



# City of Deltona

**Mayor**  
John Masiarczyk

**Vice Mayor**  
Chris Nabicht  
**District 6**

**Commissioners:**

Mitch Honaker  
**District 1**

Diane Smith  
**District 2**

Heidi Herzberg  
**District 3**

Nancy Schleicher  
**District 4**

Brian Soukup  
**District 5**

**City Manager**  
Jane K. Shang

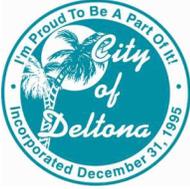
## **PUBLIC NOTICE**

**CITY OF DELTONA  
2345 Providence Blvd.  
Deltona, FL 32725**

**City Manager Agenda Review Meeting  
2<sup>nd</sup> Floor Conference Room  
Monday, August 15, 2016  
5:30 P.M.**

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

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



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Regular Commission Meeting

### City Commission

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

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Monday, August 15, 2016

6:30 PM

Deltona Commission Chambers

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**1. CALL TO ORDER:**

**2. ROLL CALL – CITY CLERK:**

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

**A. [Invocation Presented by Commissioner Herzberg](#)**

**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 - Special Commission Meeting of July 26, 2016 and Regular Commission Meeting of August 1, 2016 - Joyce Raftery, City Clerk \(386\) 878-8502.](#)**

**Background:**

N/A

**Attachments:**

[July 26, 2016 Minutes](#)  
[August 1, 2016 Minutes](#)

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

**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:** The consent agenda contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Commission wish to speak on a consent item, they have the same opportunity.

**8. CONSENT AGENDA:**

**9. ORDINANCES AND PUBLIC HEARINGS:**

- A. [Public Hearing - Ordinance No. 23-2016, Off-Street Parking Standards for Residential Uses - Chris Bowley, AICP, Planning and Development Services, \(386\) 878-8602.](#)

[Strategic Goal: Economic Development. Promote a customer service environment.](#)

**Background:**

The City Commission directed the City's Ordinance Review Committee (ORC) to review residential parking standards within the City's Land Development Code (LDC) for the potential to provide additional parking of vehicles on single-family residential lots. The ORC reviewed the off-street parking standards within Section 110-828, Off-street parking and loading regulations, and provided analysis and dialogue concerning the ability to park vehicles on residential lots.

City staff provided background information to the ORC and copies of the LDC sections for their review. The types of residential lots and their original purpose of intent for construction of a dwelling unit was also discussed, as well as other applicable regulations for legal permissibility in the form of the Florida Fire Prevention Code and the Florida Building Code. The revision to Section 110-828(a) is provided in the attached Ordinance No. 23-2016 that is general enough to accommodate all lotting types and patterns, while remaining legally permissible and physically constructible on residential lots. The Planning & Zoning Board reviewed the attached ordinance and unanimously voted that the City Commission adopt Ordinance No. 23-2016.

**Attachments:** [Ordinance No. 23-2016](#)  
[Staff Report](#)  
[ORC Comments Summary](#)

- B. [Public Hearing - Ordinance No. 26-2016, Deltona Free Standing Emergency](#)

[Room BPUD \(RZ16-001\) - Chris Bowley, AICP, Planning and Development Services, \(386\) 878-8602.](#)

[Strategic Goal: Economic Development - Focus on Howland Blvd. as the gateway for commercial growth.](#)

**Background:**

The applicant, Central Florida Regional Hospital, is proposing a rezoning action to allow for a free standing emergency room within the Deltona Activity Center through Ordinance No. 26-2016. A new Business Planned Unit Development (BPUD) is proposed to be created through the attached Development Agreement (DA) and Master Development Plan (MDP). The proposed ±3.24-acre site is to be subdivided from an overall ±28-acre parent tract for the purpose of constructing a free standing emergency room (a.k.a. an emergency care facility). The attached DA outlines the proposed development program and infrastructure improvements for the project.

At the July 20, 2016, Planning & Zoning Board, there was discussion and representation from legal counsel both for and against the project. The Board discussed the proximity of this facility to a nearby similar facility, access management, land use intensity, and community demand. With that discussion, the Board voted 7-0 to recommend that the City Commission adopt Ordinance No. 26-2016.

**Attachments:**

[Ordinance No. 26-2016](#)

[FSER Staff Report 052616](#)

[FSER Development Agreement](#)

- C. [Public Hearing - Resolution No. 2016-34, Petition to Vacate Portions Former Realigned Graves Ave. Right-of-Way - Chris Bowley, AICP, Director, Planning and Development Services \(386\) 878-8602.](#)

[Strategic Goal: Economic Development - focus on Howland Blvd. as the gateway for commercial growth.](#)

**Background:**

In 2003, an eminent domain case established a Volusia County right-of-way (ROW) that extended Graves Ave. north of Howland Blvd./SR 472, to become the Graves Ave. extension. On June 15 2015, the City and County entered into an interlocal agreement regarding the Graves Ave. extension to transfer the ROW to the City. In April of 2016, the Halifax Landings Final Plat was approved by the City and recorded into the official records of Volusia County. The Halifax Landings Plat created 11 lots, several tracts, and memorialized the realigned and renamed ROW to Halifax Crossings Blvd. The realignment resulted in portions of the Graves Ave. extension ROW not included within the new realigned Halifax

Crossings Blvd. being maintained as public ROW.

Therefore, the purpose of the subject vacation request is to revert those remaining and unused former Graves Ave. extension ROW areas back to the underlying landowner and to recognize the platted Halifax Landings Blvd. ROW as the main access way serving the Halifax Landings Plat. The areas of ROW proposed to be vacated are depicted on the graphic attached to this agenda item. Following the proposed vacation, a minor amendment to the approved Halifax Crossings BPUD will be performed to assign a BPUD zoning designation to those vacated lands.

**Attachments:** [Resolution No. 2016-34](#)  
[Exhibit of Proposed ROW Vacation](#)

- D. [Resolution No. 2016-35: Joint Participation Agreement between the State of Florida Department of Transportation and the City of Deltona - Chris Bowley, AICP, Planning & Development Services Director \(386\) 878-8602.](#)

[Strategic Goal: Internal and External Communication. Continue the partnership with FDOT and I-4 expansion and City beautification and beautify gateways and key locations.](#)

**Background:**

The City of Deltona (City) and the Florida Department of Transportation (FDOT) want to beautify the Interstate 4 (I-4)/SR 472 gateway leading into the City. The area is receiving commercial development and the gateway is an important and visible entryway into the City. Landscape and beautification will establish the visual appearance for a future City Center along Howland Blvd. and meets several Strategic Plan goals, including a focus on Howland Blvd. as a commercial gateway into the City.

Initially, the FDOT planned for a 50% cost-share grant of \$62,500 in total through their Bold Initiative Program. Since that time, the FDOT has focused on all of the gateways adjacent to the City and are proposing major beautification efforts at Saxon Blvd. and SR 472. Thus, this Joint Participation Agreement (JPA/Agreement) is proposing to award the City up to \$125,000 in 100% reimbursement, which doubles the original amount of the award and removes the grant match requirement. Elements of this Agreement of note are that the FDOT Bold Initiative standards (see attached) are to be followed with approved plant species, installation of species can be done through the use of a consultant or with City work forces, irrigation or watering-in of species is the responsibility of the City, maintenance shall be performed by the City and monitored by the FDOT, the installation timing shall occur between April 1, 2017, and December 31, 2017, and the cost of the construction plans is not

included in this Agreement and is the responsibility of the City (up to \$30,000 allocated for this effort). The \$30,000 is budgeted in the Department's FY16/17 Budget, Request for Professional Services.

**Attachments:** [Resolution No. 2016-35 FDOT JPA Agreement](#)  
[Deltona JPA 438988-1-58-01](#)  
[FDOT Landscape Grant Info Sheet](#)

- E. [Public Hearing - Resolution No. 2016-36, Program Year 2016-2017 Annual Action Plan \(AAP\) for the Deltona Community Development Block Grant \(CDBG\) 2016-2017 Allocation - Chris Bowley, AICP, Director, Planning and Development Services \(386\) 878-8602.](#)

[Strategic Goal: Fiscal Issues - other grants as approved by the City Commission.](#)

**Background:**

The City of Deltona (City) receives CDBG federal grant funds from the U.S. Department of Housing and Urban Development (HUD) on an annual basis. The HUD Program Year (PY) 2016-2017 funds are available to implement activities that are identified in the City's 2013-2017 Five Year Consolidated Plan (Con Plan) that was approved by the City Commission in 2013. The City is eligible to receive a formula-based grant in the amount of \$465,757 for PY 2016-2017 and required to formulate an AAP and submit it to HUD with a list of projects to be undertaken during the new PY. The AAP also represents an annual evaluation of the implementation of the Con Plan.

There is a public participation element associated with the AAP, with regard as to how the CDBG allocation is used. No more than 15% of the allocation is allowed to be used to fund public service organizations serving our residents. There is an application, evaluation and ranking process used to make a recommendation with regard to funding eligibility and award amount. The following table illustrates the projected PY 2016-2017 budget recommendation including awards for public service entities. The awards are based on the amounts requested per entity, the amount of available funds to award, the 15% threshold limitation listed above, and a division of \$2,000 being equally divided to the seven (7) groups proposed for approval, as follows:

Administration	\$93,100	
Housing Rehabilitation	\$3,662	
Community Center - Senior Area		\$300,000
New Hope Human Services	\$7,785	
Boys and Girls Club	\$10,285	
Council on Aging	\$10,285	

Early Learning Coalition	\$10,285	
Community Life Center	\$10,285	
Neighborhood Center	\$10,285	
Healthy Start Coalition	\$9,785	
<b>2016/17 Total Award</b>	<b>\$465,757</b>	
Festival Park (Prior Year Carry-Over)		\$80,000
Housing Rehab. (Prior Year Carry -Over)		\$161,643
<b>Total CDBG Budget</b>	<b>\$707,400</b>	

In addition to the above, there were also four (4) public service applicants that are not proposed for approval through CDBG funding. However, the City Commission is considering budgeting \$35,000.00 towards social services/community services within the FY16/17 City budget. An option upon approval of that budget is to divide half or \$17,500 equally to the four (4) remaining groups. This equates to a proposed \$4,375 per applicant that would not receive CDBG grant funding. Those entities include the House Next Door, Futures/Take Stock in Children, the Center for the Visually Impaired, and the Four Towns Family YMCA. If the City's budget is adopted, as such, the expenditure of City funds would result in each group receiving \$4,375.

**Attachments:** [Resolution No. 2016-36](#)  
[AAP 2016-2017 FINAL](#)

- F. [Public Hearing - Resolution No. 2016-39, Creation of the Southwest Deltona Community Redevelopment Area \(CRA\) Redevelopment Agency - Chris Bowley, AICP, Planning and Development Services, \(386\) 878-8602.](#)

[Strategic Goal: Economic Development. Pursue the creation of a CRA for Deltona Blvd.](#)

**Background:**

On July 7, 2016, the Volusia County Council (County) adopted County Resolution No. 2016-092 (see attached) providing a Delegation of Authority to the City of Deltona for the establishment of our first CRA. The delegation provides for a partnership with the County for redevelopment within the specific geographical area provided within the CRA Redevelopment Plan (see attached). The subsequent steps needed for the official establishment of the CRA following the delegation are provided within the Florida Statutes. City Resolution No. 2016-39 is provided as the first step in the process. Specifically, Resolution No. 2016-39 achieves the provision for the City to create the Southwest Deltona CRA Redevelopment Agency.

**Attachments:**     [Res No. 2016-39 - Creating Redevelopment Agency](#)  
                              [County Res 2016-092 Deltona CRA 070716](#)  
                              [Southwest Deltona CRA Redev Plan 061016](#)

- G. [Public Hearing - Resolution No. 2016-40, Designation of the Deltona City Commission as the Southwest Deltona Community Redevelopment Area \(CRA\) Board - Chris Bowley, AICP, Planning and Development Services, \(386\) 878-8602.](#)

[Strategic Goal: Economic Development. Pursue the creation of a CRA for Deltona Blvd.](#)

**Background:**

Following adoption of Resolution No. 2016-39, where the City Commission created the Southwest Deltona CRA Redevelopment Agency, the City Commission shall create a Community Redevelopment Area Board. There is an option for the City Commission to designate itself as the CRA Board. This approach is common and efficient for the management and oversight of the CRA and CRA Trust Fund. Thus, upon adoption, Resolution No. 2016-40 will designate the City Commission as the Community Redevelopment Area Board.

**Attachments:**     [Res No. 2016-40 - Establishing CRA Board](#)  
                              [County Res 2016-092 Deltona CRA 070716](#)  
                              [Southwest Deltona CRA Redev Plan 061016](#)

10. OLD BUSINESS:

11. NEW BUSINESS:

12. CITY ATTORNEY COMMENTS:

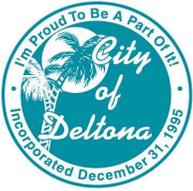
13. CITY MANAGER COMMENTS:

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).*

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## Agenda Memo

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**AGENDA ITEM:** A.

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 3 - A

**SUBJECT:**

Invocation Presented by Commissioner Herzberg

**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:**

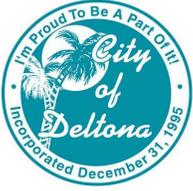
City Manager's Office

**STAFF RECOMMENDATION PRESENTED BY:**

N/A - Invocation Only

**POTENTIAL MOTION:**

N/A - Invocation Only



## Agenda Memo

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**AGENDA ITEM: A.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 4 - A

**SUBJECT:**

Approval of minutes - Special Commission Meeting of July 26, 2016 and Regular Commission Meeting of August 1, 2016 - 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's Office

**STAFF RECOMMENDATION PRESENTED BY:**

City Clerk Joyce Raftery - That the Commission approve the minutes of the Special Commission Meeting of July 26, 2016 and Regular Commission Meeting of August 1, 2016.

**POTENTIAL MOTION:**

"I move to approve the minutes of the Special Commission Meeting of July 26, 2016 and Regular Commission Meeting of August 1, 2016, as presented."



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### City Commission

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Tuesday, July 26, 2016

6:30 PM

Deltona Commission Chambers

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#### SPECIAL COMMISSION MEETING

#### 1. CALL TO ORDER:

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

#### 2. ROLL CALL – CITY CLERK:

**Present:** 8 - Commissioner Herzberg  
Commissioner Schleicher  
Commissioner Smith  
Commissioner Soukup  
Vice Mayor Nabicht  
Mayor Masiarczyk  
City Manager Shang  
City Attorney Vose

**Excused:** 1 - Commissioner Honaker

#### 3. PLEDGE TO THE FLAG:

Mayor Masiarczyk led everyone in the pledge to the flag.

#### 4. 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.

None.

#### 5. BUSINESS:

##### A. Special Commission meeting to discuss and take any necessary action to modify the trash rules that went into effect on June 1, 2016. Jane K. Shang, City Manager (386) 878-8850

City Manager Shang clarified the consolidated questions and the responses for each question posed by the public from the Public Forum on Trash held on June 30, 2016 and that the Commission had dialog after each question.

Mayor Masiarczyk opened the public hearing.

a) Josie Taylor, 562 Richmond Avenue, Deltona, stated that she has had some issues with Waste Pro not picking up the pieces of trash that fall on the curb when the trash bin is being emptied and that Waste Pro damaged her garbage bin which they replaced, and she thanked the City for the planting and maintenance on the thoroughfares.

b) Jean Armstrong, 1428 Summit Hill, Deltona, stated that as a realtor the City is looking better, that there is still the occasional sofa left out, that any time there is change there will be unintended consequences and issues, and that the City is doing the right thing by trying to resolve the issues.

c) Brandy White, 2926 Chalmer St, Deltona, spoke against the new rules, she read from Chapter 50 Housing of the Code of Ordinances, she questioned whether every change fit the purpose and intent, she went over the changes made to Chapters 50-3 and 50-28, residents not being aware they could not use two (2) bins like before, that the size of the bin does not solve the issue of too much trash, that it does not make sense to not allow residents to use their own trash bins other than so Waste Pro does not use manual trucks and where did those trucks go, the problem being that residents have to now hoard their trash, that per the ordinance residents can have up to three (3) bins, that parts of Chapter 50-3 override Chapter 50-28, and residents not being able to afford an additional bin.

d) Tanya Boggs, 360 Monaco Avenue, Deltona, spoke in support of the beautification efforts and support the discussions to resolve issues that have arisen, and that there are six (6) points, to improve the look of the City, increase home values, attracting businesses, job creation, new homeowners, improving the City's reputation and fosters more pride. She stated the City should continue its efforts and nail down the specifics of the ordinance.

e) Emerson Cross, 1232 Section Line Trail, Deltona, stated to spread the cost of waste removal among all residents via a tax and some residents with lower incomes or lower property values maybe not having to pay as much and he suggested putting the issue on the ballot for a vote by the residents.

f) George Voll, 2922 Howland Blvd, Deltona, stated he applauds the beautification efforts, it is important to take pride in the City and clean up the City, he is happy with the unified bins, there has been some issues like with the elderly not being able to handle the new bin and he suggested that everyone do their part to assist those having difficulties with the new rules, he applauded the City for all the positive results that have taken place, subsidizing, and to keep the program as complete as possible, stay focused on it and to continue in a direction so that questions can be answered.

g) Mary Helmrick-McDade, 2001 Montfort Lane, Deltona, spoke about the City being on the right track and making progress and she provided several options from Denver Colorado where she used to live to include bulk pick-ups every 4 weeks, to provide a calendar of pick-up dates to each resident and having large recycling bins. She stated the Denver trash company communicated all the time via fliers and since she has moved here she has heard nothing from the City.

h) Larry Kent, 235 River Village Drive, Debarry, read several clauses from the Waste Pro contract and he asked how well have we monitored the contract over the last five (5) years, that Exhibit B of contract shows 15 routes a day, the City should be able to spot check the routes, he read from the Redman contract whose cost is \$6,200 a month to randomly monitor Waste Pro on things the City should have been doing all along, he asked how many seminars has Waste Pro done for the City per the contract, and that he does not know where the challenge are with regards to commercial pick-ups.

i) Mike Williams, 2889 Cottageville St, Deltona, stated he is in favor of the program, that nobody could answer the questions regarding the fees and the tonnage, that the City has an open door policy, he suggested someone contact Brandy White to assist her with any issues she is having, most of the residents being in favor of the new rules, the improvements being visible and he encouraged residents to contact the City who will assist with their issues.

j) Courtney Hernandez, 2102 Nedra Avenue, Deltona, stated she just moved here, she is in favor of cleaning up the City, she asked what to do with mops and things that do not fit in trash bin, and she stated that she believes Commissioner Soukup means well, but his comments were unprofessional with regards to if a resident does not like something they should sell their home. She stated she does not support a second pick-up day and that she liked the once a month bulk pick-up.

Mayor Masiarczyk closed the public hearing.

The Commission discussed the Redman contract monitoring the Waste Pro contract, the Solid Waste Coordinator and Compliance Officer position, illegal dumping, wanting to hear solutions from the residents, needing to continue beautifying the City, needing to be less lenient, the time that trash is to be put out and the time changes, is there a schedule of fines in place and if not there needing to be one, appearance being everything, the majority of the residents in favor of the new rules, and holding Waste Pro accountable.

Commissioner Soukup left the meeting at 8:48 p.m.

#### CLOSING REMARKS:

a) Commissioner Herzberg thanked everyone for coming out and spoke, a lot of the issues are direction and communication, and the City being on the right track. She stated there is an issue with illegal dumping, people are dumping in commercial dumpsters and it has nothing to do with these regulations, but instead just that the person did not want to pay a fee to dump their trash. She stated she sees a difference in the look of the City, the property appraiser lowered home values by 62%, the City needing to have eye appeal, losing potential employees and businesses because of the

lack of eye/curb appeal, helping those that need help, and she suggested trying the new rules for six (6) months, but there being nothing that the City cannot change if it is not working.

b) Commissioner Schleicher stated businesses look at green spaces, neatly kept neighborhoods, and she suggested when the time changes in the Fall to change the time to put out trash to 4:00 p.m. instead of 6:00 p.m.

c) Commissioner Smith thanked everyone for coming out and she would like to hear Ms. White's solutions to the trash issues.

d) Vice Mayor Nabicht stated he believes the program needs a lot of tweaking, "you get what you pay for", not being able to make everyone happy, and it being the Commission's responsibility to set the tone which is to clean up Deltona, but he does not agree with the method chosen to do it. He stated Deltona pays a fairly low rate compared to other cities in Florida, the City is not generating a different amount of trash every month, he likes the idea of one (1) day a month for bulk pick-up and he would like staff to look into that option. He stated he would like to take a look at the recycling program and not wait two (2) years to do it, and the program needing a lot more work to improve it the way the Commission envisioned.

e) Mayor Masiarczyk stated staff did a lot of work on the program, tonight was to let residents hear the Commission working through the program, the program is working and a majority of the people understand it is working. He suggested to proceed with the program as planned, but he does not want to use a hammer August 1st. He stated he thinks the City tried to manage the program and customer complaints, instead of managing the contract. He stated when it comes time to make changes Waste Pro is willing to work with the City, but the City needs to be following the contract. He asked the City Manager to look at a flat fee for special pick-ups and a once a month bulk pick-up and he suggested everyone help seniors or those unable to handle getting their trash out, maybe recruit a volunteer group.

Commissioner Smith asked if the City would have the flat fee worked out by August 1st and City Manager Shang replied that on August 1st the City will be abiding by the new trash rules, a soft opening has been in place since June 1st, and those who have not been compliant with the new trash rules Waste Pro has been making two (2) trips and are coming back out the following day to pick-up the trash. Mayor Masiarczyk stated as of August 1st that stops.

**Motion by Commissioner Schleicher, seconded by Commissioner Herzberg, to implement full program as of August 1st with two (2) stipulations, to look at a flat fee for pick-up and additional bulk waste**

**pick-ups monthly.**

Commissioner Herzberg asked for clarification, that the City will be eliminating the soft opening, and if trash is not in the bin and it is in violation then it is the residents' responsibility to call Waste Pro for a special pick-up or put it in the bin for the next time. City Manager Shang replied if this is not done then Code Enforcement will provide a notice, it will either go to the Special Magistrate or an abatement.

Commissioner Smith questioned the expense to Waste Pro to come back the following day to pick-up the additional trash that does not fit in the bin. City Manager Shang replied that knowing that it takes time for change, making sure that everyone is aware of the new rules, there was a soft opening and Waste Pro agreed that if there was trash not in the bin they would leave a door hanger explaining the violation and as a courtesy they have been coming back out the following day to pick it up so the trash does not sit out all week, but not for bulk waste. She stated as of August 1st the additional trash will not be picked up the following day because the rules will be enforced.

Commissioner Herzberg asked if a resident has a bulk pick-up they need to call Waste Pro to schedule a pick-up and City Manager Shang replied that did not change.

Vice Mayor Nabicht called the question.

