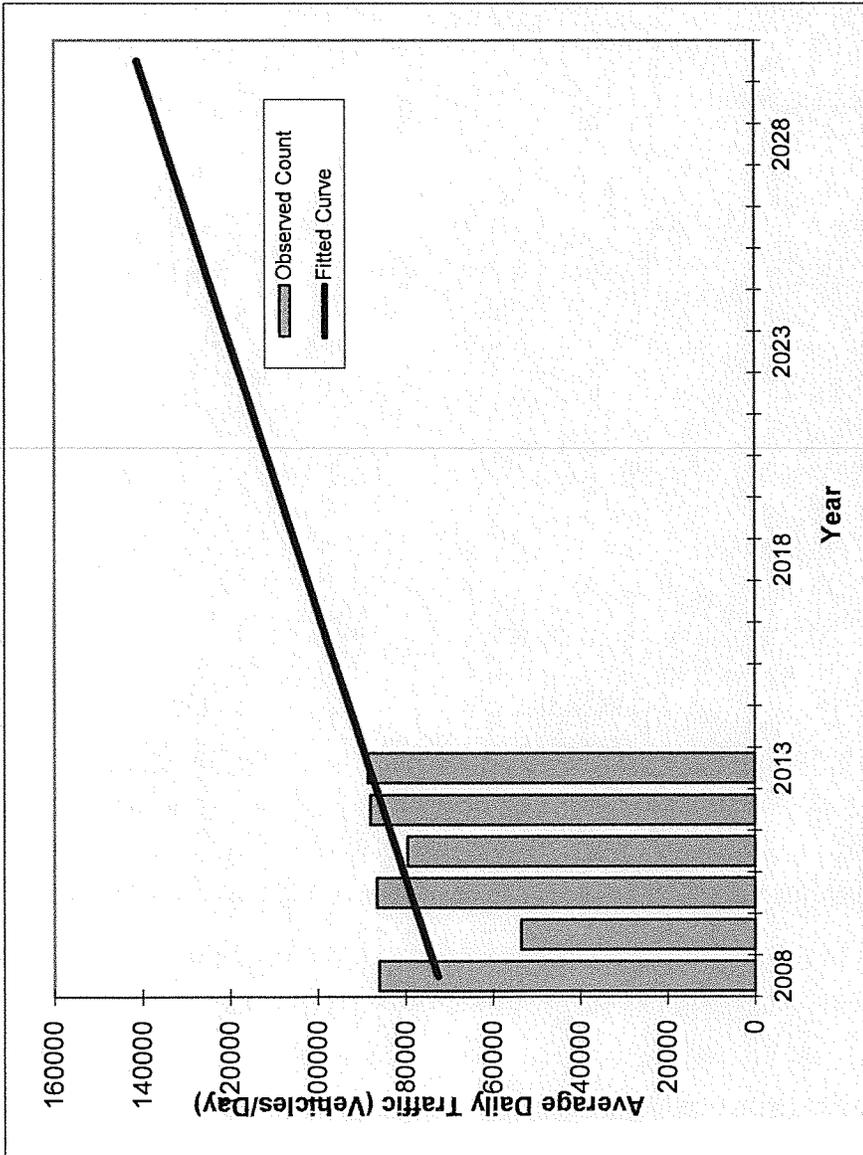
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	556	1196	93	32	654	78	109	124	31	154	109	315
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	0.98		1.00	0.97		1.00	0.89	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3501		1770	3483		1770	1807		1770	1655	
Flt Permitted	0.10	1.00		0.20	1.00		0.11	1.00		0.65	1.00	
Satd. Flow (perm)	192	3501		373	3483		205	1807		1217	1655	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	585	1259	98	34	688	82	115	131	33	162	115	332
RTOR Reduction (vph)	0	4	0	0	7	0	0	7	0	0	81	0
Lane Group Flow (vph)	585	1353	0	34	763	0	115	157	0	162	366	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	77.9	67.9		34.9	31.9		40.7	40.7		29.8	29.8	
Effective Green, g (s)	77.9	67.9		34.9	31.9		40.7	40.7		29.8	29.8	
Actuated g/C Ratio	0.59	0.51		0.26	0.24		0.31	0.31		0.23	0.23	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	579	1799		130	841		115	556		274	373	
v/s Ratio Prot	c0.30	0.39		0.01	0.22		c0.03	0.09			0.22	
v/s Ratio Perm	c0.30			0.06			c0.27			0.13		
v/c Ratio	1.01	0.75		0.26	0.91		1.00	0.28		0.59	0.98	
Uniform Delay, d1	38.9	25.4		36.5	48.7		45.3	34.6		45.7	50.9	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	40.0	1.9		1.1	13.6		83.9	0.3		3.4	41.2	
Delay (s)	78.9	27.4		37.5	62.3		129.3	34.9		49.1	92.1	
Level of Service	E	C		D	E		F	C		D	F	
Approach Delay (s)		42.9			61.2			73.8			80.6	
Approach LOS		D			E			E			F	

**Intersection Summary**

HCM 2000 Control Delay	55.6	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.06		
Actuated Cycle Length (s)	132.1	Sum of lost time (s)	27.0
Intersection Capacity Utilization	105.0%	ICU Level of Service	G
Analysis Period (min)	15		
c Critical Lane Group			

### TRAFFIC TRENDS I-4 -- Saxon Blvd. to SR 472

County:	Volusia
Highway:	I-4



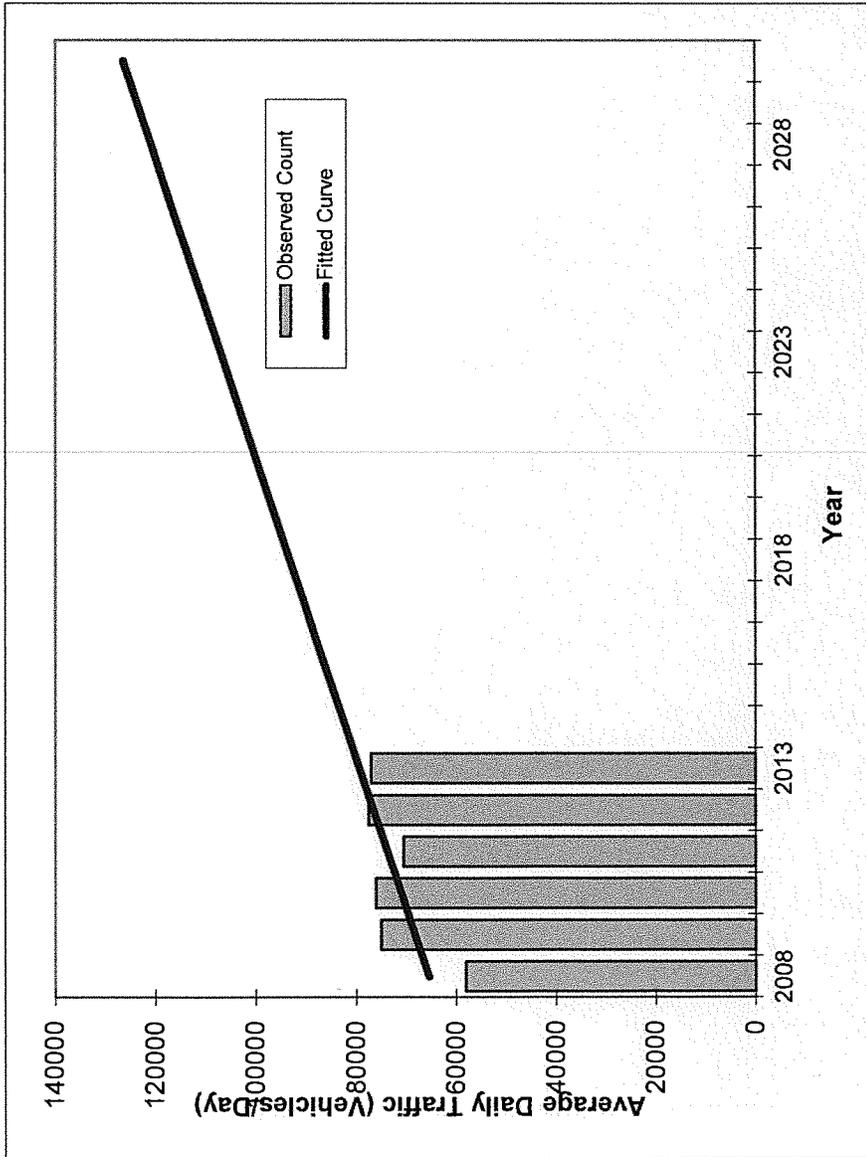
Year	Traffic (ADT)	
	Count*	Trend**
2008	86000	72500
2009	53500	75700
2010	86500	78800
2011	79500	81900
2012	88000	85000
2013	88500	88100
2019	Opening	106800
2025	Mid Year	125500
2030	Design Year	141100

\*Axle-Adjusted  
 \*\* Annual ADT Increase: 3,114  
 Trend R-squared: 18.5%  
 Trend Annual Growth Rate 4.3%  
 Growth Rate (2013 to Design Year) 3.5%  
 Printed 06-Aug-14

# TRAFFIC TRENDS

## I-4 -- SR 472 to Orange Camp Rd

**County:** Volusia  
**Highway:** I-4



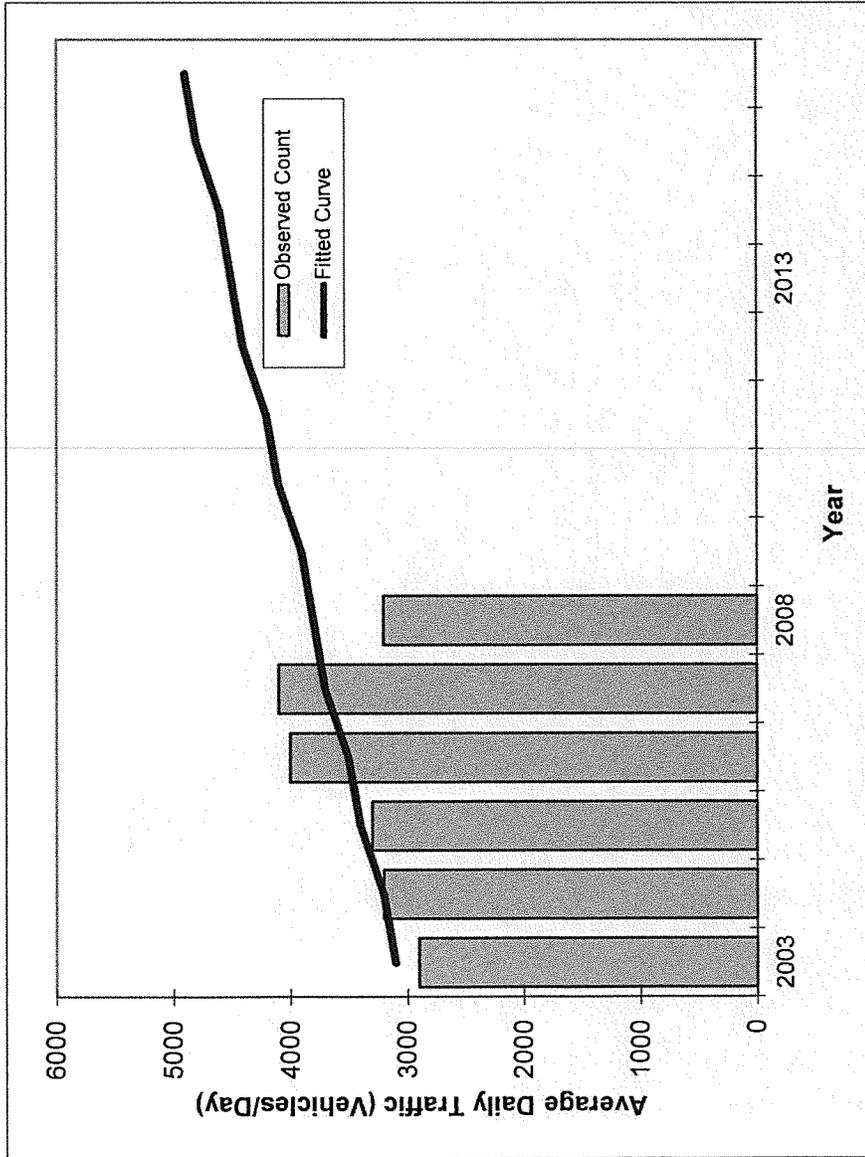
Year	Traffic (ADT)	
	Count*	Trend**
2008	58000	65400
2009	75000	68200
2010	76000	70900
2011	70500	73700
2012	77500	76500
2013	77000	79300

2019	Opening	95900
2025	Mid Year	112500
2030	Design Year	126400

\*Axle-Adjusted  
 \*\* Annual ADT Increase: 2,771  
 Trend R-squared: 48.4%  
 Trend Annual Growth Rate: 4.3%  
 Growth Rate (2013 to Design Year): 3.5%  
 Printed: 06-Aug-14

