



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Regular Commission Meeting

City Commission

Mayor John C. Masiarczyk Sr.
Vice Mayor Nancy Schleicher
Commissioner Heidi Herzberg
Commissioner Gary Mitch Honaker
Commissioner Chris Nabicht
Commissioner Diane J. Smith
Commissioner Brian Soukup

Monday, November 2, 2015

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

3. INVOCATION AND PLEDGE TO THE FLAG:

- A. Invocation Presented by Commissioner Nabicht.

Background:

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.

4. APPROVAL OF MINUTES & AGENDA:

- A. Approval of minutes - Regular Commission Meeting of October 19, 2015 and the Special Commission Meeting & Executive Session of October 19, 2015 - Joyce Raftery, City Clerk (386) 878-8502.

Background:

N/A

5. PRESENTATIONS/AWARDS/REPORTS:

- A. Proclamation for Recognition of the Volusia County Sheriff's Office.

Background:

Recognition of VCSO for providing a vital public service to the citizens of Deltona.

- B. Certificate presentation to Sergeant Sean Gowan, Senior Deputy Matthew Ihnken and Deputy Joshua Hansard for their response to a potential community hazard and to Sergeant Patrick Leahy for being selected by the VCSO Awards Committee and the Sheriff as Investigator of the 3rd Quarter 2015.

Background:

Sergeant Sean Gowan, Senior Deputy Matthew Ihnken and Deputy Joshua Hansard: After being contacted at the District 4 office by a concerned citizen, you organized deputies and responded to the call. You quickly identified an active methamphetamine laboratory along with the suspect responsible for the community hazard. Your conscientious responsiveness, quick actions, and assessment of this potential community hazard thankfully averted a crisis. With your astuteness, professionalism, and swift actions, you created a law enforcement supporter for life by merely listening to her concerns, investigating her complaint, and taking care of her problem. I want to commend you for a job well done!

Sergeant Patrick Leahy: Selected by the VCSO Awards Committee and the Sheriff as Investigator of the 3rd Quarter 2015 for supervising a series of high profile investigations, which all resulted in the apprehension and prosecution of the offender. In addition, Sgt. Leahy finds the time to manage the Crime Prevention Program for District Four. He has a great deal of experience in establishing community outreach programs and crime prevention campaigns, he assists the City of Deltona PIO formulate preventative tips and crime information that are broadcast over the City's television station, and he planned and orchestrated the highly successful National Night Out event held on August 4th. Sgt. Leahy is the epitome of professionalism, always strives for excellence, and expects the same from his investigators. His continued positive representation of VCSO and unparalleled work ethic are commendable.

C. Super Star Student of the Month Certificates for October 2015**Background:**

Super Star Student of the Month awards for October 2015 will be presented to:

1. Deltona Lakes Elementary, Joshua Rosario, 3rd Grade
2. Discovery Elementary, Lauren Cucchiaro, 4th Grade
3. Enterprise Elementary, Isidro Silva Jimenez, 5th Grade
4. Forest Lake Elementary, Natasha Coffman, 3rd Grade
5. Friendship Elementary, Jacob Treloar, 5th Grade
6. Pride Elementary, Shamaya Dickerson, 5th Grade
7. Timbercrest Elementary, Matthew Chase, 4th Grade
8. Deltona Middle, Nelson Padro, 7th Grade
9. Galaxy Middle, Amaya Valle, 7th Grade
10. Heritage Middle, Deilyna Soto, 8th Grade
11. Deltona High, Brandon Shadeed, 10th Grade
12. Pine Ridge High, Adaliz Velez, 12th Grade
13. University High, Jasmine McTyer, 10th Grade

D. Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Rafferty,

City Clerk (386) 878-8502.

Background:

Quarterly Reports of City Advisory Boards/Committees:

- 1) Deltona Economic Development Advisory Board - (Presented by Chairman Tanya Boggs)
- 2) Planning and Zoning Board - (Written Report Only)
- 3) Firefighters' Pension Plan Board of Trustees - (Written Report Only)

6. CITY COMMISSION SPECIAL REPORTS:

7. PUBLIC FORUM: - Citizen comments limited to items not on the agenda and comments on items listed on the agenda will take place after discussion of each item.

Citizen comments for any items. (4 minute maximum length per speaker)

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. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

8. CONSENT AGENDA:

9. ORDINANCES AND PUBLIC HEARINGS:

- A.** Public Hearing - Ordinance No. 17-2015, adopting a Temporary Moratorium on the Processing of Applications Proposing to Use a Package Plant, at second and final reading. Chris Bowley, AICP, Planning and Development Services Department - (386) 878-8602.

Background:

The City of Deltona has provisions in the City's Comprehensive Plan and Land Development Code (LDC) that allow for the use of a private package plant within certain parameters or conditions to utilize on-site wastewater treatment. These are antiquated regulations, as the City has made major capital investments to advance the City from a series of scattered residential lots utilizing on-site septic systems to central sanitary sewer facilities. Examples of these efforts include the extension of force-mains within the SR 415 and Howland Boulevard rights-of-way (ROW) , taking private lift-stations off-line and connecting them to central facilities, construction of a \$25-million± Eastern Wastewater Treatment Plant,

providing additional capacity to the existing Fisher Wastewater Treatment Plant, extending reuse lines within the Doyle Road ROW, constructing a reuse storage tank and rapid-infiltration basins, adding a regional pump station, upgrading existing force-mains, and designing for commercial sewer service near Saxon Blvd.

As the City increases its population, prepares for additional growth, and becomes more urban, the provision for central utility services is more paramount to protect the health, safety, and welfare of its residents. Part of the City's efforts is to direct development towards central public facilities and to accommodate retrofit of existing development towards that end.

To best process updates to the City's Comprehensive Plan and LDC, Ordinance No. 17-2015 is created to provide up to a twelve (12) month moratorium to allow the City to analyze its current regulations towards private package facilities, to process applications to amend its current regulations, and to adopt new provisions that are consistent with its efforts towards capital projects of central sanitary sewage facilities. Finally, the City Commission voted unanimously to approve Ordinance No. 17-2015 at its October 5, 2015, public hearing.

- B.** Public Hearing - Ordinance No. 28-2015, Rezoning of Property from PB (Professional Business) to C-1 (Retail Commercial), at first reading - Chris Bowley, AICP, Director, Planning and Development Services.

Background:

The proposed rezoning includes two contiguous parcels totaling ±2-acres in common ownership; from PB to C-1. The subject property was rezoned to PB with the intent in the past as a transition between Howland Blvd. and single family residential homes to the north of the subject site. The permitted uses in the PB are typically lower in intensity than commercial land uses; however, this concept never led to development of the parcels. The requested C-1 zoning allows a much wider range of commercial uses when compared to the PB zoning.

Commercially zoned tracts in close proximity to the subject site have been developed with the Dunkin Donuts, Family Dollar, Top Shelf Car Wash, and Racetrac, and there appears to be demand for similar development in the area. Therefore, rezoning the property to C-1 would be consistent with City Comprehensive Plan and economic development goals for the area. In addition, there is adequate infrastructure, including traffic capacity to support a more intensive development pattern along the Howland Blvd. corridor.

As provided in the Land Development Code, the adjacent residential uses will be separated from commercial development by buffers,

setbacks and other compatibility oriented provisions. Given the platting pattern of low density residential homes in close proximity to commercial development and arterial roadways, this land use scenario is found throughout the City.

On October 21, 2015, the City Planning and Zoning Board heard the ordinance. Four of the seven Board members were present, establishing a quorum, and voted 2-2 on a motion to recommend approval the ordinance by the City Commission. The motion failed, due to a lack of a majority vote.

- C. Public Hearing - Resolution No. 2015-38, Extending the Pilot Trap, Neuter, Release Program - Dale Baker, Deputy City Manager (386) 878-8852.

Background:

On November 3, 2014 the City Commission of the City of Deltona authorized a Pilot Trap, Neuter and Release (TNR) program to address concerns about feral cats in Deltona.

Ordinance No. 31-2014 authorizes the pilot TNR program and the City Manager was directed to report the results of the program to the Commission after the program had been fully operational for one (1) year.

- D. Public Hearing - Resolution No. 2015-39, Request for a Granny Flat to be located at 925 Dandridge Drive - Chris Bowley, AICP, Planning and Development Services (386) 878-8602.

Background:

The proposal is to construct a stand-alone ±915 SF granny flat for family members at the above referenced address and the living area of the granny flat will not exceed 822 SF, with the remainder of the granny flat to be used for storage and non-livable area. The property is currently developed with a single-family home (±2,350 SF) on a large corner lot of ±0.34 acres. Also, Land Development Code Sec. 110-817(g) provides criteria to help determine if a proposed granny flat is appropriate at this location. The criteria and analysis is provided as follows:

- 1) *Minimum Lot area required: 7,500 SF.* The lot proposed for the granny flat is an oversized lot for the Deltona Lakes Plat at ± 15,000 SF.
- 2) *Be used to house immediate family members or domestic help/caregivers.* The granny flat is to be used as a home for an immediate family member. Limiting the use of this facility for a family member is consistent with this provision and will be done through a declaration of agreement.
- 3) *Shall contain a minimum of 400 SF of living area, but shall not be greater than 35% of the gross floor area of the principal dwelling unit.* The proposed granny flat is ±915 SF, which is above the

400 SF minimum size; and meets this criteria. This provision will be implemented during the building permit process.

- 4) *Shall have all utility services provided by a common meter with the principal dwelling.* The intent of this provision is to ensure that the granny flat is maintained as a secondary use and will only be used for immediate family members, as is going to be pledged by the applicant.
- 5) *Shall not have a separate driveway.* The proposed use will not have a separate driveway. As with the utility service provision, this criterion is intended to maintain the proposed granny flat as supplemental to the principal dwelling unit.
- 6) *Shall not be assigned a separate address.* As with other criteria, this section will further the goal of the proposed granny flat being a secondary use on the property. The flat will not be given a separate address, as the Planning Department is responsible for addressing of property and a notation will be made for this and other proposed granny flats to keep the parent parcel address.
- 7) *All granny flats approved will be subject to a declaration of use agreement between the owner and City stipulating, at a minimum, the nature of the occupancy and granting the City the right to inspect the premises in a reasonable manner.* The applicant has agreed to this condition. If the Conditional Use is approved, the City and applicant will enter into a declaration of use agreement.

A portion of the 925 Dandridge Dr. site is included within the 100-year floodplain. Initially, the flat was proposed to be located within the floodplain area of the property and has been relocated in design to be completed located outside of it. Finally, on October 21, 2015, the Planning and Zoning Board heard the Conditional Use request and voted unanimously to recommend that the City Commission approve the subject granny flat Conditional Use application.

10. OLD BUSINESS:

- A. Presentation of the Thornby garden development project and approval of survey cost- Vice Mayor Schleicher, (386) 878-8860.

Background:

At the Regular City Commission Meeting held on May 4, 2015, Vice Mayor Nancy Schleicher informed the Commission with regards to the Deltona garden development project all the guidelines will be met for the historical educational recreational and environmental (H.E.R.E.) parameters.

At the October 12, 2015 Commission Workshop, the Commission approved support for the entire project, including the projected costs for all three venues (Natural Gardens, Children's Garden, Fort Kingsbury replica). The Commission also directed staff to obtain

information regarding the cost for an updated land survey for the Thornby Property.

An inquiry if existing information on file (topographic map overlays) would suffice in lieu of the survey has been sent to the St. Johns River Water Management District.

Pending a response from the SJRWMD-and as an unbudgeted expenditure-upon approval to update the land survey, a budget amendment in the amount of \$3,500 for the General Fund fund balance to the Parks Projects Fund will be needed.

11. NEW BUSINESS:

12. CITY ATTORNEY COMMENTS:

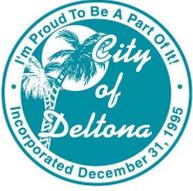
13. CITY MANAGER COMMENTS:

14. CITY COMMISSION COMMENTS:

15. 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 and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 3 - A

SUBJECT:

Invocation Presented by Commissioner Nabicht.

LOCATION:

N/A

BACKGROUND:

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.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

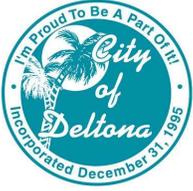
City Manager's Office

STAFF RECOMMENDATION PRESENTED BY:

N/A - Invocation Only.

POTENTIAL MOTION:

N/A - Invocation Only.



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 4 - A

SUBJECT:

Approval of minutes - Regular Commission Meeting of October 19, 2015 and the Special Commission Meeting & Executive Session of October 19, 2015 - Joyce Raftery, City Clerk (386) 878-8502.

LOCATION:

N/A

BACKGROUND:

N/A

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

City Clerk Department

STAFF RECOMMENDATION PRESENTED BY:

City Clerk Joyce Raftery - That the Commission approve the minutes of the Regular Commission Meeting and the Special Commission Meeting & Executive Session of October 19, 2015.

POTENTIAL MOTION:

"I move to approve the minutes of the Regular Commission Meeting and the Special Commission Meeting & Executive Session of October 19, 2015, as presented."



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, October 19, 2015

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

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

2. ROLL CALL – CITY CLERK:

Present: 7 - Commissioner Heidi Herzberg
Commissioner Gary Mitch Honaker
Commissioner Chris Nabicht
Commissioner Diane J. Smith
Commissioner Brian Soukup
Vice Mayor Nancy Schleicher
Mayor John C. Masiarczyk Sr.

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by Commissioner Soukup - Conrad Westbrook, Area Director for Fellowship of Christian Athletes.

Commissioner Soukup introduced Conrad Westbrook, Area Director for Fellowship of Christian Athletes.

The National Anthem was sung by Casia Soto, a 9th Grader at Deltona High School.

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes - Regular Commission Meeting of October 5, 2015 - Joyce Raftery, City Clerk (386) 878-8502.

Motion by Commissioner Herzberg, seconded by Vice Mayor Schleicher, to approve the minutes of the Regular Commission Meeting of October 5, 2015. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Nabicht, Commissioner Smith, Commissioner Soukup, Vice Mayor Schleicher, and Mayor Masiarczyk Sr.

5. PRESENTATIONS/AWARDS/REPORTS:

A. Proclamation for Red Ribbon Week - October 23-31, 2015.

Mayor Masiarczyk and the Commission presented a Proclamation in honor of Red Ribbon Week to Brandy Meadows, teacher and advisor with the Health Academy at Deltona High School, and a few of her students in the SWAT program (Students Working Against Tobacco).

B. Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Raftery, City Clerk (386) 878-8502.

Mayor Masiarczyk stated the Quarterly Reports are in written form and are attached.

6. CITY COMMISSION SPECIAL REPORTS:

Mayor Masiarczyk stated there is an ongoing study being done having to do with the homeless issue in Daytona Beach, the group is looking at alternatives to the original proposal and he will keep the Commission informed as things come up.

Commissioner Herzberg stated she attended several board meetings, on September 12th was the River of Lakes Heritage Corridor meeting, the discussion was about the corridor becoming more and more viewed, there was a trails update, looking at putting up a kiosk in honor of Gary Ballou and doing something for him at one (1) of the Regular Commission Meetings and Norian Downs donated \$500 towards the kiosk which may be put either at Gemini Springs or Thornby Park. The Daytona State College (DSC) Center for Woman and Men Advisory Board, the big fundraiser for that is the Women's History luncheon will be on March 29, 2016, the board discussed outreach, DSC working together with Healthy Start and other State agencies in Deltona to make the most of the Fresh Start Program, program only having three (3) Deltona students but, can take up to 15 students, and that her goal is to make the community aware of the program. She attended the Legislative Delegation meeting last Friday where she spoke for the Volusia League of Cities Legislative Agenda, there were several agencies and elected officials present, Deltona Public Works Director Gerald Chancellor did a presentation outlining the City's water projects and what the City has going on and he invited everyone to come visit the City to take a look at what the City has done at Public Works, Stormwater and the new Wastewater Treatment Plant. The one (1) thing she took away from the meeting was that the City was mentioned five (5) different times by several agencies.

Commissioner Nabicht stated he attended the Visioning Session on Saturday, he thanked Ms. Shang for putting the session together and making it happen and he thanked Commissioner Herzberg for recommending Marilyn Crotty to moderate the session. The session was well organized and attended and it was a good mix of the melting pot that Deltona is. He stated what amazed him most about the information that came forward was that everyone was on the same page and heading in the same direction as the management team's and Commission's vision. He thanked all the citizens who participated in the session.