**The motion passed by the following vote:**

**For:** 4 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, and Mayor Masiarczyk

**Against:** 1 - Vice Mayor Nabicht

**6. ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:15 p.m.

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John C. Masiarczyk, Sr., MAYOR

ATTEST:

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Joyce Raftery, CMC, MMC, CITY CLERK



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### City Commission

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**Monday, August 1, 2016**

**6:30 PM**

**Deltona Commission Chambers**

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#### **1. CALL TO ORDER:**

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

#### **2. ROLL CALL – CITY CLERK:**

**Present:** 8 - Commissioner Herzberg  
Commissioner Schleicher  
Commissioner Smith  
Commissioner Soukup  
Vice Mayor Nabicht  
Mayor Masiarczyk  
City Manager Shang  
City Attorney Vose

**Excused:** 1 - Commissioner Honaker

#### **3. INVOCATION AND PLEDGE TO THE FLAG:**

##### **A. Invocation Presented by Commissioner Smith**

Commissioner Smith led everyone in a silent invocation and the pledge to the flag.

The National Anthem was sung by Elizabeth Hibbert a 4th Grader at Bender Reading Edge Academy.

#### **4. APPROVAL OF MINUTES & AGENDA:**

##### **A. Approval of minutes - Special Commission Meeting and Regular Commission Meeting of July 18, 2016 - Joyce Raftery, City Clerk (386) 878-8502.**

**Motion by Commissioner Herzberg, seconded by Commissioner Schleicher, to approve the minutes of the Special Commission Meeting and Regular Commission Meeting of July 18, 2016, as presented. The motion carried by the following vote:**

**For:** 6 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

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

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

Chair Tanya Boggs provided the Quarterly Report for the Economic Development Advisory Board.

City Manager Shang provided a presentation done by Team Volusia and featuring Commissioner Herzberg on upcoming economic development projects happening in Deltona.

**6. CITY COMMISSION SPECIAL REPORTS:**

Commissioner Herzberg stated the video that was presented was produced for Team Volusia who does periodic updates on what cities are working on and show cases them. Deltona was one (1) of five (5) cities that was show cased by Team Volusia, the City was the only one (1) who had a video created, and it was well received.

**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.**

a) Susan Collins, 3201 North Tulsa Drive, Deltona, spoke about her concerns regarding traffic doing a U-turn on Howland Blvd. in the area of Deltona High School and the Dunkin Doughnuts, she requested that no u-turn signs be install on Howland Blvd., the issue was taken to the County, but there were not enough complaints regarding the issue, and she questioned how many people have to get hurt before something is done.

b) Robert Schengber, 1375 Indian Rock Court, Deltona, spoke about purchasing a home in January on the golf course, he is concerned about a home next to his with a lot of stuff in it, the owner lives in the Villages, he is afraid of what will happen if the house is hit by lightning, the owner is not maintaining the property, the grass is being mowed, the home has a hole in the screen enclosure, the pool is green and full of insects and frogs, he believes the house is a fire hazard, the issue has gone to the Special Magistrate, but he is worried about the Zika Virus, and he stated the home is a health hazard.

c) Vikki Wailes, 770 Gordon Court, Deltona, spoke about the last meeting regarding trash pick-up possibly being twice a week, that this would be a waste of gas and manpower for some residents, and not charging all residents for the extra pick-up if they do not need it.

d) Brandy White, 2926 Chalmer Street, Deltona, spoke about an email she sent on Friday with some proposals for the trash issues, and that there is not a lot of unity on the issue of trash. She stated she had a person confront her at work regarding a trash issue she was having, she told the person to contact the Commission regarding the issue and she continued to speak about the person's issue.

e) Gail Buck, 1350 Coronado Terrace, Deltona, spoke about the home on 1365 Indian Rock Court which Mr. Schengber also spoke about. She stated she has seen rats, raccoons, and a bear all near a trailer which is on the property, residents have been complaining for a long time about the property, and that there is a hole in the screen enclosure. She also spoke about not being able to close the lid all the way on her trash bin and Waste Pro not picking up her trash, this is continually happening, and she questioned if the City only wanted elderly living here, if the part-time residents pay the same fees for trash pick-up, and that people are putting trash in commercial bins and at City facilities.

**CONSENT AGENDA: The consent agenda contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Commission wish to speak on a consent item, they have the same opportunity.**

**8. CONSENT AGENDA:**

**Motion by Vice Mayor Nabicht, seconded by Commissioner Schleicher to approve Consent Agenda Items 8-A and 8-B. The motion carried by the following vote:**

**For: 6 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk**

**A. Request for approval of Second Amendment to Interlocal Agreement for Fire and/or Rescue Mutual Aid within Volusia County, Florida. Bill Snyder, Fire Chief, (386) 575-6902**

**Strategic Goal- Public Safety**

**Approved by Consent Agenda - to authorize the Mayor to execute the Second Amendment to the 2011 Interlocal Agreement providing for fire and rescue aid services in emergency situations within Volusia County.**

**B. River to Sea Transportation Planning Organization (TPO) FY2016/17 Funding Agreement - Chris Bowley, AICP, Planning & Development Services Director (386) 878-8602.**

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**Strategic Goal: Fiscal Issues, Transportation/CIP.**

**Approved by Consent Agenda - to approve the River to Sea  
Transportation Planning Organization FY2016/17 Funding Agreement.**

**9. ORDINANCES AND PUBLIC HEARINGS:****A. Public Hearing - Ordinance No. 24-2016, Vineland Reserve RPUD  
(RZ15-006), at first reading - Chris Bowley, AICP, Planning and Development  
Services, (386) 878-8602.****Strategic Goal: Create more diversified and high-quality housing  
opportunities.**

Mayor Masiarczyk opened the public hearing.

a) Timothy Van Camp, 470 Collins Road, Deltona, spoke about the only reason for the project being an act of greed because it would wipe out all the wildlife that is in the area and the crucial things it will do in the ecosystem in the area.

b) Lori Warnicke, 655 Lake Butler Avenue, Deltona, spoke about being a long time resident who has built and purchased three (3) homes in the City, not needing a lot of houses on top of each other, making the project so that people will want to live, work, and play here, that the project has been around since 2007, not being against development, doing the project right to make everyone proud, and there being a lot of different lot sizes in the area.

c) Michael Woods, Cobb Cole, 351 East New York Avenue, DeLand, stated he is the attorney for the applicant. He spoke about the process of the Planning and Zoning (P&Z) Board, there were comments from the P&Z Board which will add some cost, but if they were onerous the applicant would have fought against the recommendations, being okay with the project as proposed with the recommendations, the roads in the area being different than when the project started in 2007, and he requested the ability to respond to the residents' comments. He spoke about the property not remaining vacant, softening the impact to Collins Road and if it was the applicant's choice there would be no connection to Collins Road, but it is needed for emergency purposes. He stated the focus has always been external impacts such as the neighborhoods and the schools, the applicant has addressed the issues with the roadways, the project did not focus on internal amenities, but now has two (2) amenities which were purposed as well as a walking trail, access to school property, the tree preservation area and retention ponds. He stated the project provides a different kind of product, wanting to have a conversation on process and procedure, not having clear direction as to what the City would like to see built, and he hoped that any concerns have been addressed.

d) Linda Patterson, 450 Collins Road, Deltona, spoke about trying to develop this area in the past, the access to Collins Road and it needing to be gated for emergency only, the traffic will be backed up on Doyle Road, the concern for children walking to school and the impact on local schools, the number of trips in and out of the development, the project will increase the population and crime, the direct impact to public services, the City annexing the land several years ago, the residents paying for Deltona's stormwater that they do not have, who will be paying for the improvements on the dirt road, and she questioned if the City wanted residents to live in a City of concrete buildings and asphalt that will increase the temperature of the area and increase the City's budget.

e) Richard Taylor, 268 Collins Road, Deltona, spoke about the City's incorporation and its promise to the residents, promises being broken in 2007 when the project was first proposed, the neighborhood being currently for sale for \$3 million, the new zoning to add more homes, the need to four (4) lane Doyle Road from S.R. 415 to Courtland Blvd., the project leaving no room for children to play, wanting a promise that there be no entrance of any kind on Collins Road, the roads not being wide enough in the area, the traffic report not being realistic, the neighborhood being approved back in 2007 and he questioned why the developer was adding 50 more homes with 10 foot backyards.

f) Kenny Floyd, 3070 Butler Ridge Road, Deltona, spoke about Doyle Road being recently widened and it still cannot handle the current traffic, schools are already crowded, that he purchased his property because he wanted to live in the Country, the County's and the City's rules being different which is going to cause a problem, that he owns race cars which are loud and that is why he lives where he does, that he is not able to build a water pump on his property without a wetlands permit or having to check for wildlife on the property.

Mayor Masiarczyk closed the public hearing.

Mayor Masiarczyk opened the public hearing to allow Mr. Kenny Floyd to make a comment.

Kenny Floyd, 3070 Butler Ridge Road, Deltona, spoke about the 20 foot buffer, needing more of a buffer, the trees only being on the west line of the project, and that the back fire entrance does not have to be a paved road.

Mayor Masiarczyk closed the public hearing.

**Motion by Vice Mayor Nabicht, seconded by Commissioner Schleicher, to approve Ordinance No. 24-2016 at first reading, with the recommended changes to the RPUD program to include comments from**

**the Planning & Zoning Board.**

City Attorney Wade Vose read the title of Ordinance No. 24-2016 for the record.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, REZONING AND AMENDING THE OFFICIAL ZONING MAP FOR APPROXIMATELY 102.7 ACRES OF LAND WITH A CITY OF DELTONA RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) TO RPUD LOCATED BETWEEN DOYLE ROAD AND COLLINS ROAD TO ALLOW FOR AN INCREASE IN THE NUMBER OF UNITS AND PROJECT REDESIGN; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

**The motion carried by the following vote:**

**For:** 6 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Ordinance No. 24-2016 was adopted at 7:54 p.m.

**B. Request approval and adoption of Final Assessment of Resolution No. 2015-41 for the creation of the Arbor Ridge Phase 5 Street Lighting District - Gerald Chancellor, Public Works Department (386) 878-8998.**

**Strategic Goals: Infrastructure and Public Safety**

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

**Motion by Commissioner Schleicher, seconded by Vice Mayor Nabicht, to adopt the Final Assessment Resolution No. 2015-41, creating the Arbor Ridge Street Lighting District, and to schedule the Public Hearing.**

**The motion carried by the following vote:**

**For:** 6 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

**10. OLD BUSINESS:****11. NEW BUSINESS:**

**A. Request for approval of DEP Agreement No. NF004 with the Florida Department of Environmental Protection (FDEP) for the State Grant being**

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**awarded for Brickell Regional Surface Water Treatment Facility - Gerald Chancellor, P.E., Public Works, (386) 878-8998.**

**Strategic Goal: Infrastructure and Fiscal Issues - Improve the infrastructure while maximizing alternative funding sources.**

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

**Motion by Commissioner Herzberg, seconded by Vice Mayor Nabicht, to approve the execution of DEP Agreement No. NF004.**

The motion carried by the following vote:

**For:** 6 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

**B. Consideration of Commissioner Herzberg's appointment to the Parks and Recreation Advisory Board. - Joyce Raftery, City Clerk's Office (386) 878-8502.**

**Strategic Goal: Internal and external communication.**

**Motion by Commissioner Herzberg, seconded by Commissioner Schleicher, to appoint Gizelle Sierra for the remainder of a term to expire on December 31, 2017 to the Parks and Recreation Advisory Board. The motion carried by the following vote:**

**For:** 6 - Commissioner Herzberg, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

**12. CITY ATTORNEY COMMENTS:**

None.

**13. CITY MANAGER COMMENTS:**

None.

**14. CITY COMMISSION COMMENTS:**

a) Commissioner Smith stated there will be a budget Workshop on August 11th, the Commission will be looking at the spending requests for the surplus provided by the City Manager, she would like to look at that closely and she suggested that the Commission consider purchasing the second bin for any resident that wants one. She stated through

the ordinance the unintended consequence for the residents was that the residents can no longer use their own bin as their second bin, she does not believe there will be a lot of requests, it is a service to the community, and she asked for the Commission to consider it and to have discussion on it at the Workshop on August 11th. She also requested to lock down the fees for bulk pick-ups, there is still a lot of confusion regarding the fees and fines for a pick-up and get those adopted. She stated she was told that if she left a bag out that is not in the bin the fine is \$156 which includes a \$100 administrative fee.

City Manager Shang stated it is a \$28 fee per cubic yard, the minimum fee is 2 cubic yards which is \$56 plus the \$100 administrative fee for an abatement.

Commissioner Herzberg asked how much time a resident has to resolve the abatement and City Manager Shang replied 24 hours.

b) Commissioner Herzberg stated that the trash/beautification has brought up a lot of other issues regarding homes that are not kept up and she suggested strongly looking at how the City deals with homeowners and renters that do not comply. She gave an example of a home that had several cars parked in the front yard and the code officer's comment was to mulch the side yard so the cars would be in compliance without a permit. She stated she is going to ask the Commission in a public hearing to look at what the code allows especially on a tiny lots, why the City is letting these things happen, code violations being addressed to the tenant and not the landlord who does not receive the violations, and she requested to look at how the City is dealing with messy houses and holding the property owners accountable.

c) Commissioner Schleicher reminded everyone about the Workshop regarding the Special Revenue Funds and Enterprise Fund on August 8th at 5:30 p.m. and there will be a Workshop regarding the General Fund on August 11th at 5:30 p.m. She reminded everyone that tomorrow is National Night Out at City Hall from 5:30 to 8:30 p.m., and she thanked New Hope Baptist Church for inviting her to see the work done by the students at their summer program.

d) Vice Mayor Nabicht stated a lot of the problems are rental properties, the Commission did away with the rental ordinance which needs to be revived and strengthened, rental properties are a business and it needs to be treated and taxed like a business. He stated there is a revenue stream to deal with the problem to help pay for code enforcement.

**Vice Mayor Nabicht requested whenever the Commission meets as a body whether it is a citizen forum, a Commission Meeting, a Workshop, League of Cities Meeting, Mayor's Roundtable, a West Volusia Summit or any other official gathering for the purpose of a meeting, that a deputy be present. He stated he wanted it formalized as policy that way if it is an oversight again someone is held accountable and the Commission concurred.**

**Vice Mayor Nabicht requested that when the Commission meets in the Chambers**

**as a body that it be televised live, there is a slight expense to it, but it is important and the Commission concurred.**

e) Mayor Masiarczyk stated if anyone has the time to please send a birthday card or well wishes to Aqueda Ramirez who is celebrating her 104th birthday at Deltona Healthcare between Noon and 2:00 p.m. tomorrow. He stated Ms. Dombrowski with Forest Lake Elementary asked if any of the Commissioners wanted to speak to the students on October 10th, just let him know.

**Mayor Masiarczyk stated he has prepared a letter of support for the Enterprise Preservation Society Traveling Exhibit "The Way We Were" to the Florida Humanity Council, he read the letter, he suggested providing them with the Team Volusia presentation that was shown tonight and he asked the Commission's support to send the letter and the Commission concurred.**

Mayor Masiarczyk invited everyone to National Night Out tomorrow between 5:30-8:30 p.m. in the courtyard at City Hall, the Commission accepted a proposal he had to create the two stars and blue line flag which will be lit up tomorrow. He stated during the entire month of August there will be recognitions of the Volusia County Sheriff's Office (VCSO). He suggested putting a blue light bulb outside homes in recognition of the VCSO and he thanked the VCSO for all they do.

#### **15. ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:14 p.m.

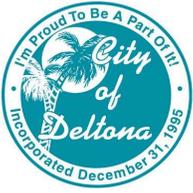
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John C. Masiarczyk, Sr., MAYOR

ATTEST:

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Joyce Raftery, CMC, MMC, CITY CLERK



## Agenda Memo

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**AGENDA ITEM: A.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - A

**SUBJECT:**

Public Hearing - Ordinance No. 23-2016, Off-Street Parking Standards for Residential Uses - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Economic Development. Promote a customer service environment.

**LOCATION:**

City-wide.

**BACKGROUND:**

The City Commission directed the City's Ordinance Review Committee (ORC) to review residential parking standards within the City's Land Development Code (LDC) for the potential to provide additional parking of vehicles on single-family residential lots. The ORC reviewed the off-street parking standards within Section 110-828, Off-street parking and loading regulations, and provided analysis and dialogue concerning the ability to park vehicles on residential lots.

City staff provided background information to the ORC and copies of the LDC sections for their review. The types of residential lots and their original purpose of intent for construction of a dwelling unit was also discussed, as well as other applicable regulations for legal permissibility in the form of the Florida Fire Prevention Code and the Florida Building Code. The revision to Section 110-828(a) is provided in the attached Ordinance No. 23-2016 that is general enough to accommodate all lotting types and patterns, while remaining legally permissible and physically constructible on residential lots. The Planning & Zoning Board reviewed the attached ordinance and unanimously voted that the City Commission adopt Ordinance No. 23-2016.

**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 that Ordinance No. 23-2016 be tabled and placed on a Commission Workshop since concerns have been

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**AGENDA ITEM: A.**

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raised as to possible unintended consequences of adopting the ordinance, including instances where an entire front yard could be used as a parking lot.

**POTENTIAL MOTION:**

“I hereby move to table Ordinance No. 23-2016 and to place it on a Commission Workshop since concerns have been raised as to possible unintended consequences of adopting the ordinance, including instances where an entire front yard could be used as a parking lot.”

**ORDINANCE NO. 23-2016**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 110-828, “OFF-STREET PARKING AND LOADING,” OF ARTICLE VIII, “SUPPLEMENTARY REGULATIONS”, OF CHAPTER 110 “ZONING”, OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA; PROVIDING FOR AMENDMENTS TO ALLOW ADDITIONAL PARKING ON SINGLE-FAMILY RESIDENTIAL LOTS; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Deltona adopted Article VIII, Supplementary Regulations, and Chapter 110, Zoning, of the City’s Land Development Code; and

**WHEREAS**, Section 110-828, of Chapter 110 provides regulations for off-street parking, inclusive of regulations for off-street parking on single-family residential lots, as designed, permitted, and constructed within the City; and

**WHEREAS**, the City of Deltona has the majority of its platted lands in single-family residential lots; and

**WHEREAS**, the City Commission of the City of Deltona, Florida, finds that providing additional off-street parking on single-family residential lots affords the ability to park additional vehicles in the form of several automobiles, boats, recreational vehicles, trailers, among others, and that the provision of additional parking on a single-family residential lot as limited shall not create a nuisance; and protects the public health, safety and welfare of the community.

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

**Section 1.** Section 110-828, Off-street parking and loading, of the City’s Code of Ordinances is hereby amended to read as follows:

Sec. 110-828 Off-street parking and loading.

(a) *Off-street parking and loading regulations.* Where required by this chapter, every use or structure shall have an adequate number of off-street parking and loading spaces for use of occupants, employees, visitors, customers, patrons or suppliers. Except as noted in this section, chapter 96, article II, of the Code of Ordinances shall apply to the design and construction of all required off-street parking and loading areas. For platted single-family residential lots, additional off-street parking may be provided, at the option of the property owner, where it is physically possible and legally permissible on the lot without creating a nuisance, provides for safe ingress and egress, does not alter the design, permitting, construction, and drainage patterns of the lot, is not within easements, is not located on a utility system, and adheres to the City's Land Development Code, the Florida Fire Prevention Code, and the Florida Building Code.

**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 re-lettered to accomplish such intention.

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

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

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
DELTONA, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

First Reading: \_\_\_\_\_

Advertised: \_\_\_\_\_

Second Reading: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, MMC, 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:** Chris Bowley, AICP, Director  
Planning & Development Services

**Date:** April 20, 2016

**Re:** Ordinance No. 23-2016: Amending Section 110-828, Off-street Parking and Loading Land Development Code Regulations Pertaining to Single Family Residential Lots

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## A. Summary of Application:

**Applicant:** City of Deltona (City)

**Request:** To amend Section 110-828, Off-street parking and loading Land Development Code (LDC) regulations pertaining to single family residential lots. The request is to accommodate additional parking on the residential lot above that provided in the original construction of the lot.

**B. Background:** The City of Deltona has a majority of its land subdivided into single-family residential lots. The bulk of those lots were created through the Deltona Lakes plat and others through master planned communities. As the nation becomes more mobile and the demand for automobiles and other vehicles increases, there is a need for more parking areas on a single-family residential lot. This is compounded by homeowners/tenants owning several vehicles and a lack of locations for storage.

In addition to the above, the single-family residential lot was designed, permitted, and constructed for specific basic uses. Driveways and garages are constructed to accommodate several vehicles and lots are constructed to provide for utility provision to the home and

neighborhood, as well as affording positive drainage away from the foundation of the home. This includes the construction of drainage facilities and the provision of open space for water percolation. In summary, the City's Land Development Code, the Florida Fire Prevention Code, and the Florida Building Code are designed to afford maximum development potential, while maintaining the public health, safety, and welfare with the basic use of the lot. To maintain the overarching regulations that regulate platted single-family residential lot subdivision, construction, and use, the following amendment is proposed to provide for additional off-street parking provisions on these lots.

Sec. 110-828 Off-street parking and loading.

(a) Off-street parking and loading regulations. Where required by this chapter, every use or structure shall have an adequate number of off-street parking and loading spaces for use of occupants, employees, visitors, customers, patrons or suppliers. Except as noted in this section, chapter 96, article II, of the Code of Ordinances shall apply to the design and construction of all required off-street parking and loading areas. For platted single-family residential lots, additional off-street parking may be provided, at the option of the property owner, where it is physically possible and legally permissible on the lot without creating a nuisance, provides for safe ingress and egress, does not alter the design, permitting, construction, and drainage patterns of the lot, is not within easements, is not located on a utility system, and adheres to the City's Land Development Code, the Florida Fire Prevention Code, and the Florida Building Code.

**CONCLUSION/STAFF RECOMMENDATION:**

The proposed amendment to Section 110-828(a) of the City's Land Development Code (LDC) allows for the maximum flexibility and use of a platted single-family residential lot, while also providing for additional off-street parking above and beyond the original design, permitting, and construction of the lot. Based on the above, staff recommends approval of Ordinance No. 23-2016.

## ORC COMMENTS SUMMARY

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

- (a) Off-street parking and loading regulations. Where required by this chapter, every use or structure shall have an adequate number of off-street parking and loading spaces for the use of occupants, employees, visitors, customers, patrons or suppliers. Except as noted in this section, chapter 96, article II, Code of Ordinances shall apply to the design and construction of all required off-street parking and loading areas.
- (b) Surfacing, drainage, lighting, and access.
  - (1) For single-family and two-family (duplex) residential dwellings, for model homes and model home parking lots located in residential zoning categories, and for city-owned facilities and Volusia County, or State of Florida, park and recreation facilities, off-street parking areas and driveways that connect to paved streets or roads shall be surfaced with either concrete, brick, or asphalt, and maintained in a good condition for a minimum distance of 35 feet, or the distance to the house from the front or street side lot line, whichever is less. Additional driveways, driveways that connect to unpaved streets or roads, and parking spaces on these sites may be surfaced with crushed rock, shell, or stone, and maintained in a smooth well-graded condition.

Melissa suggestion add mulch, brick pavers

Material used at grades exceeding five percent (20'h:1'v) must be attached to the ground, and may include paving brick or stone. Borders shall include provisions to ensure stormwater runoff is allowed to flow into the yard area adjacent to the driveway. Stormwater shall not be directed down the driveway into the public or private right-of-way or access easement except to the minimum extent necessary to effect a connection to the driveway apron at the property line, or onto adjacent property. The design storm event shall be as specified in the Deltona Land Development Code as it may be amended from time to time.