**TRAFFIC TRENDS**  
**Catalina Blvd. -- Wolf Pack Rd. to Howland Blvd.**

**County:** Volusia  
**Highway:** Catalina Blvd.



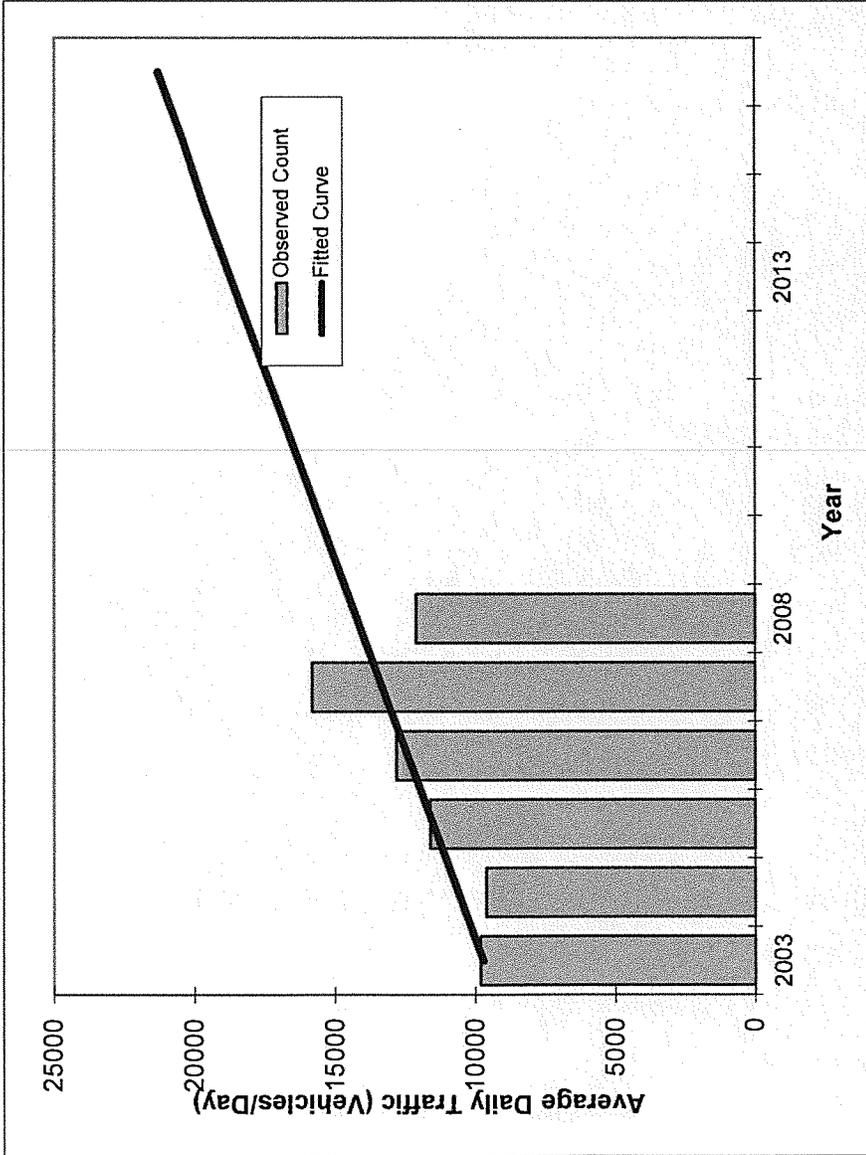
Year	Traffic (ADT)	
	Count*	Trend**
2003	2900	3100
2004	3200	3200
2005	3300	3400
2006	4000	3500
2007	4100	3700
2008	3200	3800
2014	Opening	4600
2015	Mid Year	4800
2016	Design Year	4900

\*Axle-Adjusted  
 \*\* Annual ADT Increase: 140  
 Trend R-squared: 29.2%  
 Trend Annual Growth Rate: 4.5%  
 Growth Rate (2008 to Design Year): 3.6%  
 Printed: 06-Aug-14

### TRAFFIC TRENDS

Catalina Blvd. -- Howland Blvd. to Sixma Rd.

<b>County:</b>	Volusia
<b>Highway:</b>	Catalina Blvd.



Year	Traffic (ADT)	
	Count*	Trend**
2003	9800	9700
2004	9600	10600
2005	11600	11500
2006	12800	12400
2007	15800	13300
2008	12100	14200

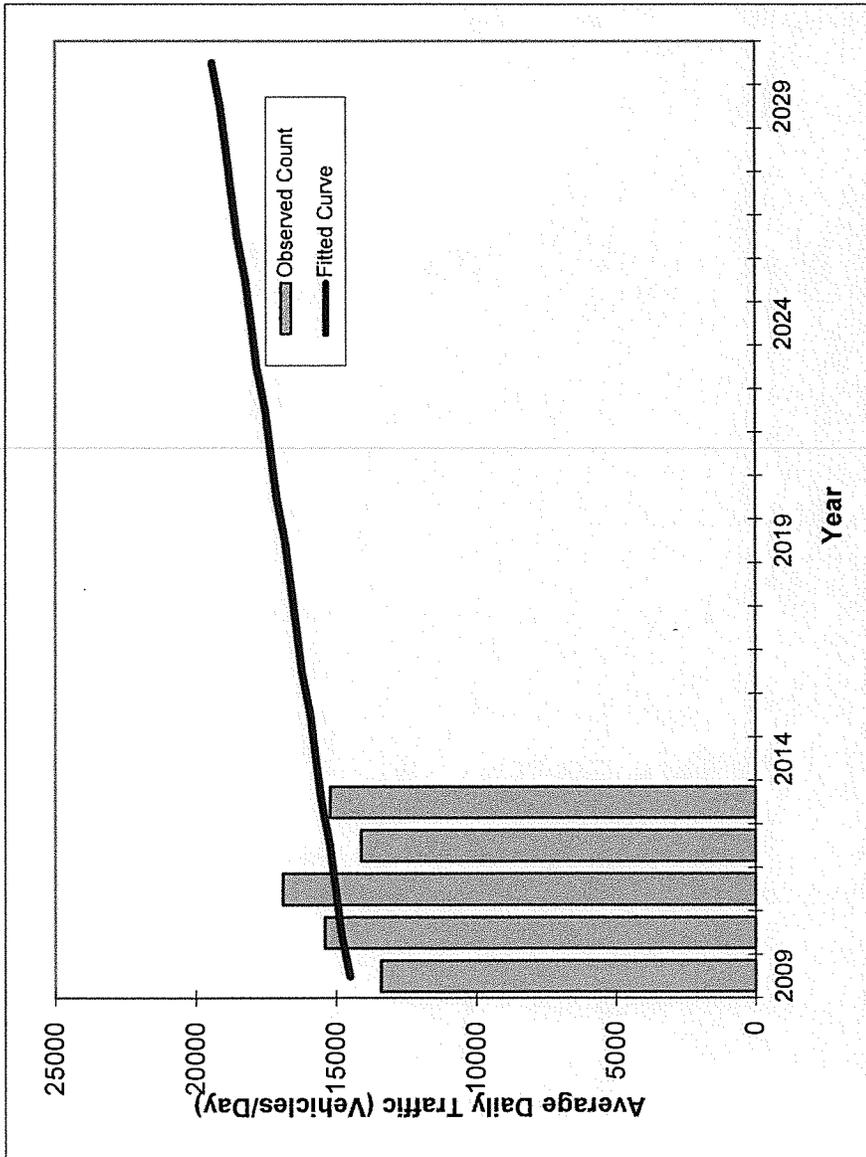
2014	Opening	19600
2015	Mid Year	20400
2016	Design Year	21300

\*Axle-Adjusted  
 \*\* Annual ADT Increase: 894  
 Trend R-squared: 54.2%  
 Trend Annual Growth Rate: 9.3%  
 Growth Rate (2008 to Design Year): 6.3%  
 Printed: 20-Mar-14

### TRAFFIC TRENDS

Howland Blvd. -- Providence Blvd. to Elkcam Blvd.

County: Volusia  
 Highway: Howland Blvd.



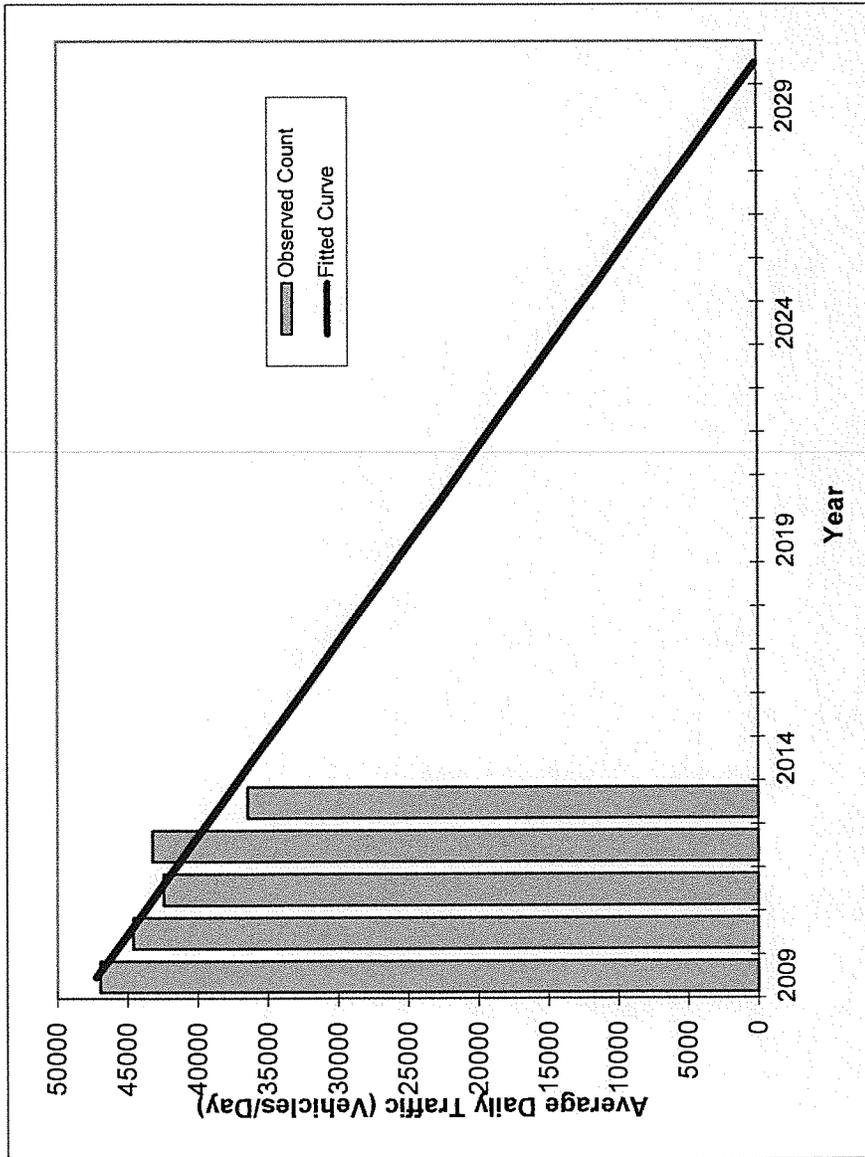
Year	Traffic (ADT)	
	Count*	Trend**
2009	13400	14500
2010	15400	14800
2011	16900	15000
2012	14100	15200
2013	15200	15500
2019	Opening	16800
2025	Mid Year	18200
2030	Design Year	19400

\*Axle-Adjusted  
 \*\* Annual ADT Increase: 230  
 Trend R-squared: 7.4%  
 Trend Annual Growth Rate: 1.7%  
 Growth Rate (2013 to Design Year): 1.5%  
 Printed 06-Aug-14

### TRAFFIC TRENDS

Saxon Blvd. -- FDOT Park & Ride to I-4

County: Volusia  
 Highway: Saxon Blvd.