7. Public Forum: Citizen comments limited to items not on the agenda and comments on items on the agenda will take place after discussion of each item. (4 minutes maximum length per speaker).

Jennifer Chasteen, 662 Mosquero Avenue, Deltona, was called to speak. She spoke about the 2016 Relay For Life event to take place on May 14th, the kick off meeting to take place this coming Wednesday at 6:00 p.m. at the Community Center, she challenged the Commission to be involved possibly as part of a City team, that she is part of the Volusia County Sheriff's Office's (VCSO) team called "Cancer in Custody", and she encouraged everyone to become involved.

Louise Clarke, Community Life Center, 1712 N. Merrick Drive, Deltona, was called to speak. She invited everyone to attend the 2nd Annual Wing Fest on November 7th from 4:00 to 8:00 pm. at the Pine Ridge Church on Howland Blvd., that there are still tickets available at a cost of \$20 each or 4 for \$60 which can be purchased online at www.wingfest.com and she has some available tonight if anyone is interested, and she encouraged the Commission and the City to attend the event.

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. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

8. CONSENT AGENDA:

None.

9. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Ordinance No. 20-2015, Amending Section 18-4 and 18-5 of Building and Building Regulations, at first reading - Dale Baker, Deputy City Manager (386) 878-8852.

Motion by Commissioner Herzberg, seconded by Commissioner Nabicht, to approve Ordinance No. 20-2015, to update the Building and Building Regulations, Section 18-4 by removing the reference to wind speed and 18-5 to provide a reference to the comparable provisions of the Florida Building and Fire Prevention Code at first reading and to schedule second and final reading for November 16, 2015.

City Attorney Becky Vose read the title of Ordinance No. 20-2015 for the record.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, BY AMENDING AND REVISING THE PROVISIONS OF CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CITY OF DELTONA CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE

DATE.

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

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Nabicht, Commissioner Smith, Commissioner Soukup, Vice Mayor Schleicher, and Mayor Masiarczyk Sr.

Ordinance No. 20-2015 was adopted at 6:57 p.m.

B. Public Hearing - Resolution No. 2015-36, Review and Approval of the Affordable Housing Advisory Committee 2015 Incentive, Review and Recommendation Report - Chris Bowley, Planning and Development Services Department, (386) 878-8602.

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

Motion by Commissioner Herzberg, seconded by Vice Mayor Schleicher, to approve Resolution No. 2015-36, to accept the Affordable Housing Advisory Committee 2015 Incentive, Review and Recommendation Report and transmit the report to the Florida Housing Finance Corporation.

Mayor read the title of Ordinance No. 05-2015 for the record.

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, REQUESTING APPROVAL FOR THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) 2015 INCENTIVE REVIEW AND RECOMMENDATION REPORT.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Nabicht, Commissioner Smith, Commissioner Soukup, Vice Mayor Schleicher, and Mayor Masiarczyk Sr.

Resolution No. 2015-36 was adopted at 6:59 p.m.

10. OLD BUSINESS:

None.

11. NEW BUSINESS:

A. Request for approval of the 2016 holiday meeting schedule - Joyce Raftery,

City Clerk's Department (386) 878-8502.

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

Ms. Shang stated there is a scribes error on the agenda memo the days for the December holiday should be Friday, December 23rd and Monday, December 26th.

Motion by Vice Mayor Schleicher, seconded by Commissioner Herzberg, to approve the meeting and invocation calendars for 2016, as amended.**The motion carried by the following vote:**

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Nabicht, Commissioner Smith, Commissioner Soukup, Vice Mayor Schleicher, and Mayor Masiarczyk Sr.

12. CITY ATTORNEY COMMENTS:

Mrs. Vose stated she was asked to draft a letter opposing SB 416 requiring local governments to pay the cost of relocating utility equipment in the rights of way and areas next to rights of ways.

Mayor Masiarczyk stated if there are no objections he will sign the letter and send it on and there were no objections.

13. CITY MANAGER COMMENTS:

Ms. Shang thanked staff, especially Planning & Development Services Director Chris Bowley, for making the Strategic Visioning Session on Saturday such a success.

14. CITY COMMISSION COMMENTS:

Commissioner Smith thanked Jennifer Chasteen for inviting everyone to Relay For Life and that she does have an invitation to the kick-off meeting if anyone is interested in attending on Wednesday. She thanked the community for investing time and their passion for the City, it was suggested to her to have the 2007/2008 vision of the City on the website to see how far the community has come, how things have changed and how similar some of the visions are from then to now.

Vice Mayor Schleicher stated it was a pleasure to see another business opening in the City, Mi Casita Bakery, which has some very good pastries. She attended the Then 2 Now concert at the Amphitheater and that she has received from numerous people thanks for putting on the concert series. She stated that was the last concert of the year, she hoped everyone enjoyed them and she looks forward to next year's concerts. Next Thursday is the public meeting on Lake McGarity and Big Lake, tomorrow morning she and Commissioner Soukup will be talking to 4th graders regarding government and its role and the Mayor was at the school today, Spooktacular is Friday and Saturday night where three (3) of the Commissioners will be judges for the costume contest which she has heard is a hard job.

Commissioner Honaker stated he attended on October 11th the Annual Pink Feet event to raise money for breast cancer and the money collected was donated for mammograms to those who cannot afford them, and he recognized Public Information Officer Lee Lopez for receiving an award from the Hispanic Chamber of Commerce for an elected official or civil servant who has shown the most support for issues affecting Hispanics and their community. The Deltona High School JROTC 5K Walk For a Cure will be at Saturday, October 24th at Gemini Springs with registration starting at 8:00 a.m. Lastly, Pine Ridge High School will be having a game against New Smyrna Beach High School on October 30th and he encouraged everyone to attend along with the Commission who will be at the event.

Commissioner Herzberg stated the visioning session was amazing, the one thing stressed by Marilyn Crotty who facilitated the session was the diversity in the City, and how the City is the model of the future. She stated the community worked really well together, a lot of the time the focus is on the negative and the City needs to embrace the positive more. She stated the utility relocation bill will be heard at the Senate Community Affairs Committee tomorrow and there is a list of Senators to contact. She stated Travis Hutson who is part of the Volusia Delegation who heard not only her but, several others mention the utility relocation, Representative Fred Costello needs a big shout out because he definitely agrees with the cities, the League and the County on this issue and she will be personally e-mailing the committee, especially Senator Hudson and reminding him of the delegation comments. She stated the Senators need to be made aware of the cost to cities and counties in Florida if this bill passes.

Commissioner Soukup asked if the Ivy Hawn School was included in the Super Star Student Awards because he attended an open house last week and 2/3 of the kids are from Deltona and Mayor Masiarczyk replied not traditionally, letters were sent to all schools and some chose not to be involved.

Commissioner Soukup stated he is looking forward to going to Forest Lake Elementary School tomorrow, and that three (3) of his best years were spent in the 4th Grade. He stated he and the Mayor attended the Battle of the Boulevards and the officiating crew when it first came out was expecting it to be a rough game and comments were made that it was not going to be tolerated, it was understandable because it was a rivalry game where both teams played hard, Deltona High School came out on top, and he hopes the event is even bigger next year. He stated next Tuesday, October 27th at 9:30 a.m. is the open house of the Pine Ridge High School Manufacturing Academy which he is looking forward to seeing it and he hopes everyone can make it to the opening.

Mayor Masiarczyk stated immediately following the Pine Ridge Manufacturing Academy open house the Commission will be going to Galaxy Middle School. He stated he received a phone call from a teacher at Galaxy Middle School who was trying to get funding for a 3D printer, when the academy was being done at Pine Ridge he suggested someone contact Jayne Fifer with the Volusia County Manufacturers Association and the association made available the funds through the organization so that Galaxy could have a 3D printer and students are learning things far and above what

they would have learned without it. He stated Veterans Day at Daytona State College (DSC) at 8:15 a.m., a program is planned and he encouraged everyone to attend, the City's Honor Guard will be there. He thanked staff for the Visioning Session, the most heart lifting thing he had was the spirit of the people who were in attendance, how much the people thought Deltona deserves its place in the sun, to stop pointing out just the things that are wrong and focus on the good. He stated he asked Ms. Shang today about there being some postcards available that read "a friendly place to live" which will be sent out to those residents who attended the visioning session.

Mayor Masiarczyk stated that there is a Special Commission Meeting in the 2nd Floor Conference Room regarding union negotiations, once he opens the Executive Session he will be required to ask anyone who is not authorized to be in attendance to leave the meeting and once the Executive Session is over everyone will be allowed to come back into the meeting.

Mrs. Vose stated the Mayor will ask people to leave, then there will be discussion, then people will be asked to come into the meeting, and then there will be a vote taken so there will be action taken and not just an adjournment.

15. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:14 p.m.

John C. Masiarczyk, Sr., MAYOR

ATTEST:

Joyce Raftery, CMC, CITY CLERK



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, October 19, 2015

2nd Floor Conference Room

**SPECIAL COMMISSION MEETING AND EXECUTIVE SESSION IMMEDIATELY
FOLLOWING THE 6:30 P.M. REGULAR CITY COMMISSION MEETING**

1. CALL TO ORDER:

The meeting was called to order at 7:25 p.m. by Mayor Masiarczyk.

2. ROLL CALL – CITY CLERK:

Present: 7 - Commissioner Heidi Herzberg
Commissioner Gary Mitch Honaker
Commissioner Chris Nabicht
Commissioner Diane J. Smith
Commissioner Brian Soukup
Vice Mayor Nancy Schleicher
Mayor John C. Masiarczyk Sr.

3. BUSINESS:

Mayor Masiarczyk announced the commencement of the Executive Session and that each Commissioner was in attendance along with City Manager Jane K. Shang, Deputy City Manager Dale Baker and City Attorney Becky Vose (Members of the City's Negotiating Team).

A. Discussion re: Union Negotiations.

Mayor Masiarczyk closed the Special Commission Meeting to the public at 7:26 p.m., he stated the discussion to take place is on the collective bargaining agreement and he asked everyone in the room who was not required to be part of the Executive Session to exit the room at this time.

B. Open Discussion re: Union Negotiations.

Mayor Masiarczyk announced the termination of the Executive Session and reconvened the Special Commission Meeting at 7:45 p.m.

Commissioner Nabicht stated "I have completed Form 8-B which will be turned into the City Clerk. I have a conflict of interest, I'll be abstaining from the vote and my conflict is that I am a member of the I.A.F.F., Deltona Professional Firefighters Collective Bargaining Unit and that's the agreement that is here before you tonight and I am a

retired firefighter collecting a pension from the Deltona Firefighters Pension and my son is also a, currently, a member of the Deltona Firefighter Collective Bargaining Unit and also a member in the pension so he will be abstaining from the vote tonight because of those two (2) conflicts.”

Motion By Commissioner Honaker, seconded by Commissioner Herzberg, pursuant to the provisions of Florida Statutes, Section 447.309, I move to ratify the Collective Bargaining Agreement presented by the City Manager and to instruct the City Manager to sign such Agreement once it has been ratified by the members of the bargaining unit. The motion carried by the following vote:

For: 6 - Commissioner Herzberg, Commissioner Honaker, Commissioner Smith, Commissioner Soukup, Vice Mayor Schleicher, and Mayor Masiarczyk Sr.

Abstain: 1 - Commissioner Nabicht

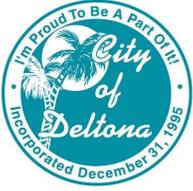
4. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:47 p.m.

John C. Masiarczyk, Sr., MAYOR

ATTEST:

Joyce Raftery, CMC, CITY CLERK



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 5 - A

SUBJECT:

Proclamation for Recognition of the Volusia County Sheriff's Office.

LOCATION:

N/A

BACKGROUND:

Recognition of VCISO for providing a vital public service to the citizens of Deltona.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

City Manager's Office

STAFF RECOMMENDATION PRESENTED BY:

N/A - Proclamation Only.

POTENTIAL MOTION:

N/A - Proclamation Only.



WHEREAS, members of the Volusia County Sheriff's Office play an essential role in safeguarding the rights and freedoms of the citizens in Deltona; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Volusia County Sheriff's Office unceasingly provide a vital public service; and

WHEREAS, these officers protect and serve this community with honor, dedication, and integrity.

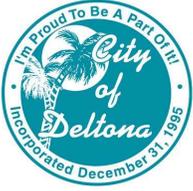
NOW THEREFORE, We, the Mayor and City Commission of Deltona, Florida, do hereby acknowledge the heroic men and women who have dedicated their lives to safeguarding public safety within the City of Deltona by presenting this

“Recognition of VCSO Service”

We ask the entire community to join us in publicly saluting the services of law enforcement officers in our community by taking the time to thank these fine members of the Volusia County Sheriff's Office.

EXECUTED this 2nd day of November, 2015.

John Masiarczyk, Mayor



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 5 - B

SUBJECT:

Certificate presentation to Sergeant Sean Gowan, Senior Deputy Matthew Ihnken and Deputy Joshua Hansard for their response to a potential community hazard and to Sergeant Patrick Leahy for being selected by the VCSO Awards Committee and the Sheriff as Investigator of the 3rd Quarter 2015.

LOCATION:

Deltona City limits.

BACKGROUND:

Sergeant Sean Gowan, Senior Deputy Matthew Ihnken and Deputy Joshua Hansard: After being contacted at the District 4 office by a concerned citizen, you organized deputies and responded to the call. You quickly identified an active methamphetamine laboratory along with the suspect responsible for the community hazard. Your conscientious responsiveness, quick actions, and assessment of this potential community hazard thankfully averted a crisis. With your astuteness, professionalism, and swift actions, you created a law enforcement supporter for life by merely listening to her concerns, investigating her complaint, and taking care of her problem. I want to commend you for a job well done!

Sergeant Patrick Leahy: Selected by the VCSO Awards Committee and the Sheriff as Investigator of the 3rd Quarter 2015 for supervising a series of high profile investigations, which all resulted in the apprehension and prosecution of the offender. In addition, Sgt. Leahy finds the time to manage the Crime Prevention Program for District Four. He has a great deal of experience in establishing community outreach programs and crime prevention campaigns, he assists the City of Deltona PIO formulate preventative tips and crime information that are broadcast over the City's television station, and he planned and orchestrated the highly successful National Night Out event held on August 4th. Sgt. Leahy is the epitome of professionalism, always strives for excellence, and expects the same from his investigators. His continued positive representation of VCSO and unparalleled work ethic are commendable.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

City Manager's Office

STAFF RECOMMENDATION PRESENTED BY:

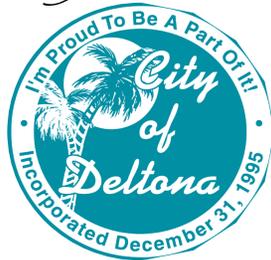
N/A - Presentation Only.

POTENTIAL MOTION:

N/A - Presentation Only.

City of Deltona

Certificate of Recognition



Presented to

Sergeant Sean Gowan

VOLUSIA COUNTY SHERIFF'S OFFICE - DISTRICT 4

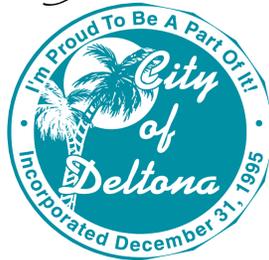
In recognition of your conscientious responsiveness,
quick actions, and assessment of a potential community
hazard and your help in averting a crisis.

November 2, 2015

John Masiarczyk, Mayor

City of Deltona

Certificate of Recognition



Presented to

Senior Deputy Matthew Ihnken

VOLUSIA COUNTY SHERIFF'S OFFICE - DISTRICT 4

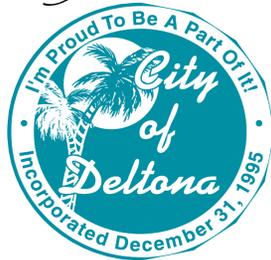
In recognition of your conscientious responsiveness,
quick actions, and assessment of a potential community
hazard and your help in averting a crisis.

November 2, 2015

John Masiarczyk, Mayor

City of Deltona

Certificate of Recognition



Presented to

Deputy Joshua Hansard

VOLUSIA COUNTY SHERIFF'S OFFICE - DISTRICT 4

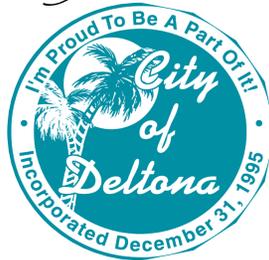
In recognition of your conscientious responsiveness,
quick actions, and assessment of a potential community
hazard and your help in averting a crisis.

