

PUBLIC QUESTIONNAIRE

ON CHANGES TO THE LAND DEVELOPMENT CODE

The City of Deltona is in the process of reviewing its Land Development Code. Between 2011 and 2014, the City Commission adopted a series of Land Development Code text amendments designed to achieve defined goals. These included expanding land use opportunities, advancing economic development opportunities, eliminating unnecessary or overlay restrictive regulations, and making the document more user-friendly, consistent with protecting the public health, safety, and welfare. Staff is working on Phase III of the Land Development Code Amendments, to further improve this document.

The City of Deltona is seeking input from residents, business owners, and other stakeholders as we move forward to amend the Land Development Code. To help us in this effort, we would appreciate your taking a moment to fill out this questionnaire that focuses on the more substantive elements of this Phase III amendment.

A paper copy of this questionnaire is also available at:

- Deltona Regional Library, 2150 Eustace Avenue, Deltona, FL
- Deltona City Hall Lobby, 2345 Providence Blvd., Deltona, FL

Please provide your response no later than November 12, 2015.

GENERAL INFORMATION

1. What category best represents you?

Deltona Resident Deltona Business Owner Other: [Click here to enter text.](#)

2. OPTIONAL: The following information may be helpful in case clarification of your comments is needed.

Name:

Address:

Telephone:

E-mail address:

LAND DEVELOPMENT CODE

Let us know how you feel about the following items, which are part of the proposed Land Development Code Amendments (proposed amendments are shown in underline (items to be added) and ~~strikethrough~~ (items to be deleted)):

3. Require pre-application meetings with City staff for subdivision and site plan submittals. (Sections 75-4(a), 106-30(b), 106-31(a)(1)b.)

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 75-4. Final Site Plan Review

(a) *Procedures.* An application for a Final Site Plan (FSP) shall be filed and processed pursuant to Sections 74-3 and 74-4 of this Code. Applicants for a Final Site Plan shall participate in a pre-application meeting with appropriate City staff.

Section 106-30. Preliminary plat and engineering construction plan review.

(b) All applicants who are prepared to submit a Preliminary Plat and Engineering Construction Plan application ~~are strongly urged to~~ shall participate in a pre-application meeting with appropriate City staff in order to discuss substantive issues related to the pending submittal.

Section 106-31. Final Plat Review.

(a)(1)b. *Non-Phased Developments:* For non-phased developments an application for a Final Plat and Engineering Construction Plan Development Order shall be filed, processed and approved consistent with Sections 74-3 and 74-4 of this Land Development Code. In addition to the required submittals of Section 106-31(a)(2), the application for a Final Plat and Engineering Construction Plan Development Order shall include all items required under Sections 106-30(c)(1)c. (*Existing Site Data*) and 106-30(c)(1)d. (*Proposed site data and construction details*). All applicants who are prepared to submit a Final Plat and Engineering Construction Plan application ~~are strongly urged to~~ shall participate in a pre-application meeting with appropriate City staff in order to discuss substantive issues related to the pending submittal. For non-phased developments the applicant may elect to submit a Preliminary Plat application. The applicant that elects to submit a Preliminary Plat application shall comply with the Preliminary Plat and Engineering Construction Plan requirements of Section 106-30 and shall comply with the Final Plat Phased Development requirements of Section 106-31(a)(1).

4. Clarify city departments that review plans for public buildings over 10,000 sq. ft. in area. (Section 75-4(c)(5))

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 75-4. Final Site Plan Review

(c) *Exempt development.* The following activities shall not require compliance with this Chapter, but may be subject to other Chapters:

- (5) Public buildings under 10,000 sq. ft., subject to ~~staff DRC administrative review to~~ include at a minimum Planning and Development Services Department, Fire Department, and Public Works Department; and final action, to ensure compliance with City ordinances and City Fire Codes.

5. Provide flexibility regarding scale used in site plans. (Section 75-4(d)(1))

- Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 75-4. Final Site Plan Review

(d) *Required submittals.*

- (1) *Final site plan (FSP) application.* A FSP application shall include the following information and exhibits drawn to a scale ~~of not less than~~ preferred to be one inch equals 60 feet; however, shall be clearly legible regarding all content:

6. Clarify certain provisions affecting the processing of impact fees and exemptions. (Sections 94-12(a)(1), 94-44(a)(1))

- Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

CHAPTER 94. IMPACT FEES

ARTICLE I. IN GENERAL

Section 94-12. Exemptions.