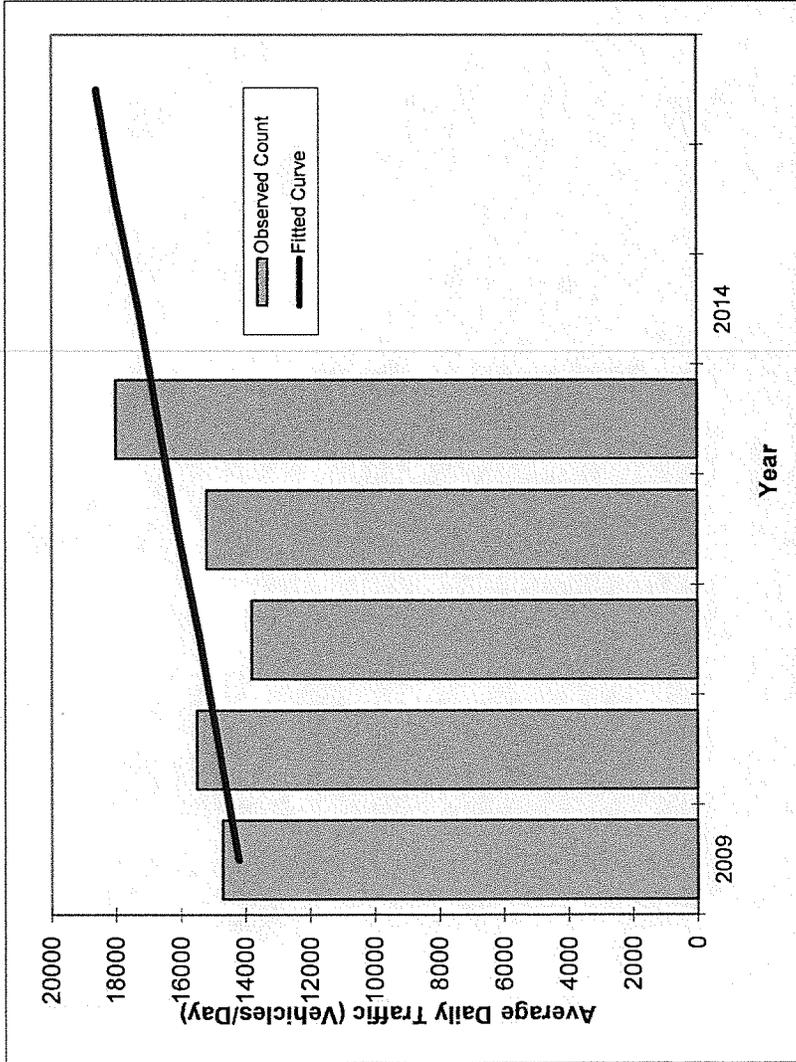
Year	Traffic (ADT)	
	Count*	Trend**
2009	46900	47200
2010	44600	44900
2011	42400	42700
2012	43200	40500
2013	36400	38200
2019	Opening	24800
2025	Mid Year	11300
2030	Design Year	100

\*Axle-Adjusted  
 \*\* Annual ADT Increase: -2,240  
 Trend R-squared: 81.9%  
 Trend Annual Growth Rate: -4.8%  
 Growth Rate (2013 to Design Year): -5.9%  
 Printed: 06-Aug-14

### TRAFFIC TRENDS

Volusia Bltwy. (Veteran's Memorial) -- Rhode Island Ave. to Harley Strickland

<b>County:</b>	Volusia
<b>Highway:</b>	W. Volusia Bltwy. (Veteran's Memorial)



Year	Traffic (ADT)	
	Count*	Trend**
2009	14700	14200
2010	15500	14800
2011	13800	15400
2012	15200	16100
2013	18000	16700
2014	Opening	17300
2015	Mid Year	18000
2016	Design Year	18600

\*Axle-Adjusted  
 \*\* Annual ADT Increase: 630  
 Trend R-squared: 40.3%  
 Trend Annual Growth Rate: 4.4%  
 Growth Rate (2013 to Design Year): 3.8%  
 Printed: 06-Aug-14

**TEMPORARY ACCESS EASEMENT**

THIS INDENTURE, Made this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2014, Between Trafalgar Holdings, LLC, a Florida limited liability company, having its principal place of business in the city of Orlando, county of Volusia, whose address is 27 N. Summerlin Ave, Orlando, Florida 32801, GRANTOR, and City of Deltona a political subdivision of the state of Florida, whose address is 2345 Providence Blvd., Deltona, Florida 32725, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$1.00 and other valuable considerations and covenants, paid or made by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, a temporary right-of-way and easement for access to Lots 1-5 Davis Park 5<sup>th</sup> addition as recorded in Map Book 18 Page 147 of the Public Records of Volusia County, Florida, under and upon the following described lands situate in Volusia County aforesaid, to-wit:

**That portion of property consisting of the 60' wide vacated right of way of Persimmon Ave as reflected in the Plat of Davis Park 5<sup>th</sup> Addition as recorded in Map Book 18 Page 147 of the Public Records of Volusia County, Florida.**

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of the GRANTOR undertaking vacation proceedings or obtaining any release from the GRANTEE, at such time as GRANTOR or its successors or assigns shall cause an alternative access from Lots 1-5 Davis Park 5<sup>th</sup> Addition to a public or private street to be constructed and platted.

IN WITNESS WHEREOF, the said GRANTOR and GRANTEE has caused these presents to be executed in its name.

Signed, sealed and delivered  
in the presence of:

Trafalgar Holdings, LLC,  
a Florida limited liability company

By: \_\_\_\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY that on this day, before me, personally appeared \_\_\_\_\_ as \_\_\_\_\_ of Trafalgar Holdings, LLC as managing member of under the laws of the state of \_\_\_\_\_, to me known to be, or who has produced \_\_\_\_\_ as identification, and did (did not) take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his/her free act and deed as such officer thereunto duly authorized, and the said conveyance is the act and deed of said limited

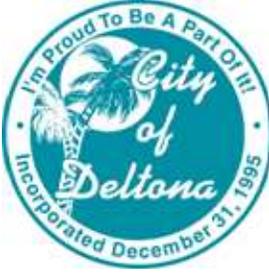
liability company.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

(Notary Seal)

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Notary Name  
Notary Public in and for the County and  
State aforesaid.  
My commission expires:



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 8 - E  
**SUBJECT:** Public Hearing - Ordinance No. 24-2014, to amend alarm ordinance to include false fire alarms, at second and final reading.

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<b>LOCATION:</b>	N/A
<b>BACKGROUND:</b>	For the last year and 8 months the fire department responded to 583 false mechanical alarms. Of those and as it relates to habitual offenders, we ran on 9 addresses 3 times, 8 addresses 4 times and 2 addresses 5 times. The remainder were 2 calls or less at the same address during the 1 year and 8 months. On average the Deltona Fire Department runs one false mechanical alarm per day. Although this is not excessive, a false alarm ordinance would be appropriate for the purpose of heading off future problematic single address false alarms.
<b>ORIGINATING DEPARTMENT:</b>	City Attorney's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	City Manager, City Attorney, Fire Chief, Director of Finance
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	Becky Vose, City Attorney - Approve Ordinance No. 24-2014, at second and final reading.
<b>POTENTIAL MOTION:</b>	"I move to approve Ordinance No. 24-2014, at second and final reading."
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• fire alarm ordinance</li></ul>

**ORDINANCE NO. 24 – 2014**

**AN ORDINANCE AMENDING DIVISION 2 OF CHAPTER 34, “EMERGENCY SERVICES” OF THE CODE OF THE CITY OF DELTONA, FLORIDA, ADDING FIRE ALARMS TO REGULATIONS GOVERNING OTHER EMERGENCY SERVICE ALARMS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

BE IT ORDAINED by the City Commission of the City of Deltona, Florida, as follows:

**SECTION 1.** Division 2 of Chapter 34, “Emergency Services”, of the Code of the City of Deltona, Florida, is amended to read as follows:

**DIVISION 2. - ~~LAW ENFORCEMENT~~ EMERGENCY SERVICES ALARMS**

**Sec. 34-51. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm business* means the business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility either privately owned or commercial.

*Alarm system* means any assembly of equipment, mechanical, ~~or~~ electrical or radio-controlled device or system which is designed to emit a sound, relay or transmit a signal or message when activated because of arranged to signal the occurrence of an illegal entry, burglary, robbery, smoke, heat, fire, hazardous chemical detection, emergency medical alarm or other activity requiring urgent attention and to which an law enforcement emergency services agency is expected to respond. A single-station (residential) smoke detector shall not be deemed to be a fire alarm system under this section.

*Alarm user* means the person, firm, partnership, association, corporation, company, organization, state, county, municipality, or other governmental agency or entity in control of any building, structure or facility wherein an alarm system is maintained.

Authorized serviceman shall mean any person who inspects, installs, repairs or performs maintenance on alarm systems, and is licensed by the State of Florida as required by state statute (or works under the license of an alarm contractor).

*Automatic dialing device* means a device interconnected to a telephone line and programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response.

~~*Burglary alarm system* means an alarm system signaling an entry or attempted entry into the area protected by the system.~~

*False alarm* means the activation of any alarm system signal or message which elicits a notification to and/or response by “emergency services” when there is no evidence of a an illegal entry, burglary, robbery, smoke, heat, fire, hazardous chemical detection, emergency medical alarm or other activity requiring urgent attention and to which an law enforcement emergency services agency is expected to respond an alarm signal indicating a burglary, or robbery or fire situation, eliciting a response by an law enforcement emergency services agency when a situation requiring such response does not in fact exist, but does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user. This may include, but not limited to, an alarm discovered by a law enforcement officer, firefighter or any other individual(s) before notification of an alarm from a monitoring company or from a local alarm system that is not monitored.

*Fire Watch* shall mean an enforcement official approved person or persons assigned to the premises for the purpose of protecting the occupants from fire or similar emergencies. A fire watch may involve at least some special action beyond staffing, such as assigning an additional security guard(s) to walk the premises, who has been trained in the use of fire extinguishers, in notifying the fire department, in sounding the fire alarm system located on the premises, and in understanding the particular fire safety situation.

~~*Fire alarm system* means an alarm system signaling a fire at the area protected by the system.~~

*Interconnect* means to connect an alarm system (including an automatic dialing device) to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon activation of the alarm system.

*Primary trunk line* means a telephone line serving the city ~~law enforcement emergency services agencies~~ that is designated to receive calls for service from the public.

~~*Robbery alarm system* means an alarm signaling a robbery or attempted robbery.~~

Emergency Services means the Deltona Fire Department and/or the Volusia County Sheriff Department. The Enforcement Official for each Emergency Service shall mean

the city Fire Chief or his designee or Sheriff, means (the director of the county department of public safety) or his designated representative or city law enforcement agency who shall administer this section and control and maintain records involving false alarms.

Sec. 34-52. - Purpose.

The purpose of this division is to protect the emergency services from misuse through prohibition and regulation of certain alarms within the municipal boundaries of the city.

Sec. 34-53. - Enforcement and penalties.

Anyone convicted of a violation of or failure to comply with any of the provisions of this division shall be punished as provided in section 1-15.

Sec. 34-54. - Automatic dialing devices; certain interconnections prohibited.

It is unlawful for any business, user or person to select a primary trunk line of the city's law enforcement emergency services agencies. It is unlawful for an alarm business or user to fail to disconnect or reprogram an automatic dialing device programmed to select a primary trunk line within 12 hours of receipt of written notice from the city law enforcement emergency services agency that is so programmed.

Sec. 34-55. - Termination of alarm systems prohibited at certain locations.

No commercial or private alarm system may be terminated in the city law enforcement emergency services agencies, except that the city law enforcement emergency services agencies may at ~~its~~ their discretion allow the termination of governmental alarm systems or certain alarm systems originating at federally insured banking or savings institutions as may be deemed appropriate.

Sec. 34-56. - Requirement to register alarm systems.

Prior to the installation or use of any type robbery, ~~and/or~~ burglar, ~~and/or~~ fire/hazard alarm, the owner or manager of the premises shall furnish to the city law enforcement emergency services agency information regarding the full names, addresses and telephone numbers of at least two people who can be reached at all times and who are authorized to enter the premises and deactivate the alarm system. It shall be the responsibility of the owner or manager of the premises to notify the city law enforcement emergency services agency of any change in such information within seven days thereof, including but not limited to the unavailability of any responder during any period of time. If any such person shall fail to appear and turn off any such alarm system within one hour after being notified by the city law enforcement emergency services agency to do so, the owner or manager of the premises shall be charged a fee established by resolution of the city commission in the appendix A fee schedule for each such occurrence or, failing to pay such a fee, shall be notified in writing by the city law enforcement emergency

services agency that the city ~~law enforcement~~ emergency services agency will not respond to any further alarms at that location. Failure to register will also result in a fee established by resolution of the city commission in the appendix A fee schedule, to be charged to the owner of the premises.

Sec. 34-57. - Procedures and fees for false alarms.

(a) ~~Burglar alarms.~~ For a response by the emergency service ~~law enforcement~~ agency to any false alarm the responding agency shall charge and collect from the person having or maintaining such ~~burglar~~-alarm system on premises owned or occupied by him fees as follows:

(1) For a first and second response to premises at which no other false alarm has occurred within the preceding six-month period, referred to as a "first response," and "second response" respectively, no fee shall be charged; but the person having or maintaining such ~~burglar~~-alarm shall, within three working days after notice to do so, make a written report to the agency on forms prescribed by the agency setting forth the cause of such false alarm, the corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as the agency may reasonably require to determine the cause of such false alarm and the corrective action taken.

(2) For a third response to premises within six months after such second response, a fee established by resolution of the city commission in the appendix A fee schedule shall be charged. If such third false alarm or any such succeeding false alarm is a result of failure to take necessary corrective action, the city emergency service ~~law enforcement~~ agency may order the disconnection of such alarm system and it shall be unlawful to reconnect such alarm system until such corrective action is taken. No disconnection shall be ordered at any premises required by law to have an alarm system in operation.

(3) In those instances where the alarm user is required by law to have an alarm system in operation, thereby prohibiting the disconnection for repeated failure to take necessary corrective action, the false alarm fee shall be the amount which is listed in appendix A for each such false alarm in excess of two within the six-month period.

(4) Premise(s) affected because the signal from the alarm system indicates a failed, disconnected or deactivated system may be required to establish a fire watch until the fire alarm system has been returned to service. The Enforcement Official or his designee shall determine the need of a fire watch based upon the life safety considerations of the premise. The owner is responsible for paying all of the costs associated with establishing a fire watch.