Joe suggestion Based on the minimum/maximum spaces – would a standard driveway of a single family home that can accommodate 4 vehicles be in violation of the maximum allowable off-street parking spaces (see Table 110-9). Joe suggestion b)(1) – add sentence as follows: Any additional parking adjacent to a paved or concrete driveway may be surfaced with mulch, rock, shell or stone and maintained in a smooth well-graded condition.

- (2) Any required off-street parking and loading areas, including overflow areas, for land uses other than single-family or two-family (duplex) dwellings shall be surfaced with brick, asphalt, bituminous, or concrete material and maintained in a smooth condition.

Melissa suggestion add mulch, rock – & Question what about Church facilities that have dirt/pine needle and wood markers for parking spaces?

All areas shall be designed for the safety and convenient access of pedestrians and vehicles. An illumination plan prepared by a licensed professional engineer with expertise in the field of illumination, including the latest illumination technology available, shall be submitted for each parking facility that is proposed to be illuminated. Lights, used to illuminate any off-street parking facility, shall be designed and installed to prevent a related hazard or nuisance to vehicular or air traffic and to prevent glare, annoyance or discomfort by directing light away from adjacent residential properties and adjoining streets. In no case shall illumination from a parking facility (including illuminated canopies) increase the level of illumination at the edge of

pavement on adjacent streets or at the property lines of adjoining properties by more than one foot candle. The maximum height of the light fixture, including pole and lamp head, shall not exceed 35 feet and be erected such that any series of light poles and lamp heads are equal in height, as measured from ground level.

- (3) To promote the safety of vehicular traffic and pedestrians and to minimize traffic congestion and conflict, access to any project or development, including single-family homes and duplexes, shall comply with the requirements of the Land Development Code, chapter 96, article II, as it may be amended from time to time, and shall require a hard surface driveway apron meeting city engineering standards connecting the driveway to a public street.

(c) Location.

- (1) The minimum number of parking spaces required in section 110-828(f) for all single-family and two-family dwellings shall be located on the same lot as the main building. If additional parking spaces are required for any single-family or two-family dwelling, the additional parking spaces may be located either on the same lot as the main building, or on an adjacent vacant lot of an expanded residential building site. If the required off-street parking spaces for all other uses cannot reasonably be provided on the same lot on which the principal building or use is located, such required off-street parking spaces may be located on another lot, owned or leased by the owner of the lot on which the principal structure or use is located, provided that such spaces are located within 200 feet of the premises to be served, and, are located only in one or more of the following classifications: RM-1, RM-2, OR, C-1, C-2, C-3, I, PUD or PB. Such spaces may be located in any single-family residential zoning district only as a conditional use. Heavy equipment and vehicles requiring a commercial drivers' license of any class shall not be parked or stored on an off-premises parking lot permitted by this paragraph within any residential zoning district, or within the professional business zoning classification.
- (2) No parking space or portion of any parking facility shall be located or built within any platted easement unless an authorized use permit is issued by the City of Deltona.

(d) Plan requirement. An off-street parking or loading space plan shall be submitted as follows:

- (1) For single-family and duplex uses off-street parking plans shall be shown on the plot plans submitted with an application for a building or zoning permit. The plot plan shall accurately illustrate the number and location of parking spaces and driveways. The addition of parking spaces to an existing single-family or duplex residential building site shall require an application for a zoning permit, which shall include a plot plan and sealed survey of the expanded residential building site. All required landscaping and screening, areas proposed to be cleared, trees proposed to be removed, existing and proposed vehicle access ways, parking areas, and structures shall be shown on the plot plan. In addition, building permit applications shall be submitted for any proposed construction that is regulated by the city's adopted building code.
- (2) For all other uses, an off-street parking and loading space plan meeting the requirements of chapter 96, article II, Code of Ordinances shall be submitted and approved during the site plan review process of the Land Development Code.

(e) Design requirements for off-street parking areas. Off-street parking areas shall be designed and located to meet the following requirements:

- (1) For single-family and duplex uses, except as otherwise provided in this article for expanded residential building sites, each off-street parking space shall be located on the premises which

it serves; have minimum dimensions of nine feet in width by 19 feet in depth; not be located in any front yard except on a driveway but may be located within any garage or carport on the premises; and/or, may be located within any side or rear yard but not closer than five feet to any side or rear lot line, but not in any platted easements unless an authorized use permit is issued by the City of Deltona. ~~Each such space must be accessible from a driveway connected to the street providing primary access to the premises.~~

Melissa suggest to omit due to the unique property designs of homes in Deltona

The design requirements for parking on the vacant lot of an expanded residential building site are set forth in paragraph (2) of this section.

- (2) When additional parking is installed on the vacant lot of an expanded residential building site, the parking area shall be designed and built in accordance with the requirements of this paragraph, as follows:
  - a. Surfacing, drainage and access. Surfacing, drainage and access for any parking area on the adjacent vacant lot of an expanded residential building site shall meet the requirements of subsection 110-828(b).
  - b. Driveway spacing. Driveway spacing shall meet the minimum standards of the Deltona Land Development Code, Ordinance 96-25, as it may be amended from time to time. No driveway connection to a street may be made to the vacant portion of a residential building site for the purpose of providing additional parking. Access shall be provided across the adjacent lot on which a one- or two-family dwelling exists. The driveway or access way serving the parking facility on the vacant lot of an expanded residential building site shall be built using one of the types of surfacing required for parking areas in subsection 110-810(b), as it may be amended from time to time.
  - c. Driveways, access ways, and parking areas. These facilities shall not be built in a manner that impairs any easement.
  - d. Setbacks. Any additional parking area on the vacant portion of an expanded residential building site shall be no closer to the front or rear lot lines than 30 feet, and no closer to the exterior side lot line of the vacant lot than 20 feet. The exterior side lot line shall be the lot line directly opposite the common lot line that lies between the two lots comprising an expanded residential building site.
  - e. Natural vegetation. Existing natural vegetation shall not be cleared from the area within the minimum setbacks required in paragraph "d." of this subsection, except to remove hazards or nuisance vegetation limited to exotic species, vines, poisonous plants, and dead or diseased plants, and in accordance with the tree protection requirements of chapter 98, article II of the Deltona Land Development Code as it may be amended from time to time.
  - f. Lot clearing. Lot clearing shall be limited to an area beyond the setbacks specified in paragraph "e." of this subsection that shall not exceed 55 feet in depth measured from the common lot line of the expanded residential building site toward the opposite side lot line, and 50 feet in width. However, clearing to the maximum allowable width and depth shall not be permitted in every instance, but shall be limited to those instances where that is the minimum amount of clearing required to accommodate the types of vehicles being parked on the vacant lot of the expanded residential building site. In each case, clearing shall be limited in width to the minimum needed to accommodate one parking space of nine feet

in width for each vehicle proposed to be parked plus a maximum of ten feet on each side to accommodate any visual screening required by paragraph "g." of this section. In each case clearing shall be limited in depth to a depth that equals the length of the vehicle proposed to be parked plus a maximum of an additional ten feet to accommodate any visual screening required by paragraph "g." of this section.

- g. Visual screening. If any portion of the parking area provided on the vacant portion of an expanded residential building site is visible from any adjacent street or lot, except the portion facing the common lot line of the site, that portion of the parking area must be screened from view. Minimum screening required shall be either a 100 percent opaque hedge, fence or wall at least four feet, but not more than six feet in height, and a row of understory trees high enough that their crowns obscure the parked vehicles from view. Chain link fences with cover materials or inserts shall not be permitted to meet this screening requirement. The required understory trees shall be planted so that their crown spreads at maturity shall completely cover the area within which any parked vehicle is visible. The required shrubs and understory trees shall reach maturity and achieve the required minimum screening within two years from the date of planting. All required landscaping materials shall be of the species specified in the approved plant species list in section 110-808 of the Land Development Code of the City of Deltona, as it may be amended from time to time. Except that deciduous species that drop their all or most of their leaves at any time of year are prohibited to be used as screening materials meeting the requirements of this section.

(3) For all other uses, off-site parking and loading areas shall be designed and located according to the requirements of this ordinance and the applicable articles of the Land Development Code, Ordinance No. 96-25, as it may be amended from time to time.

- (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. 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.

Table 110-9: Minimum Off-Street Parking Spaces

Land Use	Number of Parking Spaces
Parks:	

Open "free play area"	8 spaces per acre.
Equipped playground	10 spaces per site.
Multipurpose court	5 spaces per court.
Picnic area	1 space per table.
Baseball/softball	38 spaces per field.
Handball/racquetball court	2 spaces per court.
Tennis court	2 spaces per court.
Soccer/football	34 spaces per field.
Shuffleboard court	2 spaces per court.
Basketball court	5 spaces per court.
Jogging/fitness trail	2 spaces per trail.
Multipurpose field	8 spaces per acre.
Primitive camping	1 space per site.
Fishing pier	4 spaces per 50 lineal feet.
Boat ramp	36 spaces per boat lane.
Volleyball	6 spaces per court.
Concession building	1 space per concessionaire or employee.
Community center	1 space per 200 square feet GFA.*
Community pool—50 meter (164' × 75')	91 spaces.

Neighborhood pool—25 yards (75' x 45')	25 spaces.
Transportation centers	1 space for each 4 estimated average daily passengers To be addressed in the future—Multi-modal.
Recycling collection center	1 space per employee.
Solid waste transfer station	1 space per employee.
Banks	4 spaces/1,000 square feet of GFA with 5 reservoir spaces per drive thru window and drive thru ATM.
One- and two-family homes	1 BR and more: 2 spaces/d.u., in addition to garage parking, if any.
Multi-family	<p>Studio and 1 BR: 1.5 spaces/d.u. + 1 space per 10 d.u. for guest parking.  2 BR: 2 BR or more: 2.0 spaces/d.u. + 1 space per 10 d.u. for guest parking.</p> <p><del>No recreational vehicles, boats, or trailers are permitted except within an additional visually screened and secured parking area that may be provided specifically for recreational vehicle, boat, and/or trailer storage.</del></p> <p>Board discussed prohibiting parking on side lots between houses</p> <p>Melissa suggestion to omit, and to allow for off-street parking area for uninhabited recreational, vehicle not to exceed the 19-ft requirement in (e)(1).</p>
Hardware store	2.86 spaces /1,000 square feet GFA.
Home improvement superstore	3.5 spaces/1,000 square feet GFA** applicant may increase to 5 spaces/1,000 GFA provided additional spaces may be classified as alternative surface spaces when located greater than 300 feet from the front door.*Garden Center area shall be included.
Hotels, motels	1 space/rental unit 1 space/guest room, plus an additional 10% for employees, plus additional parking required for any other land uses on the site, such as restaurants or bars.

Hospitals	1 space per bed.
Colleges, community colleges, or other places of higher learning	1.25 spaces per student and a minimum of 1 space per 250 square feet GFA of office area up to 1,000 office spaces, and 1 space per 500 GFA of office area for offices over a campus total of 250,000 square feet of GFA office area and 1 space per 200 square feet GFA devoted to classrooms, plus minimum parking required for other areas of assembly, sports arenas, and stadiums.
Nursing and convalescent facilities	1 space/2 patient beds, based on the maximum designed capacity of the facility.
Live theater or auditorium	1 space/3 persons permitted at fire code maximum occupancy plus 10% for employee parking.
Movie theater	1 Screen - 1 space/3 seats permitted at maximum fire code occupancy, plus 10% for employee parking. 2 Screens - 1 space/4 seats permitted at maximum fire code occupancy, plus 10% for employee parking. >2 Screens - 1 space/5 seats permitted at maximum fire code occupancy, plus 10% for employee parking.
Church	1 space/3 seats in main assembly area, or 33.3 spaces/1,000 square feet GFA in main assembly area if no fixed seating is provided. Seating shall be based on maximum fire code occupancy. Plus parking required for other uses on the site that operate during hours when the main assembly area may be in use.
Mortuary or funeral home	1 space/3 seats in main assembly area, or 33.3 spaces/1,000 square feet GFA in main assembly area if no fixed seating is provided. Seating shall be based on maximum fire code occupancy.
Other places of assembly	1 space/3 seats in main assembly area, or 33.3 spaces/1,000 square feet GFA in main assembly area if no fixed seating is provided. Seating shall be based on maximum fire code occupancy.
Restaurants	Type A: Indoor service, low turnover: 12 spaces/1,000 square feet GFA indoor service; High turnover: 14 spaces per 1,000 square feet GFA, plus 6 reservoir spaces/service lane, with a minimum of 3 spaces behind the order station or menu.

	Type B: Fast food: 6 reservoir spaces/ service lane with a minimum of 3 spaces behind the order station or menu, plus 10 spaces/1,000 square feet GFA. Restaurant without customer seating 1 space/100 square feet GFA.
Bars and night clubs	1 space/100 square feet GFA.
Office buildings less than 25,000 square feet	3.25 spaces/1,000 square feet GFA.
Office buildings between 25,000 sq. ft. and 500,000 square feet	3.0 spaces/1,000 square feet GFA.
Office buildings over 500,000 square feet	Determined by parking demand study using professionally acceptable parking demand methodology approved by the zoning enforcement official, with results to be reviewed and approved by the city, but not less than 3 spaces/1,000 square feet GFA.
Medical offices, clinics, and laboratories	Min: 5 spaces/1,000 square feet GFA. Max: 6 spaces/1,000 square feet GFA.
Retail sales and services, general	Less than 150,000: 4.44 space/1,000 square feet GFA 150,000 square feet or greater: 4.0 space/1,000 square feet GFA. Garden center area shall be included.
Shopping centers	4.0 spaces/1,000 square feet GFA. Garden center area shall be included.
Library	5.0 spaces/1,000 square feet GFA.
Automated service station retail sales (Types A and B)	1 space/gas pump, plus 3 spaces/service bay (not including service bays as parking areas)
Automobile service station with retail sales (Type C)	1 space/gas pump, plus 5 spaces/1,000 square feet GFA.
Government office building	4 spaces/1,000 square feet GFA plus required seating auditorium when an assembly area is included.

Manufacturing	1.54 spaces/1,000 square feet GFA for manufacturing, plus and Industrial Required parking for other uses on the site.
Commercial and industrial dead storage	4 spaces/1,000 square feet.
Contractors storage yards	1 space/1,000 square feet.
General warehouses	1.54 spaces/1,000 square feet GFA, plus 3.5 spaces/1,000 square feet of office or retail area.
Self-service and mini-warehouses	1 space/10 cubicles or units, plus continuous Loading spaces clear of through traffic access, plus 3.5 spaces/1,000 square feet of office area.
Bowling alleys	4 spaces/alley, plus required parking for other uses on the site, plus 10% for employees.
Private clubs and lodges	1 space/3 persons permitted at the maximum fire code capacity of the main assembly area.
Day care center	1 space/state required staff, plus 1 space/5 children at maximum permitted capacity, plus 1 passenger loading space/ea. 10 children under care, minimum 4 spaces. In lieu of the above requirement, a two lane loading and access area may be provided in accordance with the design standards for such loading and access areas in the Deltona Zoning Ordinance, as it may be amended from time to time. When such loading and access area is provided, the minimum parking requirement shall be reduced to 1 space/10 children at maximum licensed occupancy, plus 1 space/state required staff person.
Group home	1 space/5 resident clients, plus 1 space/state Required employee on the largest shift.
Bed & breakfast	1 space/guest room, plus 10% for employee/guest parking, plus 2 spaces/permanent resident dwelling unit.
Ball park or stadium, not including Little League and similar children's recreational programs	1 space/ea. 3 seats or 1/300 square feet GFA, whichever is greater.

Recovery homes	1 space/2 patient beds, plus 10% for staff. If visitation is allowed, add another 10% for visitors.
Pool halls and billiard parlors	2 spaces/pool and billiard table, plus required parking for all other uses on the site, including restaurants or bars.
Golf or country club	6 spaces/golf hole, plus required parking for any other uses on the site.
Swim club	1 space/250 square feet member use area in principal building, plus 1 space/50 square feet of pool and deck area, 1 space per three (3) seats in any spectator area, and required parking for any other uses on the site.
Rooming or boarding houses and dormitories	1.5 spaces/rented room or unit, or 1 space/400 square feet boarding houses GFA when dormitory style facilities are provided.
Fraternities or sororities or student cooperatives	1 space/2 occupants based on fire rated capacity of the building.
Mobile home parks	2 spaces/d.u. plus any additional spaces required to service accessory buildings or structures, plus required parking for all other uses on the site.
Car wash	Full service: 1 space per employee on maximum shift plus sufficient area for stacking spaces. Self service: 1 stacking space per washing bay.
Veterinary clinics	4.44 space/1,000 square feet GFA.
Telemarketers	10 space/1,000 square feet GFA.
Furniture stores	2 spaces/1,000 square feet GFA.
Health club and spas	5.71 space/1,000 square feet GFA.
All land uses, maximum permitted parking	Maximum permitted number of parking spaces shall not exceed 1.15 times the minimum parking required by this section, unless otherwise stated herein, or unless a waiver of the maximum parking limitation is obtained from the zoning enforcement official pursuant to this section.

(g) Minimum requirements for off-street handicapped parking. Except for standard and manufactured single-family dwellings, and two-family standard or manufactured dwellings, where off-street parking spaces are required by this chapter, the number to be reserved for the handicapped shall be determined from the following table.

Table 110-10: Minimum Requirements for Off-Street Handicapped Parking

Total No. of Off-Street Parking Spaces	No. of Spaces Required to be Reserved for Handicapped
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
Over 1,000	20 plus 1 for each 100 over 1,000

(h) Off-street loading and unloading regulations. At the time of construction of one of the following categories of buildings, or at the time of structural alteration for an increase in size or capacity, there shall be provided minimum off-street loading or unloading spaces with adequate means of ingress and egress from a public street or alley, without interfering with the public use of streets, or off-street parking spaces. Off-street parking spaces may not be used to meet off-street loading requirements.

The dimensions, design, and location of all off-street loading spaces shall meet the requirements of article IV of the Land Development Code.

The minimum numbers of off-street loading spaces shall be determined from the following table:

Table 110-11: Off-Street Loading Spaces

Use Category	Floor Area in Square Feet	Loading Space Required
Retail sales and service, restaurants or similar uses	3,000—10,000	1
	10,001—20,000	2
	Each additional 20,000 square feet or fraction	1
Offices, hotels, hospitals, nursing homes, assisted living facility, multi-family dwellings or similar uses	30,000—100,000	1
	Each additional 100,000 square feet or fraction	1
Arenas, auditoriums, stadiums, convention centers, exhibition halls, museums or similar uses	10,000—50,000	1
	50,001—100,000	2
	Over 100,000	4
Any industrial use and any wholesale, retail and commercial storage facility	15,000—40,000	1
	40,001—100,000	2
	100,000—160,000	3
	Each additional 80,000 square feet or fractions	1

(i) Bicycle parking regulations. Each of the following uses shall be required to provide parking spaces for bicycles: parks and recreation areas; convenience stores; restaurants (Types A and B); game rooms; pharmacies; shopping centers (regional, community, and neighborhood); and any employment facility (i.e., office, industrial) with at least 50 employees.

The minimum number of bicycle spaces to be provided shall be determined from the following table:

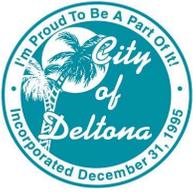
Table 110-12: Minimum Number of Bicycle Spaces

Required No. of Automobile Parking Spaces	Minimum Number of Required Bicycle Parking Spaces
1—40	2
41—60	3
61—80	4
81—100	5
Over 100	6 plus 1 for each 20 automobile parking spaces over 100, provided that the maximum number of required bicycle spaces shall not exceed 20.

All bicycle parking shall be located so as to not conflict with automobile or pedestrian traffic flow.

- (j) Mass transit parking requirements. Community and regional shopping centers shall be designed to accommodate buses for convenient and safe boarding and unloading of passengers as well as maintaining a safe traffic pattern. Shopping centers of greater than 100,000 square feet of gross leasable floor area shall provide a passenger shelter or covered benches to accommodate the mass transit system riders. Bus stops, shelters, and benches shall be designed so as to avoid interference with automobile and pedestrian traffic from mass transit operations and facilities.

(Ord. No. 35-00, §§ 1, 2, 11-7-2000; Ord. No. 26-01, § 1, 9-17-2001; Ord. No. 28-01, § 2, 10-15-2001; Ord. No. 06-2003, § 3, 11-3-03; Ord. No. 27-2006, § 1, 11-6-2006; Ord. No. 06-2007, §§ 4, 5, 4-16-2007; Ord. No. 19-2011, § 1(Exh. A), 11-7-2011)



## Agenda Memo

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**AGENDA ITEM: B.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - B

**SUBJECT:**

Public Hearing - Ordinance No. 26-2016, Deltona Free Standing Emergency Room BPUD (RZ16-001) - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Economic Development - Focus on Howland Blvd. as the gateway for commercial growth.

**LOCATION:**

North of Graves Ave. and south of Howland Blvd. within the Deltona Activity Center.

**BACKGROUND:**

The applicant, Central Florida Regional Hospital, is proposing a rezoning action to allow for a free standing emergency room within the Deltona Activity Center through Ordinance No. 26-2016. A new Business Planned Unit Development (BPUD) is proposed to be created through the attached Development Agreement (DA) and Master Development Plan (MDP). The proposed ±3.24-acre site is to be subdivided from an overall ±28-acre parent tract for the purpose of constructing a free standing emergency room (a.k.a. an emergency care facility). The attached DA outlines the proposed development program and infrastructure improvements for the project.

At the July 20, 2016, Planning & Zoning Board, there was discussion and representation from legal counsel both for and against the project. The Board discussed the proximity of this facility to a nearby similar facility, access management, land use intensity, and community demand. With that discussion, the Board voted 7-0 to recommend that the City Commission adopt Ordinance No. 26-2016.

**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 that Ordinance No. 26-2016 be approved by the City Commission, at first reading.

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**AGENDA ITEM: B.**

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**POTENTIAL MOTION:**

“I hereby move that Ordinance No. 26-2016 be approved by the City Commission, at first reading.”