(a) The following activities shall be exempted from payment of an impact fee:

- (1) Alterations ~~or reconfiguration~~ of an existing building where no additional square feet or units are created and where no additional vehicular trips will be produced. ~~over that of the existing use.~~

ARTICLE IV. TRANSPORTATION IMPACT FEES

Section 94-44. Exemptions and credits.

(a) *Exemptions.* The following activities shall be exempted from payment of the transportation impact fee:

- (1) Alterations ~~or expansions~~ of an existing building where no additional square feet or units are created, and where no additional vehicular trips will be produced, ~~over and above that produced by the existing use.~~

7. Provide interpretation criteria for the city engineer regarding traffic related provisions (*Section 96-26(a)*)

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

CHAPTER 96. IMPROVEMENTS

Section 96-26. General.

(a) All lands included within a development shall be suitable for the various purposes proposed in the application for a development order. Further, no development order shall be approved unless the city finds, after full consideration of all pertinent data, that the development can be served adequately with such normal public and/or private facilities and services as are suitable under the circumstances of the particular case. In the absence of a city traffic engineer, all references to this position, as cited in this article, shall be interpreted so as to allow for the city engineer to make such traffic related decisions, where he or she is qualified to make such decisions or, if further traffic engineering expertise is required, the city engineer shall make appropriate determinations based upon the recommendations of a peer reviewer qualified in the field of traffic engineering. All subsequent design standards adopted by the city are to be used in addition to the design standards below. Such subsequent design standards shall be adopted by resolution and shall become a part of this chapter by reference as though set out in their entirety.

8. Add flexibility to regulations affecting the length of cul-de-sacs. (*Section 96-28(l)*)

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Comments:

PROPOSED AMENDMENT:

CHAPTER 96. IMPROVEMENTS

Section 96-28. Streets; generally.

(l) *Cul-de-sac.* Permanent dead-end streets shall not exceed 1,000 feet in length; however, the DRC may approve a cul-de-sac of greater lengths, where, due to topographical conditions, design considerations or the number of lots to be located on the street, a greater length may be deemed necessary. ~~Culs de sac shall be provided.~~ In the center of the turnaround, an unpaved island, surrounded by a curb, improved with grass and landscaping that will not interfere with sight distance, may be provided. Center islands shall have a diameter of not less than 17 feet.

9. Provide guidance regarding individual stormwater permitting provisions. (Section 98-57(b)(1) and (2))

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Comments:

PROPOSED AMENDMENT:

CHAPTER 98. NATURAL RESOURCES PROTECTION

Section 98-57. Standards for review.

(b) Issuance of permits--Conditions.

- (1) If the application meets the requirements of this article, the Planning and Development Services Department shall issue the permit as provided in this article, and may attach such appropriate conditions to the said permit in order to comply with the standards of subsection 98-57(a) of this article. The city may deny the permit if it does not meet such standards, stating the reasons therefore.
- (2) The city may approve a wetlands alteration permit, which shall incorporate the general and specific conditions which ~~were~~are made part of the permit from federal, state, or regional agencies, when such permits are issued. Provided, however, before the issuance of the city wetland alteration permit, said federal, state, or regional permit application when available shall be submitted to the Planning and Development Services Department. Concurrent applications to the local government and any federal, state, or regional agency shall be encouraged. Provided, however that the city is not prevented from approving additional conditions to the said permit in order to comply with the standards of subsection 98-57(a) of this article. Upon the issuance of applicable federal, state or regional agency permits, a copy of such permits shall be submitted to the Planning and Development Services Department.

10. Allow granny flats as a “permitted use”, not a “conditional use”, in single family residential zones. (Sections 110-307(b), 110-307(c), 110-827(c)(4))

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Comments:

11. Amend the landscape section by identifying the ‘Florida Friendly Landscape Guide’ and ‘Waterwise Florida Landscapes’ publications for use in landscape projects. Also includes reference to the seven (7) Xeriscape principles outlined in the Waterwise document. (Section 110-808(d).

Support Don’t support Don’t know

Comments:

PROPOSED AMENDMENT:

Section 110-808. Landscaping requirements.

(d) Approved plant species list. All plant material proposed to be installed on a site to meet the requirements of this chapter shall be site appropriate and selected from the following approved plant species lists:

- 1) ~~set forth in~~ Table 110-7 ~~of to~~ this chapter.
- 2) Waterwise Florida Landscapes, Third Printing, April 2006, or subsequent printings.
- 3) The Florida-Friendly Landscaping Guide to Plant Selection & Landscape Design, University of Florida, 2010 Edition or subsequent publications.