~~(b) Robbery alarms. The same procedures as outlined for burglar alarms in subsection (a) of this section shall apply to robbery alarms.~~

(~~eb~~) *Payment of fee.* All fees due under the provisions of this division shall be paid directly to the City of Deltona department of finance and shall be credited to the appropriate city law enforcement agency budget General Fund general revenue account.

Sec. 34-58. - Implementation procedures.

(a) The city ~~law enforcement~~ emergency services agencies shall establish procedures governing the implementation of this division, including but not limited to:

- (1) Registration procedures and forms
- (2) Processing of false alarm reports submitted by alarm users
- (3) Collection of fees
- (4) Alarm deactivation procedures
- (5) Appeal processes by alarm users
- (6) Record keeping systems
- (7) Alarm response procedures

(b) These procedures shall be reviewed periodically by the city ~~law enforcement~~ emergency services agency, and changes may be made as deemed necessary.

**SECTION 2. CONFLICTS.** All Ordinances or parts of Ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any conflict.

**SECTION 3. CODIFICATION.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

**SECTION 4. SEVERABILITY.** In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**FIRST READING:** \_\_\_\_\_  
**ADVERTISED:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CITY CLERK**

Approved as to form and legality for use  
and reliance by the City of Deltona, Florida

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



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 8 - F  
**SUBJECT:** Public Hearing - Ordinance No. 25-2014, Sales of Food on House of  
Worship Property, at second and final reading.

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<b>LOCATION:</b>	Citywide
<b>BACKGROUND:</b>	On July 21, 2014, the City Commission adopted Resolution 2014-23 which imposed a moratorium on the enforcement of city code provisions as to food sales on residentially zoned church property pending a review of city regulations on this subject and the enactment of an ordinance addressing this issue. A draft ordinance was reviewed at the City Commission workshop on August 25, 2014. Ordinance No. 25-2014 is an amendment to the Street Vendor Ordinance and would allow a house of worship to be granted a permit for the sale of food by one vendor at a time on the house of worship property during daylight hours. The vendors would have to remove all equipment used each day from church property by sunset. A \$20 fee would be charged for the permit and vendors would have to obtain a business tax receipt.
<b>ORIGINATING DEPARTMENT:</b>	City Attorney's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	City Manager, City Attorney, Planning and Development Services, Building and Enforcement Services, Finance Department
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	Becky Vose, City Attorney - That the City Commission approve Ordinance No. 25-2014, at second and final reading.
<b>POTENTIAL MOTION:</b>	"I move to approve Ordinance No. 25-2014, at second and

**AGENDA ITEM  
APPROVED BY:**

final reading."

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Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Ordinance No. 25-2014

**ORDINANCE NO. 25-2014**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING ARTICLE VI, “STREET VENDORS”, OF CHAPTER 22 “BUSINESSES”, OF THE CODE OF THE CITY OF DELTONA, MAKING AN EXCEPTION FOR FOOD SALES ON HOUSE OF WORSHIP PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING FOR ISSUANCE OF PERMITS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:**

**SECTION 1:** Article VI, “Street Vendors”, of Chapter 22, “Businesses”, of the Code of the City of Deltona, is hereby amended to read as follows:

**ARTICLE VI. – STREET VENDORS**

**Sec. 22-186. - Definitions.**

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Goods or merchandise* means any materials or products, including but not limited to fruits, vegetables, or other edible items, souvenirs, trinkets, art objects, and other such items capable of being the object of a sale.

*House of worship* means premises used for worship and permitted customary accessory uses by an organization of religious believers.

*Permanent structure* means a building containing no fewer than four outer walls and a roof enclosing said walls, constructed in accordance with the local building code and a duly issued building permit, and for which occupancy is authorized by a duly issued certificate of occupancy

*Street vendor* means a person who sells or offers for sale any goods, services or merchandise from a location other than a permanent structure located in a commercially zoned area. A street vendor does not include anyone that utilizes newspaper, magazine, or other self-service vending machines for the sale of such items.

**Sec. 22-187. - Prohibited acts.** It shall be unlawful for any street vendor to sell goods, merchandise or services from any public property, public right of way, unoccupied private property, or undeveloped private property within the city limits of the City of Deltona.

**Sec. 22-188. - Penalties.** Any person who is found to be in violation of any provision of this chapter for which another penalty is not specifically provided shall immediately cease the activity in violation and may be issued a citation by a city enforcement services officer or law enforcement officer and be punishable by a fine not to exceed \$500.00. Failure to immediately cease the activity in violation may result in arrest by a law enforcement officer under F.S. § 901.15(1). For each day that the violation of a provision of this chapter exists, such violation shall constitute a separate offense.

**Sec. 22-189. - Exceptions.** Nothing herein shall be construed to prohibit the sale of goods and merchandise by vendors on public property during city sponsored special events, festivals or parades, or with a permit issued by the city.

**Sec. 22-190. Exception - Food Sales on House of Worship Property.** Upon application by a house of worship, the city manager, or his designee, may grant a permit for the sale of food on the house of worship property upon the completion of an application and the payment of a \$20 fee. Such permit shall allow the sale of food by no more than one vendor at a time during daylight hours only on house of worship property. All equipment and materials of any kind used by a vendor must be taken down before sundown each day and removed from house of worship property. This provision shall not eliminate any requirement for health department or other approval(s), as may be required by applicable law, and any vendor(s) shall be responsible to obtain business tax receipt(s).

**Secs. 22-191—22-199. - Reserved.**

**SECTION 2. CONFLICTS.** All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

**SECTION 3. CODIFICATION.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

**SECTION 4. SEVERABILITY.** In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent

jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CITY CLERK**

Approved as to form and legality for use  
and reliance by the City of Deltona, Florida

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



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager            **AGENDA ITEM:** 8 - G  
**SUBJECT:** Public Hearing - Lake Baton Estates Phase Two; Final Plat Application (Project No. FP13-002).

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<b>LOCATION:</b>	Generally located north of Ferendina Drive and east of Meadowlark Drive; in the vicinity of the intersection of Saxon Boulevard and Tivoli Drive.
<b>BACKGROUND:</b>	<p>The City of Deltona received an application for the Lake Baton Estates Phase Two (II) Final Plat for a ±52.17 acre site (Project No. FP13-002), which is the second and final phase within that residential subdivision. The approval and recordation of this Final Plat will create legal lots of record and tracts to be able to ultimately construct up to 90 single-family residential homes within Phase II. In addition, there are 48 residential units platted and being constructed within Phase I for a total of 138 units within the entire Lake Baton Estates subdivision.</p> <p>The City's Development Review Committee reviewed and approved the Final Plat and related revised Preliminary Plat/Construction Plans on August 21, 2014, and deemed them to be compliant with the City's Code of Ordinances.</p>
<b>ORIGINATING DEPARTMENT:</b>	Planning and Development Services
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	Planning Director and City Attorney
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	Tom Pauls, AICP, Planning Manager, Planning and Development Services - Staff recommends that the City Commission approve the Lake Baton Estates Phase Two Final Plat (Project No. FP13-002).

**POTENTIAL  
MOTION:**

"I move to approve the Lake Baton Estates Phase Two Final Plat (Project No. FP13-002)."

**AGENDA ITEM  
APPROVED BY:**

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Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Certificate of Title 051614
- Lake Baton Estates Final Plat Sheet 1
- Lake Baton Estates Final Plat Sheet 2
- Lake Baton Estates Final Plat Sheet 3
- Lake Baton Estates Final Plat Sheet 4
- Lake Baton Estates Final Plat Sheet 5
- Lake Baton Estates Final Plat Sheet 6



First American Title Insurance Company  
 2233 Lee Road  
 Winter Park, FL 32789  
 Phone: (407)691-5200  
 Fax: (407)691-5300

**CERTIFICATE OF TITLE INFORMATION FOR THE FILING  
 OF A SUBDIVISION PLAT IN THE CITY OF DELTONA,  
 Volusia County, Florida**

FATIC File No.: 2037-2927540

A search of the Public Records of Volusia County, Florida, through May 13, 2014 at 8:00 a.m. reveals the following with respect to the legal description of the property set out on the subdivision plat of LAKE BATON ESTATES - PHASE TWO, FINAL PLAT (not yet recorded), said legal description attached hereto as Exhibit "A", and made a part hereof:

**A.** The last deed of record was dated March 15, 2013 and recorded March 19, 2013 in Official Records Book 6833, Page 194, Public Records of Volusia County, Florida.

**B.** The record title holder is D. R. HORTON, INC., A DELAWARE CORPORATION.

**C.** The name(s) of the record title holder coincides with the name(s) shown as owner(s) on the unrecorded plat of LAKE BATON ESTATES - PHASE TWO, FINAL PLAT.

**D.** Unsatisfied mortgages or liens encumbering said property are as follows:

None

**E.** Underlying rights of way, easements or plats affecting said property are as follows:

1. Plat of Lake Baton Estates - Phase I recorded in Plat Book 55, Page(s) 36, 37 and 38.
2. Florida Power Corporation recorded in Book 1100, Page 193 and re-recorded in Book 1177, Page 479.
3. Drainage Easement with the County of Volusia recorded January 18, 2001 in Book 4635, Page 826.
4. Drainage Easement described as Parcel 8118 in Stipulated Order of Taking recorded May 16, 2003 in Book 5076, Page 2735.
5. Temporary Utility and Access Easement with the City of Deltona (Lift Station Tract) recorded September 18, 2008 in Book 6277, Page 3948.
6. Temporary Utility and Access Easement with the City of Deltona recorded September 18, 2008 in Book 6277, Page 3950.
7. Temporary Utility and Access Easement with the City of Deltona recorded September 18, 2008 in Book 6277, Page 3952.
8. Deed of Conservation Easement in favor of St. Johns River Water Management District recorded October 24, 2008 in Book 6289, Page 2648 re-recorded November 7, 2008 in Book 6294, Page 729.

**F.** Other information regarding said property includes:

**FILE COPY**

05-16-14 P12:18

1. Amended and Restated Agreement by and between Formosa Garden & Lake, LLC; Intervest at Palm Coast and the Volusia County School Board recorded July 5, 2006 in Book 5865, Page 4846.
  2. Developers Agreement for Lake Baton Estates Preliminary Plat located at 1600 Avila Avenue Project No. SD05-001, recorded April 9, 2007 in Book 6038, Page 2705 and certified copy recorded November 19, 2010 in Book 6537, Page 4978, as affected by: Assignment of Development Rights to Prosperity Bank recorded in Book 6453, Page 3287 and Assignment and Undertaking executed and delivered to D. R. Horton, Inc., a Delaware corporation recorded March 19, 2013 in Book 6833, Page 199.
  3. Agreement for Reimbursement of Debris Removal recorded July 9, 2008 in Book 6252, Page 4746.
  4. Declaration of Covenants, Conditions and Restrictions for Lake Baton Estates recorded September 18, 2008 in Book 6277, Page 3898, as affected by: First Amendments to Declaration of Covenants, Conditions, and Restrictions for Lake Baton Estates recorded January 20, 2011 in Book 6556, Page 2983 and Second Amendment to Declaration of Covenants, Conditions, and Restrictions to Declaration of Covenants, Conditions, and Restrictions for Lake Baton Estates recorded December 15, 2011 in Book 6660, Page 4067 and Assignment and Assumption of Declarant's Rights and Obligations recorded July 9, 2013 in Book 6880, Page 88 and Third Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Lake Baton Estates recorded February 4, 2014 in Book 6955, Page 814.
- G.** 2013 Ad valorem taxes on said property are PAID for Tax Parcel I. D. Number 8120-00-00-0030 and 8120-00-00-0032.

**CERTIFICATE OF TITLE INFORMATION FOR THE FILING  
OF A SUBDIVISION PLAT IN THE CITY OF DELTONA,  
Volusia County, Florida**

This certificate is made for the purpose of furnishing the information required for the filing of the above referenced subdivision plat in accordance with the provisions of Chapter 177.041 of the Florida Statutes and the requirements of the City of Deltona Land Development Code. This search of minimum 30 years. It has been prepared expressly for the appropriate governing body as defined by Chapter 177.071 (FS) and it is not to be relied upon by any other group or person for any other purpose. This search covers a minimum of 30 years.