November 2, 2015

John Masiarczyk, Mayor

City of Deltona

Certificate of Recognition



Presented to

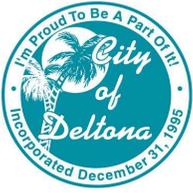
Sergeant Patrick Leahy

VOLUSIA COUNTY SHERIFF'S OFFICE - DISTRICT 4

In recognition of your selection by the
VCSO Awards Committee and the Sheriff for
Investigator of the 3rd Quarter 2015.

November 2, 2015

John Masiarczyk, Mayor



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 5 - C

SUBJECT:

Super Star Student of the Month Certificates for October 2015

LOCATION:

N/A

BACKGROUND:

Super Star Student of the Month awards for October 2015 will be presented to:

1. Deltona Lakes Elementary, Joshua Rosario, 3rd Grade
2. Discovery Elementary, Lauren Cucchiaro, 4th Grade
3. Enterprise Elementary, Isidro Silva Jimenez, 5th Grade
4. Forest Lake Elementary, Natasha Coffman, 3rd Grade
5. Friendship Elementary, Jacob Treloar, 5th Grade
6. Pride Elementary, Shamaya Dickerson, 5th Grade
7. Timbercrest Elementary, Matthew Chase, 4th Grade
8. Deltona Middle, Nelson Padro, 7th Grade
9. Galaxy Middle, Amaya Valle, 7th Grade
10. Heritage Middle, Deilyna Soto, 8th Grade
11. Deltona High, Brandon Shadeed, 10th Grade
12. Pine Ridge High, Adaliz Velez, 12th Grade
13. University High, Jasmine McTyer, 10th Grade

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

City Manager's Office

STAFF RECOMMENDATION PRESENTED BY:

N/A - Presentation Only.

POTENTIAL MOTION:

N/A - Presentation Only.

Super Star Students Read File – October 2015 presented on November 2, 2015.

Teacher	School	Student	Grade	Reading Comments on Student Achievements
Mr. Michael Walters	Deltona Lakes Elementary	Joshua Rosario	3rd	<p>Joshua Rosario, a 3rd grade student at Deltona Lakes Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none">• Joshua is an excellent student who always participates in his own learning. His academic achievement is high (nearly straight As).• Joshua is very respectful and always strives to follow the rules and lead by example. Joshua always behaves as if he is being watched by an adult. He does not forget the rules just because he thinks he's not being watched.• He also endeavors to help those around him who have not yet mastered the material and always participates in a constructive manner in pair discussions and class discussions.

<p>Ms. Brittany LaCorte</p>	<p>Discovery Elementary</p>	<p>Lauren Cucchiaro</p>	<p>4th</p>	<p>Lauren Cucchiaro, a 4th grade student at Discovery Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Lauren is an incredibly bright young lady who is a stellar example of proper behavior inside the classroom and out. • She has been enrolled in 5th grade math because of her highly accomplished math scores. She scored an 80% on her SMT 1 during the first week of school (this is on material that we have NOT gone over yet) and she scored a 100% on the first District math assessment. • Lauren scored a 96% on the first Reading Comprehension VLT. • She received straight As on her report card this first quarter. • Lauren is involved with Girls on the Run program. • She is an active member in the Good News Club that meets after school on Wednesdays. This promotes character and morals through biblical teaching. • Lauren is a member of our school Chorus group.
<p>Mrs. Lewis</p>	<p>Enterprise Elementary</p>	<p>Isidro Silva Jimenez</p>	<p>5th</p>	<p>Isidro Silva Jimenez, a 5th grade student at Enterprise Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Isidro is courteous, values learning and is respectful. • He sets high standards for himself and others. • Isidro is honest, an awesome leader and has a sense of humor. • He is a member of Safety Patrol and Florida Future Educators of America.

Mrs. Matthews	Forest Lake Elementary	Natasha Coffman	3 rd	<p>Natasha Coffman, a 3rd grade student at Forest Lake Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; she is maintaining straight A's. • She is in the gifted program. • She has been selected as a Young Author at school on two occasions. • Natasha was described as a “shining star” by her teacher because she always goes above and beyond the classroom expectations and has a spirit of perseverance and persistence when faced with new challenges. • She is helpful and nurturing to her classmates and sibling. • She is involved in an ongoing entomology project in her 3rd grade gifted class and has helped inspire an love of learning about insects with her fellow classmates. • Natasha is a brown belt in karate.
Mrs. May	Friendship Elementary	Jacob Treloar	5 th	<p>Jacob Treloar, a 5th grade student from Friendship Elementary, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; he has an A average. He is a member of National Elementary Honor Society. • He is very responsible and dependable as a Safety Patrol. He also participates in Boy Scouts. • Jacob is a kind and helpful friend to all.
Mr. Churms	Pride Elementary	Shamaya Dickerson	5 th	<p>Shamaya Dickerson, a 5th grade student at Pride Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Shamaya is extremely responsible, an excellent role model and a dedicated student. • She consistently acts as a peer teacher to other students, and supports the teacher every day.

Mrs. Wells	Timbercrest Elementary	Matthew Chase	4th	<p>Matthew Chase, a 4th grade student from Timbercrest Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a hard worker, great role model, and math whiz. • He is always ready to help his peers, kind and friendly, well-liked by his peers. • Although Matthew plays sports, he never neglects homework. • He is a great teacher helper.
Deltona Middle	Deltona Middle	Nelson Padro	7th	<p>Nelson Padro, a 7th grade student from Deltona Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a leader that treats others with respect and kindness. • Having perseverance to overcome his personal struggles with attention, developing successful strategies to improve his academics. • Having the strength and courage to be a respectful and respected citizen of Deltona Middle School.

Mrs. DeRosa	Galaxy Middle	Amaya Valle	7th	<p>Amaya Valle, a 7th grade student from Galaxy Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence in Language Arts (high A); she has all As and Bs in all her subjects. • Amaya is always willing to help around the classroom and help other students. • She has excellent writing skills.
Mr. Dunaway	Heritage Middle	Deilyna Soto	8th	<p>Deilyna Soto, an 8th grade student from Heritage Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence! 100% average so far in American History. • Deilyna is kind and helpful to others demonstrating good citizenship characteristics.
Ms. Alisha Kellett & Brandy Meadows	Deltona High	Brandon Shadeed	10th	<p>Brandon Shadeed, a 10th grade student from Deltona High School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Brandon is the student who goes above and beyond the call of duty in everything he does (academically, in the community, and as a leader). • He maintains stellar academic grades, participates in a variety of clubs and groups on the DHS campus, and is a true leader amongst his peers. • Brandon's passion and desire to excel in the classroom and give back to the community are two things that set him above most other 10th grade students. • He is actively involved in the Health Services Academy and serves as a HOSA officer. As well, he is involved in SGA and serves in a leadership capacity.

<p>Ms. Goodin & Mrs. Wilson</p>	<p>Pine Ridge High</p>	<p>Adaliz Velez</p>	<p>12th</p>	<p>Adaliz Velez, a 12th grade student from Pine Ridge High School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Adaliz was nominated by two different teachers. • Her academic excellence; she is an honors student. • She is responsible, and helps other students; this is her 2nd year as a Teacher’s Aide. She also helps her little brother with his homework after school. • Adaliz is organized, hard-working, kind hearted, and sincere. She is always ready to volunteer and puts forth her best effort in all that she does. She is a great role model and is an all-around great student.
<p>Mrs. Donna Alvator</p>	<p>University High</p>	<p>Jasmine McTyer</p>	<p>10th</p>	<p>Jasmine McTyer, a 10th grade student from University High School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • It is very rare that a student would have a perfect or near perfect grade in Chemistry Honors at this point of the year. Jasmine has accomplished that. She scored 100% on her 2 summative assessments and all but one of her formatives – she got a 99% on that one! Based on Gradebook she appears to be performing the same in all of her classes. She is awesome and deserves recognition! • Jasmine is managing to do this in addition to dual enrollment at Bethune-Cookman University.



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 5 - D

SUBJECT:

Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Raftery, City Clerk (386) 878-8502.

LOCATION:

N/A

BACKGROUND:

Quarterly Reports of City Advisory Boards/Committees:

- 1) Deltona Economic Development Advisory Board - (Presented by Chairman Tanya Boggs)
- 2) Planning and Zoning Board - (Written Report Only)
- 3) Firefighters' Pension Plan Board of Trustees - (Written Report Only)

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

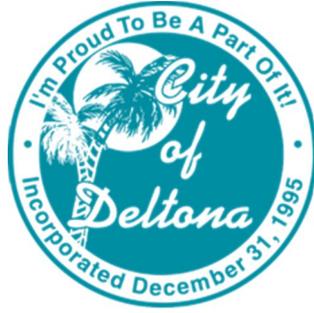
City Clerks's Office

STAFF RECOMMENDATION PRESENTED BY:

N/A - Presentation Only.

POTENTIAL MOTION:

N/A - Presentation Only.



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Q3, 2015

Quarterly Report to Deltona City Commission

November 2, 2015

**Tanya Boggs
DEDAB Chairperson**

-----0-----



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

DEDAB Quarterly Report to Deltona City Commission Q3, 2015

ASSIGNMENTS / TASKS

DEDAB MISSION STATEMENT

Identify and approach, meet and obtain ideas from each area stakeholder and utilize these ideas toward the proposal for a workable "workforce and a historical facility", the assignments given by the Deltona City Commission.

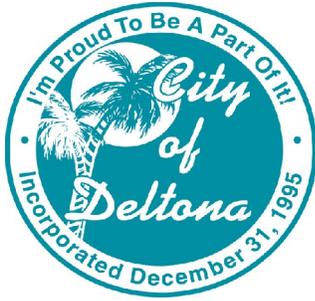
GENERAL REPORT

DEDAB meets on the second Friday of each month, in the Second Floor Conference Room at Deltona City Hall. The meetings start at 3:30 P.M. and are scheduled to last one hour. Meetings are open to the public and public participation is encouraged.

The assignments given by the elected City Commission of the City of Deltona were as follows:

- (1) workforce development
and, (2) a historic facility

- (1) July 10, 2015: DEDAB met at 2345 Providence Boulevard, Second Floor Conference Room, Deltona City Hall. The meeting discussion was based on the following:
- (1) A review of the June 12 DEDAB officer elections;
 - (2) A discussion, toward 'workforce development', of the '*Flex-Themed Accelerator Whitepaper*';
 - (3) An update by Tanya Boggs, DEDAB Chairperson (2015-2016) on the Deltona Business Park discussions.
- (2) August 14, 2015: DEDAB met at 2345 Providence Boulevard, Second Floor Conference Room, Deltona City Hall. The meeting discussion was based on the following:
- (1) A review of DEDAB By-laws and removal, by DEDAB member vote, of Alternate Member Eddie Moscarella for excessive unexcused absences.;
 - (2) A discussion, toward 'workforce development', of the '*Flex-Themed Accelerator Whitepaper*';
 - (3) An update by Tanya Boggs, DEDAB Chairperson (2015-2016) on the Deltona Business Park discussions.



City of Deltona

THIRD QUARTER (3rd) 2015 PLANNING & ZONING BOARD REPORT

MEETING DATES:

A Planning & Zoning Board (Board) meeting was held on July 15 and August 19, and September 16, 2015.

ITEMS HEARD AT THE PLANNING & ZONING MEETINGS:

COMPREHENSIVE PLAN AMENDMENTS	0
REZONINGS/ORDINANCES	8
RESOLUTIONS/CONDITIONAL USES/VARIANCES	0
DISCUSSIONS/ORIENTATION/ELECTIONS	0

A. Ordinance No. 05-2015, Zoning Amendment (RZ15-002), RPUD Amendment for the Fernanda Place Residential Subdivision.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 05-2015. The rezoning is a major amendment to the existing planned unit development that adds ±22.8-acres of adjacent land to the former Fernanda Landings project and allows a net density of up to two (2) units per acre across the entire project. An ensuing plat will show a redesigned subdivision, when it comes forward.

B. Ordinance No. 09-2015, Amending Section 110-806 of the City Land Development Code, Fences, Walls, and Hedges.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 09-2015. The proposed amendment allows a hedge in excess of four (4) feet in height within a front yard to be approved without having to go through a lengthy review process.

C. Ordinance No. 27-2015 Amending Sections 58-34 and 58-37 of the City Code of Ordinances to allow for an 811 Report to be used in the process to Release City Easements.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 27-2015, which allows an 811 utility locate report to be used by local land owners to vacate City easements, where there are no utilities present. The proposed action expedites the easement vacation process, where letters from utility

companies are often deleterious in receipt or not received. The 811 report ensures a level of verification that no utilities are present in the City easement and allows the property owner to move forward in the process.

D. Ordinance No. 14-2015, Zoning Amendment (RZ15-003) Racetrac Deltona Welcome Center Drive BPUD.

The Board voted 5-2 to recommend that the City Commission adopt Ordinance No. 14-2015 for a major amendment to the existing BPUD Development Agreement (DA) that will allow more than one convenience store/gas station, as well as a right-in/right-out access location along DeBary Avenue. The Board had discussions on access management, the history of the existing BPUD, wetland impacts, and impervious surface calculations. Not all Board members supported the language in the DA that will allow the directional driveway along DeBary Avenue.

E. Ordinance No. 15-2015, Zoning Amendment (RZ15-004) Gold Choice Assisted Living Facility for a rezoning from R-1AA to Mixed Use Planned Unit Development (MPUD).

The Board voted 6-1 to recommend that the City Commission adopt Ordinance No. 15-2015 for a unified development on one parent tract with two uses. The largest portion of the ±9.23-acre site will be developed for an assisted living facility and the remainder for a self-storage complex.

F. Ordinance No. 16-2015, Amending Section 110-311, RM-2 Multiple Family Residential Dwelling District, of the City Land Development Code.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 16-2015 that amends Section 110-311 of the City Land Development Code to revise the density performance standard to be consistent with the City's Comprehensive Plan and to correct a Scrivener's error to use the word 'purpose' instead of 'purposed'.

G. Ordinance No. 17-2015, Adopting a Temporary Moratorium on the Processing of Applications proposing to use a Package Plant.

The Board voted 4-1 to recommend that the City Commission adopt Ordinance No. 17-2015. The City currently has regulations that allow for the use of private package plants. Throughout its history, Deltona has grown from a city with few central utility services to a community making major capital investments in connections to central facilities. The temporary moratorium allows the City to study, make recommendations, and, if needed, to update its regulations relating to package plants to be consistent with other polices focused on the use of central utility systems.

H. Ordinance No. 18-2015, Allowing for the use of a Comprehensive Sign Plan for Renovated Commercial Development in Blighted Areas.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 18-2015. Chapter 102 of the City Land Development Code is the Sign Code. It currently allows for limited multi-tenant signage and does not allow for

existing sites within blighted areas going through rehabilitation to retrofit their existing signage. The ordinance allows for signage flexibility through the form of a sign package to be submitted for plan review and approval.

DISCUSSIONS/ORIENTATION/ELECTIONS:

- A. **By the Board.**
None.

- B. **By the City Attorney:**
None

- C. **By Planning & Development Services Staff:**
None

**City of Deltona, Firefighters' Pension Plan
Board of Trustees Quarterly Report
Quarter Ended September 30, 2015**

Board of Trustees:

- City Commission Appointees (terms expire January 2017):
 - Gene Gizzi – original appointment December 2013
 - Janet Deyette – original appointment September 2013
- Active plan member appointees (terms expire January 2017):
 - Kurt Vroman, – original appointment January 2009
 - John Fleemin – original appointment May 2015
- Trustee Appointee (term expires January 2018):
 - James Koczan – original appointment February 2008

Quarterly Administration Highlights:

1. **The portfolio as of September 30, 2015 totals \$20,723,123 and is comprised of the following:**

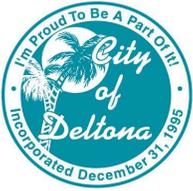
Equities	\$ 12,949,035
Fixed Income	\$ 6,217,826
Real Estate	\$ 1,131,637
Cash / Equivalents	\$ 424,627

2. **SB172** – SB172 requires that each Chapter 175 plan create a share plan / supplemental defined contribution plan (called “share plan”) within their current plan for the payment of special benefits. The share plan language was drafted by the pension plan attorney and was approved by the Pension Board on September 15, 2015.