Use of any other plant material shall require prior approval by the enforcement official. The plants listed in Figure I to this part have demonstrated ability to grow and thrive in the Central Florida area.

Applicants, developers, and property owners are strongly encouraged to employ the xeriscape principles as outline in the Waterwise Florida Landscapes document noted in Section (d)(2) above.

12. Allow requirement for landscape bufferyards to use existing plants. (Section 110-808(e)(3).

Support Don’t support Don’t know

Comments:

PROPOSED AMENDMENT:

Section 110-808. Landscaping requirements.

(e) Landscaped perimeter buffers. Landscape buffers shall be designed, established and maintained in accordance with this section.

- (3) Bufferyard requirements. Existing canopy trees, understory trees, shrubs, and groundcover that are located within a required perimeter bufferyard may satisfy the

requirements of this section. The type, size, density, and health of existing plant materials must result in a sustained buffer equivalent to what otherwise would be required under the landscape provisions of the Land Development Code. The existing bufferyard area shall remain free of any trash, debris or existing structures that would detract from the aesthetics and effectiveness of such bufferyard. Bufferyard requirements shall be determined as follows:

- a. Two (2) adjoining uses: Calculate the numerical difference between the land use intensity factors of the two adjoining uses by subtracting the land use intensity factor of the least intense land use from that of the more intense land use (use Table 110-4 Land Use Intensity Factors), as shown in the following table in this paragraph.
- b. Between land uses opposite each other across a right-of-way: Where two differing land uses are opposite each other across a right-of-way, the intensity factor, per Table 110-4, shall be further reduced as follows—listed in Table 110-2 (Reduction of Intensity Difference):

Table 110-2 Reduction of Intensity Difference

Right-of-way Width	Reduction of Intensity Difference
60 feet or less	1
61 feet to 100 feet	2
101 feet to 150 feet	3
151 feet or more	4

- c. Use the resulting land use intensity difference to determine buffer design type shown in Table 110-3.
- d. For minimum bufferyard requirements, see Section 110-808(e)(5) Landscape buffers along rights-of-way and Section 110-808(e)(7) Perimeter landscape buffers.

13. Allow perimeter landscaping in place of building foundation landscaping, if standards are met. (Section 110-808(f))

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 110-808. Landscaping requirements.

(f) Landscaping adjacent to structures.

- (1) *Minimum planting requirements.* The interior of any site, including those areas directly adjacent to structures shall be landscaped in accordance with the following provisions. Landscape materials required in this subsection are in addition to any landscape materials that may otherwise be required in this chapter, unless otherwise stated herein, or the

principal structure is located within 50 feet of a perimeter lot line where, in such cases, the perimeter landscape requirement may serve to satisfy the foundation landscape requirement for that portion of the building most parallel to such lot line and further provided that these landscape materials are installed in a manner that provides an effective buffering result. The measurement of any exterior building to determine the required number of plantings shall not include overhead or loading area doors, openings for motor vehicle bays or entrances, or the perimeter of attached or detached canopies.

14. Revise provisions regarding a landscaping around solid waste containers located within shipping/receiving areas. (Sec. 110-808(j))

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 110-808. Landscaping requirements.

(j) *Solid waste containers.* All solid waste containers shall be enclosed on at least three sides with a six-foot high screen. The screen shall consist of a masonry wall. A hedge consisting of shrubs of a species selected from ~~Figure 4~~ Table 110-7C, planted one-foot apart within three feet of the solid waste container enclosure, and groundcover selected from ~~Figure 4~~ Table 110-7D shall abut the enclosure walls, except that such hedge is not required in cases where solid waste containers are integrated and located within the interior of an area designated for commercial or industrial shipping and receiving and where the container enclosures are otherwise effectively buffered from view from adjoining properties planned or zoned for residential, office or institutional uses. The landscaping around the solid waste container enclosure shall be maintained in accordance with the requirements for maintenance of landscaping in this section, and shall be planted in a strip of soil wide and deep enough to ensure its survival.

The container shall be enclosed in such a manner so that said container will be screened from public streets and adjoining properties. A concrete or asphalt pad of appropriate size and construction shall be provided as a base for the container. The container pad shall be at the approximate level of the service vehicle approach areas so that the truck's loading mechanism can align with the container's sleeves.

The screened enclosure shall not be located within any street right-of-way or required yard area. Containers and enclosures shall be located so as to allow ease of access for collection trucks and direct access to drive areas. Straight-in or circular drives are encouraged to reduce truck-maneuvering problems. No parking or other obstructions shall be permitted in the access area for enclosures.