First American Title Insurance Company

By: \_\_\_\_\_

Authorized Signatory

*Larry P. Deal*

## Exhibit "A"

A portion of land lying in the South one half of the Southeast one quarter of Section 20, Township 18 South, Range 31 East, Volusia County, Florida, being more particularly described as follows:

Begin at the Northwest corner of Lake Baton Estates Phase I, as recorded in Plat Book 55, Pages 36 through 38 of the Public Records of Volusia County, Florida, said point also being the Northwest corner of Lot 102; thence run S.00°00'32"E., along the West line of Lake Baton Estates Phase I and said Lot 102 a distance of 130.00 feet to the North right of way line of Daystar Lane, a 50 foot private right of way; thence S.89°59'28"W., along said North right of way line 51.23 feet to the Westerly Boundary of said Lake Baton Estates Phase I; thence the next six calls along the Westerly Boundary of Lake Baton Estates Phase I; thence S.00°00'32"E., 72.93 feet to the Point of Curvature of a circular curve concave Northeasterly having as its elements a Radius of 475.00 feet and a Central Angle of 50°55'11"; thence Southeasterly along the arc of said curve a distance of 422.14 feet to the Point of Reverse Curvature of a circular curve concave to the Southwest having as its elements a Radius of 575.00 feet and a Central Angle of 55°38'07"; thence Southeasterly along the arc of said curve a distance of 558.34 feet to the Point of Tangency; Thence S.00°01'43"E., 224.71 feet to the Point of Curvature of a circular curve concave Westerly having as its elements a Radius of 150.00 feet a Central Angle of 12°19'44"; thence South along the arc of said curve a distance of 32.28 feet to a Point of Reverse Curvature of a circular curve concave Easterly having as its elements a Radius of 150.00 feet and a Central Angle of 12°19'44"; thence Westerly along the arc of said curve a distance of 32.28 feet to the North line of Tract G of said Lake Baton Estates Phase I, said line also being the Southerly line of the Southeast one quarter of Section 20; thence S89°58'17"W., along the North line of said Tract G, and the North line of Deltona Lakes Unit Seven as recorded in Plat Book 25, Pages 149 through 162 of the Public Records of Volusia County, Florida, a distance of 1947.08 feet to the South quarter corner of said Section 20; thence N.00°04'29"W., along the Westerly line of the aforesaid Southeast one quarter of Section 20 a distance of 204.20 feet; thence leaving said Westerly line, S.89°56'32"W., a distance of 55.04 feet; thence N.00°03'28"W., a distance of 139.93 feet; thence S.89°55'03"E., a distance of 55.00 feet to the aforementioned Westerly line of the Southeast one quarter of Section 20; thence S.00°04'29"E., along said Westerly line a distance of 12.37 feet to a point on the South line of the "South Tract" as described in Official Records Book 6277, Pages 3045 through 3047 of said Public Records of Volusia County, Florida; thence leaving said Westerly line, N.89°54'03"E., along said South line, a distance of 85.01 feet to the East line of said "South Tract" and a point on a circular curve concave Westerly at which point the Radius bears N.88°04'41"W, and having as its elements a Radius of 667.60 feet and a Central Angle of 27°03'37"; thence Northerly along the arc of said curve and said Easterly line, a distance of 315.30 feet to the Point of Reverse Curvature of a circular curve concave to the East having as its elements a Radius of 440.00 feet and a Central Angle of 08°13'08"; thence Northerly along the arc of said curve a distance of 63.12 feet to the aforementioned West line of the Southeast one quarter said Section 20; thence leaving said curve, N.00°04'29"W., along said Westerly line a distance of 236.66 feet to the Southerly point of the "North Tract" as described in Official Records Book 6277, Pages 3045 through 3047 of the Public Records of Volusia County, Florida; thence leaving said Westerly line, run the next five (5) courses along the Easterly line of said "North Tract"; run N.17°33'34"E., a distance of 56.46 feet to a point on a non-tangent curve concave Southeasterly at which point the Radius bears S.74°55'14"E., and having as its elements a Radius of 450.00 feet and a Central Angle of 06°48'27"; thence Northeasterly along the arc of said curve a distance of 53.47 feet to the Point of Tangency; thence N.21°53'13"E., a distance of 60.20 feet to the Point of Curvature of a circular curve concave Southeasterly having as its elements a Radius of 437.93 feet and a Central Angle of 34°15'57"; thence Northeasterly along the arc of said curve a distance of 261.90 feet to the Point of Tangency; thence N.56°09'10"E., a distance of 46.50 feet to the North line of the South one half of said Section 20; thence N.89°59'28"E., along said North line a distance of 1292.83 feet to the Point of Beginning.

# LAKE BATON ESTATES - PHASE TWO, FINAL PLAT

SHEET 1 OF 6

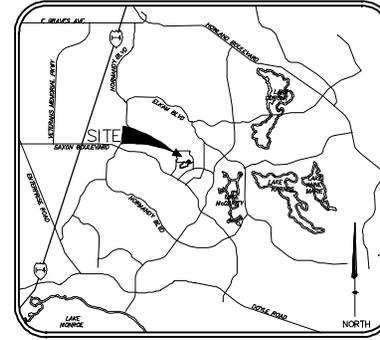
A PORTION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 31 EAST, CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA

**LEGAL DESCRIPTION:**

A portion of land lying in the South one half of the Southeast one quarter of Section 20, Township 18 South, Range 31 East, Volusia County, Florida, being more particularly described as follows:

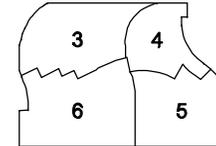
Begin at the Northwest corner of Lake Baton Estates Phase I, as recorded in Plat Book 55, Pages 36 through 38 of the Public Records of Volusia County, Florida, said point also being the Northwest corner of Lot 102; thence run S.00°00'32"E., along the West line of Lake Baton Estates Phase I and said Lot 102 a distance of 130.00 feet to the North right of way line of Daystar Lane, a 50 foot private right of way; thence S.89°59'28"W., along said North right of way line 51.23 feet to the Westerly Boundary of said Lake Baton Estates Phase I; thence the next six calls along the Westerly Boundary of Lake Baton Estates Phase I; thence S.00°00'32"E., 72.93 feet to the Point of Curvature of a circular curve concave Northeastly having as its elements a Radius of 475.00 feet and a Central Angle of 50°55'11"; thence Southeastly along the arc of said curve a distance of 422.14 feet to the Point of Reverse Curvature of a circular curve concave to the Southwest having as its elements a Radius of 575.00 feet and a Central Angle of 55°38'07"; thence Southeastly along the arc of said curve a distance of 558.34 feet to the Point of Tangency; thence S.00°01'43"E., 224.71 feet to the Point of Curvature of a circular curve concave Westerly having as its elements a Radius of 150.00 feet and a Central Angle of 12°19'44"; thence South along the arc of said curve a distance of 32.28 feet to a Point of Reverse Curvature of a circular curve concave to the Southeast having as its elements a Radius of 150.00 feet and a Central Angle of 12°19'44"; thence Westerly along the arc of said curve a distance of 32.28 feet to the North line of Tract G of said Lake Baton Estates Phase I, said line also being the Southerly line of the Southeast one quarter of Section 20; thence S89°58'17"W., along the North line of said Tract G, and the North line of Deltona Lakes Unit Seven as recorded in Plat Book 25, Pages 149 through 162 of the Public Records of Volusia County, Florida, a distance of 1947.08 feet to the South quarter corner of said Section 20; thence N.00°04'29"W., along the Westerly line of the aforesaid Southeast one quarter of Section 20 a distance of 204.20 feet; thence leaving said Westerly line, S.89°56'32"W., a distance of 55.04 feet; thence N.00°03'28"W., a distance of 139.93 feet; thence S.89°55'03"E., a distance of 55.00 feet to the aforesaid Westerly line of the Southeast one quarter of Section 20; thence S.00°04'29"W., along said Westerly line a distance of 12.37 feet to a point on the South line of the "South Tract" as described in Official Records Book 6277, Pages 3045 through 3047 of said Public Records of Volusia County, Florida; thence leaving said Westerly line, N.89°54'03"E., along said South line, a distance of 85.01 feet to the East line of said "South Tract" and a point on a circular curve concave Westerly of which point the Radius bears N.88°04'41"W, and having as its elements a Radius of 661.60 feet and a Central Angle of 27°03'57"; thence Northerly along the arc of said curve and said Easterly line, a distance of 315.30 feet to the Point of Reverse Curvature of a circular curve concave to the East having as its elements a Radius of 440.00 feet and a Central Angle of 08°13'08"; thence Northerly along the arc of said curve a distance of 63.12 feet to the aforesaid Westerly line of the Southeast one quarter said Section 20; thence leaving said curve, N.00°04'29"W., along said Westerly line a distance of 236.66 feet to the Southerly point of the "North Tract" as described in Official Records Book 6277, Pages 3045 through 3047 of the Public Records of Volusia County, Florida; thence leaving said Westerly line, run the next five (5) courses along the Easterly line of said "North Tract", run N.1°73'34"E., a distance of 56.46 feet to a point on a non-tangent curve concave Southeastly of which point the Radius bears S.74°55'14"E., and having as its elements a Radius of 450.00 feet and a Central Angle of 06°49'27"; thence Northeastly along the arc of said curve a distance of 53.47 feet to the Point of Tangency; thence N.21°53'13"E., a distance of 60.20 feet to the Point of Curvature of a circular curve concave Southeastly having as its elements a Radius of 437.93 feet and a Central Angle of 34°15'57"; thence Northeastly along the arc of said curve a distance of 261.90 feet to the Point of Tangency; thence N.58°09'10"E., a distance of 46.50 feet to the North line of the South one half of said Section 20; thence N.89°59'28"E., along said North line a distance of 1292.83 feet to the Point of Beginning. .

Said Parcel contains 52.17 Acres more or less.



VICINITY MAP

NOT TO SCALE



SHEET INDEX  
NOT TO SCALE

**PLAT NOTES:**

- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 31 EAST, BEING SOUTH 89°58'17" WEST, PER THE PLAT OF LAKE BATON ESTATES PHASE ONE, AS RECORDED IN PLAT BOOK 55, PAGES 36 THROUGH 38, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- ALL LINES INTERSECTING CURVES ARE RADIAL UNLESS NOTED OTHERWISE.
- ALL PLANNED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY.
- THERE IS A 10.00 FOOT WIDE UTILITY EASEMENT ALONG ALL FRONT LOT LINES AND ADJACENT TO ALL RIGHT OF WAY LINES AND A 5.00 FOOT WIDE UTILITY EASEMENT ALONG ALL SIDE LOT LINES UNLESS OTHERWISE SHOWN HEREON.
- TRACTS B, C, D, E, AND F ARE COMMON AREA TRACTS, TO BE OWNED AND MAINTAINED BY THE LAKE BATON ESTATES HOMEOWNERS ASSOCIATION, INC.
- TRACT J, LAKE BATON DRIVE, DAYSTAR LANE, ALEXINGTON AVENUE, SHARON ROSE TERRACE AND BASTION ROAD ARE PRIVATE ROADS AND RIGHT-OF-WAY TRACTS ARE TO BE OWNED AND MAINTAINED BY THE LAKE BATON ESTATES HOMEOWNERS ASSOCIATION, INC. AN EASEMENT FOR INGRESS AND EGRESS OVER TRACT J IS HEREBY GRANTED TO THE CITY OF DELTONA AND THEIR AGENTS FOR POLICE, FIRE, CODE ENFORCEMENT AND EMERGENCY SERVICES OR TO CONDUCT REQUIRED AND OFFICIAL CITY DUTIES AND RESPONSIBILITIES.
- ALL STORMWATER FACILITIES LOCATED WITHIN THE PROJECT BOUNDARIES SHALL BE OWNED AND MAINTAINED BY THE LAKE BATON ESTATES HOMEOWNERS ASSOCIATION, INC.
- PRIOR TO THE INSTALLATION OF ANY PERIMETER PRIVACY WALL THAT IS PART OF A LARGER COMMUNITY WIDE IMPROVEMENT PLAN, A DRAINAGE PLAN SHALL BE SUBMITTED TO AND APPROVED BY THE CITY THAT DEMONSTRATES SUCH WALL WILL NOT ADVERSELY IMPACT THE FUNCTION OF THE COMMUNITY'S STORMWATER MANAGEMENTS SYSTEM.
- STREET LIGHTING WITHIN THIS PLAT IS PRIVATE AND IS THE RESPONSIBILITY OF THE LAKE BATON HOMEOWNER'S ASSOCIATION, INC.
- THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS OF THE LAKE BATON HOMEOWNER'S ASSOCIATION AS RECORDED IN O.R. \_\_\_\_\_, PG. \_\_\_\_\_.
- THE NATURAL PRESERVATION EASEMENT OVER PORTIONS OF TRACTS B & E IS DEDICATED TO ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT.
- THE PERIMETER WALL EASEMENT AS DEPICTED ON THIS PLAT IS HEREBY DEDICATED TO, AND SHALL BE THE RESPONSIBILITY OF THE LAKE BATON ESTATES HOMEOWNER'S ASSOCIATION, INC. ALL PERIMETER WALLS AND RELATED EASEMENTS SHALL BE THE RESPONSIBILITY OF THE LAKE BATON ESTATES HOMEOWNER'S ASSOCIATION, INC.
- THE LIFT STATION EASEMENT DEPICTED ON SHEET 5 IS DEDICATED TO THE CITY OF DELTONA.
- ALL LOT AND TRACT CORNERS ARE SET 5/8" IRON REBAR AND CAP STAMPED "LB 2936".
- ALL DRAINAGE EASEMENTS ARE DEDICATED TO THE LAKE BATON ESTATES HOMEOWNER'S ASSOCIATION, INC.
- THE CITY OF DELTONA SHALL NOT BE RESPONSIBLE FOR ANY IMPROVEMENTS ON THE LAKE BATON ESTATES PROPERTY, WITH THE EXCEPTION OF WATER AND SEWER SERVICES.

PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

**LAKE BATON ESTATES- PHASE TWO**

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that D.R. Horton, Inc. a Delaware Corporation, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and said plat for the purposes therein expressed.