In addition, SB172 requires that the Pension Board adopt an administrative expense budget for each fiscal year beginning October 1, 2015. The administrative expense budget for FY2015/16 was adopted by the Pension Board on September 15, 2015 as follows:

Deltona Firefighters' Pension FY2015/16 Administrative Expense Budget		
Provider	Expense Type	Annual
Lisa Spriggs, CPA	Plan Administration	\$ 21,000
Christiansen & Dehner, P.A.	Attorney	30,000
Foster & Foster, Inc	Actuary	24,000
Gibson & Wirt, Inc	Fiduciary Liability Insurance	4,000
Training/Travel	Training/Travel	12,000
Other / Contingency	Other / Contingency	2,300
The Bogdahn Group	Investment Monitoring	18,700
Salem Trust Company	Custodian	8,000
Total Expense Budget FY2015/16		\$ 120,000

3. **2014 Annual State Report Approved and Insurance Premium Taxes Distributed** – The Plan is required to report annually to the Florida Department of Management Services, Division of Retirement, Municipal Police Officers' and Firefighters' Retirement Trust Funds' Office. The report provides detailed financial data for the Plan year ended September 30, 2014 and demonstrates compliance with provisions of chapter 175, F.S. as required. Upon review and acceptance by the State that all statutory requirements have been met, the City is then eligible to receive its annual Insurance Premium Tax distribution. The report was filed in March, has undergone final review and approval by the state per letter dated September 16, 2015. The state distributed \$420,303.53 in premium tax proceeds and this amount was deposited into the plan October 7, 2015.



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 9 - A

SUBJECT:

Public Hearing - Ordinance No. 17-2015, adopting a Temporary Moratorium on the Processing of Applications Proposing to Use a Package Plant, at second and final reading. Chris Bowley, AICP, Planning and Development Services Department - (386) 878-8602.

LOCATION:

Citywide

BACKGROUND:

The City of Deltona has provisions in the City's Comprehensive Plan and Land Development Code (LDC) that allow for the use of a private package plant within certain parameters or conditions to utilize on-site wastewater treatment. These are antiquated regulations, as the City has made major capital investments to advance the City from a series of scattered residential lots utilizing on-site septic systems to central sanitary sewer facilities. Examples of these efforts include the extension of force-mains within the SR 415 and Howland Boulevard rights-of-way (ROW) , taking private lift-stations off-line and connecting them to central facilities, construction of a \$25-million± Eastern Wastewater Treatment Plant, providing additional capacity to the existing Fisher Wastewater Treatment Plant, extending reuse lines within the Doyle Road ROW, constructing a reuse storage tank and rapid-infiltration basins, adding a regional pump station, upgrading existing force-mains, and designing for commercial sewer service near Saxon Blvd.

As the City increases its population, prepares for additional growth, and becomes more urban, the provision for central utility services is more paramount to protect the health, safety, and welfare of its residents. Part of the City's efforts is to direct development towards central public facilities and to accommodate retrofit of existing development towards that end.

To best process updates to the City's Comprehensive Plan and LDC, Ordinance No. 17-2015 is created to provide up to a twelve (12) month moratorium to allow the City to analyze its current regulations towards private package facilities, to process applications to amend its current regulations, and to adopt new provisions that are consistent with its efforts towards capital projects of central sanitary sewage facilities. Finally, the City Commission voted unanimously to approve Ordinance No. 17-2015 at its October 5, 2015, public hearing.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

Planning & Development Services Department

STAFF RECOMMENDATION PRESENTED BY:

Chris Bowley, AICP, Director of Planning and Development Services - Staff recommends that the City Commission adopt Ordinance No. 17-2015 that allows for a temporary moratorium on the processing of applications that propose use of a package plant, at second and final reading.

POTENTIAL MOTION:

"I move to adopt Ordinance No. 17-2015 that allows for a temporary moratorium on the processing of applications that propose use of a package plant, at second and final reading."

ORDINANCE NO. 17– 2015

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, ADOPTING A TEMPORARY MORATORIUM ON THE PROCESSING OF DEVELOPMENT APPLICATIONS THAT INCLUDE A REQUEST TO UTILIZE AN ON-SITE PACKAGE PLANT FOR WASTEWATER DISPOSAL PENDING A COMPREHENSIVE REVIEW OF ISSUE AND ENACTMENT OF REGULATIONS RELATING TO SAME; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Deltona is in the process of a comprehensive review of its regulations and the revising of its land-use regulations as they relate to development that may request the disposal of wastewater through the use of an on-site package plant; and

WHEREAS, in furtherance of its process of review and revision, the City of Deltona is working with City Public Works Department and Planning and Development Services Department, and requesting input from citizens of the City of Deltona and all others with an interest in the subject; and

WHEREAS, the City of Deltona finds it in the best interests of its citizens to enact a temporary moratorium on the acceptance and/or processing of development applications of developments that request to utilize an on-site package plant for wastewater disposal as a land-use tool to promote effective planning, public health, safety, and welfare, and to preserve the status quo during this review and revision process; and

WHEREAS, the City of Deltona anticipates that it will take up to twelve (12) months from the date of the enactment of this ordinance to complete the review and revision process; and

WHEREAS, the City of Deltona finds that using this planning tool will prevent development that is inconsistent with its pending changes in development regulations and zoning amendments in progress, as well as any public utility capital programming efforts.

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

SECTION 1. MORATORIUM. The City of Deltona, Florida, hereby enacts a temporary moratorium for a period of up to twelve (12) months from the date of enactment of this ordinance on the acceptance and processing of development applications in which the applicant proposes to utilize an on-site package plant to dispose of wastewater, pending the comprehensive review and revision of its land use regulations, as relates to that subject.

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 _____, 2015.

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



Staff Report

To: Planning and Zoning Board

From: Chris Bowley, AICP, Director
Planning & Development Services

Date: August 18, 2015

Re: Ordinance No. 17-2015: Adopting a Temporary Moratorium on the Processing of Applications Proposing to Use a Package Plant

A. Summary of Application:

Applicant: City of Deltona

Request: To allow for a temporary moratorium on the processing of applications that proposes use of a package plant.

B. Background:

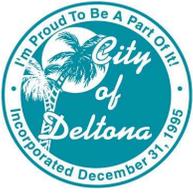
The City of Deltona has provisions in the City's Comprehensive Plan and Land Development Code (LDC) that allow for the use of a private package plant within certain parameters or conditions to utilize on-site wastewater treatment. These are antiquated regulations, as the City has made major capital investments to advance the City from a series of scattered residential lots utilizing on-site septic systems to central sanitary sewer facilities. Examples of these efforts include the extension of force-mains within the SR 415 and Howland Boulevard rights-of-way (ROW), taking private lift-stations off-line and connecting them to central facilities, construction of a \$25-million± Eastern Wastewater Treatment Plant, providing additional capacity to the existing Fisher Wastewater Treatment Plant, extending reuse lines within the Doyle Road ROW, constructing a reuse storage tank and rapid-infiltration basins, adding a regional pump station, upgrading existing force-mains, and designing for commercial sewer service near Saxon Blvd.

As the City increases its population, prepares for additional growth, and becomes more urban, the provision for central utility services is more paramount to protect the health, safety, and welfare of its residents. Part of the City's efforts is to direct development towards central public facilities and to accommodate retrofit of existing development towards that end.

To best process updates to the City's Comprehensive Plan and LDC, Ordinance No. 17-2015 is created to provide up to a twelve (12) month moratorium to allow the City to analyze its current regulations towards private package facilities, to process applications to amend its current regulations, and to adopt new provisions that are consistent with its efforts towards capital projects of central sanitary sewage facilities.

CONCLUSION/STAFF RECOMMENDATION:

Staff recommends that Ordinance No. 17-2015 be reviewed by the Planning and Zoning Board with a recommendation of approval to the City Commission that allows for a temporary moratorium on the processing of applications that propose use of a package plant.



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 9 - B

SUBJECT:

Public Hearing - Ordinance No. 28-2015, Rezoning of Property from PB (Professional Business) to C-1 (Retail Commercial), at first reading - Chris Bowley, AICP, Director, Planning and Development Services.

LOCATION:

The property is located at 3096 and 3108 Howland Blvd., along north side of Howland Blvd. and east of Roseapple Ave.

BACKGROUND:

The proposed rezoning includes two contiguous parcels totaling ± 2 -acres in common ownership; from PB to C-1. The subject property was rezoned to PB with the intent in the past as a transition between Howland Blvd. and single family residential homes to the north of the subject site. The permitted uses in the PB are typically lower in intensity than commercial land uses; however, this concept never led to development of the parcels. The requested C-1 zoning allows a much wider range of commercial uses when compared to the PB zoning.

Commercially zoned tracts in close proximity to the subject site have been developed with the Dunkin Donuts, Family Dollar, Top Shelf Car Wash, and Racetrac, and there appears to be demand for similar development in the area. Therefore, rezoning the property to C-1 would be consistent with City Comprehensive Plan and economic development goals for the area. In addition, there is adequate infrastructure, including traffic capacity to support a more intensive development pattern along the Howland Blvd. corridor.

As provided in the Land Development Code, the adjacent residential uses will be separated from commercial development by buffers, setbacks and other compatibility oriented provisions. Given the platting pattern of low density residential homes in close proximity to commercial development and arterial roadways, this land use scenario is found throughout the City.

On October 21, 2015, the City Planning and Zoning Board heard the ordinance. Four of the seven Board members were present, establishing a quorum, and voted 2-2 on a motion to recommend approval the ordinance by the City Commission. The motion failed, due to a lack of a majority vote.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

Planning and Development Services

STAFF RECOMMENDATION PRESENTED BY:

Chris Bowley, AICP, Director of Planning and Development Services - Staff recommends the City Commission approve Ordinance No. 28-2015, rezoning the property at 3096 and 3108 Howland Blvd. from PB to C-1, at first reading, and to schedule second and final reading for December 14, 2015.

POTENTIAL MOTION:

"I hereby move to approve Ordinance No. 28-2015, rezoning property located at 3096 and 3108 Howland Blvd. from PB (Professional Business) to C-1 (Retail Commercial), at first reading, and to schedule second and final reading for December 14, 2015".

ORDINANCE NO. 28 – 2015

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICAL ZONING MAP PURSUANT TO CHAPTER 110, SECTION 1101 OF THE CITY CODE OF ORDINANCES FOR PROPERTY LOCATED AT 3096 AND 3108 HOWLAND BOULEVARD FROM PROFESSIONAL BUSINESS (PB) TO RETAIL COMMERCIAL (C-1) PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City has received an application to amend the zoning for two contiguous +/-1.0 acre parcels located at 3096 and 3108 Howland Boulevard from Professional Business (PB) to Retail Commercial (C-1); and

WHEREAS, the City of Deltona, Florida and its Land Planning Agency have complied with the requirements of the Municipal Home Rule Powers Act, sections 166.011 et. seq., Florida Statutes, in considering the proposed rezoning from PB to C-1; and

WHEREAS, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the C-1 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, FLORIDA, as follows:

Section 1. Located in the City of Deltona, Florida, the zoning for the following properties are hereby amended to C-1: Section 8, Township18 South, Range 31 East, East 200 Feet of West 1494.68 Feet of East 3/4 North of State Route 444 and Section 8, Township18 South, Range 31 East, East 200 Feet of West 1694.68 Feet of East 3/4 North of State Route 444, per OR 4834, Pages 3459-3460 per OR 6079 Page 4199 of the 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 Planning and Land Development Act, Sections 163.161 et. seq., Florida Statues, and the Municipal Home Rule Powers Act et. seq., Florida Statues.

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

Section 5. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2015.

FIRST READING: _____

ADVERTISED: _____

SECOND READING: _____

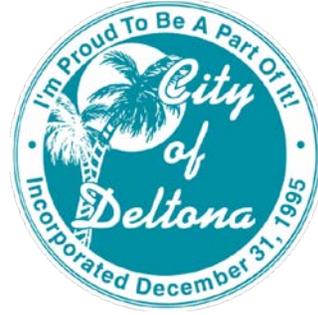
JOHN C. MASIARCZYK SR., MAYOR

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



Staff Report

To: Planning and Zoning Board

From: Scott McGrath, Planner II

Date: October 8, 2015

Re: Ordinance No. 28-2015, Amend the Official Zoning Map from Professional Business (PB) to Retail Commercial District (C-1) for 3108 & 3096 Howland Boulevard, File No. RZ 15-005.

A. Summary of Application:

Applicant: Sakina, LLC
P.O. Box 951382
Lake Mary, FL 32795

Request: The City has received an application to amend the Official Zoning Map from Professional Business (PB) to Retail Commercial District (C-1) for two contiguous lots in similar ownership fronting on Howland Boulevard near the intersection with Roseapple Avenue.

Tax Parcel No.: 8108-00-00-0025 & 8108-00-00-0026

Property Acreage: ± 2 Acres in total

Property Location: 3108 & 3096 Howland Boulevard

Legal Description: Section 8, Township18 South, Range 31 East, East 200 Feet of West 1494.68 Feet of East 3/4 North of State Route 444 and Section 8, Township18 South, Range 31 East, East 200 Feet of West 1694.68 Feet of East 3/4 North of State Route 444, per OR 4834, Pages 3459-3460 per OR 6079 Page 4199 of the Public Records of Volusia County, Florida.

B. Existing Zoning: Professional Business (PB)

C. Background:

The subject properties to be rezoned front on Howland Boulevard and are located near the intersection of Roseapple Avenue and Howland Boulevard. The property is generally located in the northwestern quadrant of the City east of Deltona High School near the Arbor Ridge neighborhood. The applicant is seeking the zoning amendment to broaden the permitted uses with the intent of encouraging development.

The existing zoning is Professional Business (PB). The purpose and intent of the PB zoning classification for this area was to establish a transitional zone between high volume streets and single family residential areas and between higher intensity development and single family residential areas. Permitted uses include barbers/beauty shops, banks, offices, including medical offices, and even multi-family residential townhomes. The PB zoning can be traced to the original Deltona Lakes Community Development Plan regulations (C. 1973). However, the current PB designation has been updated to account for more contemporary development expectations; an example is the multi-family townhome format allocation.

The proposed zoning is Retail Commercial District (C-1). The purpose of the C-1 zoning classification is to establish commercial development along high volume roads that are also compatible with nearby single-family residential areas. Permitted uses allowed within the C-1 tend to be neighborhood compatible and are intended to serve residential areas with a wide range of goods and services. Permitted activities within the C-1 include a scope of retail uses such as car washes, grocery stores, and convenience stores; service activities, including offices and banks are also allowed. The C-1 zoning does allow ample commercial opportunity, but the uses tend not to be as intensive as other commercial zonings, such as the C-2 or C-3 zoning districts. From a historical standpoint, the uses within the C-1, like the PB zoning, can be traced back to commercial allocations associated with the original Deltona Lakes Community Development Plan.

D. Support Information

Public Facilities:

- a. Potable Water: Volusia County Utilities
- b. Sanitary Sewer: Volusia County Utilities
- c. Fire Protection: City Fire Station 65
- d. Law Enforcement: Volusia County Sheriff's Office (VCSO)
- e. Electricity: Progress Energy

E. 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 Future Land Use Map designation for the property is Commercial. According to the Land Use/Zoning Matrix (Table 110-16), the proposed C-1 zoning is a preferred, compatible zoning classification that could be applied to the subject land. Therefore, the requested C-1 zoning is consistent with the Commercial land use category currently designated on the property and is consistent with the following provision:

Policy FLU1-7.20

Consistency of existing zoning on specific parcels of land shall be implemented by the Future Land Use Map. 9J-5.006(3)(c)(1)

In addition, there is recognition within the Comprehensive Plan that the City is underserved with commercial uses. Therefore, the Plan encourages the expansion of commercial uses within the City. See policy below:

Policy FLU1-7.26

The City shall seek to expand commercial, industrial and mixed-use development at appropriate locations.

However, land use compatibility is another theme of the City Comprehensive Plan. Since the property does abut residential areas compatibility is very important. Therefore, the City has well developed buffer requirements intended to provide physical, audio and visual separation between land uses. Such buffer requirements are consistent with the following policy:

Policy FLU1-7.8

Appropriate buffers and transition areas shall be utilized to ensure compatibility between residential areas and commercial and industrial developments in a manner that balances neighborhood protection and economic development goals. 9J-5.006(3)(c)(2)

2. Its impact upon the environment or natural resources.

The property is located within a developed, urban landscape that includes homes, roads, commercial activities, institutional uses, etc. Even though the property is undeveloped, the property is fragmented from other natural land and would not be considered suitable wildlife habitat for listed and non-listed wildlife. The property is not associated with suitable habitat for either gopher tortoises or scrub jays. (No evidence of either species was noted by City staff during field visits.) However, the property will be surveyed and in the very unlikely event that listed species are present, applicable permits will be obtained as required by the City land development regulations.