15. Add provisions for residential driveway expansions. (New Section 110-810)

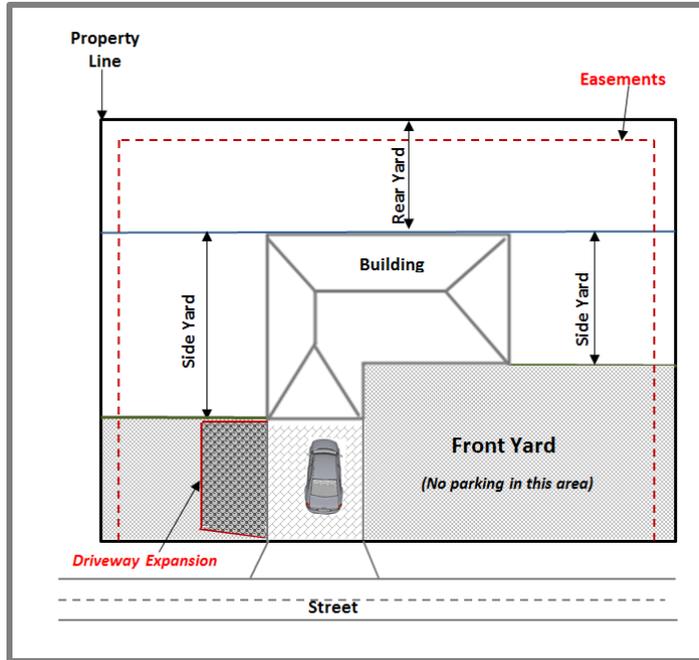
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Comments:

PROPOSED AMENDMENT:

Section 70-30. Definitions

Driveway Expansion (Residential): Area adjacent to the permitted permanent driveway consisting of concrete, asphalt, crushed rock, gravel, mulch, shell, or other similar material.



Section 110-810. Driveway Expansion (Residential)

- a) The driveway expansion may not extend into the public right-of-way.
- b) Access to the driveway expansion along a publicly paved road must be made via the concrete apron of the main driveway.
- c) The driveway expansion material may consist of concrete or asphalt provided the lot meets the impervious surface ratio requirements or may consist of a minimum of four (4) inches deep packed crushed pack, gravel, mulch, shell or other similar material acceptable to the City. Any crushed material shall be held in place with a slightly raised border of landscaping timbers, paver stones, or bricks specifically made for an outdoor landscaping border use to prevent the material from washing away.
- d) The area of the driveway expansion must be continuously maintained in a smooth well-graded condition to prevent vegetative intrusion.

16. Clarify difference in the term “occupancy” as it applies to the fire code and parking ordinance. (Section 110-828(f))

- Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 110-828. Off-street parking and loading. (Regulations)

(f) *Minimum off-street parking spaces.* Minimum off-street parking spaces shall be provided with adequate means for vehicle ingress and egress from a public street or alley by an automobile of standard size, ~~in accordance with the following table.~~ The number of proposed occupants is one of many criteria used to establish parking requirements. While the number of proposed occupants may or may not equate to the maximum number of occupants allowed, as calculated per the fire code and required to be posted in the building, the parking requirements of this code shall be met. Fractional spaces shall be rounded to the closest whole number. In stadiums, houses of worship, sports arenas, or other places of assembly where occupants sit on seats without dividing arms, each 18 linear inches of such seat shall be counted as one seat.

The minimum and maximum number of parking spaces required for any use not specifically mentioned, shall be determined by the zoning enforcement official or his or her designee based upon data from the Institute of Transportation Engineers Parking Generation Manual, from publications and data from the American Planning Association or the Urban Land Institute, from studies using ITE recommended methodology and other professionally acceptable sources. Information that other land uses, which are the same as, or similar to, the land use for which a parking determination is sought, have been provided a given number of parking spaces in other jurisdictions shall not be controlling in determining parking requirements, unless such requirements in other jurisdictions are supported by publications, data and information available, or presented in writing, to the zoning enforcement official.

17. Add new provisions to accommodate shared parking facilities for non-residential uses. (Section 110-828(k))

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

Section 110-828. Off-street parking and loading. (Regulations)

(k) Existing or proposed parking spaces may be shared by multiple non-residential uses in areas that meet the following provisions and performance criteria:

- (1) All shared parking spaces are fully or partially contained within an 800 feet radius of one another.
- (2) All affected property owners shall sign a recorded shared parking agreement that includes:
 - a. A detail of land use demand and supply of shared parking spaces necessary to meet such demand.
 - b. The expected duration of the shared parking agreement.
 - c. A hold harmless statement.
 - d. A statement that all affected property owners shall adhere to all related Land Development Code provisions, and
 - e. A statement that the City Planning and Development Services Department will be provided sufficient advance notification of no less than three (3) months relating to any proposed changes to the shared parking agreement.
- (3) Parking areas that are not connected by drive aisles shall be connected by a safe and efficient sidewalk system.