IN WITNESS WHEREOF, \_\_\_\_\_ has caused these presents to be signed

on: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Signed in the presence of:

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Print Name: \_\_\_\_\_  
State of: \_\_\_\_\_ State of: \_\_\_\_\_  
County of: \_\_\_\_\_ County of: \_\_\_\_\_

THIS IS TO CERTIFY, that on \_\_\_\_\_, before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared \_\_\_\_\_, who executed the foregoing Dedication and severally acknowledged the execution thereof to be their free act and deed as such owners thereunto duly authorized.

IN WITNESS WHEREOF, I have set my hand and seal on the above date.

Notary Public  
Registration No. \_\_\_\_\_

My commission expires: \_\_\_\_\_

CERTIFICATE OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a Professional Surveyor and Mapper; has prepared the foregoing plat; and that said plat was made under my direction and supervision; and that the plat complies with all of the requirements of Chapter 177, Florida Statutes.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
Brian K. Heiner, P.S.M.  
Florida Professional Surveyor and Mapper,  
Registration No. 5370  
Carnahan Proctor and Cross, Inc.  
604 Courtland Street, Suite 101 (SEAL)  
Orlando, Florida 32814  
Phone: 407-960-5980  
Certificate of Authorization No. LB2936

CERTIFICATE OF APPROVAL BY LAND MANAGEMENT

THIS IS TO CERTIFY, That on \_\_\_\_\_, 2014, the foregoing plat was approved.

By: \_\_\_\_\_  
Director of Planning and Development Services or Authorized Representative

CERTIFICATE OF APPROVAL BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA

THIS IS TO CERTIFY, That on \_\_\_\_\_, 2014, the foregoing plat was approved by the City Commission of the City of Deltona, Florida.

By: \_\_\_\_\_ Attest: City Clerk  
Mayor, City of Deltona, Florida

CERTIFICATE OF CLERK

I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on \_\_\_\_\_, 2014, at \_\_\_\_\_ File No. \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
Clerk of the Court in and for the County of Volusia, Florida

CERTIFICATE OF APPROVAL BY CITY REGISTERED SURVEYOR

THIS IS TO CERTIFY, That on \_\_\_\_\_, 2014, the foregoing plat was reviewed for conformity to Florida Statutes 177, and approved.

By: \_\_\_\_\_ (SEAL)  
City Registered Surveyor PSM No. \_\_\_\_\_  
or Authorized Representative

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

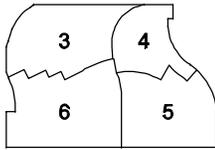
**CARNAHAN • PROCTOR • CROSS, INC.**  
CONSULTING ENGINEERS SURVEYORS PLANNERS  
604 COURTLAND STREET, SUITE 101, ORLANDO, FL 32804  
PHONE: 407-960-5980 FAX: 407-960-5981 WEBSITE: www.carnahan-proctor.com  
CERTIFICATE OF AUTHORIZATION: LB2936

# LAKE BATON ESTATES - PHASE TWO, FINAL PLAT

A PORTION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 31 EAST, CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA

SHEET 2 OF 6

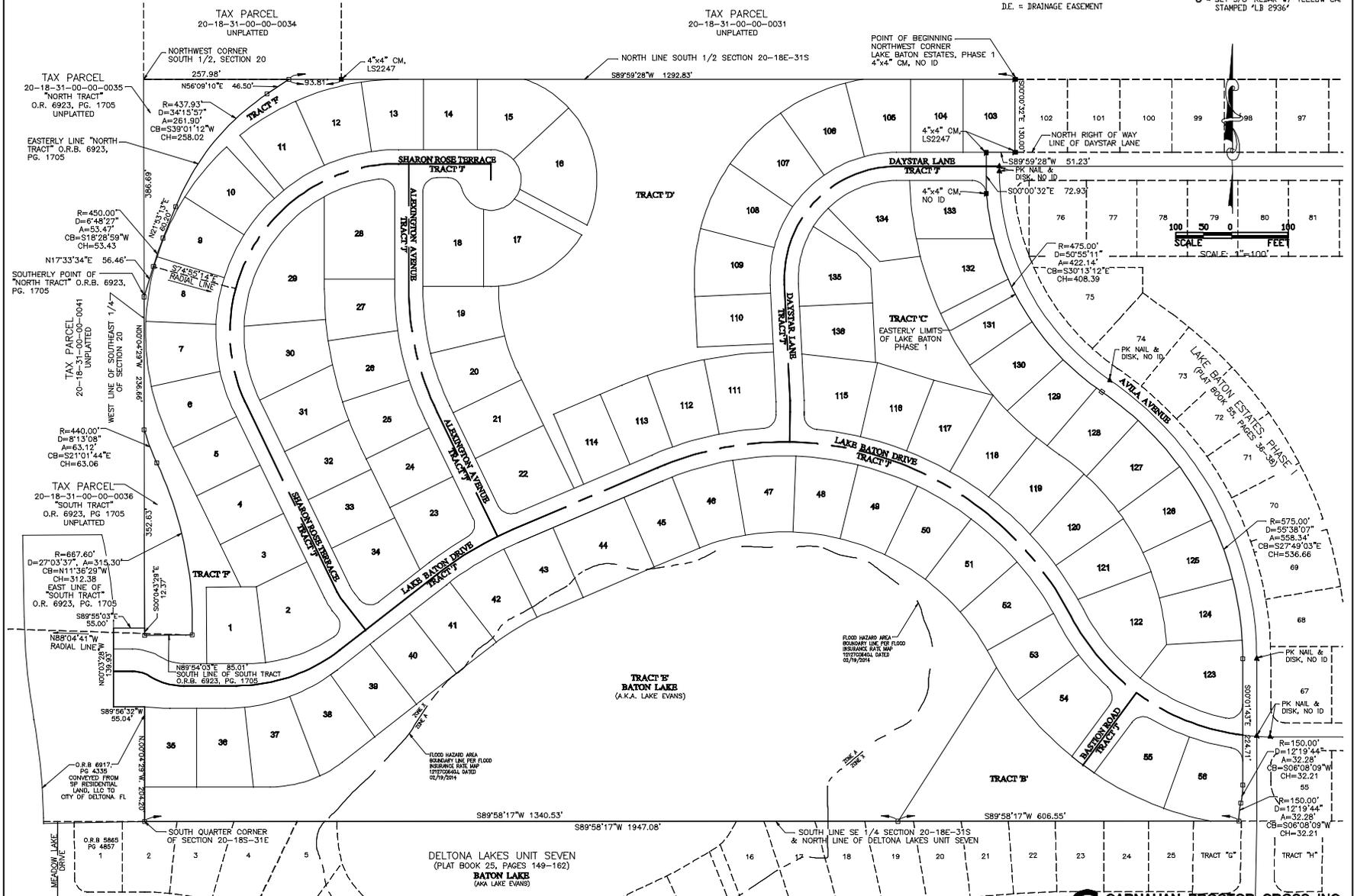
PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_



SHEET INDEX  
NOT TO SCALE

**LEGEND AND ABBREVIATIONS:**

- |                                    |                                    |
|------------------------------------|------------------------------------|
| PRM = PERMANENT REFERENCE MONUMENT | R/W = RIGHT-OF-WAY                 |
| P.C. = POINT OF CURVATURE          | R = RADIUS                         |
| P.I. = POINT OF INTERSECTION       | L = ARC LENGTH                     |
| P.O.L. = POINT ON LINE             | D = CENTRAL ANGLE                  |
| LB = LICENSE BUSINESS              | CB = CHORD BEARING                 |
| LS = LICENSE SURVEYOR              | CH = CHORD DISTANCE                |
| PK = PARKER KALLEN NAIL            | P.O.L. = POINT ON LINE             |
| CM = CONCRETE MONUMENT             | A = SET NAIL & DISK PCP LB2936     |
| P.B. = PLAT BOOK                   | ▲ = FOUND NAIL & DISK              |
| PG. = PAGE                         | ■ = SET 4" x 4" C.M. PRM-LB 2936   |
| DR. = OFFICIAL RECORDS BOOK        | ○ = SET 4" x 4" C.M.               |
| U.E. = UTILITY EASEMENT            | ○ = SET 5/8" REBAR 1/2" YELLOW CAP |
| D.E. = DRAINAGE EASEMENT           | ○ = STAMPED 'LB 2936'              |

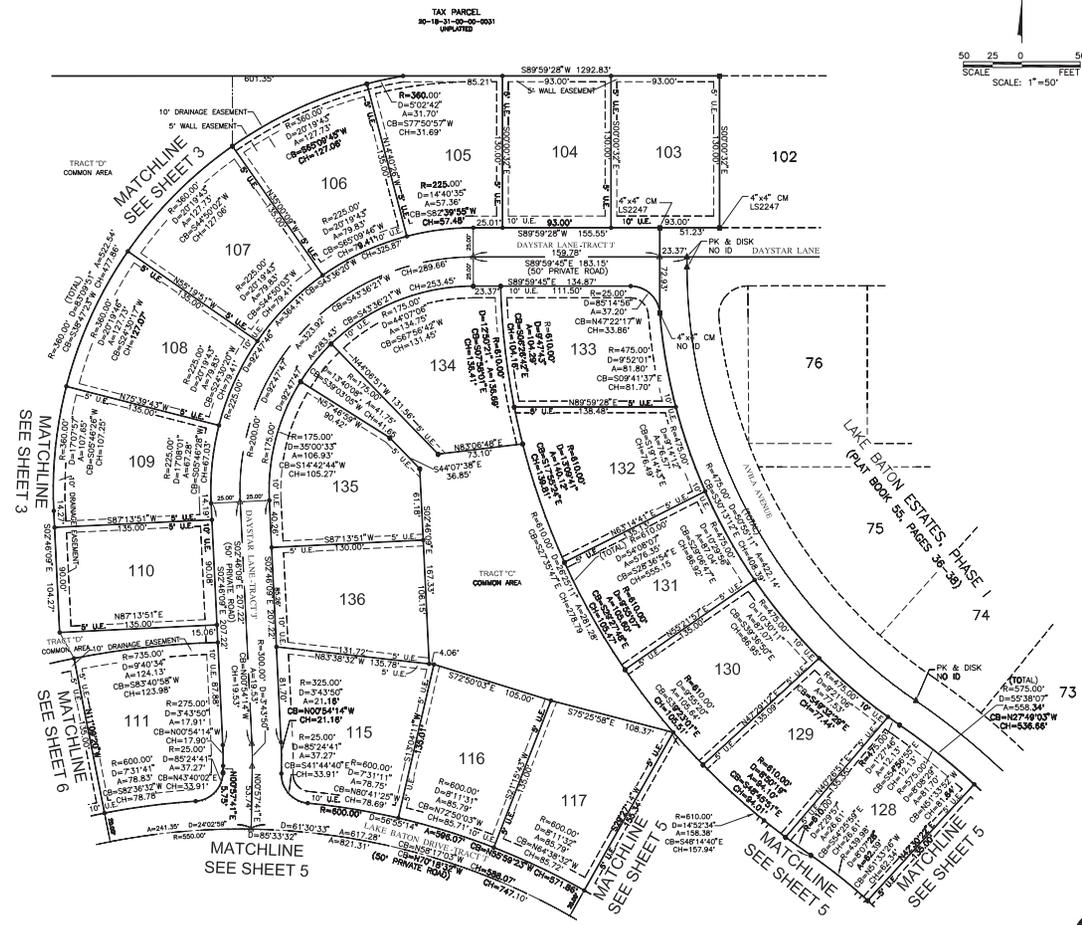
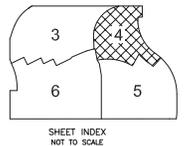


**CARNAHAN PROCTOR CROSS, INC.**  
 CONSULTING ENGINEERS SURVEYORS PLANNERS  
 604 COURTLAND STREET, SUITE 101, ORLANDO, FL 32804  
 PHONE: 407-680-6800 FAX: 407-680-6805 WEBSITE: www.carnahanproctor.com  
 CERTIFICATE OF AUTHORIZATION LB2938



# LAKE BATON ESTATES - PHASE TWO, FINAL PLAT

A PORTION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 31 EAST, CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA



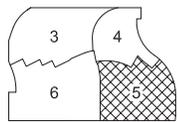
- LEGEND AND ABBREVIATIONS:**
- FRM = PERMANENT REFERENCE MONUMENT
  - P.C. = POINT OF CURVATURE
  - P.I. = POINT OF INTERSECTION
  - P.O.L. = POINT ON LINE
  - LB = LICENSE BUSINESS
  - LS = LICENSE SURVEYOR
  - PK = PARKER KALON NAIL
  - CM = CONCRETE MONUMENT
  - P.B. = PLAT BOOK
  - PC. = PAGE
  - O.R. = OFFICIAL RECORDS BOOK
  - D.E. = DRAINAGE EASEMENT
  - U.E. = UTILITY EASEMENT
  - R/W = RIGHT-OF-WAY
  - R = RADIUS
  - L = ARC LENGTH
  - C.A. = CENTRAL ANGLE
  - CB = CHORD BEARING
  - CH = CHORD DISTANCE
  - P.O.L. = POINT ON LINE
  - A = SET NAIL & DISK FOR LB2936
  - B = SET NAIL & DISK
  - C = SET 4" x 4" CM. FRM-LB 2936
  - D = FOUND 4" x 4" CM.
  - E = SET 5/8" REBAR W/ YELLOW CAP STAMPED 'LB 2936'