**ORDINANCE NO. 26-2016**

**AN ORDINANCE OF THE CITY OF DELTONA AMENDING THE OFFICIAL ZONING MAP TO REZONE APPROXIMATELY 3.24 ACRES OF LAND LOCATED IN THE SOUTHWEST CORNER OF THE INTERSECTION OF HOWLAND BLVD. AND GRAVES AVENUE FROM CITY OF DELTONA BUSINESS PLANNED UNIT DEVELOPMENT TO A NEW CITY OF DELTONA BUSINESS PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Deltona, Florida has received an application to rezone approximately 3.24 acres from City Business Planned Unit Development (BPUD) to City Business Planned Unit Development (BPUD); 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 BPUD rezoning; and

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

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

**Section 1.** Located in the City of Deltona, Florida the following property is hereby rezoned to BPUD:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 70, YOURLANDO FARMS AND GROVES PLAT (PLAT BOOK 10, PAGES 227 AND 228 OF THE OFFICIAL RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF PLATED LOT 70, NORTH 00°18'37" WEST A DISTANCE OF 10.10 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF GRAVES AVENUE AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 89°23'10" WEST A DISTANCE OF 292.39 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 00°37'08" EAST A DISTANCE OF 381.01 FEET; THENCE NORTH 89°22'52" WEST A

DISTANCE OF 50.00 FEET; THENCE NORTH 00°37'08" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 55°56'49" EAST A DISTANCE OF 114.36 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF HOWLAND BLVD (S.R. 472); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT AND BEING CONCAVE NORTH EAST HAVING A RADIUS OF 1748.64 FEET, A CENTRAL ANGLE OF 12°32'22" AND AN ARC LENGTH OF 382.70 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 38°58'46" EAST A DISTANCE OF 381.93 FEET TO THE AFOREMENTIONED EASTERLY LINE OF LOT 70; THENCE SOUTH 00° 18'37" EAST A DISTANCE OF 301.79 FEET TO THE POINT OF BEGINNING

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

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

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

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

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

First Reading: \_\_\_\_\_

Advertised: \_\_\_\_\_

Second Reading: \_\_\_\_\_

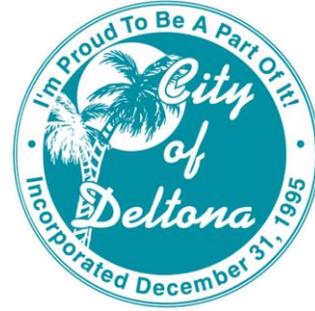
BY: \_\_\_\_\_  
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, MMC City Clerk

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

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



# Staff Report

**To:** Planning and Zoning Board

**From:** Chris Bowley, AICP, Director Planning and Development Services

**Date:** May 26, 2016

**Re:** Ordinance No. 26-2016, Project No. RZ16-001, Deltona Free Standing Emergency Room, Business Planned Unit Development

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## A. Summary of Application:

**Applicant:** Matthew West, AICP, Littlejohn Engineering Assoc. Inc., representing Central Florida Regional Hospital.

**Request:**

**Tax Parcel No.:** a portion of 8106-04-00-0542

**Property Acreage:** ± 3.24 Acres

**Property Location:** The property is located in the southwestern corner of the intersection of Howland Blvd. and Graves Av. situated within the Deltona Activity Center.

**Legal Description:** COMMENCE AT THE SOUTHEAST CORNER OF LOT 70, YOURLANDO FARMS AND GROVES PLAT (PLAT BOOK 10, PAGES 227 AND 228 OF THE OFFICIAL RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF PLATED LOT 70, NORTH 00°18'37" WEST A DISTANCE OF 10.10 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF GRAVES AVENUE AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 89°23'10" WEST A DISTANCE OF 292.39 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 00°37'08" EAST A DISTANCE OF 381.01 FEET; THENCE NORTH 89°22'52" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 00°37'08" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 55°56'49" EAST A DISTANCE OF 114.36 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF HOWLAND BLVD (S.R. 472); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY

LINE ALONG A CURVE TO THE LEFT AND BEING CONCAVE NORTH EAST HAVING A RADIUS OF 1748.64 FEET, A CENTRAL ANGLE OF 12°32'22" AND AN ARC LENGTH OF 382.70 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 38°58'46" EAST A DISTANCE OF 381.93 FEET TO THE AFOREMENTIONED EASTERLY LINE OF LOT 70; THENCE SOUTH 00° 18'37" EAST A DISTANCE OF 301.79 FEET TO THE POINT OF BEGINNING..

**B. Existing Zoning:** Interchange Commercial Center Business Planned Unit Development (BPUD)

**C. Background:** The ±3.24 acre property is a portion of a larger approximately 29 acre parent parcel. The 29 acre parent parcel was rezoned to Business Planned Unit Development (BPUD) in 2006 which was known as the Interchange Commercial Center. Even though the City adopted the rezoning Ordinance (Ordinance No. 22-2004), the BPUD Development Agreement was never executed. Recently, the City accepted an application to rezone ±3.24 acres of the Interchange Commercial Center BPUD. Essentially, the present BPUD request will replace the Interchange Commercial Center BPUD for the ±3.24 acres.

The use proposed is referred to as a freestanding emergency room. A freestanding emergency room is a relatively new medical land use and is a stand-alone facility where emergency medical care is provided. Other services include laboratories and imaging. The purpose of a freestanding emergency room is to provide fast and convenient emergency medical care. However, while freestanding emergency rooms may feature limited care beds, these facilities are not considered hospitals.

**D. Support Information Public Facilities:**

- a. Potable Water: to be supplied by Volusia County Utilities
- b. Sanitary Sewer: to be supplied by Volusia County Utilities
- c. Fire Protection: City of Deltona – Station 65
- d. Law Enforcement: Volusia County Sheriff's Office (VCSO)
- e. Electricity: Duke 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 property is located within a local planning area of the City referred to as the Deltona Activity Center. The Deltona Activity Center is strategically located at the SR 472/I-4 interchange and has the potential to provide needed economic development for the City of Deltona and southwest Volusia County. To realize the economic potential of the area, the Deltona Activity Center is associated with special planning and land use provisions.

***OBJECTIVE FLU2-1***

*Achieve an integrated and well-planned mixture of urban land uses within The Deltona Activity Center that encourages the creation of an employment center.*

The above objective illustrates the Deltona Activity Center is anticipated to be an employment center for the City. Medical uses typically are associated with higher wage skill sets oftentimes with benefits. Therefore, the rezoning would be consistent with this provision.

***Policy FLU2-1.7***

*Future development within the Deltona Activity Center shall require rezoning to a Planned Unit Development (PUD) or amendment to an existing PUD. Provided, however, that any development of an existing parcel that is 0.5 acres or less in size and which is permissible by the existing zoning classification assigned the parcel shall not require rezoning to PUD if the existing zoning classification is consistent with the Deltona Activity Center Plan future land use designation.*

The Business Planned Unit Development rezoning process for the property is required by this policy

***Policy FLU2-1.13***

*Individual developments within the Deltona Activity Center shall be designed consistent with the City of Deltona's Urban Design Pattern Book and Urban Design Master Plan as it may be updated from time to time to provide visual compatibility and functional continuity with other adjacent developments within the Deltona Activity Center.*

The project will be subject to the aesthetic requirements of this policy: Promote well designed and high quality development forms within the Deltona Activity Center.

The proposed development is also required to be consistent with the remaining Comprehensive Plan.

***Policy FLU1-1.11***

*The following public facilities and services shall be available for new development in all areas: roadways, solid waste collection, stormwater management, fire and police*

*protection, emergency medical services, potable water, sanitary sewer service, and public schools as defined in the Public School Facilities Element.*

The project will be served by adequate infrastructure including transportation. To address transportation improvements programed under a previously approved BPUD (Deltona Village), the project will be subject to traffic mitigation requirements to improve Graves Av.

***Policy FLU1-7.5***

*Subdivisions shall be designed so that all individual lots have access to the internal street system network with peripheral lots buffered from major roads and incompatible land uses.*

The BPUD rezoning does involve a subdivision and includes the beginning of an internal road system.

***Policy T1-1.4***

*The City of Deltona shall maintain land use regulations to facilitate safe and efficient transportation, which operates within the accepted levels of service as adopted by the City.*

Access off of Graves Av. will be limited to right in and right out movements. In addition, there is a requirement for the applicant to construct a raised median between the Graves Av. travel lanes. The intent of the raised median is to discourage left turns. The suggested improvements will promote safe ingress and egress to the facility and ensure appropriate traffic flow.

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

The property is associated with well drained, sandy soils. There are no wetlands on the property and none of the area proposed to be rezoned is located within the 100 year flood plain.

The property has been cleared in the past. The property can be described as a ruderal landscape comprised of scrub palmetto, oak saplings, dogfennel, broom grass, and various early successional weeds. While the property may have been cleared, the site may be suitable habitat for gopher tortoises and scrub jays. It is not unusual for mechanically manipulated areas to support populations of scrub jays and/or gopher tortoises. To determine if the property supports scrub jays or gopher tortoises, the applicant will be required to survey the property. If gopher tortoises are noted, then the tortoises will need to be relocated or preserved on site as per State permitting requirements. Scrub jays are a listed species protected under the Endangered Species

Act. Scrub jays and related habitat are regulated by the U.S. Fish and Wildlife Service and any impact to scrub jays or habitat will be subject to a Habitat Conservation Plan.

All listed species surveying and applicable permitting will be addressed during the site plan review process.

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

The proposed facility is a medical use and medical jobs typically feature relatively high wages, stable employment and oftentimes benefit packages. The facility will be staffed by approximately 30 personnel and will be open 24 hours a day. There is anticipation staff will operate in shifts. The project will bring in employment which has the potential to increase demand for retail service uses including restaurants.

**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:** N/A. The project is not residential and would have no impact on school workstation space.
- b. **Sewage Disposal:** Volusia County utilities will serve the project with central sewer. Currently, the County has over 350,000 gallons per day of wastewater treatment capacity available. Therefore there is ample capacity to serve the project.
- c. **Potable Water:** Volusia County utilities will serve the project with potable water. The County is currently providing a high potable water level of service within the Deltona North service area. The County does have the capacity to serve the property with potable water.
- d. **Drainage:** Stormwater will be managed in accordance with the City Land Development Code and the St. Johns River Water Management District.
- e. **Transportation Systems:** A freestanding emergency room is a new medical land use. The use is intended to provide quick and convenient emergency medical service. Emergency room service has typically been ancillary to hospitals where a full range of medical services are provided within a large central facility. Traffic generation rates associated with hospitals have been well studied by the Institute of Traffic Engineers and others. The trip generation characteristics of hospitals tend to be somewhat unique based on shift changes, visitation hours, patient

admission/discharges, etc. These characteristics are driven, in part, because a hospital tends to be open seven days a week and 24 hours a day.

Conversely, traffic generation rates for a freestanding emergency room have not been well documented. Since the freestanding emergency room has some commonalities with a hospital – 24/7 operation, medical services, etc., the hospital traffic generation rates were applied to determine traffic impacts associated with the proposed freestanding emergency room use.

Utilizing the above referenced methodology revealed the almost 11,000 square foot freestanding emergency room use would generate 143 trips with a pm peak of 10 movements to and from the facility. The trip generation rate of the use is well below the typical 1,000 trip threshold to perform a traffic impact analysis (TIA). However, the project is located in a congested area of the City. While none of the immediate roadway segments are failing, Graves Av., SR 472, and Howland Blvd. near the project are close to capacity. Furthermore, the local roadway geometry, signalization and traffic patterns create a condition where safety is of paramount importance. Notwithstanding the local roadway network has the capacity to support the 143 trips, the project needs to be carefully managed with regard to intensity, access and off-site transportation mitigation.

A road providing access to Graves Av. from the facility is planned. The access movement for the road will be limited to right in and right out. The intent of limiting the movement is because of the local curvature of Graves Av. which limits the view of on coming traffic. In addition, to ensure the right in and right out access is respected by drivers, the applicant will be required to install a raised concrete median down the center of Graves Av. near the project. The dimensions of the median will be determined by the County through the County Use Permit process (Graves Av. is a County Road).

In 2010, the City approved the Deltona Village Business Planned Unit Development. The Deltona Village BPUD mostly addressed 130 acres located south of the freestanding emergency room property. The Deltona Village BPUD transportation mitigation section addressed not only the 130 acres located south of Graves Av. but the 29 acre site of which the ±3.24 acre property is a part. According to the Deltona Village BPUD, the ±3.24 acre area is situated in “County Phase 1”. The subject phase is programed to provide mitigation. The mitigation associated with the Deltona Village BPUD mostly includes improvements to Graves Av. including a new Graves Av. west bound travel lane. The scope and size of the project will not trip the threshold for immediate improvements included within the Deltona Village BPUD. However, the owner and/or successor(s) in title is/are

responsible, as identified in the Deltona Village Development Agreement, to finance and implement transportation improvements.

The above mentioned access road featuring the right in and right out movement is one of three access points originally proposed by the applicant. The other two access points involve extending roads across land not proposed to be bought by the applicant. One access point would intersect at a right angle with Normandy Blvd. at the Graves Ave./Normandy Blvd. intersection. The other proposed access point was located further west towards the Graves Av. I-4 overpass. Both of these access points have merit and may be more functional than the right in right out access point planned to serve the property. However, the other access points involve unknown dynamics including ownership characteristics and other variables not suited to being adequately addressed under the subject BPUD document. Therefore, if access does change or is modified, the revised access network will need to be addressed through a PUD amendment or perhaps a new PUD involving abutting or nearby land.

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

None.

**6. Any mistakes in the original classification.**

No known mistakes.

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

All Planned Unit Development zoning actions are associated with a written Development Agreement (DA). The DA establishes certain land uses, intensities and other development parameters intended to implement the mission of government – health, welfare, safety and morals. The DA is attached. The language of the DA suggested by City Staff is presented in an underline and strike through format. Highlights of the recommended changes to the DA include the following:

- a. Limitation on land use to a freestanding emergency room;
- b. Limitation on the intensity to reflect applicant proposal;
- c. Addition of aesthetic standards;
- d. Enumeration of various transportation conditions including access management;
- e. To recognize the ±3.24 acre area as a legal lot, the underlying plat needs to be vacated and the ±3.24 acre area platted; and

- f. The addition of language regarding scrub jay and gopher tortoise protection.

**CONCLUSION/STAFF RECOMMENDATION:**

The proposed freestanding emergency room use is consistent with the City vision for the Deltona Activity Center. The freestanding emergency room will create jobs with good wages and benefits. In addition, the rezoning seems to further a medical oriented land use trend for the Deltona Activity Center that started with the Halifax Hospital development located in the vicinity of the proposed freestanding emergency room. There is anticipation the initial medical uses in the Deltona Activity Center will promote ancillary medical development including doctor offices, etc. In addition, increased employment in the area will spur the development of services like restaurants. Finally, the proposed rezoning is consistent with the Comprehensive Plan and can be served by existing public services. Therefore, staff recommends the adoption of Ordinance No. 26-2016, rezoning the ±3.24 acres to Business Planned Unit Development.

**THIS INSTRUMENT PREPARED BY  
AND AFTER RECORDING RETURN TO:**

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

**For Recording Purposes Only**

**Exhibit “A” to Ordinance No. 26-2016**

**DEVELOPMENT AGREEMENT**

for the project known as the Deltona Freestanding Emergency Room (FSER) Business Planned Unit Development (BPUD) located at the southwest corner of Graves Avenue and Howland Boulevard (hereinafter referred to as the “Subject Property”).

THIS DEVELOPMENT AGREEMENT (hereinafter referred to as the “Agreement”) is entered into and made as of the \_\_\_ day of \_\_\_\_\_, 2016, by and between the CITY OF DELTONA, a Florida municipal corporation, with a mailing address of 2345 Providence Boulevard, Deltona, Florida 32725, (hereinafter referred to as the “City”), and I-4 Howland Investments, LLC, (hereinafter referred to as the “Owner”), and Central Florida Regional Hospital, (hereinafter referred to as the “Developer.”)

**WITNESSETH**

**WHEREAS**, the Owner warrants that it holds legal title to the lands located in Volusia County, Florida, and within the corporate limits of the City of Deltona, said lands being more particularly described in Exhibit “B”, Legal Description for the Subject Property, attached hereto and by this reference made a part hereof; and that the holders of any and all liens and encumbrances affecting such property will subordinate their interests to this Agreement; and

**WHEREAS**, the Owner has clear title of the Subject Property or the Developer is currently

under contract to purchase the Subject Property and intends to develop such property as a planned commercial development; and

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

**WHEREAS**, the development permitted or proposed under this Development Agreement is consistent with the City's Comprehensive Plan, concurrency management system, and all land development regulations and this Agreement does not replace, supersede, or grant variances to those regulations, except as otherwise set forth herein; and

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

**WHEREAS**, the Owner and/or Developer have sought the City's approval to develop the Subject Property, and the City approved Ordinance No. 26-2106, through rezoning the Subject Property to a Business Planned Unit Development (BPUD), as defined under the City's Land Development Code on \_\_\_\_\_. The BPUD shall consist of this Agreement as the Written Agreement of the BPUD and an Exhibit "C", Master Development Plan (MDP), attached hereto and by this reference made a part hereof as the Preliminary Plan, subject to the covenants, restrictions, and easements offered by the Owner or Developer and contained herein, (hereinafter the "Master Development Plan"). Where more detailed criteria for City required submittals exceed the criteria required for a Master Development Plan, the more detailed criteria applies.

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

1. **Recitals and Definitions.** The recitals herein contained are true and correct and are incorporated herein by reference. All capitalized terms not otherwise defined herein shall be as defined and described in the City's Land Development Code as it may be amended from time to time, unless otherwise indicated.

2. **Ownership.** The legal and equitable owner of the Subject Property is: I-4 Howland Investments, LLC.

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

satisfied or released of record.

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

5. **Duration.** The duration of this Agreement is binding and runs with the land in perpetuity, unless amended.

6. **Development of the Subject Property.** Development of the Subject Property shall be subject to performance standards listed in this Agreement. Where a land use listed below differs from a defined use in the City of Deltona's Code of Ordinances, the use listed in this Agreement shall prevail.

- A. Comprehensive Plan Policies specific to this Subject Property: None
- B. Permitted principal uses allowable on the Subject Property shall be: Freestanding Emergency Room. A free standing emergency room is a standalone medical facility featuring emergency care services, imaging, laboratory activities, and related administrative uses.
- C. Prohibited principal uses, if any: Any use besides a freestanding emergency room as described above.
- D. Proposed minimum intensity: no minimum
- E. Proposed maximum density or maximum intensity, if any: 0.08 FAR. The facility shall be limited to a maximum of 12 private care patient beds.
- F. Impervious surface ratio is not to exceed 70% of the gross square footage for the Subject Property.
- G. Maximum lot coverage 8%
- H. Minimum landscaping and buffer yard requirements shall be consistent with Sec. 110-808 as it may be amended from time to time.
- I. Minimum lot size area: 3.24 acres
- J. Minimum lot width: 100 feet

- K.** Minimum yard setbacks:
1. Front yard: 35 Feet
  2. Side yard: 5 Feet
  3. Street side yard: 35 Feet
  4. Rear yard: 15 Feet
- L.** Maximum building height: 35 Feet
- M.** Minimum parking standards are per Sections. 110-828 and 110-829 of the City's Land Development Code as it may be amended from time to time.
- N.** Minimum lighting standards per the City's Land Development Code shall be included on a separate Illumination Plan to be provided at the time of site plan submittal.
- O.** Signs: Signs shall comply with Chapter 102 of the City Land Development Code as it may be amended from time to time.
- P.** Architectural controls and development on the Subject Property shall follow a common architectural theme and reflect a general appearance consistent with the City of Deltona Urban Design Pattern Book. The intent is to establish a high level of aesthetic within the Activity Center. For purposes herein, general appearance includes, but is not limited to, exterior wall finishes, construction materials, roof style, architectural details and ornamentation. The following requirements shall apply to development on the subject property:
1. The structure shall convey a sense of quality and permanence;
  2. Exterior walls facing public rights-of-way shall be constructed of finish materials such as stucco, natural brick or stone, finished concrete, or wood;
  3. All accessory structures, and signage shall be consistent with the overall theme of the principal use;
  4. Canopies shall be compatible with the architectural design of the principal structure and be designed consistent with other Fire Code and public safety oriented requirements; and
  5. All service areas and mechanical equipment visible from public rights-of-way (ground or roof) including, but not limited to, air conditioning condensers, heating units, electric meters, satellite dishes, irrigation pumps, and other mechanicals/utilities shall be screened using architectural features consistent with the structure or landscaping of sufficient density and maturity at planting to provide opaque screening.
- Q.** Utility provision and dedication: The Developer shall connect to Volusia County's central utility systems at their sole cost and expense. Utility fees shall be paid to

Volusia County before any building permit is issued. Central utility systems are to be designed, permitted, and constructed to service provider specifications and dedicated to the service provider upon final inspection, clearance, and acceptance by the service provider.

- R. Stormwater: The stormwater system shall not be dedicated to or become the responsibility of the City of Deltona. All environmental permitting, mitigation, and/or soil and erosion control for the property shall conform to all federal, state, and local permits/requirements; shall be the sole responsibility of the developer; and shall be maintained in good condition/standing with the applicable permitting authorities. Best Management Practices and conformance to National Pollutant Discharge Elimination System (NPDES) criteria are required.
  
- S. Transportation, site access, and traffic devices: The Subject Property was included within the Traffic Impact Study (TIS) submitted to Volusia County (December 2009), which covered 804,000 square feet out of the 900,000 square feet in the Deltona Village BPUD and the Interstate Commerce Center (which was never recorded as a BPUD). A separate TIS was submitted to the City of Deltona (dated December 2009) which covered 96,000 square feet along the southern boundary of the Deltona Village BPUD. The subject property is geographically referenced in the TIS and therefore, it is the interpretation of the City of Deltona that the transportation provisions in the Development Agreement for the Deltona Village BPUD (Book 6482, Page 4234) apply to the Subject Property. The Subject Property is considered a sub-phase of the “County TIA Phase I” and will be responsible for proportionate share payments as outlined in sections 10 and 11 of the Development Agreement for the Deltona Village BPUD (Book 6482, Pages 4240-4245). The mitigation required includes payment towards making improvements to Graves Av. as outlined in the Deltona Village BPUD. Before a Certificate of Occupancy is issued for the project, the required mitigation must be accounted to the satisfaction of the County and City.

Based on a determination that a freestanding emergency room facility traffic generation rates are analogous to a hospital, it is projected (for the purpose of analyzing this BPUD) that the free standing emergency room use planned will generate 143 daily trips and no more than 10 peak hour trips. Therefore, a traffic impact analysis (TIA) consistent with the River to Sea Transportation Planning Organization (TPO) was not required for the project. Any change of use, increase in size or any other increase of intensity shall require a major amendment to this BPUD document and a TIA will be required to be prepared consistent with TPO guidelines.

Access to the Deltona FSER BPUD shall be provided as follows:

The Deltona FSER BPUD site shall be granted direct access to Graves Avenue. The access shall be limited to right-in/right-out turning movements. This access point and

its northerly extension as shown on the Master Development Plan shall be constructed in conjunction with the development on the site and shall be completed prior to issuance of any Certificate of Occupancy for the site. The access and the northern extension of the access shall be designed to facilitate access to other property in the area. Drainage for the access will be incorporated into the stormwater design for the Deltona Freestanding Emergency Room BPUD site. The access connection with Graves Av. shall be constructed with a raised, tapered concrete median ('pork chop') to maintain appropriate traffic flow. In addition, the developer will be required to construct a raised concrete median of sufficient height, width and length within the median of Graves Av. to effectively discourage left turning movements. The design of the raised median(s) and access to Graves Avenue shall be determined through the County Use Permit process but shall not include the use of quick curb or similar type of apparatus. All traffic management improvements associated with this access shall be completed before a Certificate of Occupancy is issued for the property. In the event the County of Volusia seeks to impose conflicting standards upon the Developer in regard to the Graves Avenue access connection, the City traffic engineer may approve the County's conflicting standards as a minor amendment to this Agreement, as set forth in section 110-319 (k)(5)d of the City's Land Development Code.

There shall be no access permitted to Howland Boulevard/SR 472. Other access points may be provided in the future in conjunction with development of nearby lands owned by Owner. As to any portions of the access roadway and other related improvements lying within dedicated right-of-way, such improvements shall be constructed to City and, if applicable, County specifications and standards. Access improvements outside dedicated right-of-way shall be as a minimum constructed to the specifications contained in section 96-40 of the City's Land Development Code. Any other access points to Graves Avenue serving the development will need to be addressed through a major amendment to this BPUD unless the new access points are associated with another BPUD rezoning request.

The internal circulation system, including driveway entrances on to the access road may need to be relocated and/or re-designed to accommodate development of nearby lands owned by Owner or to afford appropriate spacing and promote safe and functional traffic patterns. Therefore, while the MDP depicts certain driveway cuts and internal circulations, those traffic circulation features may need to be re-designed to comply with the aforementioned development needs or city land development code requirements.