There are no wetlands on-site and the soils on-site are sandy, well drained and are classified as Apopka Fine Sand and Paola Fine Sand. These soils are suitable for urban development. According to the February 19, 2014, FEMA FIRM maps, none of the site is located within the 100-Year Flood Plain.

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

At this time, no development is planned for the site. The zoning amendment is to help enhance the marketability of the property. Therefore, the local economy would be unchanged in the short run.

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 rezoning does not involve residential entitlements and will not affect local schools.
- b. **Sewage Disposal:** Volusia County's Deltona North system will serve the site and there is capacity available.
- c. **Potable Water:** Volusia County's Deltona North system will serve the site and sufficient potable water capacity is available.
- d. **Drainage:** All site related stormwater runoff will be managed on-site, and will be constructed in accordance with the necessary requirements of the City's Land Development Code and other permitting agencies.
- e. **Transportation Systems:** The subject area fronts on a four lane road- Howland Blvd. Howland Blvd. is a major City thoroughfare. City regulations

typically require a traffic impact analysis (TIA) to be generated (by the applicant), but the City, administratively, has the ability to waive the TIA requirement, especially if the proposed use generates less than a 1,000 trips per day. Based on the fact that there was no use proposed as part of the rezoning, staff has waived the requirement for the applicant to submit a TIA as part of this rezoning request. When the property is developed under the site plan review process, the developer will, in all likelihood, be required to submit a TIA. However, the traffic implications of this rezoning will be analyzed by staff utilizing a hypothetical development format.

Both parcels in total account for about two acres of land. Logic would dictate, in light of contemporary commercial development formats and modern building regulations, that the property would be developed as a unified two acre site. A plausible development that could occur would be a small, one store deep, highway commercial center similar to the use located just to the west of this property that contains the Dunkin Donuts. A similar use as the Dunkin Donuts project would yield approximately 5,000 square feet of retail space. According to the ITE Manual a “specialty retail center” generates 44.32 daily trips per 1,000 square feet of gross leasable area. Therefore, a 5,000 square foot retail center on the site would generate 222 daily trips.

The segment of Howland Blvd. (Wolf Pack Run to Catalina Blvd.) where the property is located is a County road and currently, according to 2014 County traffic counts, operates at a level of service (LOS) of “C”. There are over 10,000 trips of excess capacity on the subject segment of Howland Blvd and enough capacity to support the commercial entitlements associated with the requested C-1 zoning.

5. Any changes in circumstances or conditions affecting the area.

Development activity in the area, partially in response to a new movie theater located in the nearby Deltona Activity Center, has begun to increase. RaceTrac has opened. Dunkin Donuts and ancillary leasable space has been built and occupied. Another phase of Arbor Ridge has been platted yielding an additional 78 lots. An automotive service use adjacent to the car wash has been proposed for land located to the south of the land proposed to be rezoned to C-1. Other businesses have expressed interest in the area. Therefore, development along Howland Boulevard has begun to advance illustrating a need for properly zoned properties.

6. Any mistakes in the original classification.

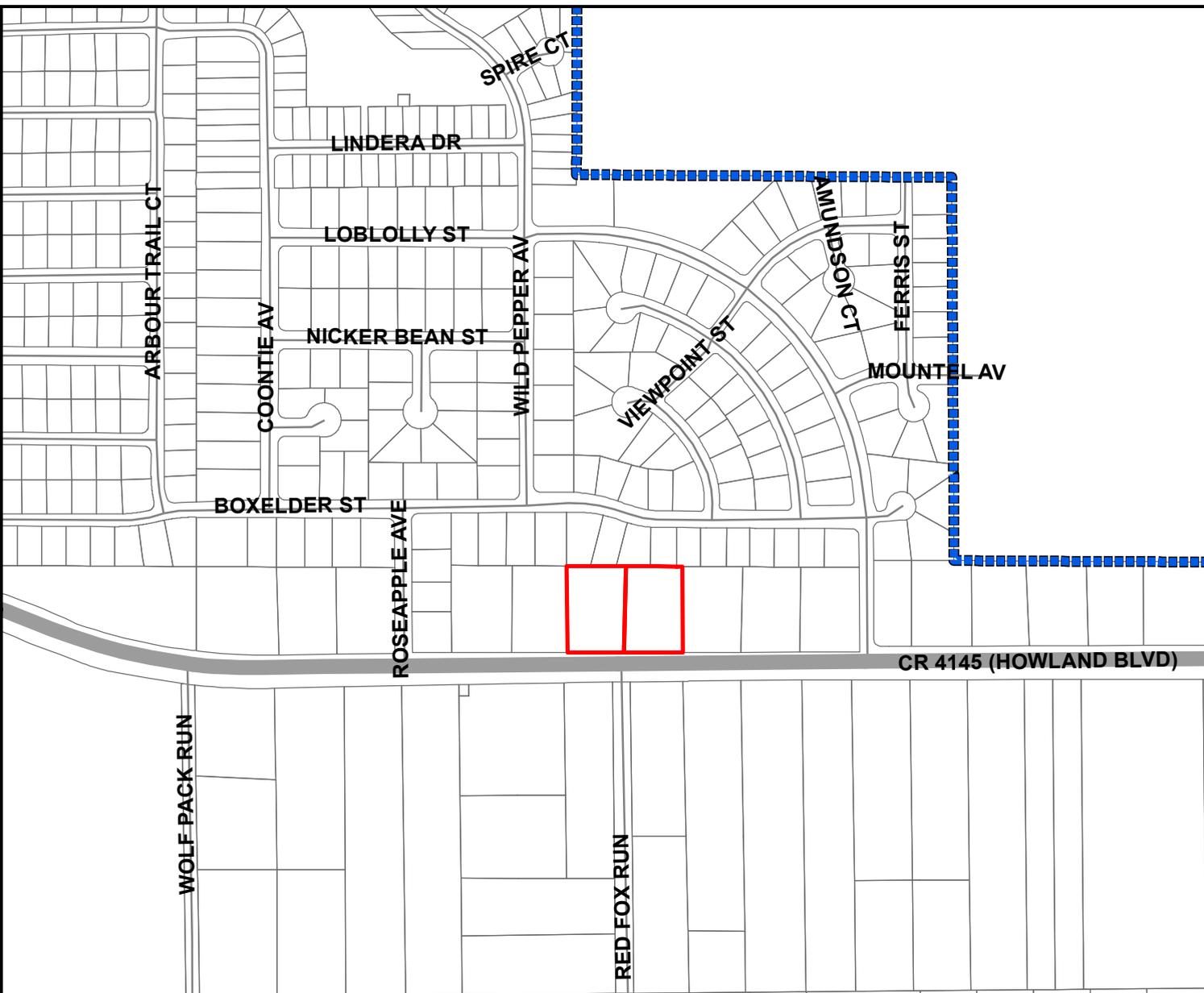
No known mistakes.

7. Its effect upon the public health, welfare, safety, or morals.

Staff finds that the change from Professional Business to C-1 will have no negative effects on the public health, welfare, safety or morals of the City.

CONCLUSION/STAFF RECOMMENDATION:

The City is underserved by commercial uses, and the proposed C-1 rezoning application will foster greater commercial opportunity within the City. Greater commercial opportunity will also help address the City's over reliance on a tax base dominated by residential uses. Promoting more commercial development and tax base diversification are long standing City goals. However, in the case of this rezoning application, these goals will not be furthered at the expense of land use compatibility. The requested C-1 zoning, like the PB, is neighborhood oriented and the C-1 is intended to serve and be compatible with residential areas. Other tools to ensure land use compatibility include, landscape buffers, floor area ratio and impervious surface limitations, setbacks, building orientation, etc. Finally, the proposed rezoning is consistent with the Comprehensive Plan and can be served by existing public infrastructure (roads, central water and sewer). Therefore, staff recommends that the Planning and Zoning Board recommend that the City Commission approve the rezoning application from PB to C-1.



LOCATION MAP



City Boundary
Subject Property



RED FOX DR



AERIAL PHOTO

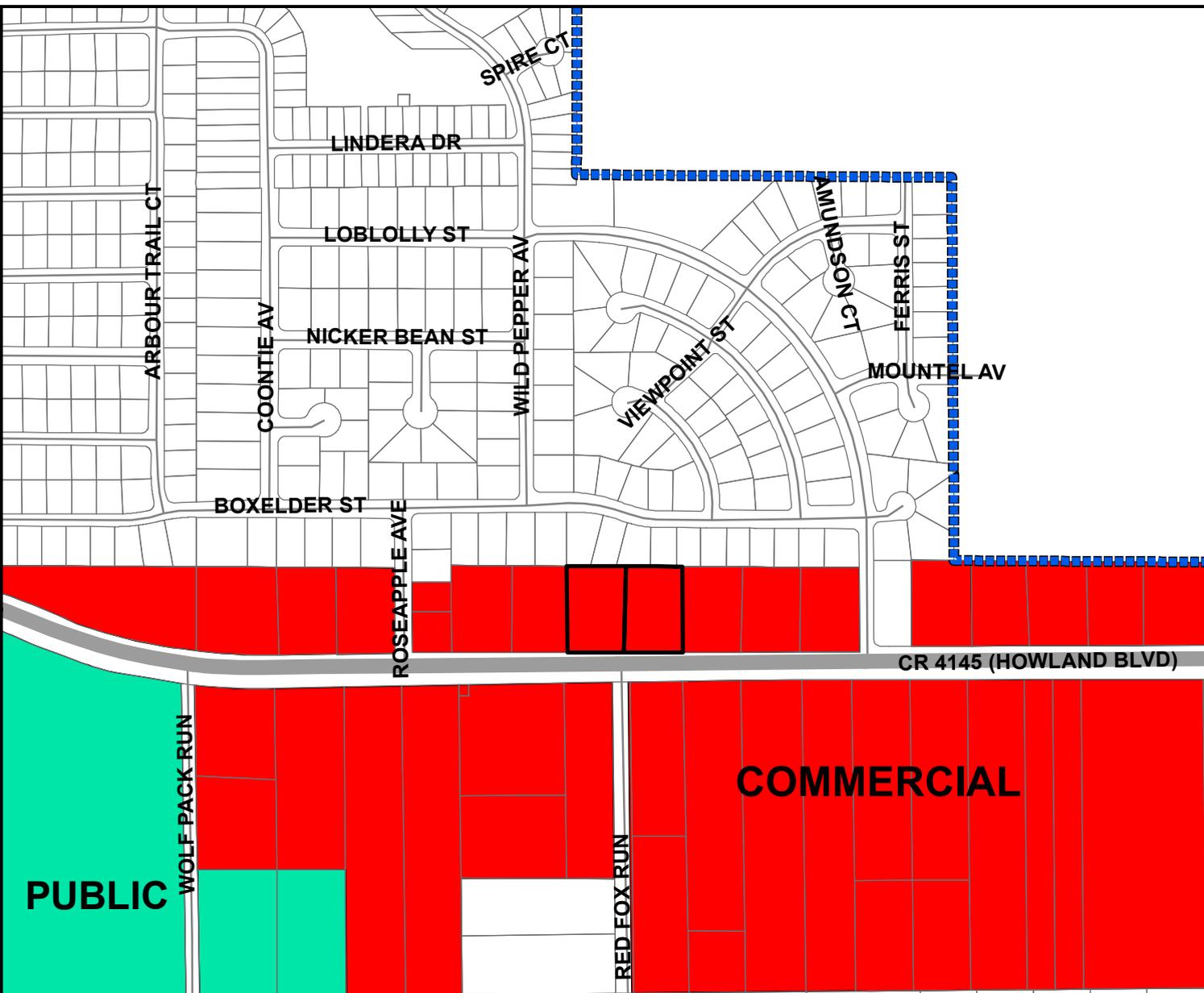
CR 4145 (HOWLAND BLVD)