# LAKE BATON ESTATES - PHASE TWO, FINAL PLAT

SHEET 5 OF 6

PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

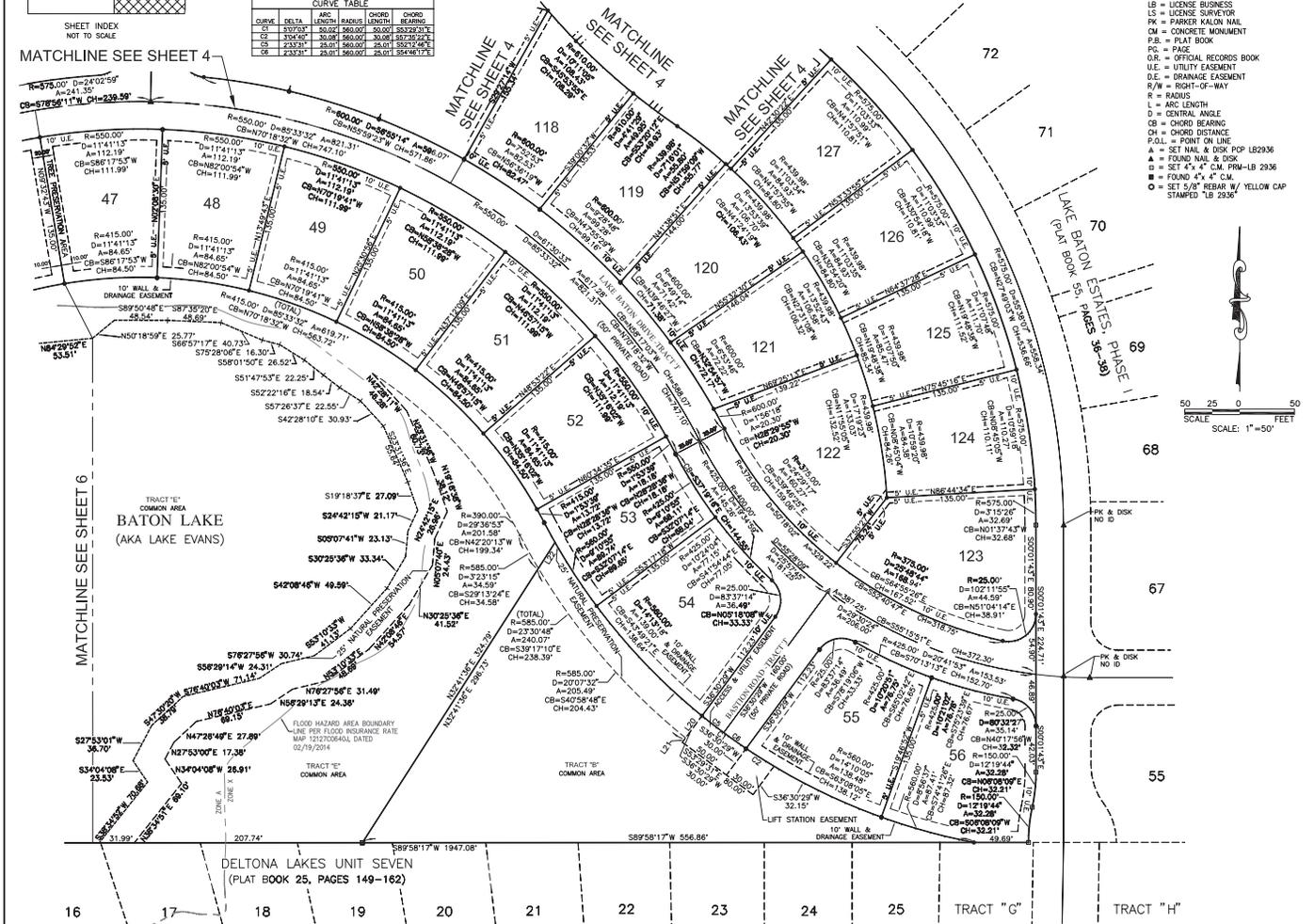
A PORTION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 31 EAST, CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA



LINE	BEARING	LENGTH
L1	S30°20'22"W	23.00
L2	S36°20'22"W	4.98
L3	N32°41'36"E	28.00

CURVE	DELTA	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	53°07'57"	50.02	569.00	50.00	S33°28'31"E
C2	33°04'41"	20.00	260.00	20.00	S57°29'22"E
C3	23°31'17"	25.00	260.00	25.00	S52°24'56"E
C4	23°29'11"	25.01	260.00	25.01	S52°24'56"E

- LEGEND AND ABBREVIATIONS:**
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  - LS = LICENSE SURVEYOR
  - PK = PARKER WALSH NAIL
  - CM = CONCRETE MONUMENT
  - P.B. = PLAT BOOK
  - PC = PACE
  - O.R. = OFFICIAL RECORDS BOOK
  - U.E. = UTILITY EASEMENT
  - D.E. = DRAINAGE EASEMENT
  - R/W = RIGHT-OF-WAY
  - R = RADIUS
  - L = ARC LENGTH
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  - A = SET NAIL & DISK POP LB2936
  - Δ = FOUND NAIL & DISK
  - = SET 4" x 4" C.M. PRM-LB 2936
  - = FOUND 4" x 4" C.M.
  - = SET 5/8" REBAR W/ YELLOW CAP
  - = STAMPED "LB 2936"



# LAKE BATON ESTATES - PHASE TWO, FINAL PLAT

A PORTION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 31 EAST, CITY OF DELTONA, VOLUISIA COUNTY, FLORIDA

SHEET 6 OF 6

PLAT BOOK

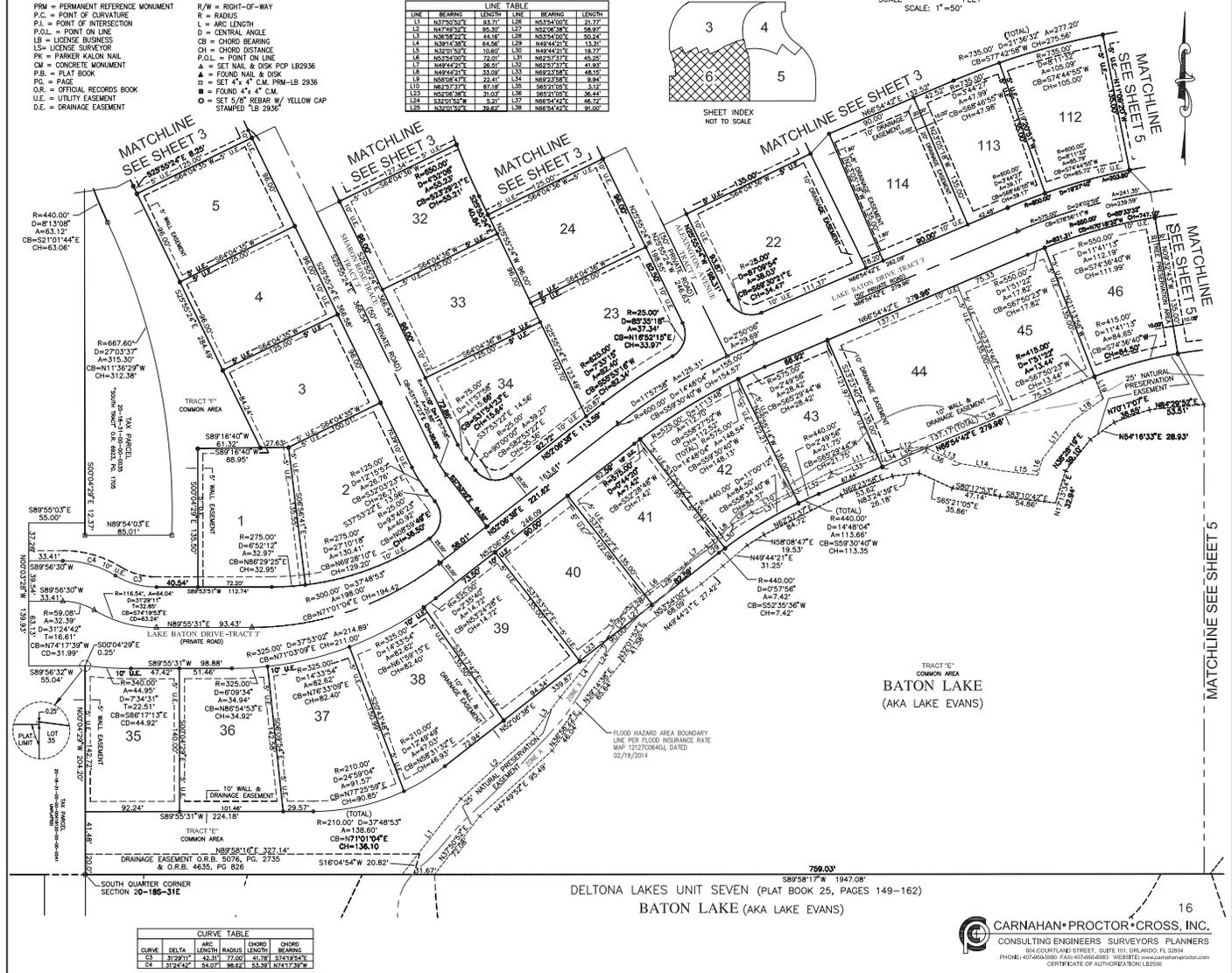
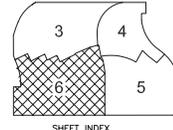
PAGE

SCALE: 1"=50'

### LEGEND AND ABBREVIATIONS:

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- = FOUND 4" x 4" C.M.
- = SET 5/8" REBAR W/ YELLOW CAP
- = STAMPED "LB 2936"

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N82°00'00"E	89.20	L16	N82°00'00"E	21.37
L2	N47°49'24"E	95.30	L17	N82°00'00"E	58.87
L3	N30°00'00"E	44.90	L18	N30°00'00"E	50.24
L4	N30°14'36"E	44.56	L19	N84°44'21"E	13.30
L5	N30°00'00"E	15.60	L20	N84°44'21"E	19.77
L6	N33°34'00"E	72.01	L21	N82°27'31"E	45.20
L7	N44°44'21"E	18.00	L22	N82°27'31"E	41.80
L8	N44°44'21"E	43.09	L23	N82°27'31"E	48.10
L9	N82°00'00"E	24.41	L24	N82°27'31"E	9.98
L10	N82°00'00"E	81.18	L25	S82°10'00"E	3.12
L11	N82°00'00"E	16.28	L26	S82°10'00"E	36.44
L12	N82°00'00"E	3.61	L27	N82°00'00"E	48.74
L13	N82°00'00"E	39.62	L28	N82°00'00"E	91.60



CURVE	DELTA	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	37.2911°	42.91	77.00	41.78	374°29'54"
C2	37.2424°	42.07	86.82	33.34	162°17'29"

DELTONA LAKES UNIT SEVEN (PLAT BOOK 25, PAGES 149-162)  
BATON LAKE (AKA LAKE EVANS)

**CARNAHAN PROCTOR & CROSS, INC.**  
CONSULTING ENGINEERS SURVEYORS PLANNERS  
304 CORTLAND STREET, SUITE 101, ORLANDO, FL 32804  
PHONE: 407-960-8988 FAX: 407-960-8987 WEBSITE: www.carnahanproctor.com  
CERTIFICATE OF AUTHORIZATION: LB2656



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 8 - H  
**SUBJECT:** Ordinance No. 28-2014; Repealing Business Tax Receipt for Rental Properties,  
for first reading and to schedule second and final reading for October 6, 2014.