**T.** There shall be no limit on the hours of operation of a Free Standing Emergency Room use.

**7. Public Facilities/Land Dedication.** Facilities or tracts that either are or may become public facilities/tracts that will serve the development and/or are on the Subject Property

are, as follows: Roadways and utility infrastructure as described elsewhere in this Development Agreement.

8. **Development Permits/Fees.** The Developer is responsible for obtaining, permitting, and the payment of all fees for facilities and services for the Subject Property. Any site permits shall be kept current with the respective permitting agency and shall ensure the protection of the public health, safety, and welfare of the community and the development. All impact fees are applicable and no impact fee credits shall be awarded through this Agreement.

9. **Obligations.** Should the Developer fail to undertake and complete its obligations as described in this Agreement to the City's specifications, then the City shall give the Developer thirty (30) days written notice to commence and ninety (90) days to complete said required obligation. If the Developer fails to complete the obligations within the ninety (90) day period, then the City, without further notice to the Developer, or its successors in interest, may, without prejudice to any other rights or remedies it may have, place liens and take enforcement action on the Subject Property. A lien of such assessments shall be superior to all others, and all existing lienholders and mortgagees, by their execution of the subordination or joinder documents, agree to subordinate their liens or mortgages to the City's said liens or assessments. Notice to the Developer and its successors in interest shall be deemed to have been given upon the mailing of notice to the address or addresses set forth in Paragraph (20) hereof.

10. **Site Plan/Plat Approval.** Exhibit "C", the Master Development Plan, is the Preliminary Plan of the PUD and this Agreement. The Master Development Plan shall not replace, supersede, or absolve the Developer from approvals for any site plan. Where more detailed criteria for City required submittals exceed the criteria required for a Master Development Plan, the more detailed criteria applies. As per the City Land Development Code any development on the property will be required to be processed through the Final Site Plan review process. No site plan application will be approved unless and until the lot has received plat approval by the City Commission, unless it is determined by the City to be exempt from formal platting requirements. At the request of the Owner or Developer, the City will process a Final Plat application at the same time as a Final Site Plan application, unless it is determined by the City to be exempt from formal platting requirements.

11. **Indemnification.** The Developer shall indemnify and hold the City harmless from any and against all claims, demands, disputes, damages, costs, expenses, (to include attorneys' fees whether or not litigation is necessary and if necessary, both at trial and on appeal), incurred by the City as a result, directly or indirectly, of the use or development of the Subject Property, except those claims or liabilities caused by or arising from the negligence or intentional acts of the City, or its employees or agents. It is specifically understood that the City is not guaranteeing the appropriateness, efficiency, quality or legality of the use or development of the Subject Property, including but not limited to, drainage or water/sewer plans, fire safety, or quality of construction, whether or not inspected, approved, or permitted by the City.

12. **Compliance.** The Developer agrees that it, and their successors and assigns, will abide by the provisions of this Agreement, the City's Comprehensive Plan and the City's Code of Ordinances, including but not limited to, the site plan regulations of the City as amended from time to time, which are incorporated herein by reference and such subsequent amendments hereto as may be applicable. Further, all required improvements, including landscaping, shall be continuously maintained by Developer, or their successors and assigns, in accordance with the City's Code of Ordinances. The City may, without prejudice to any other legal or equitable right or remedy it may have, withhold permits, Certificates of Occupancy or plan/plat approvals to the Subject Property, should the Developer fail to comply with the terms of this Agreement. In the event of a conflict between this Development Agreement and the City's Land Development Code, the more restrictive regulations shall govern the development of the Subject Property.

13. **Obligations for Improvements.** Any surface improvement as described and required hereunder included, but not limited to such as signalization, walls, stormwater management facilities, medians, and utilities, or any other surface improvement shall be performed, prior to the issuance of the first Certificate of Occupancy on that portion of the Subject Property that the surface improvement(s) relates or is otherwise scheduled in this Agreement. Should the Developer fail to undertake and complete its obligations as described in this Agreement and to the City's specifications, then the City shall give the Developer thirty (30) days written notice to commence and ninety (90) days to complete said required obligation at the sole expense of the Developer. If the Developer fails to complete the obligations within the ninety (90) day period, then the City, without further notice to the Developer and their successors and assigns in interest, may but shall not be required to, perform such obligations at the expense of the Developer or their successors and assigns in interest, without prejudice to any other rights or remedies the City may have under this Agreement. Further, the City is hereby authorized to immediately recover the actual and verified cost of completing the obligations required under this Agreement and any legal fees from the Developer in an action at law for damages, as well as record a lien against the Subject Property in that amount. The lien of such assessments shall be superior to all others, and all existing lienholders and mortgagees, by their execution of the subordination or joinder documents, agree to subordinate their liens or mortgages to the City's said liens or assessments. Notice to the Developer and their successors and assigns in interest shall be deemed to have been given upon the mailing of notice as provided in paragraph (24) of this Agreement.

14. **Concurrency and Vested Rights.** The Developer acknowledges and agrees that prior to the issuance of any development orders for the Property, the Developer must have received and be in the possession of a valid unexpired certificate of capacity/concurrency management system approval consistent with the City's Land Development Code. The capacity certificate/approval verifies the availability of infrastructure and service capacity sufficient to permit the proposed development of the Subject Property without causing a reduction in the levels of service adopted in the City's Comprehensive Plan. The certificate of capacity/approval shall be effective for a term, as defined in the City's Code of Ordinances. Neither this Agreement nor the approved Master Development Plan shall create or result in a vested right or rights to develop the Subject Property, as cited in Section 86-34 of the City's Land Development Code.

15. **Environmental and Tree Preservation.** The property may contain habitat that is suitable for scrub jays and gopher tortoises. As part of the Final Site Plan process, the property shall be surveyed to determine the presence and/or population density of scrub jays or gopher tortoises. If gopher tortoises are found to inhabit the development area then on-site preservation and/or removal shall be required in lieu of a 'take'. If scrub jays are noted on the property then any modification of scrub jay habitat shall be permitted consistent with the requirements of the U.S. Fish and Wildlife Service. Tree protection shall be in accordance with Chapter 98 of the City Land Development Code as it may be amended from time to time. Tree protection areas and habitat protection set aside land may coincide with buffer yards and other open space acreage. Irrigation shall comply with the requirements of the utility servicing the project and applicable permitting agencies. However, the use of potable water for irrigation shall be prohibited. The Developer shall install reuse infrastructure to support the irrigation and other non-potable water needs associated with the project. The Developer is responsible to obtain all site related permits and approval prior to any development activity on or for the Subject Property. This Agreement does not vest or exempt the Developer from any permitting and mitigation obligations needed to develop a Subject Property.

16. **Property Owners Association.** The charter and by-laws of any Property Owners Association ("POA"), if any, for the Subject Property and any deed restrictions related thereto shall be furnished to the City for review and comment by the City Attorney prior to the recording thereof in the Public Records of Volusia County, Florida. Such recording, if applicable, shall take place before a Certificate of Occupancy is issued for the first development project on land covered by this Agreement. The owner or developer (or both) may be responsible for establishing the POA, if applicable, and recording said information in the Public Records of Volusia County, Florida. The City is not responsible for the enforcement of any agreements or deed restrictions entered into between property owners or occupiers of the Subject Property. If maintenance for the Subject Property is not maintained following issuance of a Certificate of Occupancy, the City has Code Enforcement services.

17. **Enforcement.** Both parties may seek specific performance of this Agreement and/or bring an action for damages in a court within Volusia County, Florida, if this Agreement is breached by either party. In the event that enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the Developer shall be responsible for the payment of all of the City's costs and expenses, including attorney fees, whether or not litigation is necessary and, if necessary, both at trial and on appeal. Such costs, expenses and fees shall also be a lien upon the Subject Property superior to all others. Should this Agreement require the payment of any monies to the City, the recording of this Agreement shall constitute a lien upon the Subject Property for said monies, until said are paid, in addition to such other obligations as this Agreement may impose upon the Subject Property and the Developer. Interest on unpaid overdue sums shall accrue at the rate of the lesser of eighteen percent (18%) compounded annually or at the maximum rate allowed by law.

18. **Utility Easements.** For any utility easement to service the subject property or nearby lands owned by Owner, or both, which is not established on a plat for the Subject Property, the Owner or Developer shall provide to the City and/or County (as applicable) such utility easements and other legal documentation, in form mutually acceptable to the City Attorney and the Owner or Developer, as the City/County may deem reasonably necessary or appropriate for the installation and maintenance of the utility and other services, including but not limited to, sanitary sewer, potable water, and reclaimed water services, electric, cable, gas, fire protection and telecommunications.

19. **Periodic Review.** The City reserves the right to review the Subject Property in relation to this Agreement periodically to determine if there has been demonstrated good faith compliance with the terms of this Agreement. If the City finds that on the basis of substantial competent evidence that there has been a failure to comply with the terms of this Agreement, the City may not issue development orders or permits until compliance with this Agreement has been established.

20. **Notices.** Where notice is herein required to be given, it shall be by certified mail return receipt requested, hand delivery or nationally recognized courier, such as Federal Express or UPS. E-mail delivery of documents shall not replace or be in lieu of the aforementioned process. Said notice shall be sent to the following, as applicable:

**OWNER:**

I-4 Howland Investments, LLC  
939 Hollywood Blvd  
Deltona, FL 32725

With a copy to:

F.A. (Alex) Ford, Esq.  
Landis Graham French, P.A.  
145 E. Rich Avenue, Suite C  
Deland, FL 32724

**DEVELOPER'S REPRESENTATIVES:**

Central Florida Regional Hospital, Inc.  
One Park Plaza  
Nashville TN, 37203

With a copy to:

George Huddleston, PE  
Littlejohn Engineering Associates, Inc.  
1615 Edgewater Drive, Suite 200

Orlando, FL 32804

**CITY'S REPRESENTATIVES:**

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

With copy to:

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

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

21. **Compliance with the Law.** The failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve the Owner or Developer of the Subject Property from the necessity of complying with the law governing said permitting requirements, conditions, terms, or restrictions.

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

23. **Binding Effect.** This Agreement shall run with the land, shall be binding upon and inure to the benefit of the Owner or Developer and their successors and assigns in interest, and the City and their successor and assigns in interest. This Agreement shall become effective upon its execution and recordation with the Public Records of Volusia County, Florida. This Agreement does not, and is not intended to, prevent or impede the City from exercising its legislative authority as the same may affect the Subject Property.

24. **Subsequently Enacted State or Federal Law.** If either state or federal law is enacted after the effective date of this Agreement that is applicable to and precludes the parties' compliance with the terms of this Agreement, this Agreement and correlating zoning amendment shall be modified or revoked, as is necessary, to comply with the relevant state or federal law.

25. **Severability.** If any part of this Development Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of

this Development Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Development Agreement is declared severable.

26. **Covenant Running with the Land.** This Agreement shall run with the Subject Property and inure to and be for the benefit of the parties hereto and their respective successors and assigns and any person, firm, corporation, or entity who may become the successor in interest to the Subject Property or any portion thereof.

27. **Recordation of Agreement.** The parties hereto agree that an executed original of this Agreement shall be recorded by the City, at the Developer's expense, in the Public Records of Volusia County, Florida.

28. **Applicable Law/Venue.** This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida. Venue of any litigation relating to this Agreement shall be in the courts of Volusia County, Florida.

29. **Time of the Essence.** Time is hereby declared of the essence to the lawful performance of the duties and obligations contained in this Agreement. The Developer shall execute this Agreement within ten (10) business days of the effective date of No. 26-2016. Failure to execute this Agreement within ten (10) business days of the effective date of such ordinance may result in the City not issuing development orders or permits until execution and recordation of this Agreement has occurred. The Developer agrees to pay the cost of recording this document in the Public Records of Volusia County, Florida

30. **Condition Precedent; Effect of ICC BPUD:** As a condition precedent to this Agreement, the Developer shall have purchased the Subject Property from the Owner, as conclusively established by the recording of a deed or deeds from the Owner to the Developer in the Public Records of Volusia County, Florida. Upon the recording of this Agreement, the Interchange Commercial Center (ICC) BPUD shall have no further applicability to the Subject Property. If the foregoing condition precedent has not occurred by \_\_\_\_\_, 2016, any party hereto may terminate this Agreement if after \_\_\_ days' notice to the other parties the said condition has still not occurred.

31. **Agreement; Amendment.** This Agreement constitutes the entire agreement between the parties, and supersedes all previous discussions, understandings and agreements, with respect to the subject matter hereof; provided, however, that it is agreed that this Agreement is supplemental to the City's Comprehensive Plan and does not in any way rescind or modify any provisions of the City's Comprehensive Plan.

32. **Effective Date.** The Effective Date of this Agreement shall be the day this Agreement is recorded in the Public Records of Volusia County, Florida.

**IN WITNESS WHEREOF**, the Owner, the Developer and the City have executed this Agreement.

**OWNER/DEVELOPER**

**By:**

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

\_\_\_\_\_  
Signature

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

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

**As:**

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

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

**ATTEST:**

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

\_\_\_\_\_  
Signature

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

**As:**

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

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

(NOTARY SEAL)

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

**DEVELOPER**

**By:**

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

\_\_\_\_\_  
Signature

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

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

**As:**

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

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

**ATTEST:**

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

\_\_\_\_\_  
Signature

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

**As:**

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

**STATE OF FLORIDA**

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

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

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

(NOTARY SEAL)

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

**CITY OF DELTONA:**

**By:**

\_\_\_\_\_

**Date:**

\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

**Date:**

\_\_\_\_\_

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

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_, and \_\_\_\_\_, who are personally known to me and acknowledge executing the same freely and voluntarily under authority vested in them by the City of Deltona.

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

(NOTARY SEAL)

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

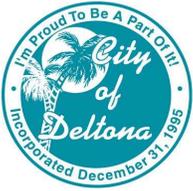
Approved as to form and legality for use and  
reliance by the City of Deltona, Florida

\_\_\_\_\_  
Gretchen R. H. Vose  
City Attorney

**EXHIBIT B**  
**LEGAL DESCRIPTION**

COMMENCE AT THE SOUTHEAST CORNER OF LOT 70, YOURLANDO FARMS AND GROVES PLAT (PLAT BOOK 10, PAGES 227 AND 228 OF THE OFFICIAL RECORDS OF VOLUSIA COUNTY, FLORIDA); THENCE ALONG THE EAST LINE OF PLATED LOT 70, NORTH 00°18'37" WEST A DISTANCE OF 10.10 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF GRAVES AVENUE AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 89°23'10" WEST A DISTANCE OF 292.39 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 00°37'08" EAST A DISTANCE OF 381.01 FEET; THENCE NORTH 89°22'52" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 00°37'08" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 55°56'49" EAST A DISTANCE OF 114.36 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF HOWLAND BLVD (S.R. 472); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT AND BEING CONCAVE NORTH EAST HAVING A RADIUS OF 1748.64 FEET, A CENTRAL ANGLE OF 12°32'22" AND AN ARC LENGTH OF 382.70 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 38°58'46" EAST A DISTANCE OF 381.93 FEET TO THE AFOREMENTIONED EASTERLY LINE OF LOT 70; THENCE SOUTH 00° 18'37" EAST A DISTANCE OF 301.79 FEET TO THE POINT OF BEGINNING.





## Agenda Memo

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**AGENDA ITEM: C.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - C

**SUBJECT:**

Public Hearing - Resolution No. 2016-34, Petition to Vacate Portions Former Realigned Graves Ave. Right-of-Way - Chris Bowley, AICP, Director, Planning and Development Services (386) 878-8602.

Strategic Goal: Economic Development - focus on Howland Blvd. as the gateway for commercial growth.

**LOCATION:**

North of the intersection of Howland Blvd. and Halifax Crossings Blvd.; within the Deltona Activity Center.

**BACKGROUND:**

In 2003, an eminent domain case established a Volusia County right-of-way (ROW) that extended Graves Ave. north of Howland Blvd./SR 472, to become the Graves Ave. extension. On June 15 2015, the City and County entered into an interlocal agreement regarding the Graves Ave. extension to transfer the ROW to the City. In April of 2016, the Halifax Landings Final Plat was approved by the City and recorded into the official records of Volusia County. The Halifax Landings Plat created 11 lots, several tracts, and memorialized the realigned and renamed ROW to Halifax Crossings Blvd. The realignment resulted in portions of the Graves Ave. extension ROW not included within the new realigned Halifax Crossings Blvd. being maintained as public ROW.

Therefore, the purpose of the subject vacation request is to revert those remaining and unused former Graves Ave. extension ROW areas back to the underlying landowner and to recognize the platted Halifax Landings Blvd. ROW as the main access way serving the Halifax Landings Plat. The areas of ROW proposed to be vacated are depicted on the graphic attached to this agenda item. Following the proposed vacation, a minor amendment to the approved Halifax Crossings BPUD will be performed to assign a BPUD zoning designation to those vacated lands.

**COST:**

N/A

**SOURCE OF FUNDS:**

N/A

**ORIGINATING DEPARTMENT:**

Planning and Development Services

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**AGENDA ITEM: C.**

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**STAFF RECOMMENDATION PRESENTED BY:**

Chris Bowley, AICP, Director, Planning and Development Services - Staff recommends the City Commission approve Resolution No. 2016-34 vacating the unused portions of the Graves Ave. extension.

**POTENTIAL MOTION:**

"I hereby approve Resolution No. 2016-34, vacating the unused portions of the Graves Ave. extension."

**RESOLUTION NO. 2016-34**

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA,  
VACATING PORTIONS OF RIGHT-OF-WAY  
ASSOCIATED WITH THE GRAVES AVENUE EXTENSION  
LYING NORTH OF HOWLAND BLVD; PROVIDING FOR  
CONFLICTS, SEVERABILITY, AND AN EFFECTIVE  
DATE.**

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**WHEREAS**, Section 106-32 of the Deltona Code of Ordinances referred to as “Vacation of Platted Subdivisions” establishes a procedure to vacate plats and right-of-ways; and

**WHEREAS**, the owners of the surrounding property submitted an application to vacate the following property associated with the Graves Avenue extension located north of Howland Blvd. more specifically described as follows:

That portion of Graves Avenue North Transfer lying within Lot 9, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida, being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 9, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida; thence run North 00°17'38” West, along the Westerly line of said Lot 9, for a distance of 201.40 feet to the POINT OF BEGINNING; thence departing said Westerly line, run North 89°26'18” West for a distance of 19.36 feet to a point on the Easterly right of way line of Halifax Crossings Boulevard, a 100' wide public right of way; said point also being a point on a curve, concave Westerly, having a radius of 458.99 feet, a chord bearing of North 05°45'05” West and a chord distance of 334.07 feet; thence run Northerly along the arc of said curve, and said Easterly right of way line, through a central angle of 42°40'56” for an arc distance of 341.92 feet to the point of tangency; thence run North 27°05'33” West, along said Easterly right of way line, for a distance of 45.18 feet; thence departing said Easterly right of way line, run South 89°29'23” East, along the Northerly right of way line of Graves Avenue for a distance of 8.38 feet to a point a curve, concave Westerly, having a radius of 220.00 feet, a chord bearing of North 04°35'13” East and a chord distance of 37.03 feet, thence run Northerly along then Westerly right of way line of Graves Avenue, through a central angle of 09°69'46” for an arc distance of 37.10 feet to a point on the Northerly right of way line of Graves Avenue; thence run North 89°42'22” East, along said Northerly right of way line, for a distance of 59.97 feet to a point on the Easterly right of way line of Graves Avenue; thence run South 00°17'38” East, along said Easterly right of way line, for a distance of 409.98 feet to the POINT OF BEGINNING.

Containing 9,382 square feet, or 0.22 acres, more or less and

That portion of Graves Avenue North Transfer lying within Lots 5, 6, 7 and 8, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida, being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 9, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida; thence run North  $00^{\circ}17'38''$  West, along the Westerly line of said Lot 9, for a distance of 201.40 feet; thence departing said Westerly line, run North  $89^{\circ}26'18''$  West for a distance of 123.96 feet to a point on the Westerly right of way line of Halifax Crossings Boulevard, a 100' wide public right of way, said point being a point on a curve, concave Westerly, having a radius of 358.99 feet, a chord bearing of North  $03^{\circ}35'05''$  West and a chord distance of 286.38 feet; thence run Northerly along the arc of said curve, and said Westerly right of way line, through a central angle of  $47^{\circ}00'55''$  for an arc distance of 294.58 feet to the POINT OF BEGINNING, said point being a point on the Westerly right of way line of Graves Avenue and a point on a curve, concave Southwesterly, having a radius of 360.10 feet, a chord bearing of North  $36^{\circ}30'19''$  West and a chord distance of 116.86 feet; thence departing the Westerly right of way line of Halifax Crossings boulevard, run Northwesterly along the arc of said curve, and said Westerly right of way line of Graves Avenue, through a central angle of  $18^{\circ}40'36''$  for an arc distance of 117.38 feet to the point of tangency; thence run North  $45^{\circ}51'18''$  West, along said Westerly right of way line of Graves Avenue for a distance of 122.65 feet; thence run North  $89^{\circ}30'24''$  West, along said Westerly right of way line, for a distance of 32.14 feet; thence run North  $00^{\circ}17'19''$  West, along said Westerly right of way line, for a distance of 31.07 feet; thence run North  $45^{\circ}51'18''$  West, along said Westerly right of way line, for a distance of 391.46 feet to a point on the Northerly right of way line of Graves Avenue; thence run North  $44^{\circ}08'42''$  East, along said Northerly right of way line, for a distance of 100.00 feet to a point on the Easterly right of way line of Graves Avenue; thence run South  $45^{\circ}51'18''$  East, along said Easterly right of way line, for a distance of 144.38 feet; thence run North  $60^{\circ}24'45''$  East, along said Easterly right of way line, for a distance of 34.56 feet to a point on a curve, concave Northwesterly, having a radius of 270.00 feet, a chord bearing of North  $18^{\circ}39'36''$  East and a chord distance of 9.89 feet; thence run Northerly along the arc of said curve, and said Easterly right of way line, through a central angle of  $02^{\circ}05'54''$  for an arc distance of 9.89 feet; thence departing said curve, run South  $89^{\circ}33'17''$  East, along said Easterly right of way line, for a distance of 18.29 feet to a point on the aforesaid Westerly right of way line of Halifax Crossings Boulevard; thence run South  $27^{\circ}05'33''$  East, along said Westerly right of way line, for a distance of 121.49 feet; thence departing said Westerly right of way line, run South  $00^{\circ}17'19''$  East, along the Easterly right of way line of aforesaid Graves Avenue, for a distance of 21.93 feet; thence run South  $45^{\circ}51'18''$  East, along said Easterly right of way line, for a distance of 30.75 feet to a point on the aforesaid Westerly right of way line of Halifax Crossings Boulevard; thence run South  $27^{\circ}05'33''$  East, along said Westerly right of way line, for a distance of 369.92 feet to the POINT OF BEGINNING.

Containing 52,636 square feet, or 1.21 acres, more or less; and

**WHEREAS**, the City of Deltona has the power and authority to vacate public right-of-ways under the constitutional home rule powers and Chapter 166, Florida Statutes ; and

**WHEREAS**, the City of Deltona has determined vacating the referenced right-of-way areas is in the best interest and welfare of the City and the citizens thereof.