City Boundary
Subject Property



RED FOX RUN



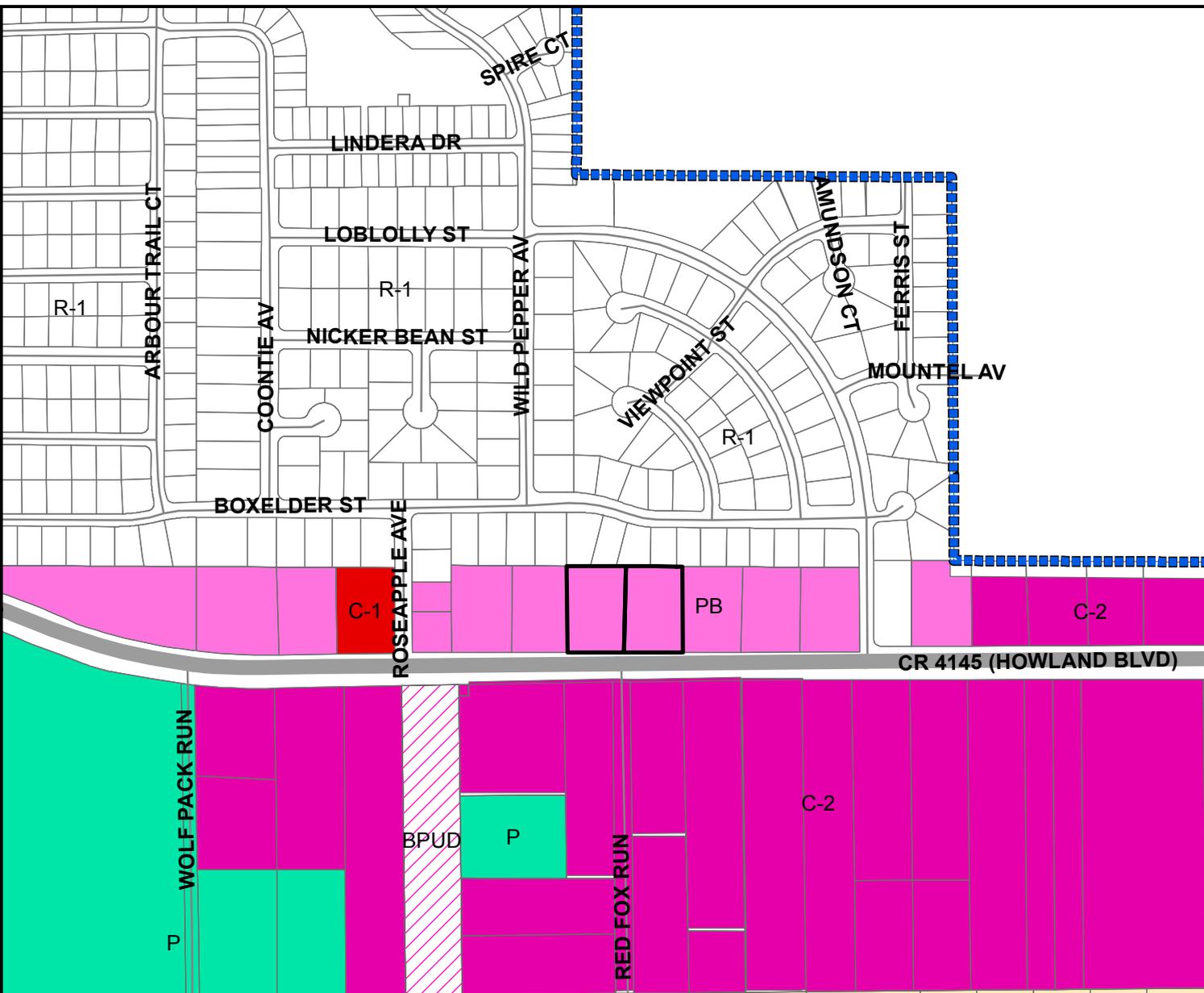
**FUTURE LAND
USE MAP**

 City Boundary
 Subject Property



**RESIDENTIAL
LOW DENSITY**

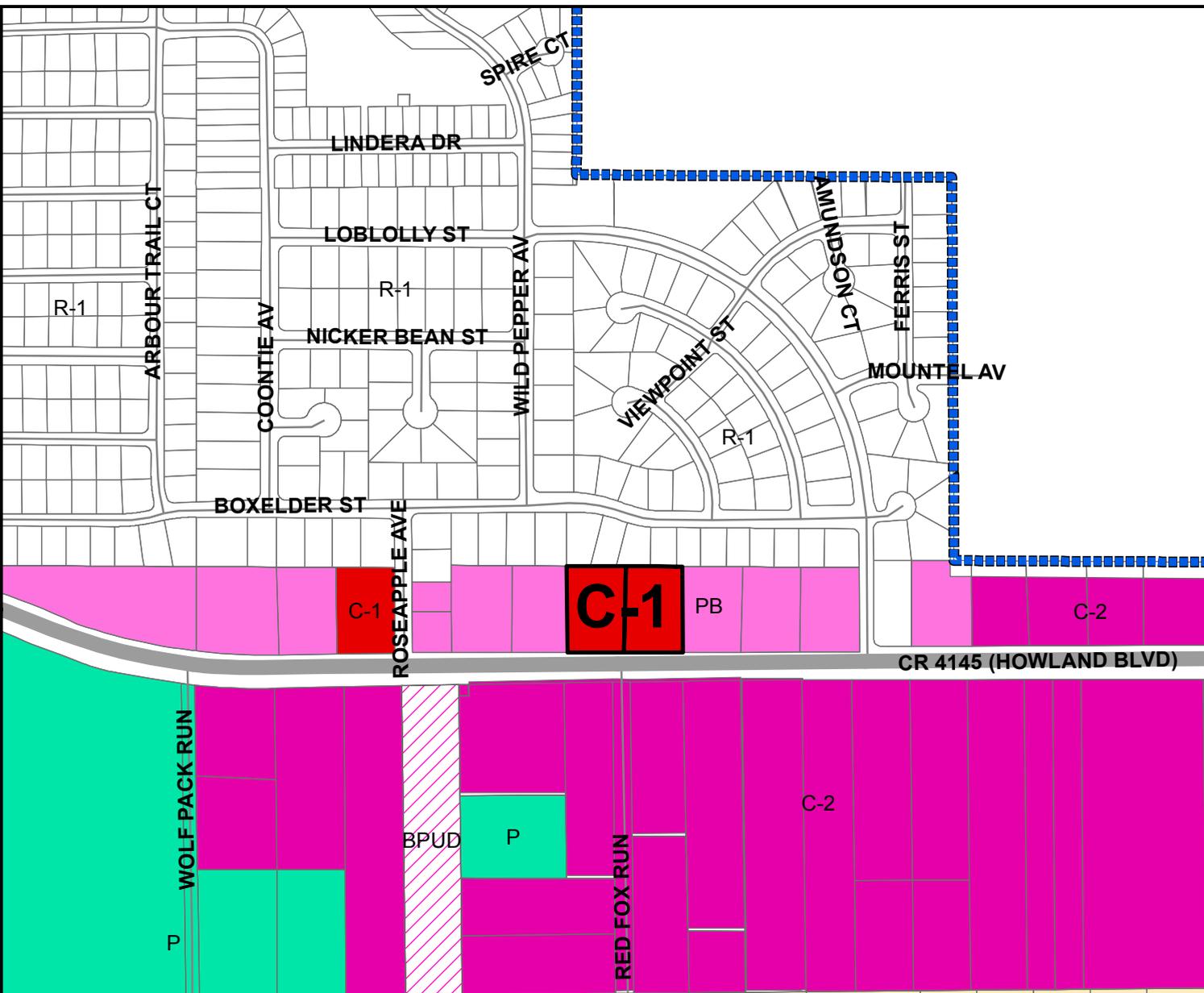
RED FOX DR



ZONING MAP

-  City Boundary
-  Subject Property



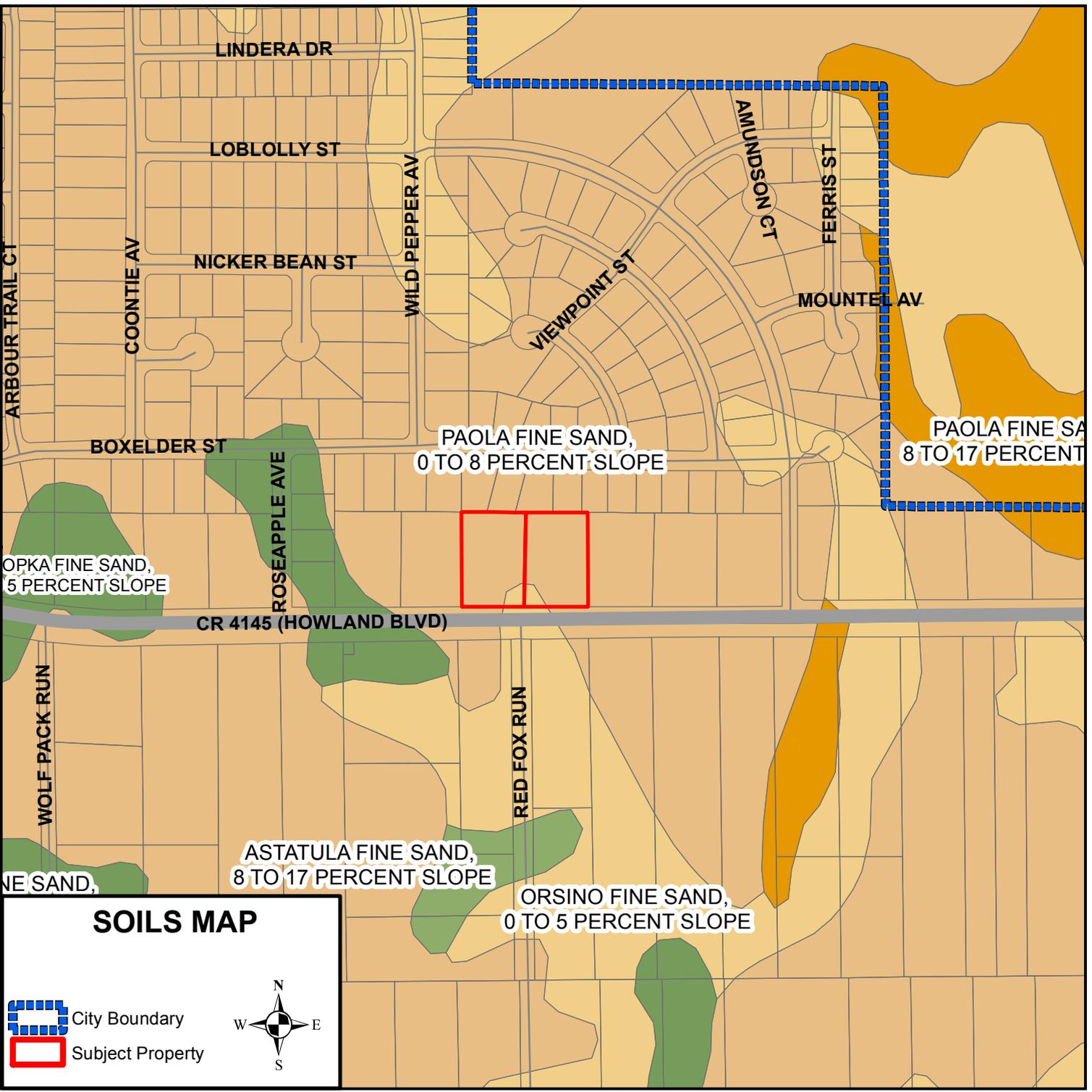


PROPOSED ZONING MAP



City Boundary
Subject Property



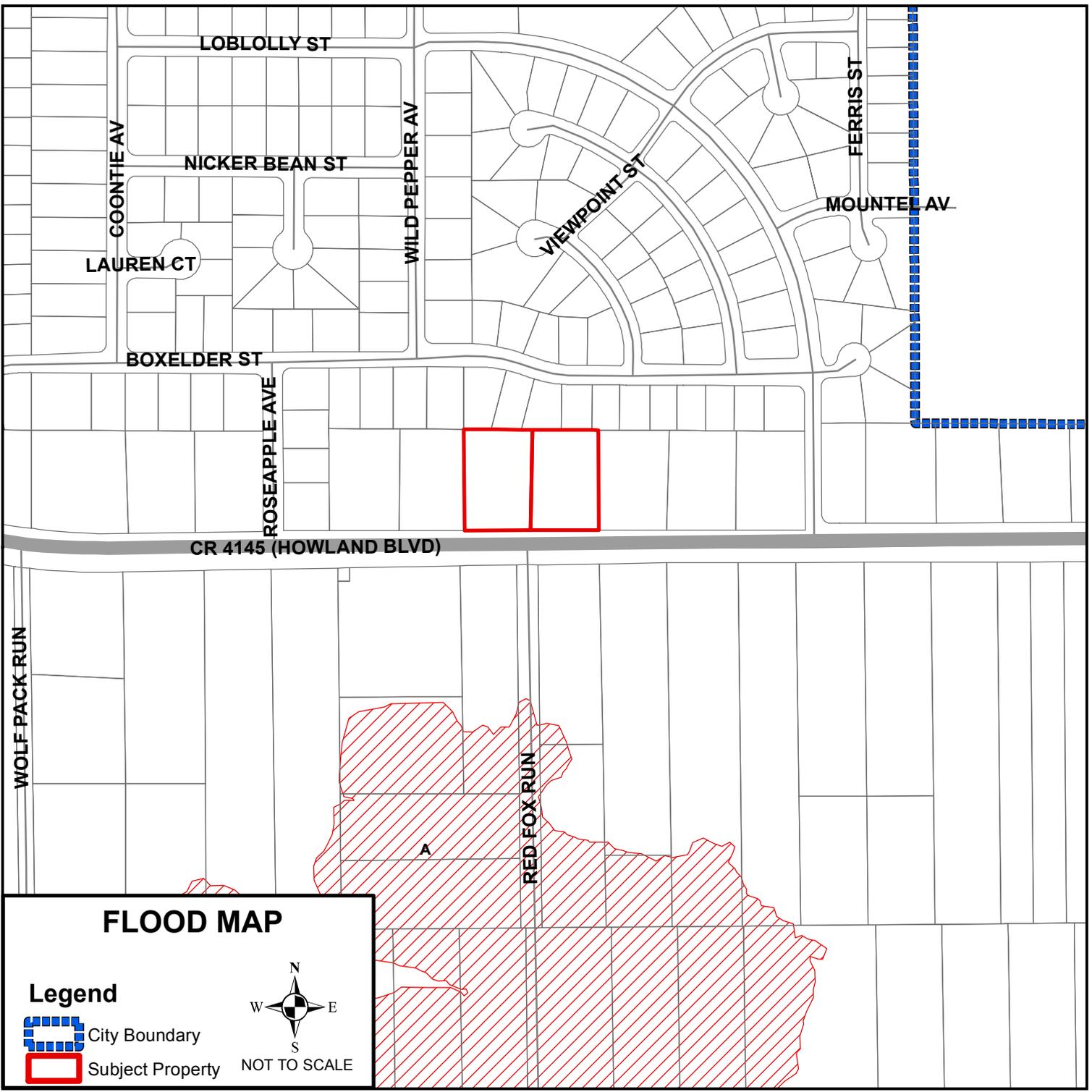


SOILS MAP

 City Boundary

 Subject Property





LOBLOLLY ST

NICKER BEAN ST

LAUREN CT

BOXELDER ST

COONTIE AV

WILD PEPPER AV

VIEWPOINT ST

FERRIS ST

MUNTE AV

ROSEAPPLE AVE

CR 4145 (HOWLAND BLVD)

WOLF PACK RUN

RED FOX RUN

A

FLOOD MAP

Legend



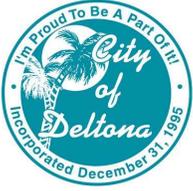
City Boundary



Subject Property



NOT TO SCALE



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 9 - C

SUBJECT:

Public Hearing - Resolution No. 2015-38, Extending the Pilot Trap, Neuter, Release Program - Dale Baker, Deputy City Manager (386) 878-8852.

LOCATION:

Citywide

BACKGROUND:

On November 3, 2014 the City Commission of the City of Deltona authorized a Pilot Trap, Neuter and Release (TNR) program to address concerns about feral cats in Deltona.

Ordinance No. 31-2014 authorizes the pilot TNR program and the City Manager was directed to report the results of the program to the Commission after the program had been fully operational for one (1) year.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

Deputy City Manager

STAFF RECOMMENDATION PRESENTED BY:

Dale Baker, Deputy City Manager - Staff recommends that the Commission adopt Resolution No. 2015-38.

POTENTIAL MOTION:

"I move to approve Resolution No. 2015-38, extending the pilot Trap, Neuter, Release Program for an additional three (3) years."

ORDINANCE NO. 31-2014

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, ADDING ARTICLE VII, "TRAP, NEUTER, RELEASE PROGRAM, OF CHAPTER 14, "ANIMALS", PROVIDING FOR A ONE YEAR PILOT PROGRAM FOR TRAP, NEUTER AND RELEASE OF FERAL CATS, PROVIDING FOR CONFLICTS, SEVERABILITY AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. A new Article VII, "Trap, Neuter, Release Program", of Chapter 14, "Animals", of the Code of the City of Deltona, Florida is adopted to read as follows:

ARTICLE VII. TRAP, NEUTER, RELEASE PROGRAM

Sec. 14-280. – Authorization of Trap, Neuter, Release Program.

The City Manager of the City of Deltona is hereby authorized to institute a pilot trap, neuter and release program to address concerns about feral cats in Deltona. The City Manager is directed to report the results of such pilot program to the City Commission after the program has been fully operational for a one year term. Any provision of Chapter 14 that is found by the City Manager to be contrary to the specific requirements of such pilot program shall be deemed not enforceable during such pilot program and any extension thereof authorized by the City Commission.

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. 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.

Certified

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS 3rd DAY OF November, 2014.

FIRST READING: 10.20.14

ADVERTISED: 10.23.14

SECOND READING: 11.3.14

BY: John C. Masiarczyk Sr.
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

Joyce Raftery
JOYCE RAFTERY, City Clerk

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

Gretchen R. H. Vose
GRETCHEN R. H. VOSE, City Attorney

NAME	YES	NO
BARNABY		
DENIZAC	✓	
HERZBERG	✓	
LOWRY-BELLIZIO	✓	
MASIARCZYK	✓	
NABICHT	✓	
SCHLEICHER	✓	

STATE OF FLORIDA
COUNTY OF VOLUSIA
This is to certify that the foregoing is a true and correct copy of Ordinance No. 31-2014 witness my hand and official Seal this 21st day of November 2014

Joyce Raftery
Joyce Raftery, CMC
City Clerk, City of Deltona, Florida



Office of the Deputy
City Manager

Dale Baker, Deputy CM

MEMORANDUM

To: Jane Shang, City Manager
Date: October 13, 2015
Subject: TNR PROGRAM

On November 3, 2014 the Commission adopted Ordinance No. 31-2014 which authorized a one-year pilot program for trap, neuter and release (TNR) to deal with the current feral cat problem in Deltona.

As part of the program the City Manager was directed to report the results of the pilot program to the Commission after it had been fully operational for a term of one (1) year.

During the past twelve (12) months:

- We have reduced our trap request for nuisance cats by 121 request; 349 last year to 228 this year.
- We have reduced our cat impounds by 397 cats; 1,169 last year to 772 this year.
- Through a grant Halifax Humane Society (HHS) has provided free spay/neuter surgeries for 806 feral cats living in Deltona.
- Under the conditions of the grant HHS will be able to sterilize approximately 500 more feral cats within the next 12 months bring our total to approximately 1306.
- We have established a working relationship with one of our local veterinarians to provide low cost spay/neuter surgeries for our TNR program which has spayed/neutered an additional 52 cats. This program was funded by Concerned Citizens for Animal Warfare.
- Just this week we have brought an addition veterinarian office onboard to also provide low cost surgeries.
- Any nuisance cat captured by animal control that has a tipped ear showing it is part of a TNR colony is given to one of the volunteers/caregivers and placed in a colony vice impounding at one of the humane societies.
- Our impound cost were reduced by approximately \$34,000.00.
- In late September we started referring all nuisance cat trap request to our volunteers/caregivers and they make contact with the complainant and attempt to resolve the cat problem. This will hopefully eliminate staff from setting any nuisance cat traps resulting in a further savings in manpower and impound fees.

In summary, I believe the program will be a success. It has been a work in progress and we are still making improvements which should result in additional savings.

I would recommend we continue the program for an additional three (3) years to further study ways to reduce the number of cats impounded and get a better understanding of how much further we can reduce our cost.