- (4) A shared parking plan shall be submitted for staff review and shall include:
- a. Boundaries of all affected properties
 - b. Scaled drawing that clearly depicts the location and dimensions of all existing and proposed parking spaces, loading areas, dumpsters, drive aisles, external and interparcel access, sidewalks, landscaping, WB-40 truck turning movements (if required), light poles and other physical features, designs to ensure the plan complies with the provisions of the Land Development Code.
 - c. A data sheet to include:
 - i. Separate parking calculations relating to the initial and subsequent shared parking periods demonstrating that the supply of parking spaces provided for each period is adequate to meet the land use demand for each use, as defined in Section 110-828.
 - ii. Verification that at least a thirty (30) minutes period will occur between the closing hour of operation for uses in the initial shared parking period and the opening hour of operation for uses in the subsequent shared parking period.
 - iii. Other data or information as deemed necessary for proper review.
- (5) Implementation of shared parking shall not commence until all affected property owners have received written authorization from the city indicating approval of the shared parking plan.

18. Clarify certain requirements affecting parking space dimensions. (Section 110-829(b)(1)a.)

Support Don't support Don't know

Comments:

PROPOSED AMENDMENT:

**Section 110-829. Off-street circulation, parking dimensions and loading facilities.
(Requirements)**

(b) *Functional elements of off-street circulation system.* Parking spaces, drive aisles, driveways and reservoir areas are the basic functional elements of the off-street circulation system. Additional elements, including but not limited to service roads, loading areas, bicycle parking areas, and mass transit loading (bus stop) areas within the proposed development, and left-turn lanes, right-turn lanes, traffic signals and marginal-access roads immediately adjacent to the proposed development may also be required.

(1) Parking stalls and aisles.

a. The minimum size (in feet) of a parking space shall be as follows:

~~Nine~~ 9' × 19' standard space

10' × 22' parallel space

Handicap parking spaces shall be 12'×20' with a five-foot wide adjacent ingress/egress striped access aisle. aisle handicap space ~~Where two (2) handicap spaces are served by one (1) access aisle, such aisle shall be no wider than five (5) feet.~~

Parking and maneuvering areas shall be designed in accordance with the diagram and table contained in section 70-60 of this Code.

A maximum of two feet of the length of any parking space may be grassed with use of appropriate curb stops. Where wheels stops are used with a parking space, a maximum length of two (2) feet as measured with the bumper overhang area may be sodded; provided this area is connected to and part of a larger landscaped area that is not part of a stormwater management facility.

19. Provide more flexibility regarding the location of vehicular “reservoir areas” within parking lots. (Section 110-829(d)(1))

Support Don’t support Don’t know

Comments:

PROPOSED AMENDMENT:

Section 110-829. Off-street circulation, parking dimensions and loading facilities. (Requirements)

(d) *Vehicular reservoir areas.* Adequate reservoir capacity shall be required for both inbound and outbound vehicles to facilitate the safe and efficient movement between the public right-of-way and the development. An inbound reservoir shall be of sufficient size to ensure that vehicles will not obstruct the adjacent roadway, the sidewalk, and the circulation within the facility. An outbound reservoir shall be required to eliminate backup and delay of vehicles within the development.

(1) Design. A reservoir area shall be designed to include a space of 12 feet wide by 25 feet long for each vehicle to be accommodated within the reservoir area and so that vehicles within the reservoir area do not ~~block parking stalls, parking aisles or driveways of off street parking facilities~~ obstruct the adjacent roadways and sidewalks, or unreasonably impede internal vehicular circulation of the facility.

20. Do you have any additional comments regarding the Land Development Code Proposed Amendments or this questionnaire?

Comments:

IN ADDITION TO THE ITEMS LISTED IN THIS QUESTIONNAIRE, THE DRAFT LAND DEVELOPMENT CODE AMENDMENT INCLUDES NEW DEFINITIONS AND ORGANIZATIONAL IMPROVEMENTS. TO VIEW THE ENTIRE DRAFT DOCUMENT PLEASE [CLICK HERE](#).

THANK YOU FOR YOUR PARTICIPATION!