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

**Section 1. Recital.** The following right-of-way areas shall be vacated:

That portion of Graves Avenue North Transfer lying within Lot 9, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida, being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 9, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida; thence run North 00°17'38" West, along the Westerly line of said Lot 9, for a distance of 201.40 feet to the POINT OF BEGINNING; thence departing said Westerly line, run North 89°26'18" West for a distance of 19.36 feet to a point on the Easterly right of way line of Halifax Crossings Boulevard, a 100' wide public right of way; said point also being a point on a curve, concave Westerly, having a radius of 458.99 feet, a chord bearing of North 05°45'05" West and a chord distance of 334.07 feet; thence run Northerly along the arc of said curve, and said Easterly right of way line, through a central angle of 42°40'56" for an arc distance of 341.92 feet to the point of tangency; thence run North 27°05'33" West, along said Easterly right of way line, for a distance of 45.18 feet; thence departing said Easterly right of way line, run South 89°29'23" East, along the Northerly right of way line of Graves Avenue for a distance of 8.38 feet to a point a curve, concave Westerly, having a radius of 220.00 feet, a chord bearing of North 04°35'13" East and a chord distance of 37.03 feet, thence run Northerly along then Westerly right of way line of Graves Avenue, through a central angle of 09°69'46" for an arc distance of 37.10 feet to a point on the Northerly right of way line of Graves Avenue; thence run North 89°42'22" East, along said Northerly right of way line, for a distance of 59.97 feet to a point on the Easterly right of way line of Graves Avenue; thence run South 00°17'38" East, along said Easterly right of way line, for a distance of 409.98 feet to the POINT OF BEGINNING.

Containing 9,382 square feet, or 0.22 acres, more or less and

That portion of Graves Avenue North Transfer lying within Lots 5, 6, 7 and 8, HALIFAX LANDINGS, as recorded in Map Book 57, Pages 100 through 105, inclusive, of the Public Records of Volusia County, Florida, being more particularly described as follows:

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Containing 52,636 square feet, or 1.21 acres, more or less.

**Section 2. Conflicts.** All Resolutions or parts of Resolutions insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

**Section 3. Severability.** In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution which shall remain in full force and effect.

**Section 4. Effective Date.** This resolution shall take effect immediately upon its final adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

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JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

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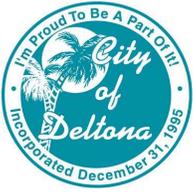
JOYCE RAFTERY, CMC, MMC, City Clerk

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

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GRETCHEN R. H. VOSE, City Attorney





**Agenda Memo**

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**AGENDA ITEM: D.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - D

**SUBJECT:**

Resolution No. 2016-35: Joint Participation Agreement between the State of Florida Department of Transportation and the City of Deltona - Chris Bowley, AICP, Planning & Development Services Director (386) 878-8602.

Strategic Goal: Internal and External Communication. Continue the partnership with FDOT and I-4 expansion and City beautification and beautify gateways and key locations.

**LOCATION:**

Interstate 4/SR 472 along the SR 472 corridor.

**BACKGROUND:**

The City of Deltona (City) and the Florida Department of Transportation (FDOT) want to beautify the Interstate 4 (I-4)/SR 472 gateway leading into the City. The area is receiving commercial development and the gateway is an important and visible entryway into the City. Landscape and beautification will establish the visual appearance for a future City Center along Howland Blvd. and meets several Strategic Plan goals, including a focus on Howland Blvd. as a commercial gateway into the City.

Initially, the FDOT planned for a 50% cost-share grant of \$62,500 in total through their Bold Initiative Program. Since that time, the FDOT has focused on all of the gateways adjacent to the City and are proposing major beautification efforts at Saxon Blvd. and SR 472. Thus, this Joint Participation Agreement (JPA/Agreement) is proposing to award the City up to \$125,000 in 100% reimbursement, which doubles the original amount of the award and removes the grant match requirement. Elements of this Agreement of note are that the FDOT Bold Initiative standards (see attached) are to be followed with approved plant species, installation of species can be done through the use of a consultant or with City work forces, irrigation or watering-in of species is the responsibility of the City, maintenance shall be performed by the City and monitored by the FDOT, the installation timing shall occur between April 1, 2017, and December 31, 2017, and the cost of the construction plans is not included in this Agreement and is the responsibility of the City (up to \$30,000 allocated for this effort). The \$30,000 is budgeted in the Department's FY16/17 Budget, Request for Professional Services.

**COST:**

\$125,000.00 (to be reimbursed at 100% through agreement)

**SOURCE OF FUNDS:**

Florida Department of Transportation (Reimbursement)

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**AGENDA ITEM: D.**

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**ORIGINATING DEPARTMENT:**

Planning and Development Services

**STAFF RECOMMENDATION PRESENTED BY:**

Chris Bowley, AICP, Planning & Development Services Director - Staff recommends that the City Commission approve Resolution No. 2016-35 for the attached Joint Participation Agreement between the State of Florida Department of Transportation and the City of Deltona.

**POTENTIAL MOTION:**

“I hereby move to approve Resolution No. 2016-35 for the attached Joint Participation Agreement between the State of Florida Department of Transportation and the City of Deltona.”

**RESOLUTION NO. 2016-35**

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, FOR THE PURPOSE OF ENTERING INTO A JOINT PARTICIPATION AGREEMENT BETWEEN THE STATE OF FLORIDA AND THE CITY OF DELTONA FOR THE INTERSTATE 4/SR 472 BOLD INITIATIVE LANDSCAPE AND BEAUTIFICATION EFFORT; PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Deltona has identified strategic planning goals to improve landscaping and beautification of City gateways at Interstate 4, within the City, and along Howland Boulevard for economic development in a City Center concept; and

**WHEREAS**, the City of Deltona has approved a Strategic Plan to memorialize its goals towards City landscape and beautification efforts, as well as for economic development; and

**WHEREAS**, the City of Deltona desires to partner with the State of Florida Department of Transportation (FDOT) to achieve the pre-identified goals in the Strategic Plan and has worked with the FDOT to draft a Joint Participation Agreement between the State of Florida and the City of Deltona for the Interstate 4/SR 472 Bold Initiative landscape and beautification effort.

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

**Section 1.** Effective Date. This Resolution shall take effect immediately upon its final adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

First Reading: \_\_\_\_\_

Advertised: \_\_\_\_\_

Second Reading: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, MMC, City Clerk

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

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

<b>Financial Management No.:</b> 438988-1-58-01 <b>Agency:</b> City of Deltona <b>Contract No.:</b>	<b>Fund:</b> <b>Activity:</b> 215 <b>Contract Amount:</b> \$125,000.00	<b>FLAIR Approp:</b> <b>FLAIR Obj:</b> 563000 <b>Org. Code:</b> 55054010508 <b>Vendor No.:</b> F 593348668001
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**JOINT PARTICIPATION AGREEMENT**  
**BETWEEN**  
**THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**  
**AND**  
**THE CITY OF DELTONA**

This Agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION** (hereinafter referred to as the DEPARTMENT) and the **CITY OF DELTONA**, a Florida Municipal Corporation (hereinafter referred to as the LOCAL GOVERNMENT),

**WITNESSETH:**

WHEREAS, the Parties have been granted specific legislative authority to enter into this Agreement pursuant to Section 339.12, Florida Statutes; and

WHEREAS, the LOCAL GOVERNMENT by Resolution No. \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_, 2016, a copy of which is attached hereto as Exhibit "G" and made a part hereof, has authorized its officers to execute this Agreement on its behalf.

WHEREAS, the DEPARTMENT is prepared, in accordance with its Five Year Work Program, to undertake the Project described as the "Landscaping Improvements on State Road 472/Howland Boulevard between the East-bound Off-Ramp of State Road 400/Interstate 4 and East Graves Avenue", in the DEPARTMENT'S Fiscal Year 2016/2017, said Project being known as FM #438988-1-58-01, hereinafter referred to as the "Project"; and

WHEREAS, the Project is on the State Highway System, is not revenue producing and is contained in the adopted Five Year Work Program; and

WHEREAS, the implementation of the Project is in the interest of both the DEPARTMENT and the LOCAL GOVERNMENT and it would be most practical, expeditious, and economical for the LOCAL GOVERNMENT to perform the services to complete the Project; and

WHEREAS, the intent of this Agreement is to establish the terms and conditions of the funding and the production of this Project.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from the joint participation of this Agreement, the parties agree as follows:

**1. TERM**

A. The term of this Agreement shall begin upon the date of signature of the last party to sign. The LOCAL GOVERNMENT agrees to complete the Project by December 31, 2017, in accordance with the schedule, including, but not limited to, the construction start dates, described and contained in Exhibit "C" attached hereto.

The LOCAL AGENCY understands and agrees that their contractor must commence construction work no earlier than April 1, 2017, which is the scheduled completion of the DEPARTMENT'S resurfacing project in the same location (FM#432441-2). The LOCAL AGENCY also understands and agrees that their contractor must complete construction work prior to December 31, 2017, which is the scheduled commencement date of the DEPARTMENT'S lighting project (FM#435056-1) at the same location.

If the LOCAL GOVERNMENT does not commence the landscaping Project by April 1, 2017, or if the LOCAL GOVERNMENT fails to complete the Project on or before December 31, 2017, this Agreement will expire on the last day of the scheduled completion (to wit, December 31, 2017) as provided in this paragraph, unless an extension of the time period is requested by the LOCAL GOVERNMENT and granted in writing by the DEPARTMENT prior to the expiration of the Agreement. Expiration of this Agreement will be considered termination of the Project. After the Project is complete, the term of this Agreement shall continue in effect and be binding on the parties in perpetuity for maintenance responsibilities of the LOCAL GOVERNMENT. The DEPARTMENT will review the need for the LOCAL GOVERNMENT to continue maintenance of the Improvements on a five year basis, and if it is determined by the DEPARTMENT that maintenance is no longer needed, the DEPARTMENT may unilaterally terminate the Agreement, upon thirty (30) days written notice to the LOCAL GOVERNMENT.

**2. SERVICES AND PERFORMANCES**

A. The LOCAL GOVERNMENT shall furnish the services with which to construct the Project. The Project includes preparing all planting areas by removing sod,

adding soil and adjusting grade for proper planting; purchasing all materials for the project and the installation of the landscaping improvements to the specifications shown in the accepted Landscape Plan; maintaining the material shown in the Landscape Plan for the duration of the project; staking all trees planted; and supplying Maintenance of Traffic in any roadway areas, if necessary. The LOCAL GOVERNMENT shall perform necessary preliminary engineering, prepare all design plans for the Project, perform the construction, provide all necessary engineering supervision, and otherwise perform all other necessary work to complete the Project, as specified in Exhibit "A" attached hereto and by this reference made a part hereof. All work provided by the LOCAL GOVERNMENT hereunder shall be undertaken consistent with and in accordance with the Terms & Conditions set forth in Exhibit "D" hereto. Nothing herein shall be construed as requiring the LOCAL GOVERNMENT to perform any activity which is outside of the scope of services of the Project.

B. In addition to the Terms & Conditions set forth in Exhibit "D", the LOCAL GOVERNMENT agrees to undertake the design and construction of the Project in accordance with all applicable federal, state and local statutes, rules and regulations, including DEPARTMENT standards and specifications.

C. The landscaping design shall meet the DEPARTMENT'S criteria for Bold Landscape Requirements with more emphasis on more large trees and fewer shrubs to increase "curb appeal". Shrubs can be used when and where they are part of the best design solution.

D. This Agreement shall act to supersede the normal requirements of the LOCAL GOVERNMENT to secure separate DEPARTMENT permits for drive-way connection, right-of-way utilization, storm-water discharge and utilities and this Agreement is deemed to constitute such permits.

E. The LOCAL GOVERNMENT shall be responsible for obtaining clearances/permits required for the construction of the Project from the appropriate permitting authorities.

F. The LOCAL GOVERNMENT understands that they are responsible for the preparation of all design plans for the Project, at the expense of the LOCAL GOVERNMENT, suitable for reproduction on 11 inch by 17 inch sheets, together with a

complete set of specifications covering all construction requirements for the Project. The LOCAL GOVERNMENT shall assure that the design, construction, installation, and maintenance is consistent with and meets all criteria and limitations of Rule 14-40.030, Florida Administrative Code, as it relates to Vegetation Management at Outdoor Advertising Signs. One (1) copy of the design plans shall be provided to the DEPARTMENT'S Design Project Manager at the address listed on Page 14. The DEPARTMENT shall review the plans for conformance to the DEPARTMENT'S requirements and feasibility within forty-five (45) days of delivery by the LOCAL GOVERNMENT. The DEPARTMENT'S review shall not be considered an adoption of the plans nor a substitution for the engineer's responsibility for the plans, however, all changes requested by the DEPARTMENT shall be made by the Engineer of Record/LOCAL GOVERNMENT with the understanding that final decision rest with the DEPARTMENT. All corrected plans shall be provided to the DEPARTMENT in a timely manner. The LOCAL GOVERNMENT shall provide a copy of the Final Bid documents to the DEPARTMENT within ten (10) days of the receipt of said documents. After approval of the plans and prior to commencing the work described herein, the LOCAL GOVERNMENT shall request a Notice to Proceed from the DEPARTMENT'S Point of Contact listed on page 14, or from an appointed designee. Any work performed prior to the issuance of the Notice to Proceed is not subject to reimbursement.

G. The expenditure of funds pursuant to this Agreement shall comply with the terms of Section 334.044(26), Florida Statutes, as amended. To the greatest extent practical, at least 50% of these funds shall be used to purchase large plant materials (large plant materials have been defined by the Florida Department of Transportation to be five (5) gallon or larger containers as defined by the Florida Department of Agriculture's "Grades and Standards for Nursery Plants") with the remaining funds for other plant materials. Except as prohibited by applicable law or regulation, all of the plant materials purchased shall be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis.

H. The LOCAL GOVERNMENT shall hire a Pre-qualified Landscape Contractor or, in accordance with the requirements set forth in Exhibit "D" and Exhibit "E", the LOCAL GOVERNMENT may hire an experienced qualified contractor using the LOCAL GOVERNMENT'S normal bid procedures to perform the construction work for the Project.

I. The LOCAL GOVERNMENT shall hire a DEPARTMENT Pre-qualified Consultant Construction Engineering Inspection firm (hereinafter "CCEI") to perform construction oversight including the obligation to assure that any and all verification testing is performed in accordance with the Standard Specifications for Road and Bridge Construction, current edition, and as amended from time to time. The LOCAL GOVERNMENT'S Attorney shall certify to the DEPARTMENT that selection has been accomplished in compliance with the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes. The DEPARTMENT shall have the right, but not the obligation, to perform independent assurance testing during the course of construction of the Project. The CCEI firm shall not be the same firm as that of the Engineer of Record for the Project.

J. The LOCAL GOVERNMENT shall require the LOCAL GOVERNMENT'S contractor to post a bond in accordance with Section 337.18(1), Florida Statutes.

K. The LOCAL GOVERNMENT shall be responsible to ensure that the construction work under this Agreement is performed in accordance with the approved construction documents, and that it will meet all applicable DEPARTMENT standards and that the work is performed in accord with the Terms and Conditions contained in Exhibit "D".

L. If the LOCAL GOVERNMENT utilizes its own work force for any services for the Project, all costs and expenses thereof shall not be subject to reimbursement.

M. Upon request, the LOCAL GOVERNMENT agrees to provide progress reports to the DEPARTMENT in the standard format used by the LOCAL GOVERNMENT and at intervals established by the DEPARTMENT. The DEPARTMENT will be entitled at all times to be advised, at its request, as to the status of the Project being constructed by the LOCAL GOVERNMENT and of details thereof. Either party to the Agreement may request and shall, within a reasonable time thereafter, be granted a conference with the other party.

N. Upon completion of the work authorized by this Agreement, the LOCAL GOVERNMENT shall notify the DEPARTMENT in writing of the completion; and for all design work that originally required certification by a Registered Landscape Architect, this notification shall contain a Landscape Architect's Certification of Compliance, signed and sealed by a Registered Landscape Architect, the form of which is attached hereto as Exhibit "F". The certification shall state that work has been completed in compliance with the Project construction plans and specifications. If any deviations are found from the accepted plans, the

certification shall include a list of all deviations along with an explanation that justifies the reason to accept each deviation.

### **3. MAINTENANCE**

A. The DEPARTMENT and the LOCAL GOVERNMENT agree that until such time as the landscaping and all other improvements constructed or installed in the Department's Right of Way need to be removed from the Right of Way, the LOCAL GOVERNMENT shall, at all times, maintain the Project in a reasonable manner and with due care in accordance with all applicable DEPARTMENT guidelines, standards, and procedures (Project Standards) and as herein below specified.

- i) The LOCAL GOVERNMENT hereby agrees to have the landscaping installed on the Project as specified in the Landscape Plan(s). Such installation shall be in conformance with Florida Administrative Code Rule 14-40.003, as it may be amended from time to time. The LOCAL GOVERNMENT shall not change or deviate from said plan(s) without written approval of the DEPARTMENT.
- ii) The LOCAL GOVERNMENT agrees to maintain the landscaping installed by the Project in accordance with the Landscape Maintenance Plan(s). Said maintenance will be in accordance with Florida Administrative Code Rule 14-40.003, as it may be amended from time to time. The LOCAL GOVERNMENT'S responsibility for maintenance shall be consistent with the requirements of Florida Administrative Code Rule 14.40.003(5), as it may be amended from time to time. The maintenance functions to be performed by the LOCAL GOVERNMENT shall be subject to periodic inspections by the DEPARTMENT. The LOCAL GOVERNMENT shall not change or deviate from said plan(s) without written approval of the DEPARTMENT.
- iii) The LOCAL GOVERNMENT shall have the continuous obligation to monitor the maintenance of traffic pursuant to the Design Standards Index Series 600, and Rule 14-40.003, Florida Administrative Code, as it may be amended from time to time, during the course of the

maintenance functions so that the safe and efficient movement of the traveling public is maintained. During maintenance functions, the LOCAL GOVERNMENT shall take measures, including the placing and display of safety devices that are necessary in order to safely conduct the public through the maintenance area in accordance with the latest and current version of the Federal Highway Administration Manual on Uniform Traffic Control Devices for Streets and Highways, and the DEPARTMENT'S Standard Specifications for Road and Bridge construction, current edition, and the DEPARTMENT'S Roadway and Traffic Design Standards, current edition, and as those sources may be amended from time to time.

- iv) If at any time after the LOCAL GOVERNMENT has assumed the landscaping installation or maintenance responsibility above-mentioned, it shall come to the attention of the DEPARTMENT that the Project, as will be designed by the LOCAL GOVERNMENT, or a part thereof is not properly installed or maintained pursuant to the terms of this Agreement, the District Secretary or his/her designee may issue a written notice that a deficiency or deficiencies exist(s), by sending a certified letter to the LOCAL GOVERNMENT to place said LOCAL GOVERNMENT on notice thereof. Thereafter, the LOCAL GOVERNMENT shall have a period of thirty (30) calendar days within which to correct the cited deficiencies. If said deficiencies are not corrected within this time period, the DEPARTMENT may terminate the Agreement, in which case the LOCAL GOVERNMENT shall at its own expense and within sixty (60) calendar days after written notice by the DEPARTMENT, remove all of the landscaping that the DEPARTMENT directs be removed and return the Right-of-Way to its original condition. The LOCAL GOVERNMENT will own such materials it removes and the DEPARTMENT shall own any materials remaining.

- v) It is understood between the parties hereto that the landscaping covered by this Agreement may be removed, relocated or adjusted by the DEPARTMENT at any time in the future as determined to be necessary by the DEPARTMENT in order that the state road be widened, altered or otherwise changed to meet with future criteria or planning of the DEPARTMENT. The LOCAL GOVERNMENT shall be given sixty (60) calendar days notice to remove said landscaping after which time the DEPARTMENT may remove the same.

#### **4. COMPENSATION AND REIMBURSEMENT**

A. Project Cost: The total estimated cost of the Project is **\$125,000.00 (One Hundred Twenty Five Thousand Dollars and No/100)**. The DEPARTMENT agrees to compensate the LOCAL GOVERNMENT for services described in Exhibit "A" – Scope of Services. The Method of Compensation is included in Exhibit "B" attached hereto.

B. DEPARTMENT Participation: The DEPARTMENT agrees to reimburse the LOCAL GOVERNMENT in an amount not to exceed **\$125,000.00 (One Hundred Twenty Five Thousand Dollars and No/100)** for actual costs incurred, excluding LOCAL GOVERNMENT overhead. The funding for this Project is contingent upon annual appropriation by the Florida Legislature. The DEPARTMENT shall reimburse the LOCAL GOVERNMENT only for the cost of purchase of the plant materials, fertilizer, and the cost for labor associated with the installation of the planting. Notwithstanding the fact that said work is not reimbursable, any and all additional work to be performed by the LOCAL GOVERNMENT within the limits of this Project shall be included in the LOCAL GOVERNMENT'S DEPARTMENT accepted plans and in Exhibit "A", Scope of Services. No work may be performed in the Department's Right of Way that has not specifically been approved by the Department. The LOCAL GOVERNMENT agrees to bear all expenses in excess of the DEPARTMENT'S participation. Travel costs will not be reimbursed.

C. The LOCAL GOVERNMENT shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project, identified as Project Number 438988-1-58-01, and the quantifiable, measurable, and verifiable units of deliverables are described more fully in Exhibit A – Scope of Services.

D. Invoices shall be submitted by the LOCAL GOVERNMENT in detail sufficient for a proper pre-audit and post-audit thereof, based on the quantifiable, measurable, and verifiable deliverables as established in Exhibit "A", Scope of Services. Deliverables must be received and accepted in writing by the Department's Project Manager or designee prior to payment.

E. Supporting documentation must establish that the deliverables were received and accepted in writing by the LOCAL GOVERNMENT and must also establish that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in Exhibit "A", Scope of Services was met.

F. There shall be no reimbursement for travel expenses under this Agreement.

G. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes. If the DEPARTMENT determines that the performance of the LOCAL GOVERNMENT is unsatisfactory, the DEPARTMENT shall notify the LOCAL GOVERNMENT of the deficiency to be corrected, which correction shall be made within a time-frame to be specified by the DEPARTMENT. The LOCAL GOVERNMENT shall, within five (5) days after notice from the DEPARTMENT, provide the DEPARTMENT with a corrective action plan describing how the LOCAL GOVERNMENT will address all issues of contract non-performance, unacceptable performance, and failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the DEPARTMENT, the LOCAL GOVERNMENT shall be assessed a non-performance retainage equivalent to ten percent (10%) of the total invoice amount. The retainage shall be applied to the invoice for the then-current billing period. The retainage shall be withheld until the LOCAL GOVERNMENT resolves the deficiency. If the deficiency is subsequently resolved, the LOCAL GOVERNMENT may bill the DEPARTMENT for the retained amount during the next billing period. If the LOCAL GOVERNMENT is unable to resolve the deficiency, the funds may be forfeited at the end of the Agreement term.

H. All costs charged to the Project by the LOCAL GOVERNMENT shall be supported by detailed invoices, proof of payments, contracts or vouchers evidencing in sufficient detail the nature and propriety of the charges.