If approved for the additional three (3) years, I plan on the following:

- Establish a holding facility for the feral cats pre/post-surgery.
- Attempt to acquire additional grant funding for free/low costs spay/neuter surgeries.
- Utilize the savings in impound fees to help offset low cost surgeries.
- Educate and get more citizens to become volunteers/caregivers.

RESOLUTION NO. 2015-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, EXTENDING THE PILOT PROGRAM FOR TRAP, NEUTER, RELEASE OF FERAL CATS FOR AN ADDITIONAL YEAR PURSUANT TO ORDINANCE NO. 31-2014; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Deltona needs additional time to evaluate the effectiveness of the trap, neuter, release program pertaining to feral cats;

WHEREAS, the City of Deltona desires to stop unnecessary euthanasia and save money regarding feral cats. The Trap, Neuter, Release (TNR) program does this.

WHEREAS, an additional one year should provide sufficient time to evaluate the effectiveness of such program.

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

Section 1. The City Manager is hereby directed to extend the TNR program for an additional three (3) year period and to report the results of the program at the end of this period.

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

PASSED AND RESOLVED this _____ day of _____, 2015, by the City Commission of the City of Deltona, Florida.

BY: _____
JOHN MASIARCZYK, SR., Mayor

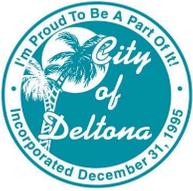
City of Deltona, Florida
Resolution No. 2015-38
Page 2 of 2

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 and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 9 - D

SUBJECT:

Public Hearing - Resolution No. 2015-39, Request for a Granny Flat to be located at 925 Dandridge Drive - Chris Bowley, AICP, Planning and Development Services (386) 878-8602.

LOCATION:

925 Dandridge Dr., generally located north of Anderson Dr. and east of W. 9th St.

BACKGROUND:

The proposal is to construct a stand-alone ±915 SF granny flat for family members at the above referenced address and the living area of the granny flat will not exceed 822 SF, with the remainder of the granny flat to be used for storage and non-livable area. The property is currently developed with a single-family home (±2,350 SF) on a large corner lot of ±0.34 acres. Also, Land Development Code Sec. 110-817(g) provides criteria to help determine if a proposed granny flat is appropriate at this location. The criteria and analysis is provided as follows:

- 1) *Minimum Lot area required: 7,500 SF.* The lot proposed for the granny flat is an oversized lot for the Deltona Lakes Plat at ±15,000 SF.
- 2) *Be used to house immediate family members or domestic help/caregivers.* The granny flat is to be used as a home for an immediate family member. Limiting the use of this facility for a family member is consistent with this provision and will be done through a declaration of agreement.
- 3) *Shall contain a minimum of 400 SF of living area, but shall not be greater than 35% of the gross floor area of the principal dwelling unit.* The proposed granny flat is ±915 SF, which is above the 400 SF minimum size; and meets this criteria. This provision will be implemented during the building permit process.
- 4) *Shall have all utility services provided by a common meter with the principal dwelling.* The intent of this provision is to ensure that the granny flat is maintained as a secondary use and will only be used for immediate family members, as is going to be pledged by the applicant.
- 5) *Shall not have a separate driveway.* The proposed use will not have a separate driveway. As with the utility service provision, this criterion is intended to maintain the proposed granny flat as supplemental to the principal dwelling unit.
- 6) *Shall not be assigned a separate address.* As with other criteria, this section will further the goal of the proposed granny flat being a secondary use on the property. The flat will not be given a separate address, as the Planning Department is responsible for addressing of property and a

notation will be made for this and other proposed granny flats to keep the parent parcel address.

7) *All granny flats approved will be subject to a declaration of use agreement between the owner and City stipulating, at a minimum, the nature of the occupancy and granting the City the right to inspect the premises in a reasonable manner.* The applicant has agreed to this condition. If the Conditional Use is approved, the City and applicant will enter into a declaration of use agreement.

A portion of the 925 Dandridge Dr. site is included within the 100-year floodplain. Initially, the flat was proposed to be located within the floodplain area of the property and has been relocated in design to be completed located outside of it. Finally, on October 21, 2015, the Planning and Zoning Board heard the Conditional Use request and voted unanimously to recommend that the City Commission approve the subject granny flat Conditional Use application.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

Planning and Development Services

STAFF RECOMMENDATION PRESENTED BY:

Chris Bowley, AICP, Director, Planning and Development Services - Staff recommends the City Commission approve Resolution No. 2015-39, approving a granny flat to be located at 925 Dandridge Dr.; consistent with the provisions of Section 110-817(g) and that the granny flat be located outside of the 100 year floodplain.

POTENTIAL MOTION:

"I move to approve Resolution No. 2015-39, approving a granny flat to be located at 925 Dandridge Dr.; consistent with the provisions of Section 110-817(g) and that the granny flat be located outside of the 100 year floodplain."

RESOLUTION NO. 2015-39

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, GRANTING A CONDITIONAL USE TO CONSTRUCT A GRANNY FLAT WITHIN AN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, FOR THE PROPERTY LOCATED AT 925 DANDRIDGE DRIVE, WITHIN THE CITY OF DELTONA; PROVIDING FOR CONDITIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jerald and Donna Mayes have submitted an application for Conditional Use, CU15-003, to construct a granny flat within an R-1, Single Family Residential zoning district; and

WHEREAS, in accordance with Section 110-1102 Deltona City Code of Ordinances, the City of Deltona held a public hearing after due public notice to review the proposed Conditional Use Application, Project No. CU15-003.

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

Section 1. Conditions of approval. In accordance with the City of Deltona Code of Ordinances, Section 110-1102, the Deltona City Commission hereby grants a Conditional Use, CU15-003, for the construction of a granny flat at 925 Dandridge drive, subject to the following Conditions of Approval:

1. The granny flat shall not have a separate drive way or address.
2. Can be used only for family members
3. Have utility services provided by a common meter with the principal dwelling
4. Subject to a declaration of use agreement between the owner and the City stipulating at a minimum the nature of the occupancy and granting the City the right to inspect the premises in a reasonable manner.

Section 2. Effective Date. This Resolution shall become effective immediately upon its adoption and is valid for a period not to exceed twenty four (24) months from the date of adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS _____ DAY OF _____ 2015.

BY: _____
JOHN MASIARCZYK, SR., Mayor

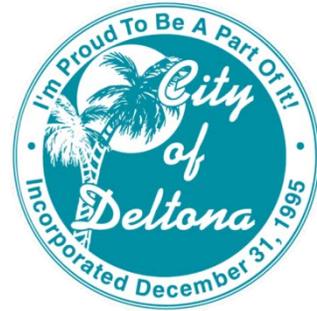
ATTEST:

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

Staff Report



To: Planning and Zoning Board

From: Ron A. Paradise, Assistant Director, Planning and Development

Date: October 21, 2015

Re: Resolution No. 2015-39, Conditional Use Approval for a Granny Flat, File No. CU 15-003

A. Summary of Application:

Applicant:

Donna and Jerald Mayes

Request:

Conditional Use approval for a Granny Flat

Tax Parcel No.: 8130-66-15-0040

Property Acreage: +/- 0.34 Acre

Property Location: The 925 Dandridge Drive site is located in the southwestern section of the City near the City's 122 acre water infiltration and reuse complex.

Legal Description: Lot 4 Blk 1740 Deltona Lakes Unit 66 MB 28 PGS 124 to 127 Inc Per OR 2585 PG 0246

B. Existing Zoning:

1. **Subject Property:** R-1 Single Family residential
2. **Adjacent Properties:**
 - North:** R-1 Single Family residential
 - South:** R-1 Single Family residential
 - East:** R-1 Single Family residential
 - West:** R-1 Single Family residential

C. Background:

The proposal is to construct a stand-alone 915 square foot granny flat to be used for a family member. The property is currently developed with a single-family dwelling featuring 2,351 gross square feet.

D. Matters of Consideration for this Conditional Use:

Section 110-1102, Code of City Ordinances, states that the City shall consider the following matters when reviewing applications for Conditional Use:

1. Is the proposed use consistent with the intent of this chapter of the Land Development Code?

In 2013 the City Commission added provisions into the zoning regulations of the Land Development Code that expanded the ability to seek a granny flat or ancillary dwelling on an already developed lot. As part of the 2013 revision, criteria were added to the Land Development Code under Sec. 110-817(g). Sec. 110-817 (g) articulates seven criteria intended to manage and guide the development of granny flats within the City. The seven criteria are analyzed as follows:

1) *Minimum Lot area required: 7,500 square feet.*

The lot proposed for the granny flat can be described as an oversized lot for the Deltona Lakes Plat consisting of almost 15,000 square feet.

2) *Be used to house immediate family members or domestic help/caregivers.*

The granny flat is to be used as a domicile for an immediate family member. Circumscribing the use of this facility as consistent with this provision will be done through a declaration of agreement illustrated in criterion number seven.

3) *Shall contain a minimum of 400 square feet of living area but shall not be greater than 35% of the gross floor area of the principal dwelling unit.*

The proposed granny flat is 915 gross square feet – well over the 400 square foot minimum size. The gross floor area of the primary structure is 2,351 square feet. The 915 square foot overall footprint of the granny flat represents a gross floor area not living area. Living area is generally described as area under heat and air, i.e. climate controlled. While a granny flat foot print can be larger than the 35% requirement, maybe to accommodate a garage, the living area can be no less than the aforementioned 35%. Therefore, the subject granny flat cannot be associated with more than 822 square feet of living area. The applicant has designed the facility to feature 811 square feet of living area. The balance will be considered non-climate controlled storage. This provision will be implemented during the building permit process.

4) *Shall have all utility services provided by a common meter with the principal dwelling.*

The intent of this provision is to ensure that the granny flat is maintained as a secondary use and will only be used for immediate family members as is going to be pledged by the applicant.

5) *Shall not have a separate driveway.*

The proposed use will not be associated with a separate drive. As with the utility service provision, this criterion is intended to maintain the proposed granny flat as supplemental to the principal dwelling.

6) *Shall not be assigned a separate address.*

As with other criteria, this section will further the goal of the proposed granny flat being a secondary use on the property. Providing mailing addresses in the City is the responsibility of the Planning and Development Services Department. There will be a data base notation created associated with the parent parcel to deny any request for separate addressing at the site.

7) *All granny flats approved will be subject to a declaration of use agreement between the owner and City stipulating, at minimum, the nature of the occupancy and granting the City the right to inspect the premises in a reasonable manner.*

The applicant has agreed to this condition. If the Conditional Use is approved, the City and applicant will enter into a declaration of use agreement.

2. Is the proposed use consistent with the elements of the Comprehensive Plan?

The City Comprehensive Plan indicates that the City shall “provide” for granny flats in residential areas. See below policy:

Policy FLU1-8.6

The City shall provide for granny-flats, mother-in-law suites, and accessory apartments in residential areas, and for ensuring the availability of housing types appropriate to various age and needs groups, including families with children, multi-generational households, young and/or single adults, empty nesters, and senior citizens.

The proposed Conditional Use application is located within a residential area, will be used by a family member, and will adhere to all zoning setback requirements.

3. Will the proposed use adversely affect the public interest?

The development proposal is limited to one lot within an established residential area. The proposed Conditional Use on the property will not change the residential character of the area and therefore, not be contrary to public interest.

4. Can the applicant meet the expressed requirements of applicable City Conditional Use regulations?

As discussed in Section 1, all conditions and requirements cited in the City Code will be met.

5. Will the applicant be able to meet all federal, state, or local government requirements?

Improvement of the property associated with the request, if approved, will be subject to the City building permit process. Consistency with applicable regulation will be ensured during the building permit process.

6. Will the proposed use generate undue traffic congestion?

The granny flat, while representing another dwelling on an individual property will be limited to family member use. The traffic generated by the proposed granny flat could be identical to traffic rates associated with a large square foot home providing shelter for a large family. It is quite common that larger families have more than two household drivers.

7. Will the proposed use create a hazard, public nuisance or be dangerous?

The proposed granny flat will not be associated with any public hazards, nuisances or dangers.

8. Will the proposed use materially alter the character of surrounding neighborhoods or adversely affect the value of surrounding land, structures, or buildings?

The proposed granny flat is a residential use and represents a logical addition to a residential area. The surrounding neighborhood will be safeguarded by the fact that the proposed granny flat will be a supplemental use; not have stand-alone metering or access; and the occupancy of the structure will be limited to family members. To ensure the long term implementation of the aforementioned conditions, the City will have the right to reasonably inspect the property. In addition, the project will be subject to aesthetic requirements (sec. 110-827) that will require that the granny flat be designed and treated (roof lines, exterior finish, etc.) to match the principal structure on the lot.

9. Will the proposed use adversely affect the natural environment, natural resources or scenic beauty, or cause excessive pollution?

The property is developed and is located in an established neighborhood. There are no natural vegetative communities or wildlife habitat areas associated with the property. However, a small portion of the property that accounts for about 2,400 square feet is located within the 100 year floodplain. The floodplain area on the property is situated in the western portion of the lot. In the field, there are no obvious signs of flooding but there is a noticeable declivity from east to west where the floodplain is located. According to site plan material submitted to the City as part of the Conditional Use application, the granny flat was proposed to be located within the floodplain area of the lot. However, there is ample room on the lot not encumbered by the floodplain to locate the granny flat. The floodplain situation has been discussed with the applicant and the applicant has agreed to move the proposed granny flat out of the floodplain. The City has comprehensive floodplain management rules. The goal of directing development and investment away from floodplain areas is consistent with City floodplain management efforts and the following Comprehensive Plan policy:

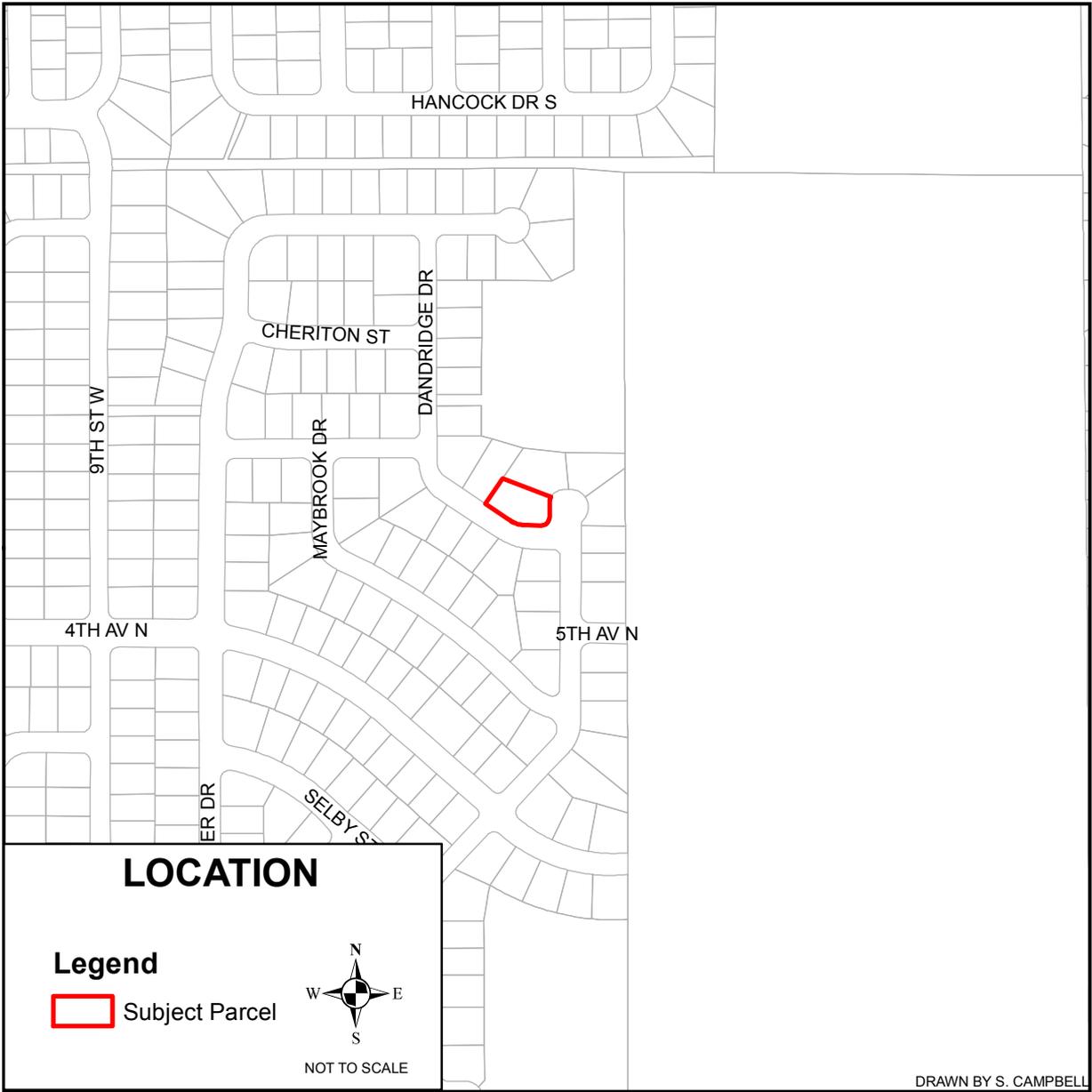
Policy FLUI-4.2

The City shall discourage development within any known flood plains as identified by the best available data, such as FEMA flood maps.