---

<b>LOCATION:</b>	City wide
<b>BACKGROUND:</b>	The City of Deltona adopted Ordinance No. 11-2014 on July 21, 2014, as a regulatory ordinance as to rental houses. The City Commission has determined that it should not charge for a business tax receipt for rental houses in addition to charging for the new regulatory license for rental houses.
<b>ORIGINATING DEPARTMENT:</b>	City Attorney's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	Building and Enforcement Services Director, Finance Director, City Attorney, Acting City Manager
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	Becky Vose, City Attorney – That the City Commission adopt Ordinance No. 28-2014 at first reading, and to schedule second and final reading for October 6, 2014.
<b>POTENTIAL MOTION:</b>	“I move to approve Ordinance No. 28-2014 at first reading, and to schedule second and final reading for October 6, 2014.”
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• Ordinance No. 28-2014</li></ul>

**ORDINANCE NO. 28-2014**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, REPEALING ARTICLE VIII, "RENTAL PROPERTIES" OF CHAPTER 22, "BUSINESSES", OF THE CODE OF ORDINANCES OF THE CITY OF DELTONA, REPEALING THE REQUIREMENT FOR BUSINESS TAX RECEIPT FOR RENTAL PROPERTIES; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:**

**SECTION 1:** Article VIII, "Rental Properties", of Chapter 22, "Businesses", of the Code of the City of Deltona, is hereby repealed in its entirety as follows:

~~ARTICLE VIII. - RENTAL PROPERTIES - RESERVED~~

~~Sec. 22-231. - Short title.~~

~~This article shall be known and may be cited as the "Deltona Real Property Rental Ordinance".~~

~~Sec. 22-232. - Intent.~~

~~The intent of this article is to protect the public health, safety and welfare; to provide the means to give adequate notice to owners of residential property in the city who may not reside in that property as to their responsibilities under city codes and ordinances; and to ensure that rental properties are maintained in a high quality manner as required of all residential properties.~~

~~Sec. 22-233. - Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Immediate family* means any individual who is a relative or legal dependant of the property owner, to include spouse, children, step children, parent, step parent, foster parent, foster children, grandparent, brother, sister, father in law, mother in law, son in law, daughter in law, sister in law, brother in law, or legal guardian.~~

~~*Local business tax receipt* means the document issued by the city which evidences that the person in whose name the document is issued has complied with the provisions of the city ordinance relating to the local business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction.~~

~~*Local point of contact* means a person who resides or has a business location within a 50-mile radius of the subject property.~~

~~*Rental inspector* means any designated employee or agent of the city whose duty it is to enforce codes and ordinances enacted by the city.~~

~~Sec. 22-234.— Prohibition of occupancy.~~

~~It shall be unlawful for any owner of residential property to let any single family rental dwelling or multi-family dwelling unit within the city, unless there is a local business tax receipt issued as required by the provisions of this article.~~

~~Sec. 22-235.— Local business tax receipt application.~~

~~(a) *Inclusions.* On or before September 30 of each year, or at the same time thereafter as residential property is first offered for rent, the owner of record of each dwelling unit or rooming house in which residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the city for a local business tax receipt to engage in the business of renting residential property, setting forth the address, classification (whether single family, multiple family or rental room), and the local point of contact person of each dwelling unit to be issued a business tax receipt for rental, in such form or forms as the City of Deltona shall from time to time designate, together with such fees as the city commission may from time to time adopt by resolution. A separate business tax receipt is needed for each and every tax parcel on which a residential rental property is located. An agent of one or more owners may apply for multiple tax receipts, upon certifying that the agent has received written authorization from each owner represented provided that such authorization acknowledges receipt of a copy of this ordinance and applicable sections of the International Property Maintenance Code and acknowledges that failure to abide by this ordinance or other applicable codes and ordinances may result in a lien upon the property of the owner. The owner of record shall notify the city within 30 days when the local point of contact person changes.~~

~~(b) *Exceptions.* No tax receipt is required for any (1) owner occupied single family dwelling unit; (2) rented duplex units in which the property owner, or members of their immediate family as evidenced by submittal of a sworn affidavit indicating the relationship between the property owner and the family member, resides within the attached on-site dwelling unit; or (3) apartment building or condominiums in which there is on-site property management and maintenance; provided that nothing in these~~

~~exceptions otherwise excuses such owners from compliance with the International Property Maintenance Code or any other applicable code or ordinance.~~

~~(e) Local business tax receipt fee. The local business tax fee shall be set by the city commission.~~

~~Sec. 22-236.— Interior rental inspections for cause.~~

~~Nothing in this Ordinance shall prohibit the rental inspector from inspecting the interior of properties if he or she has probable cause, supported by a sworn affidavit, or by invitation of the tenant or the property owner, to believe a health or safety violation exists inside the dwelling.~~

~~Sec. 22-237.— Emergency inspections and remediation.~~

~~(a) Nothing in this Ordinance shall limit or supplant the power of the rental inspector under the International Property Maintenance Code to placard and order the vacation of property which:~~

~~(1) Is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested that it creates a serious hazard to the health or safety of the occupants or the public.~~

~~(2) Lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants of the public.~~

~~(b) Nothing in this Ordinance limits the right of the city to abate or remediate such emergency or nuisance by any other lawful means or proceedings.~~

~~Sec. 22-238.— Delinquencies, revocation; penalties.~~

~~(a) If a local business tax receipt is required under this article and the tax receipt is not renewed when due and payable it shall be deemed delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five percent penalty for each subsequent month or portion thereof that the delinquency tax remains paid. However, the total delinquency penalty may not exceed 25 percent of the local business tax for the delinquent property.~~

~~(b) Any person operating a rental property without first obtaining a local business tax receipt, if required in accordance with this article, shall be subject to a penalty of 25 percent of the license, in addition to any other penalty provided by law or ordinance.~~

~~(c) Any person who operates a rental property covered by this article, who does not pay the required local business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.~~

~~(d) All costs of collection and enforcement of the terms of this article, to include attorneys' fees whether or not litigation is commenced, shall be the responsibility of the person or corporation for which a receipt is or was required.~~

~~(e) Notification of violation to the rental agent or property owner when applicable will be mailed certified mail or hand delivered when possible and serve as the initial notice of tax due in compliance with section 22-238(e).~~

~~(f) As an additional means of ensuring compliance with the provisions of this article, the City of Deltona Special Magistrate shall have jurisdiction and authority to hear and decide alleged violations occurring in the corporate limits of the city and to impose administrative fines and liens for violations. Proceedings before the special magistrate shall be governed by its rules and procedures, and F.S. ch. 162.~~

**SECTION 2. CONFLICTS.** All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

**SECTION 3. CODIFICATION.** The provisions of this Ordinance shall be codified to the extent that the sections previously a part of the repealed ordinance shall be removed from the codification and such sections reserved for later use.

**SECTION 4. SEVERABILITY.** In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

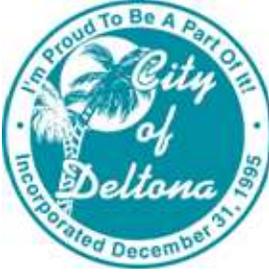
**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CITY CLERK**

Approved as to form and legality for use  
and reliance by the City of Deltona, Florida

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**GRETCHEN R. H. VOSE, CITY ATTORNEY**



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager            **AGENDA ITEM:** 8 - I  
**SUBJECT:** Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.

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<b>LOCATION:</b>	City wide
<b>BACKGROUND:</b>	The City Commission recently adopted the Deltona Rental Regulatory License Ordinance that provided that fees under the ordinance would be set by resolution. This is the resolution setting the fees at \$50 per unit for a single family residence, and \$50 for multi-family residences plus \$10 per dwelling unit in each such multi-family residence.
<b>ORIGINATING DEPARTMENT:</b>	City Attorney's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	Building and Enforcement Services Director, Finance Director, City Attorney, Acting City Manager
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	Becky Vose, City Attorney – That the Commission approve and adopt Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.
<b>POTENTIAL MOTION:</b>	“I move to adopt Resolution No. 2014-31 for Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.”
<b>AGENDA ITEM APPROVED BY:</b>	<hr/> Dale Baker, Acting City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• Resolution No. 2014-31</li></ul>

**RESOLUTION NO. 2014-31****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, SETTING REGISTRATION FEES FOR IMPLEMENTATION OF DELTONA RENTAL REGULATORY LICENSE ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII, Section 2(b) of the Florida Constitution states that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the City Commission of the City of Deltona enacted Ordinance No. 11-2014, the Deltona Rental Regulatory License Ordinance to establish a process to address the regulations for the rental of residential dwelling units. It was the city's further intent to establish a registration fees as a mechanism to ensure reasonable and uniform regulations for the rental of residential dwelling units that will protect the health, safety, property values and general welfare of the people, businesses and industries of the city; provide the means to give adequate notice to owners of residential dwelling units in the city who do not reside in that property as to their responsibilities under city codes and ordinances; that rental residential dwelling units are maintained in a high quality manner as required of all residential properties; and maintain the tax base of the City of Deltona; and

**WHEREAS**, Section 36-7 of the Deltona Rental Regulatory License Ordinance provides that a non-refundable annual registration fee in an amount set by resolution of the city commission, shall accompany the registration form required under the ordinance. Such fee shall be determined to generate revenue commensurate with the cost of the regulatory activity.

**WHEREAS**, it is determined that an annual fee of \$50 per unit for a single family residence, and \$50 for multi-family residences plus \$10 per dwelling unit in each such multi-family residence, for registration under the Deltona Rental Regulatory License Ordinance will generate revenue commensurate with the cost of the regulatory activity,

and the administration costs of city personnel in the administration of the Deltona Rental Regulatory License Ordinance provisions.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:**

**SECTION 1. REGISTRATION FEES.** The non-refundable annual registration fee called for under Section 36-7 of the Deltona Rental Regulatory License Ordinance is hereby set at \$50 per unit for a single family residence, and \$50 for multi-family residences plus \$10 per dwelling unit in each such multi-family residence.

**SECTION 2. CONFLICTS.** All Resolutions or parts of Resolutions insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

**SECTION 3. SEVERABILITY.** In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution which shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon passage.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CITY CLERK**

Approved as to form and legality for use  
and reliance by the City of Deltona, Florida

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



## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 9/15/2014  
**FROM:** Dale Baker, Acting City Manager      **AGENDA ITEM:** 10 - A  
**SUBJECT:** Request for consideration of request from Dennis Chaffers for reduction of fine from \$320,900.00 assessed pursuant to Special Magistrate Case DEL-05-058.

**LOCATION:**

This property is located at 2457 Shiprock Court, Deltona, Florida. The Parcel No. is 30-18-31-41-18-0090. The legal description of the property is LOT 9 BLK 1103 DELTONA LAKES UNIT 41.

**BACKGROUND:**

An order Imposing Fine/Lien was entered on November 29, 2005, by the City of Deltona Special Magistrate, ordering Dennis Chaffers and/or John J. Garkowski to pay to the City of Deltona a fine in the amount of one hundred dollars (\$100.00) per day, each and every day the violations exist. The violation occurred when the respondent failed to obtain a permit for a shed he constructed on the property located at 2457 Shiprock Court. The respondent failed to come into compliance for 3209 days. The total accumulated amount due is \$320,900.00. On August 27, 2014 the owner Dennis Chaffers appeared before the Special Magistrate to request a recommendation to reduce the fine.

**ORIGINATING DEPARTMENT:**

Enforcement Services

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

N/A

**STAFF RECOMMENDATION PRESENTED BY:**

On August 27, 2014, the Special Magistrate, Charles J. Cino, issued a recommendation to reduce the fine to \$1,000.00. Enforcement Services Staff forwards the Special Magistrate's recommendation.

**POTENTIAL**

**MOTION:**

“I move that the City Commission grant the request of Dennis Chaffers for a reduction of the fine concerning Case No. DEL-05-058 for the property located at 2457 Shiprock Court, Deltona, Florida, to the sum of \$1,000.00 to be paid within 30 days (October 15, 2014) or the fine(s) revert(s) back to the original amount.”

Or

“I move that the City Commission not grant any reduction of the fine requested of Dennis Chaffers for the fine concerning Case No. DEL-05-058 for the property located at 2457 Shiprock Court, Deltona, Florida.”

**AGENDA ITEM  
APPROVED BY:**

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Dale Baker, Acting City Manager

**ATTACHMENTS:**

- Background
- Picture of Shed

**SPECIAL MAGISTRATE CODE HEARING**

**REQUEST FOR REDUCTION IN FINES**

**CASE NUMBER: DEL-05-058**

**VIOLATION:** City of Deltona Ordinance, Section 18-36, adopting the Florida Building Code, Section 104.1, which states that any owner, authorized agent, or contractor who desires to construct a building or structure shall first make application to the building official and obtain the required permit.

**REQUIRED CORRECTIVE ACTION:** Apply for and obtain a permit for the shed you constructed on the property or remove the shed.

**OWNER AT TIME OF VIOLATION:** Dennis Chaffers and/or John J. Garkowski

**CURRENT OWNER:** Dennis Chaffers

**PROPERTY ADDRESS:** 2457 Shiprock Court, Deltona, FL 32738

**PARCEL NUMBER:** 30-18-31-41-18-0090

**FINDINGS OF FACTS:**

1. October 25, 2005      Special Magistrate ordered a fine of \$100.00 per day, commencing on November 29, 2005 and continuing until the property is brought into compliance
2. November 29, 2005      Property still in non-compliance and fine commenced.
3. August 7, 2014      The property owner, Dennis Chaffers brought the property into compliance by removing the shed.
4. August 8, 2014      Officer inspected the property and found it in compliance resulting in a \$320,900.00 fine. This represents 3209 days at \$100.00 per day after the time designated by the Special Magistrate's Order.
5. August 27, 2014      Dennis Chaffers appeared before the Special Magistrate for a recommendation for a reduction in fines.

**Conclusions:** Dennis Chaffers was the owner at the time of the violation. He was properly notified of the violation / hearings and was given sufficient time to bring the property into compliance.

**Mr. Cino's Recommendation:** After hearing testimony, Mr. Cino stated several years ago he started placing caps on fines, usually no more than \$20,000.00 to prevent these very large fines. Mr. Cino recommended reducing the fine to \$1,000.00 which should cover the City's expenses.

**CITY'S EXPENSES:** Exact city expenses are difficult to determine. We made at least 4 trips to the property; mailed 3 certified letters, appeared before the Special Magistrate twice. Additionally, there was staff time drafting orders, minutes and etc.