I. The LOCAL GOVERNMENT providing goods and services to the DEPARTMENT should be aware of the following time frames. Inspection and approval of goods or services shall take no longer than twenty (20) working days, upon receipt of an invoice. The DEPARTMENT has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

J. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), Florida Statutes, will be due and payable, in addition to the invoice amount to the LOCAL GOVERNMENT. Interest penalties of less than one dollar (\$1.00) will not be enforced unless the LOCAL GOVERNMENT requests payment. Invoices which have to be returned to the LOCAL GOVERNMENT because of LOCAL GOVERNMENT preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the DEPARTMENT.

K. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for the LOCAL GOVERNMENT who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

L. Records of costs incurred under terms of this Agreement shall be maintained and made available upon reasonable request to the DEPARTMENT at all times during the period of this Agreement and for five (5) years after final payment is made. Copies of these documents and records shall be furnished to the DEPARTMENT upon request. Records of costs incurred include the LOCAL GOVERNMENT'S general accounting records and the Project records, together with supporting documents and records, of the Electric Utility Company and all subcontractors performing work on the Project, and all other records of the Electric Utility Company and subcontractors considered necessary by the DEPARTMENT for a proper audit of costs. Any discrepancies revealed by any such audit shall be resolved by a corrected final billing from the LOCAL GOVERNMENT to the DEPARTMENT.

M. In the event this Agreement is in excess of \$25,000.00 (TWENTY-FIVE THOUSAND DOLLARS AND NO/100) and a term for a period of more than one (1) year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated as follows:

“The DEPARTMENT, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The DEPARTMENT shall require a statement from the Comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one (1) year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the DEPARTMENT which are for an amount in excess of \$25,000.00 and which have a term for a period of more than one (1) year.”

N. The contractor/consultant/vendor agrees to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.

O. The DEPARTMENT’S performance and obligation to pay under this contract is contingent upon an annual appropriation by the Florida Legislature. The parties agree that in the event funds are not appropriated to the DEPARTMENT for the Project, this Agreement may be terminated, which shall be effective upon the DEPARTMENT giving notice to the LOCAL GOVERNMENT to that effect.

## **5. COMPLIANCE WITH LAWS**

A. The LOCAL GOVERNMENT shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the LOCAL GOVERNMENT in conjunction with this Agreement. Failure by the LOCAL GOVERNMENT to grant such public access shall be grounds for immediate unilateral cancellation of this Agreement by the DEPARTMENT.

B. The LOCAL GOVERNMENT shall comply with all federal, state and local laws and ordinances applicable to the work or payment for work thereof. The LOCAL GOVERNMENT shall not discriminate on the grounds of race, color, religion, sex or national origin in the performance of work under this Contract.

C. No funds received pursuant to this Agreement may be expended for lobbying the Legislature, the judicial branch, or a state agency.

D. The LOCAL GOVERNMENT and the DEPARTMENT agree that the LOCAL GOVERNMENT, its employees, and subcontractors are not agents of the DEPARTMENT as a result of this Contract.

## **6. TERMINATION AND DEFAULT**

A. This Agreement may be canceled by the DEPARTMENT in whole or in part, at any time the interest of the DEPARTMENT requires such termination. The DEPARTMENT also reserves the right to seek termination or cancellation of this Agreement in the event the LOCAL GOVERNMENT shall be placed in either voluntary or involuntary bankruptcy. The DEPARTMENT further reserves the right to terminate or cancel this Agreement in the event an assignment is made for the benefit of creditors.

B. If the DEPARTMENT determines that the performance of the LOCAL GOVERNMENT is not satisfactory, the DEPARTMENT shall have the option of (a) immediately terminating the Agreement, or (b) notifying the LOCAL GOVERNMENT of the deficiency with a requirement that the deficiency be corrected within a specified time, otherwise the Agreement will be terminated at the end of such time, or (c) taking whatever action is deemed appropriate by the DEPARTMENT.

C. If the DEPARTMENT requires termination of the Agreement for reasons other than unsatisfactory performance of the LOCAL GOVERNMENT, the DEPARTMENT shall notify the LOCAL GOVERNMENT of such termination, with instructions to the effective date of termination or specify the stage of work at which the Agreement is to be terminated.

D. If the Agreement is terminated before performance is completed, the LOCAL GOVERNMENT shall be paid only for that work satisfactorily performed for which costs can be substantiated. Such payment, however, may not exceed an amount which is the same percentage of the contract price as the amount of work satisfactorily completed is a percentage of the total work called for by this Agreement. All work in progress will become

the property of the DEPARTMENT and will be turned over promptly by the LOCAL GOVERNMENT.

**7. MISCELLANEOUS**

A. In no event shall the making by the DEPARTMENT of any payment to the LOCAL GOVERNMENT constitute or be construed as a waiver by the DEPARTMENT of any breach of covenant or any default which may then exist, on the part of the LOCAL GOVERNMENT, and the making of such payment by the DEPARTMENT while any such breach or default shall exist shall in no way impair or prejudice any right or remedy available to the DEPARTMENT with respect to such breach or default.

B. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida. Any provision herein determined by a court of competent jurisdiction, or any other legally constituted body having jurisdiction, to be invalid or unenforceable shall be severable and the remainder of this Agreement shall remain in full force and effect, provided that the invalidated or unenforceable provision is not material to the intended operation of this Agreement.

C. This Agreement shall be effective upon execution by both parties and shall continue in effect and be binding on the parties until the Project is completed, any subsequent litigation is complete and terminated, final costs are known, and legislatively appropriated reimbursements, if approved, are made by the DEPARTMENT. The DEPARTMENT may, at any stage, amend or terminate the Project in whole or in part if the DEPARTMENT determines that such action is in the best interest of the public.

D. PUBLIC ENTITY CRIME INFORMATION AND ANTI-DISCRIMINATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. An entity or affiliate who has been

placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

E. The DEPARTMENT and the LOCAL GOVERNMENT acknowledge and agree to the following:

i) The LOCAL GOVERNMENT shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the LOCAL GOVERNMENT during the term of the contract; and

ii) The LOCAL GOVERNMENT shall expressly require any contractors and subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the contractor/subcontractor during the contract term.

F. All notices required pursuant to the terms hereof shall be sent by First Class United States Mail. Unless prior written notification of an alternate address for notices is sent, all notices shall be sent to the following addresses:

**DEPARTMENT**

**Point of Contact:**

Holly Lopenski

Program Coordinator

719 South Woodland Boulevard, M.S. 4-520

DeLand, Florida 32720-6834

PH: (386) 943-5520

[Holly.Lopenski@dot.state.fl.us](mailto:Holly.Lopenski@dot.state.fl.us)

Richard Grooms  
Design Project Manager/MS 3-510  
719 South Woodland Boulevard  
DeLand, Florida 32720-6834  
PH: (386) 943-5374  
[Richard.Grooms@dot.state.fl.us](mailto:Richard.Grooms@dot.state.fl.us)

Vince Vacchiano  
Construction Project Manager/MS 3-506  
719 South Woodland Boulevard  
DeLand, Florida 32720-6834  
PH: (386) 943-5406  
[Vincent.Vacchiano@dot.state.fl.us](mailto:Vincent.Vacchiano@dot.state.fl.us)

**LOCAL GOVERNMENT**

Chris Bowley, AICP  
Planning & Development Services Department  
2345 Providence Boulevard  
Deltona, Florida 32725  
PH: 386-878-8602  
[cbowley@deltonafl.gov](mailto:cbowley@deltonafl.gov)

IN WITNESS WHEREOF, the LOCAL GOVERNMENT has executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2016, and the DEPARTMENT has executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF DELTONA**

**STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Frank J. O'Dea, P.E.  
Title: Director of Transportation Development

As approved by the City Commission on:

\_\_\_\_\_

Attest:

Attest:

\_\_\_\_\_

\_\_\_\_\_

Executive Secretary

Legal Review:

Legal Review:

\_\_\_\_\_

Local Government Attorney

\_\_\_\_\_

Financial Provisions Approval by  
The Office of the Comptroller on:

\_\_\_\_\_

Authorization Received from the Office of  
the Comptroller as to Availability of Funds:

\_\_\_\_\_

## Exhibit "A"

### SCOPE OF SERVICES

#### Financial Management Number: 438988-1-58-01

##### Project Description and Limits of Construction:

The LOCAL GOVERNMENT shall cause to be installed landscaping and other improvements within the Right of Way on State Road 472/Howland Boulevard between the East-bound Off-Ramp of State Road 400/Interstate 4 and East Graves Avenue (Section 791810000: Milepost 3.302 to Milepost 3.810). The LOCAL GOVERNMENT will also be responsible for construction engineering and inspection.

The landscaping design shall meet the DEPARTMENT'S criteria for Bold Landscape Requirements with more emphasis on more large trees and fewer shrubs to increase "curb appeal". Shrubs can be used when and where they are part of the best design solution.

Any and all other work to be performed within the Department's Right of Way as a part of this Project shall be reflected on Design Plans for the Project. In no instance may improvements be installed or constructed within Department Right of Way unless and until Design Plans have been reviewed and accepted and a Notice to Proceed has been issued by the Department.

##### Deliverables:

The LOCAL GOVERNMENT shall construct and complete the Project in accordance with the approved plans, the Special Provisions set forth in this Agreement (Exhibit "E" hereto), and the Standard Specifications for Road and Bridge Construction, current edition, and as amended from time to time.

The DEPARTMENT shall reimburse the LOCAL GOVERNMENT only for the cost of purchase of the plant materials, fertilizer, and the cost for labor associated with the installation of the planting. The LOCAL GOVERNMENT agrees to bear all expenses in excess of the DEPARTMENT'S participation.

- The Local Government will be responsible to prepare all planting areas by removing sod, adding soil amendments and adjusting grade for proper planting as specified in the plans when accepted by the DEPARTMENT.
- The Local Government will purchase all trees, palms, and plants for the project and will install them to the specifications shown in the accepted Landscape Plans when accepted by the DEPARTMENT.
- The Local Government will be responsible for fertilizing all trees, palms, and plants.
- The Local Government will purchase, supply and spread organic Mulch on all new plant beds.

- The Local Government will be responsible for staking of all trees planted.
- The Local Government will furnish water to all trees, palms, and plants for the described maintenance period called for in the Landscape Plan specifications.
- The Local Government will be responsible for the growth of all plants for the establishment period called for in the Landscape Plan specifications.
- The Local Government will establish proper Maintenance of Traffic, as needed.
- All work on the Project shall be undertaken and completed in accord with the Terms & Conditions set forth in Exhibit "D".

Any proposed additional work to be performed by the LOCAL GOVERNMENT within the limits of this Project, and not reimbursable under this Agreement, shall be included in the LOCAL GOVERNMENT'S DEPARTMENT accepted plans and in Exhibit "A", Scope of Services.

The parties hereto acknowledge and agree that the design plans for this Project are not yet complete and are subject to review by the DEPARTMENT. Upon final acceptance by the DEPARTMENT, this Agreement shall be amended to include said plans in the Agreement. The parties further agree that the plans will be incorporated into the terms of this Agreement by reference and that the City of Deltona hereby approves and delegates to \_\_\_\_\_name, \_\_\_\_\_title\_\_\_\_, the authority to enter into an amendment of this Agreement to accomplish said task. No further Board or Council action shall be required to amend this Agreement for the sole purpose of incorporating the plans.

The LOCAL AGENCY understands and agrees that their contractor must commence construction work no earlier than April 1, 2017, which is the scheduled completion date of the DEPARTMENT'S resurfacing project in that location (FM#432441-2). The LOCAL AGENCY also understands and agrees that their contractor must complete construction work prior to December 31, 2017, which is the scheduled commencement date of the DEPARTMENT'S lighting project (FM#435056-1).

The LOCAL AGENCY understands that their contractor must adhere to the schedule set forth in Exhibit "C" hereto.

No work shall be undertaken on the Project until a written Notice to Proceed has been issued by the Department.

## **Exhibit “B”**

### **METHOD OF COMPENSATION**

#### **Financial Management Number: 438988-1-58-01**

For satisfactory completion of all services related to the purchase of the plant materials, fertilizer, and the cost for labor associated with the installation of the planting detailed in Exhibit “A” (Scope of Work) of this Agreement, the DEPARTMENT will reimburse the LOCAL GOVERNMENT an amount not to exceed **\$125,000.00 (One Hundred Twenty Five Thousand Dollars and No/100)** for actual costs incurred.

The LOCAL GOVERNMENT may receive progress payments for actual costs incurred for deliverables based on a percentage of services that have been completed, approved and accepted to the satisfaction of the DEPARTMENT when properly supported by detailed invoices and acceptable evidence of payment. The final balance due under this Agreement will be reimbursed upon the completion of all Project services, receipt of final construction cost documentation and proper submission of a detailed invoice and when the Project has been inspected, approved and accepted to the satisfaction of the DEPARTMENT in writing.

**Exhibit “C”**

**ESTIMATED PROJECT PRODUCTION SCHEDULE**

**Financial Management Number: 438988-1-58-01**

Design Start (After receipt of 60% lighting plans)	
Design Finish	
Advertises for bids for Construction	
Bids Construction (bid opening)	
Select Construction Firm (BCC approval)	
Give NTP	
Earliest Construction Start	<b>April 1, 2017</b>
Latest Construction Finish	<b>December 31, 2017</b>
Construction Contract Closeout	
Final Invoice and Closeout Documentation to the Department	

## **Exhibit “D”**

### **TERMS & CONDITIONS OF CONSTRUCTION**

#### **Financial Management Number: 438988-1-58-01**

1. The LOCAL GOVERNMENT is authorized, subject to the conditions set forth herein, to enter DEPARTMENT right-of-way to perform all activities necessary for the construction of the Project (as described more fully in Exhibit “A”). The Project shall be constructed in accordance with construction plans and specifications to be accepted by the DEPARTMENT and consistent with the requirements of the DEPARTMENT. The plans shall include an appropriate plan for maintenance of traffic. Should any significant (as defined by §4-3 of Standard Specifications for Road and Bridge Construction, current edition, and as amended from time to time) changes to the plans be required during construction of the Project, the LOCAL GOVERNMENT shall be required to notify the DEPARTMENT of the changes and receive approval from the DEPARTMENT prior to the changes being constructed. The DEPARTMENT reserves the right to adjust the plans to meet the requirements of permits. The LOCAL GOVERNMENT shall be responsible to maintain the area of the Project at all times during construction of the Project. All payment and performance bonds shall name the DEPARTMENT as an additional obligee. All warranties on any product or material used in construction of said Project shall be in favor of the DEPARTMENT. The LOCAL GOVERNMENT shall assure that the Engineer of Record performs all necessary post-design services that may be required.

2. The LOCAL GOVERNMENT shall have the affirmative responsibility to locate all existing utilities, both aerial and underground and that all utility locations shall be represented on the construction plans. All utility conflicts shall be fully resolved directly with the applicable utility. The LOCAL GOVERNMENT shall be obligated to design around any utility installation for which the conflict cannot be resolved. Said utility work shall be deemed to be undertaken on behalf of and for the benefit of the DEPARTMENT and the LOCAL GOVERNMENT shall assure that utility work schedules are obtained for the Project.

3. The work performed pursuant to this Agreement may require authorization under the Clean Water Act, by the U.S. Environmental Protection Agency for Storm Water Discharges from construction sites. The LOCAL GOVERNMENT is responsible for obtaining the National Pollutant Discharge Elimination System Permit and all other necessary permits for construction of the Project. When applicable, such permits will be processed in the name of the DEPARTMENT; however, in such event, the LOCAL GOVERNMENT will comply with all terms and conditions of such permit in construction of the subject facilities.

4. This Agreement shall act to supersede the normal requirements of the LOCAL GOVERNMENT to secure separate DEPARTMENT permits for drive-way connection, right-of-way utilization, storm-water discharge and utilities and this Agreement is deemed to constitute such permits.

5. It is expressly agreed by the parties that this Agreement creates a permissive use only and that neither the granting of the permission herein to use DEPARTMENT and/or LOCAL GOVERNMENT right-of-way nor the placing of facilities upon DEPARTMENT

and/or LOCAL GOVERNMENT land shall operate to create or vest any property right in the LOCAL GOVERNMENT except as otherwise provided in separate agreements.

6. The DEPARTMENT shall appoint and authorize a single individual to serve as the DEPARTMENT'S representative to coordinate and manage the DEPARTMENT review of LOCAL GOVERNMENT activities pursuant to this Agreement. The LOCAL GOVERNMENT shall provide a current construction schedule to the DEPARTMENT'S representative and shall notify the representative at least 48 hours in advance of starting proposed work and again immediately upon completion of work.

7. The LOCAL GOVERNMENT shall hire a Pre-qualified contractor or the LOCAL GOVERNMENT may hire an experienced qualified contractor that has specific expertise and experience in the performance of **Roadway Landscape** projects. In order for the Contractor to utilize an experienced qualified contractor and to submit a bid relying on an experienced qualified contractor, the following requirements must be provided to the DEPARTMENT by the LOCAL GOVERNMENT:

(a) The Experience form (FDOT form number 850-070-09) must be filled out and submitted with the bid to the LOCAL GOVERNMENT. The form must be signed by the Owner or an Officer of the Company and dated and must reflect the following experience and credentials.

(1) At least five (5) complete years of experience in the performance of **Roadway Landscape** projects or the company Superintendent must have at least five (5) years of like experience as a Superintendent.

(2) The contractor must also provide independent written endorsements from two (2) separate Florida Registered Landscape Architects on company letterhead. These endorsements shall attest to the Florida Registered Landscape Architect's support of the contractor's skills, efficiency, and competence. Each Florida Registered Landscape Architect shall sign the endorsement, provide their license number, and include the following:

(i) Project name with a brief description that evaluates the landscape work performance.

(ii) Location of the project (city, state).

(iii) Professional substantiation of the contractor's skills, efficiency, and competence.

(3) FDOT Prequalification in **Landscaping** can be substituted for the required work experience.

8. The LOCAL GOVERNMENT shall hire a DEPARTMENT Pre-qualified Consultant Construction Engineering Inspection firm (CCEI) to perform construction oversight including the obligation to assure that any and all verification testing is performed in accordance with the Standard Specifications for Road and Bridge Construction, current

edition, and as amended from time to time. The DEPARTMENT shall have the right, but not the obligation, to perform independent assurance testing during the course of construction of the Project. The CCEI firm shall not be the same firm as that of the Engineer of Record for the Project.

9. The LOCAL GOVERNMENT shall require the LOCAL GOVERNMENT'S contractor to post a bond in accordance with Section 337.18, Florida Statutes.

10. The LOCAL GOVERNMENT shall not modify the intent of the design plans or the maintenance of traffic concept without appropriate submission by the Engineer of Record (the "Engineer") and approval by the DEPARTMENT. Provided, however, in the event of an emergency, the LOCAL GOVERNMENT shall immediately make any necessary changes and notify the DEPARTMENT and the Engineer of Record after the modifications.

11. The DEPARTMENT may request and shall be granted a conference with the LOCAL GOVERNMENT and at the LOCAL GOVERNMENT'S option, the LOCAL GOVERNMENT'S CEI firm, to discuss any part of the Project activities that the DEPARTMENT determines to be inconsistent with the accepted design plans and specifications. The LOCAL GOVERNMENT will monitor the corrective action and provide the DEPARTMENT status reports at such intervals as are reasonable, based on the corrective action undertaken, and the DEPARTMENT may, but is not obligated to, review independently the progress of the corrective action. Provided however, if the DEPARTMENT determines a condition exists which threatens the public's safety, the DEPARTMENT may, at its discretion, issue an immediate stop work order.

12. The LOCAL GOVERNMENT shall have the continuous obligation to monitor the maintenance of traffic and construction operation during the course of the Project so that the safe and efficient movement of the traveling public is maintained. The LOCAL GOVERNMENT is further obligated to make such changes to the maintenance of traffic plans as may be necessary. During construction, the LOCAL GOVERNMENT shall take measures, including the placing and display of safety devices that are necessary in order to safely conduct the public through the Project area in accordance with the latest and current version of the Federal Highway Administration Manual on Uniform Traffic Control Devices for Streets and Highways, and the DEPARTMENT'S Standard Specifications for Road and Bridge construction, current edition, and the DEPARTMENT'S Roadway and Traffic Design Standards, current edition, and as those sources may be amended from time to time. The LOCAL GOVERNMENT may assign the responsibility of this paragraph to the Contractor or its' CEI for the construction of the Project.

13. Prior to the Project bidding, the LOCAL GOVERNMENT shall provide a project schedule that includes, at a minimum, the date the Project will be advertised for bid, the bid opening date, the award date and the date of the preconstruction conference.

14. It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the DEPARTMENT'S right, title and interest in the land to be entered upon and used by the LOCAL GOVERNMENT. Any additional right or privilege required to undertake and to complete construction of the Project shall be secured by the LOCAL GOVERNMENT.

15. Upon completion of the work in accord with the Plans, the LOCAL GOVERNMENT shall furnish a set of “as-built” plans prepared in accordance with the FDOT Construction Project Administration Manual, Chapter 5.12 (FDOT Procedure #700-000-00). The “as-built” plans shall be certified by the Engineer of Record/CEI that the necessary improvements have been completed in accordance with the Plans as the same may be modified in accord with the terms of this Agreement. This certification shall include a statement that necessary inspections, tests, and physical measurements have been made, and that all materials entering into the work conform to the Plans, conform to the applicable specifications contained in the Standard Specifications for Road and Bridge Construction, current edition, and as amended from time to time, or otherwise conform to or meet generally accepted professional practices. Additionally, the LOCAL GOVERNMENT shall assure that all post construction survey monumentation required by Florida Statutes is completed and evidence of such is provided to the DEPARTMENT in a manner acceptable to the DEPARTMENT. Upon acceptance of right-of-way documents, then the Project shall be deemed accepted by and turned over to the DEPARTMENT.

16. In the event contaminated soil is encountered by the LOCAL GOVERNMENT or anyone within the DEPARTMENT right of way, the LOCAL GOVERNMENT shall immediately cease work and notify the DEPARTMENT. The DEPARTMENT shall coordinate with the appropriate agencies and notify the LOCAL GOVERNMENT of any required action related thereto.

17. It is acknowledged by the parties that construction plans and specifications are still being prepared by the LOCAL GOVERNMENT as of the date of this Agreement. Construction of the Project will not commence until the DEPARTMENT has accepted the construction plans and specifications as provided for in Paragraph 1 and all required right-of-way has been properly obtained and certified (if applicable) as such by the DEPARTMENT’S Right of Way Manager.

18. If applicable, the LOCAL GOVERNMENT shall assure that load ratings are submitted on any vehicular bridge prior to the final submission of the structure plans for DEPARTMENT review. Structures shall not be opened to traffic until a signed and sealed final bridge load rating that meets the Florida legal loads standard is complete.

19. The Special Provisions set forth in Exhibit “E” hereto shall apply to this Agreement and to all work on the Project.

## **Exhibit “E”**

### **SPECIAL PROVISIONS**

#### **Financial Management Number: 438988-1-58-01**

##### **Subletting or Assignment of Contracts:**

The Contractor shall not sell, transfer, assign or otherwise dispose of the Contract or Contracts or any portion thereof, or of the right, title, or interest therein, without written consent of the LOCAL GOVERNMENT. If the Contractor chooses to sublet any portion of the Contract, the Contractor must provide a written request to sublet work on the Certification of Sublet Work form developed by the DEPARTMENT for this purpose. With the Engineer’s acceptance of the request, the Contractor may sublet a portion of the work. The Certification of Sublet Work request will be deemed acceptable by the LOCAL GOVERNMENT for purposes of the LOCAL GOVERNMENT’s consent, unless the Engineer notifies the Contractor within 5 business days of receipt of the Certification of Sublet Work that the LOCAL GOVERNMENT is not consenting to the requested subletting.