Conclusion/Staff Recommendation:

Granny flats are considered residential uses and, conditionally, would be appropriate within a residential neighborhood associated with detached dwellings on individual lots. The proposed granny flat located at 925 Dandridge Dr., as proposed, is clearly subordinate and incidental to the primary principal use on the property – single-family dwelling unit. In addition, the proposed structure is appropriately located and sized to comply with applicable City requirements and would therefore be compatible with the surrounding neighborhood. Finally, a relocation of the proposed structure out of the 100 year floodplain would be consistent with City floodplain regulations and policies.

Staff recommends that the Planning and Zoning board recommend that the City Commission approve the request conditioned on all of the parameters of Sec. 110-817(g) being met and the proposed improvement be located outside of the 100 year floodplain.



HANCOCK DR S

CHERITON ST

DANDRIDGE DR

MAYBROOK DR

9TH ST W

4TH AV N

5TH AV N

ER DR

SELBY ST

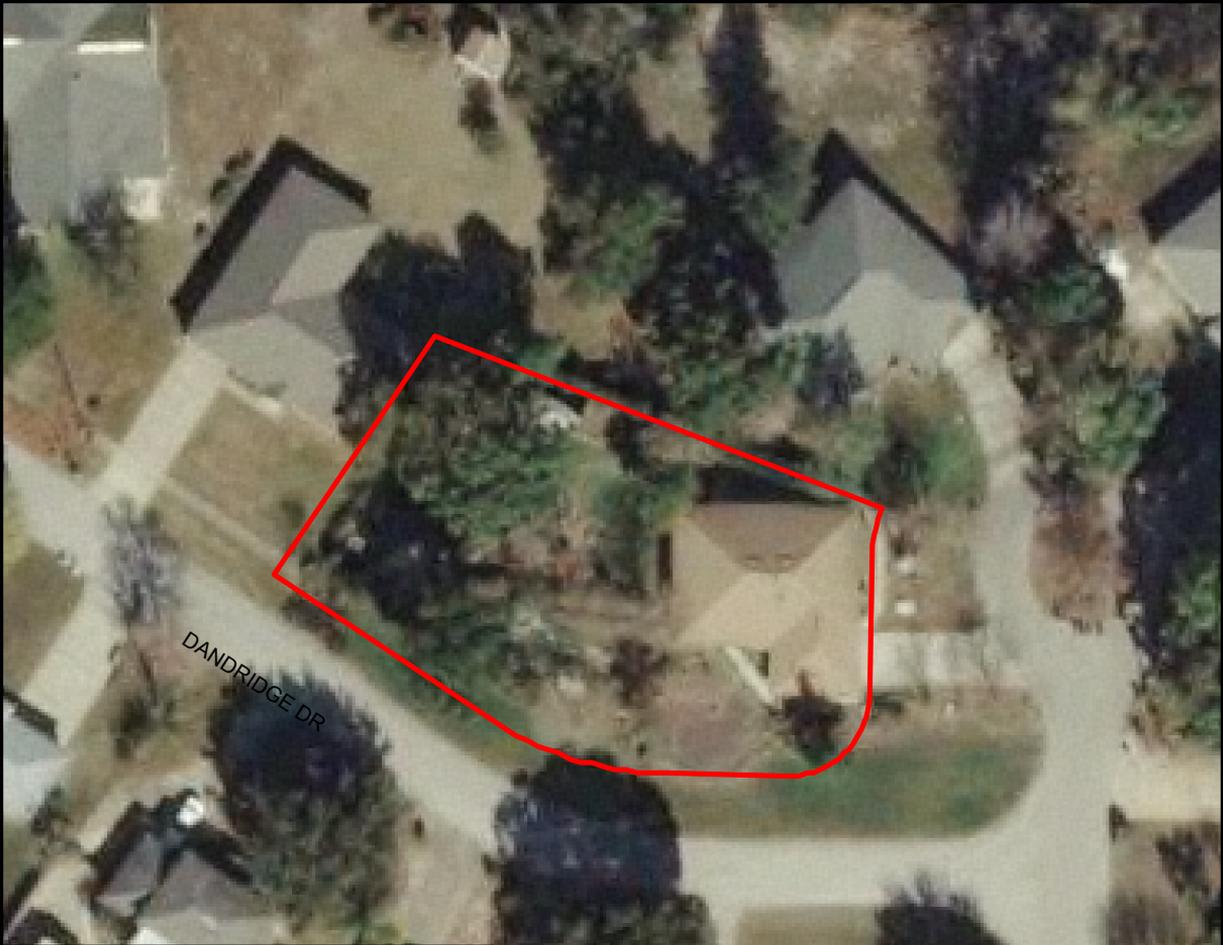
LOCATION

Legend

 Subject Parcel



NOT TO SCALE



DANDRIDGE DR

WESTLINE AV

AERIAL PHOTO

Legend

 Subject Parcel



NOT TO SCALE



PUBLIC

**RESIDENTIAL
LOW DENSITY**

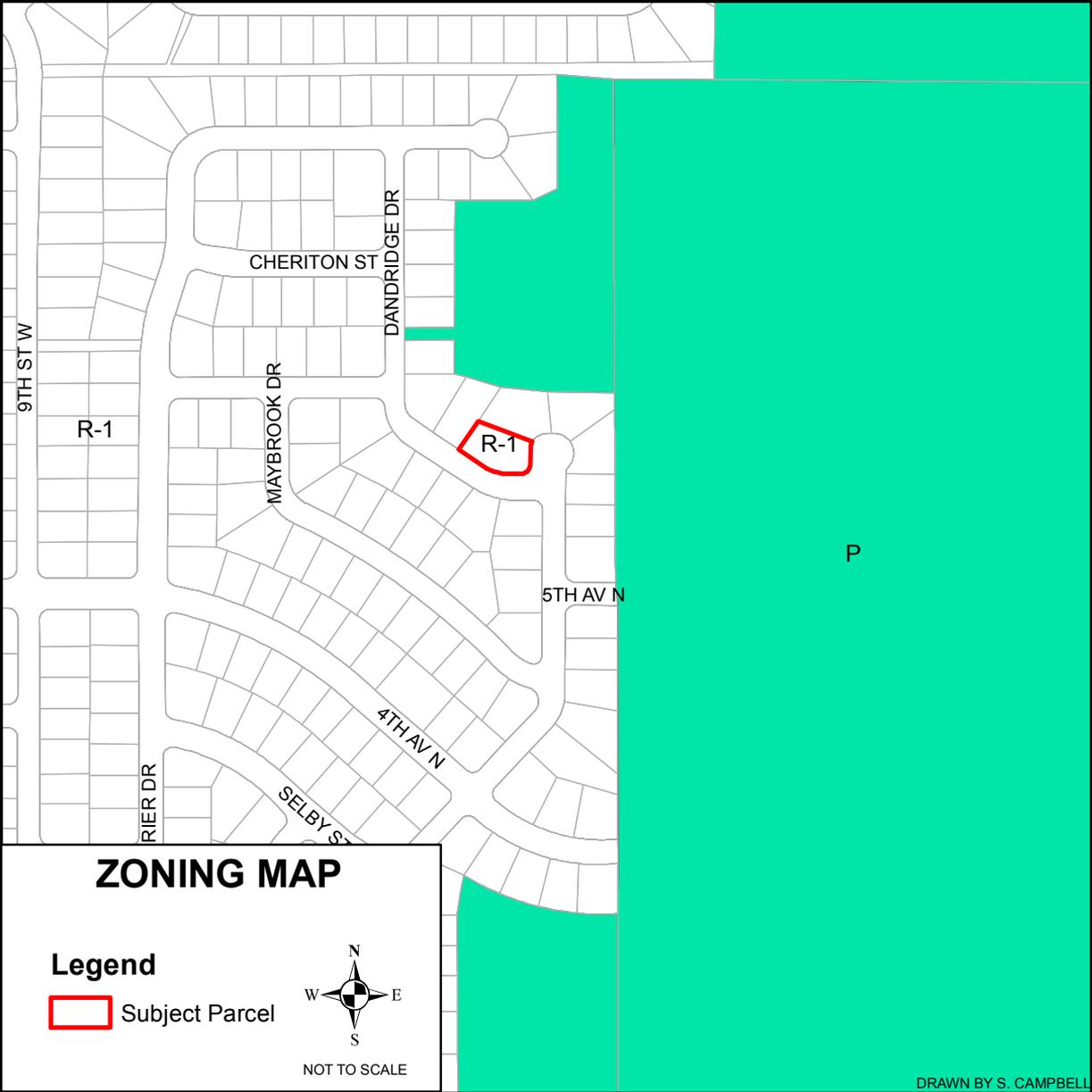
**FUTURE LAND
USE MAP**

Legend

 Subject Parcel



NOT TO SCALE



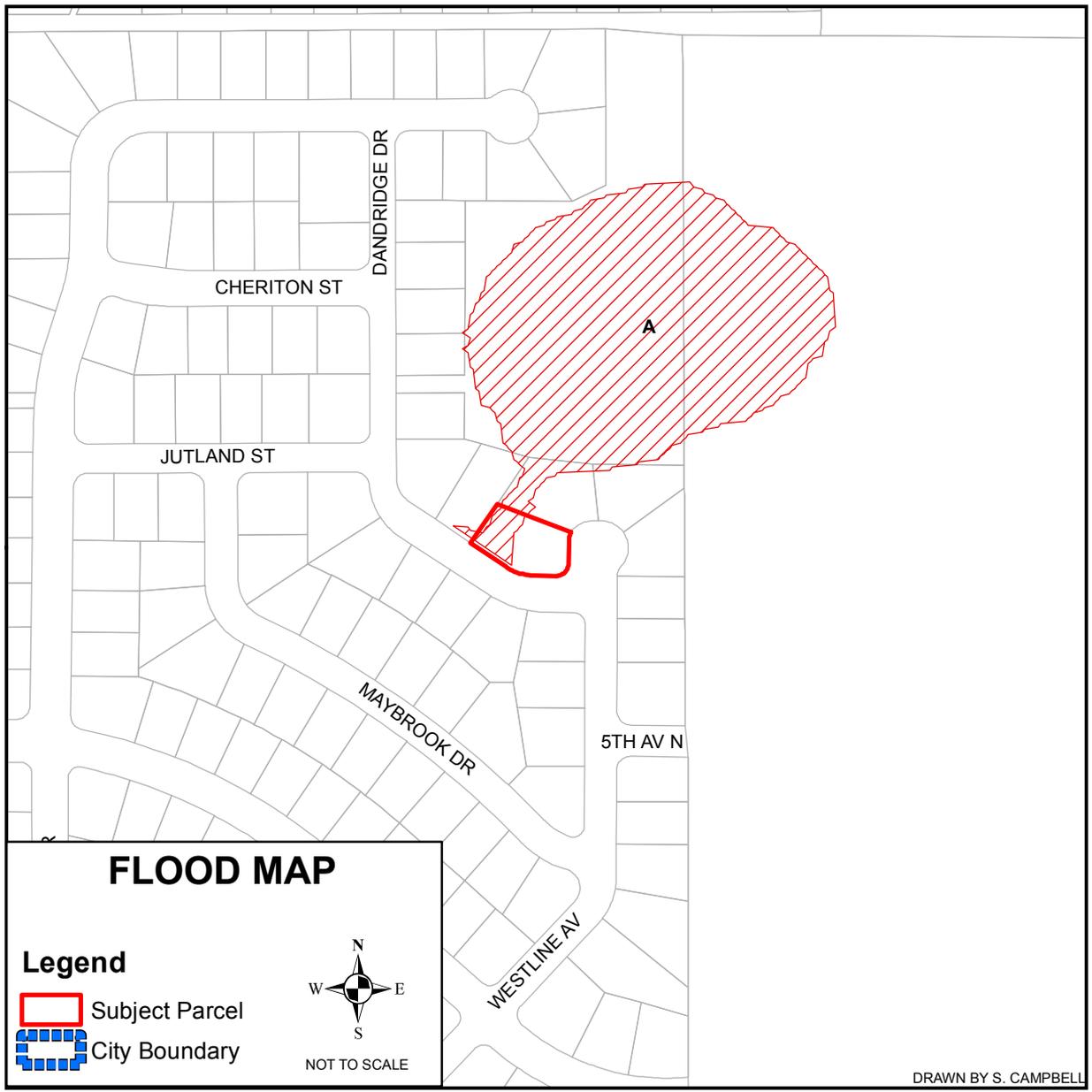
ZONING MAP

Legend

 Subject Parcel



NOT TO SCALE



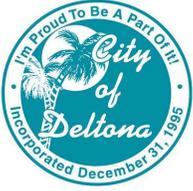
FLOOD MAP

Legend

-  Subject Parcel
-  City Boundary



NOT TO SCALE



Agenda Memo

TO: Mayor and Commission

AGENDA DATE: 11/2/2015

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 10 - A

SUBJECT:

Presentation of the Thornby garden development project and approval of survey cost- Vice Mayor Schleicher, (386) 878-8860.

LOCATION:

Thornby Park

BACKGROUND:

At the Regular City Commission Meeting held on May 4, 2015, Vice Mayor Nancy Schleicher informed the Commission with regards to the Deltona garden development project all the guidelines will be met for the historical educational recreational and environmental (H.E.R.E.) parameters.

At the October 12, 2015 Commission Workshop, the Commission approved support for the entire project, including the projected costs for all three venues (Natural Gardens, Children's Garden, Fort Kingsbury replica). The Commission also directed staff to obtain information regarding the cost for an updated land survey for the Thornby Property.

An inquiry if existing information on file (topographic map overlays) would suffice in lieu of the survey has been sent to the St. Johns River Water Management District.

Pending a response from the SJRWMD-and as an unbudgeted expenditure-upon approval to update the land survey, a budget amendment in the amount of \$3,500 for the General Fund fund balance to the Parks Projects Fund will be needed.

COST:

\$3,500.00

SOURCE OF FUNDS:

General Fund Fund Balance

ORIGINATING DEPARTMENT:

City Manager

STAFF RECOMMENDATION PRESENTED BY:

Staff recommendation is to approve the \$3,500.00 for the updated land survey.

POTENTIAL MOTION:

“I move to approve the \$3,500.00 cost for the updated land survey and to approve a budget amendment to transfer funds in the amount of \$3,500.00 from the General Fund fund balance to the Parks Projects Fund.”

City of Deltona
Budget Amendment
 Fiscal Year 2015-2016

Amendment #: 2015-02 Date: October 21, 2015
 Fund: GENERAL/PARKS PROJECTS Agenda Item: _____

		<u>Increase</u>	<u>Decrease</u>
Account #: 001190 910302	Amount:	3,500	
Description: OPERATING TRFR OUT TO PARK PRO			
Account #: 302 381001	Amount:	3,500	
Description: OPERATING TRSFR IN - GEN FUND			
Account #: 302652 650100	Amount:	3,500	
Description: MISC PROJECTS			
Account #:	Amount:		
Description: _____			
Account #:	Amount:		
Description: _____			
Account #:	Amount:		
Description: _____			
Account #:	Amount:		
Description: _____			
Account #:	Amount:		
Description: _____			
Account #:	Amount:		
Description: _____			
Description: This amendment results in a net decrease in Budgetary Fund Balance of \$3,500.			

Reason: **Re: Land Survey-Thornby Garden Development Project**

ATTEST: _____

 Joyce Raftery, City Clerk

 John C. Masiarczyk, Sr., Mayor