Include in the total Contract amount the cost of materials and manufactured component products, and their transportation to the project site. For the purpose of meeting this requirement the LOCAL GOVERNMENT will not consider off-site commercial production of materials and manufactured component products that the Contractor purchases, or their transportation to the project, as subcontracted work.

Execute all agreements to sublet work in writing and include all pertinent provisions and requirements of the Contract. Upon request, furnish the LOCAL GOVERNMENT with a copy of the subcontract. The subletting of work does not relieve the Contractor or the surety of their respective liabilities under the Contract.

The LOCAL GOVERNMENT recognizes a subcontractor only in the capacity of an employee or agent of the Contractor, and the Engineer may require the Contractor to remove the subcontractor as in the case of an employee.

##### **Illicit Discharge Training**

All persons employed by the Contractor or Subcontractors working within the DEPARTMENT’s FDOT right-of-way must have Tier 1 Illicit Discharge Detection and Elimination (IDDE) training. The computer based training is provided by video on the following web page: <http://www.dot.state.fl.us/emo/sched/train1.shtm>.

Provide a list of persons trained prior to submittal of the first invoice. Provide an updated list of new Contractor/Subcontractor employees annually thereafter.

##### **Landscaping Provisions (Section 580)**

###### **580-1 Description.**

Install landscaping as indicated in the Contract Documents.

## **580-2 Materials.**

### **580-2.1 Plants:**

**580-2.1.1 Sizes:** Small plants includes all ground covers, shrubs to less than 7 gallon, trees to less than 7 gallon, clustering type palms less than 6 foot overall height, cycads to less than 7 gallon, and incidental landscaping.

Large plants include shrubs 7 gallon or greater, trees 7 gallon or greater, all single trunk palms, and clustering type palms 6 foot overall height and greater.

**580-2.1.2 Grade Standards and Conformity with Type and Species:** Only use nursery grown plant materials purchased from Florida based Nurseryman Stock that comply with all required inspection, grading standards, and plant regulations in accordance with the latest edition of the Florida Department of Agriculture's "Grades and Standards for Nursery Plants."

Unless otherwise specified, minimum grade for all plants is Florida No. 1 or better. All plants must be the specified size and grade at the time of delivery to the site and the minimum grade maintained until final acceptance.

Use only plants that are true to type and species and ensure that the plants not specifically covered by Florida Department of Agriculture's "Grades and Standards for Nursery Plants" conform in type and species with the standards and designations in general acceptance by Florida nurseries. Prior to planting, certify to the Engineer (or Landscape Architect) that all plant materials have been purchased from Florida based Nurseryman Stock.

A minimum of two plants of each species on each shipment must be shipped with tags stating the botanical nomenclature and common name of the plant. Should discrepancies between botanical nomenclature and common name arise, the botanical name will take precedence.

**580-2.1.3 Inspection and Transporting:** Move nursery stock in accordance with all Federal and State regulations and accompany each shipment with the required inspection certificates for filing with the Engineer (or Landscape Architect).

**580-2.2 Water:** Meet the requirements of Section 983.

**580-2.3 Mulching:** Use of cypress mulch is prohibited.

## **580-3 Installation.**

**580-3.1 Delivery:** All materials must be available for inspection before installation and will be subject to approval or rejection.

**580-3.2 Layout:** Mark proposed mowing limits, planting beds and individual locations of trees and palms as shown in the Contract Documents for the Engineer's (or Landscape Architect's) review, prior to excavation or planting.

Make no changes to the layout, materials or any variations of plant materials from the Contract Documents without the Engineer's (or Landscape Architect's) written approval.

**580-3.3 Soil Drainage:** All planting holes and beds must drain sufficiently prior to installing any plants. Immediately notify the Engineer (or Landscape Architect) of drainage or percolation problems before plant installation.

**580-3.4 Planting:** Meet the requirements of the Design Standards, Index No. 544.

**Exhibit "F"**

**NOTICE OF COMPLETION**

**JOINT PARTICIPATION AGREEMENT**

Between

**THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
and the CITY OF DELTONA**

**PROJECT DESCRIPTION:** "Landscaping Improvements on State Road 472/Howland Boulevard between the East-bound Off-Ramp of State Road 400/Interstate 4 and East Graves Avenue"

**FINANCIAL MANAGEMENT ID#438988-1-58-01**

In accordance with the Terms and Conditions of the JOINT PARTICIPATION AGREEMENT, the undersigned hereby provides notification that the work authorized by this Agreement is complete as of \_\_\_\_\_, 20\_\_.

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

Name: \_\_\_\_\_

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

**LANDSCAPE ARCHITECT'S CERTIFICATION OF SUBSTANTIAL  
COMPLIANCE**

In accordance with the Terms and Conditions of the JOINT PARTICIPATION AGREEMENT, the undersigned hereby certifies that all work which originally required certification by a Registered Landscape Architect has been completed in substantial compliance with the Project construction plans and specifications. If any deviations have been made from the accepted plans, a list of all deviations along with an explanation that justifies the reason to accept each deviation will be attached to this Certification.

By: \_\_\_\_\_, P.E.

SEAL:

Name: \_\_\_\_\_

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

**Exhibit “G”**

**RESOLUTION**

**Financial Management Number: 438988-1-58-01**



# Landscape Grant – State Funded Program Information Sheet

(JPA Landscape Funds)

*Revised 09/10/13*

Special landscaping funds, **for plants and plant materials**, are available to Local Agencies for landscaping along **State Roads** (roads on the state highway system).

## Can be used for:

1. Plants and plant materials.
2. Installation of the plants.
3. Mulch.

## Cannot be used for:

1. Landscaping that is not on the state highway system. Must be on FDOT owned property (within right-of-way).
2. Design and maintenance of the landscaping.
3. Hardscape items like lights, benches, signs, pavers, etc.
4. Concrete removal.
5. Irrigation sleeves or irrigation systems.
6. Payment of work started before the agreement with FDOT is executed.
7. Bonds.
8. Sod.

## Also,

1. Design must implement concepts consistent with our **“Bold Landscape” Initiative**. See definition below.
2. Plants must be purchased from Florida based nursery stocks.
3. Except where prohibited by federal law or federal regulation and to the extent practical, a minimum of 50% of the funds must be for large plant materials (five gallons or larger).
4. Purchase must be by competitive bid.
5. Local agency must design the landscaping and obtain FDOT approval of the design.
5. Local agency must maintain the landscaping.

**Bold Landscapes:** All FDOT landscape grants must now meet the **“BOLD”** criteria as described on page two of this document. This requirement will be included in the agreement and will be part of the design review by the Department.

**These funds are disbursed** using a Joint Participation Agreement (JPA) with the Florida Department of Transportation and the Local Agency. The agreement cannot be with a home owners association or other non governmental entity, it must be a government agency (County, City, etc.). Payment will be a one time lump-sum payment after the work is complete or, if included in the JPA, progress payments based on a percentage of completion (or as otherwise agreed to in the agreement).

**The decision to provide funds and how much** is made by the District Directors or District Secretary. These decisions are based on, but not limited to, the availability of the funds at the time needed, the type and area proposed for landscaping, the amount requested, and other factors.

## To apply for these funds:

Complete the one page application and email (or regular mail) to Steve Smith at the address below. There is no time limit to apply; however in general, funding decisions on grants are usually awarded in the order applications are received.

**Bold Landscaping Requirement:**

FDOT landscape grants now must meet the following criteria as set forth by FDOT Secretary Prasad in December 2011.

**Definition of “BOLD” -**

**“BOLD” is a Department initiative**, lead by Secretary Prasad to adapt to current landscape market conditions, and to instantly create roadside landscapes that can **help attract and grow business in Florida**. The Secretary has directed the Districts and Central Office to work with the District Landscape Architects and State Transportation Landscape Architect to implement the **“BOLD”** vision described below.

**“BOLD” is more emphasis on trees and less on shrubs.** Typically, more large trees and fewer shrubs can instantly increase “curb appeal” as described by the Secretary, and can cost much less to maintain than extensive masses of ornamental shrubs.

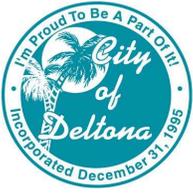
**“BOLD”** may cost less to construct.

**“BOLD”** does not prohibit shrubs. Shrubs can be used when and where they are part of the best design solution.

**“BOLD”** landscapes with **many large trees and few, if any, shrubs can be maintained more affordably, either by the local government or by the Department.**

If you need an application or have further questions about any of the above, please call or email:

**Steve Smith**  
**Production Management Office**  
**Florida Department of Transportation – District 5**  
**719 South Woodland Boulevard**  
**Deland, Florida 32720**  
**Phone: (386) 943-5451**  
[steve.smith@dot.state.fl.us](mailto:steve.smith@dot.state.fl.us)



**Agenda Memo**

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**AGENDA ITEM: E.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - E

**SUBJECT:**

Public Hearing - Resolution No. 2016-36, Program Year 2016-2017 Annual Action Plan (AAP) for the Deltona Community Development Block Grant (CDBG) 2016-2017 Allocation - Chris Bowley, AICP, Director, Planning and Development Services (386) 878-8602.

Strategic Goal: Fiscal Issues - other grants as approved by the City Commission.

**LOCATION:**

Citywide

**BACKGROUND:**

The City of Deltona (City) receives CDBG federal grant funds from the U.S. Department of Housing and Urban Development (HUD) on an annual basis. The HUD Program Year (PY) 2016-2017 funds are available to implement activities that are identified in the City's 2013-2017 Five Year Consolidated Plan (Con Plan) that was approved by the City Commission in 2013. The City is eligible to receive a formula-based grant in the amount of \$465,757 for PY 2016-2017 and required to formulate an AAP and submit it to HUD with a list of projects to be undertaken during the new PY. The AAP also represents an annual evaluation of the implementation of the Con Plan.

There is a public participation element associated with the AAP, with regard as to how the CDBG allocation is used. No more than 15% of the allocation is allowed to be used to fund public service organizations serving our residents. There is an application, evaluation and ranking process used to make a recommendation with regard to funding eligibility and award amount. The following table illustrates the projected PY 2016-2017 budget recommendation including awards for public service entities. The awards are based on the amounts requested per entity, the amount of available funds to award, the 15% threshold limitation listed above, and a division of \$2,000 being equally divided to the seven (7) groups proposed for approval, as follows:

Administration	\$93,100
Housing Rehabilitation	\$3,662
Community Center - Senior Area	\$300,000
New Hope Human Services	\$7,785
Boys and Girls Club	\$10,285
Council on Aging	\$10,285
Early Learning Coalition	\$10,285

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**AGENDA ITEM: E.**

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Community Life Center	\$10,285
Neighborhood Center	\$10,285
Healthy Start Coalition	\$9,785
<b>2016/17 Total Award</b>	<b>\$465,757</b>
Festival Park (Prior Year Carry-Over)	\$80,000
Housing Rehab. (Prior Year Carry -Over)	\$161,643
<b>Total CDBG Budget</b>	<b>\$707,400</b>

In addition to the above, there were also four (4) public service applicants that are not proposed for approval through CDBG funding. However, the City Commission is considering budgeting \$35,000.00 towards social services/community services within the FY16/17 City budget. An option upon approval of that budget is to divide half or \$17,500 equally to the four (4) remaining groups. This equates to a proposed \$4,375 per applicant that would not receive CDBG grant funding. Those entities include the House Next Door, Futures/Take Stock in Children, the Center for the Visually Impaired, and the Four Towns Family YMCA. If the City's budget is adopted, as such, the expenditure of City funds would result in each group receiving \$4,375.

**COST:**

N/A

**SOURCE OF FUNDS:**

Community Development Block Grant Funds

**ORIGINATING DEPARTMENT:**

Planning and Development Services

**STAFF RECOMMENDATION PRESENTED BY:**

Chris Bowley, AICP, Director, Planning and Development Services - Staff recommends that the City Commission adopt Resolution No. 2016-36 to accept the Plan Year 2016-2017 Annual Action Plan and to transmit the Plan to HUD.

**POTENTIAL MOTION:**

"I hereby move to adopt Resolution No. 2016-36 to accept the Plan Year 2016-2017 Annual Action Plan and to transmit the Plan to HUD."

**RESOLUTION NO. 2016-36**

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN FOR PROGRAM YEAR 2016-2017; AUTHORIZING THE CITY MANAGER TO EXECUTE THE REQUIRED FEDERAL FORMS AND CERTIFICATIONS; AUTHORIZING SUBMITTAL OF THE PLAN; AUTHORIZING THE ADMINISTRATION OF THE PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Deltona, Florida is a Community Development Block Grant entitlement community; and

**WHEREAS**, the City Commission of the City of Deltona desires to obtain federal Community Development Block Grant funds, and administer Community Development Block Grant programs; and

**WHEREAS**, the United States Department of Housing and Urban Development requires all entitlement communities to submit an Annual Action Plan to adhere to the requirements of applicable federal regulations; and

**WHEREAS**, the City of Deltona has prepared a Five-Year Community Development Block Grant Annual Action Plan that includes the federal application for funds and all required forms and certifications to apply for funds from the federal Community Development Block Grant program.

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

**Section 1.** The City of Deltona Five-Year Community Development Block Grant Annual Action Plan for Program Year 2016-2017, attached hereto, is hereby approved.

**Section 2.** The City Manager is hereby authorized and empowered to execute the federal forms and certifications required as part of the Five-Year Community Development Block Grant Annual Action Plan.

**Section 3.** The City Manager is hereby authorized to submit the Five-Year Community Development Block Grant Annual Action Plan for Program Year 2016-2017 as a request and approval for funding from the United States Department of Housing and Urban Development.

**Section 4.** The City Manager or designee is hereby authorized to administer the Community Development Block Grant program; the Consolidated Plan, Strategic Plan, Annual Action Plan and Citizen Participation Program.

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

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

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

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, MMC, City Clerk

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

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

2016-2017

CDBG

ANNUAL ACTION PLAN

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## Executive Summary

### *AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)*

#### **1. Introduction**

The City of Deltona (City) is a Community Development Block Grant (CDBG) Entitlement Community. An Entitlement Community receives funds directly from the U.S. Department of Housing and Urban Development (HUD). HUD requires communities that receive federal funds to submit a Five-Year Consolidated Plan (Con Plan) every five years. The City submitted the Con Plan in 2013. The Five-Year Consolidated Plan (Con Plan) attempts to forecast activities, strategies and funding over five years, and the Con Plan is predicated on best available data. This data can include, but is not limited to, demographics, housing, employment, income and market trends. The statutory purpose of the CDBG program is summarized into three objectives:

- Creating suitable living environments;
- Providing decent housing; and
- Facilitating economic opportunities.

The Annual Action Plan (AAP) is a component of the five year Con Plan. The AAP serves as an annual evaluation of the Con Plan and is needed for continued annual funding of the CDBG program. The Plan describes the activities and /or projects to be undertaken during the next fiscal year, utilizing CDBG formula grant funds and anticipated program income, if any. The AAP summarizes performance objectives and outcomes identified as priorities for the City. The AAP also provides an opportunity for entitlement communities to:

- Articulate proposed projects and activities to be implemented over the 2016/2017 program year;
- Realize accomplishments/outcomes of projects from previous years, and
- Provide an opportunity to review the applicability of activities identified in the 2013 Con Plan in light of contemporary circumstances.

The City of Deltona anticipates receiving approximately \$465,757 in Community Development Block Grant funds for the 2016-2017 program year (PY). These funds will be used for public facilities, park improvements, public services and minor housing activities. Public service and housing projects include senior services, mentoring for at risk youth, child care subsidies and human service assistance, housing rehab and homeless prevention assistance.

## **2. Summarize the objectives and outcomes identified in the Plan**

The City submitted a Five-Year Consolidated Plan (Con Plan) in 2013. Funds to address the City's needs are limited and therefore must be prioritized. The Con Plan prioritized the anticipated needs of the City. Public infrastructure, public facilities and affordable housing were ranked high on the "priority of needs" list while public services and homelessness were ranked low on the priority list. The City has, in the past, utilized and leveraged a large portion of the CDBG allocation for drainage improvements. Due to the aggressive manner in which public infrastructure projects have been implemented, there are no current public works type infrastructure projects that have been identified by the City for program year 2016-2017. For this reason, CDBG funds will be leveraged with City of Deltona funds to invest in another area that ranked high on the priorities list and was also a reoccurring theme in most recent surveys collected: Community center and senior involvement. Nearly 60% of 2016-2017 CDBG allocation will be used to help develop a new Senior Community facility that will be housed within our new Community Center. Finally, the remaining CDBG funds will be used to provide assistance to public service applicants, update several parks and perform minor home repair within CDBG Target Areas.

Projects and activities were selected for funding based on CDBG statutory requirements in accordance with the priority of needs established by the 2013-2017 Con Plan. In addition, current needs assessments was provided by our various partners including but not limited to public service providers, government partners, and human service providers. Information collected through public participation meetings and community surveys were also used to create the AAP.

## **3. Evaluation of past performance**

The City is celebrating its 20<sup>th</sup> Anniversary and has received CDBG funding for the past thirteen years as an entitlement community. CDBG funds were used to address needs identified in the Con Plan and the AAP respectively. CDBG funds have been utilized in the following ways:

- Between 2007 and 2012, 30% of Deltona's CDBG funding was allocated to public infrastructure. The ability to leverage CDBG funds with City funds has enhanced the level of service and improved neighborhoods (providing a suitable living environment).
- Over the past two years, the City has consistently allocated more than 30% of CDBG funds to update City parks and public facilities (providing a suitable living environment).
- Due to lack of funding from State Housing Initiative Program (SHIP) during the Great Recession, the City relied heavily on CDBG funding to facilitate minor home repairs (providing decent housing).
- Between 2011 and 2016, CDBG funding leveraged with NSP funding has helped place 84 citizens in homes (providing decent housing).

- 15% of the annual CDBG allocation has been granted to Public Service entities performing human service tasks needed in the City (creating a suitable living environment and creating economic opportunity).

The City would like to continue efforts to improve the quality of life for Deltona's residents throughout the City by enhancing the physical environment and providing a direct benefit resulting in improved housing opportunities and a wide range of public services. In addition, the goals support specific CDBG outcomes of availability, accessibility, affordability and sustainability. Therefore, the City plans to undertake activities that will produce outcomes intended to fulfill these objectives.

#### **4. Summary of Citizen Participation Process and consultation process**

An additional purpose of the AAP process is to provide information and engage City residents. Projects and activities are prioritized based on input provided by the residents of the City via written comments, survey results and other public participation. The goal continues to improve the involvement of our residents, organizations and interested parties in the CDBG planning process.

#### **5. Summary of public comments**

Please see citizen participation data in section AP-12 of this document.

#### **6. Summary of comments or views not accepted and the reasons for not accepting them**

Yes- see citizen participation data in section AP-12 of this document.

#### **7. Summary**

CDBG funds will allow the City to continue to invest in public facilities including a new and greatly upgraded community center along with improved public parks, which will increase the accessibility to such facilities. The City will continue to serve low income residents by funding local public service activities. Finally, the City expects to meet the goals of providing decent affordable housing by rehabilitating up to 12 single family residents and leveraging CDBG funds with SHIP and NSP allocations to place 14 families in affordable housing.

This Annual Action Plan recommends continued investment in the community, including public facilities like the new community center, public service entities and housing. The intent of this plan is to provide proposals that will assist the City in meeting these goals.

## *R-05 Lead & Responsible Agencies – 91.200(b)*

### **1. Agency/entity responsible for preparing/administering the Consolidated Plan**

**TABLE 1 – RESPONSIBLE AGENCIES**

<b>Agency Role</b>	<b>Name</b>	<b>Department/Agency</b>
Lead Agency	DELTONA	Planning and Development Services
CDBG Administrator	DELTONA	Planning and Development Services
HOPWA Administrator	N/A	
HOME Administrator	N/A	
HOPWA-C Administrator	N/A	

#### **Narrative (optional)**

Housing and Community Development (HCD), a division of the Planning and Development Services Department, serves as the lead agency responsible for plan development as well as for implementing housing and community development programs identified in the Plan. The Housing and Community Development administers the Community Development Block Grant (CDBG), State Housing Initiatives Partnership (SHIP) and the Neighborhood Stabilization Programs.

#### **Consolidated/Annual Action Plan Public Contact Information**

The City of Deltona, Community Development Division/Planning and Development Department, 2345 Providence Blvd Deltona, FL 32725 Phone (386) 878-8614, [abriggs@deltonafl.gov](mailto:abriggs@deltonafl.gov).

## *AP-10 Consultation – 91.100, 91.200(b), 91.215(l)*

### **1. Introduction**

The City of Deltona’s 2016-2017 AAP was developed using the following process:

- Analysis of demographic data;
- Analysis of market data;
- Consultation with community organizations and concerned citizens;
- Meetings or individual contact;
- Consultation with public and private entities; and
- Consultation with City departments and other governmental entities.

The City continues to rely heavily upon various organizations that provide assistance to residents. Therefore the City consulted with several agencies and service providers during the formulation of this Plan. Through these interactions, several themes were discovered including addressing obstacles to meeting underserved needs within the community, economic development, social services, accessibility to and the availability of public facilities and fostering and maintaining affordable housing stock. To address these particular concerns the City will:

- 1.) Continue to partner with non-profit entities to provide social services including homelessness prevention, child care subsidies, mentoring at risk youth, and financial counseling;
- 2.) Utilize a large portion of the 2015 CDBG annual allocation to support public park projects;
- 3.) Demolishing abandoned properties and eliminating blight;
- 4.) Continue to make strides in economic development; and
- 5.) Continue to support affordable/available housing by leveraging its CDBG, SHIP and NSP funds to assist residents with making homeownership and home retention possible.

### **Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))**

The City plans to pursue the following activities in the 2016-2017 PY:

- Partner with UF-IFAS-Volusia and various lending and credit institutions to provide a financial education model, called “Roads to Financial Health”.

- Work with the Coalition for the Homeless to provide HMIS training for local non-profits.
- Provide funding to local non-profits via the City's CDBG Notice of Funding Availability and application process

The City does not have public housing and all related inquiries are referred to Volusia County Human Services. City Staff does meet with County of Volusia Human Services (Section 8) throughout the year to ensure resident needs are met and there is no duplication of services.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The Volusia/Flagler Continuum of Care (VFCOC) is the lead agency to assist the homeless population within Volusia and Flagler counties and is comprised of homeless advocates from both counties. The VFCOC provides a multi county strategy for meeting the needs of individuals and families who are homeless or at risk of homelessness. The VFCOC meets regularly to share practices, introduce new ideas and solve problems associated with homelessness and prevention of homelessness. The Coalition, as the lead agency, is entrusted with several important activities included but limited to the annual point in time count, homelessness education and submitting the overall applications to HUD and DCF, for ESG grants on behalf of the VFCOC.

There are City staff members on the HMIS committee and the Applications for Funding committee of the VFCOC. City representatives consulted with the VFCOC during the implementation of this Annual Action Plan and the VFCOC is an invaluable source for the City throughout the year.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

The City does not receive ESG funds.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

**TABLE 2 – AGENCIES, GROUPS, ORGANIZATIONS WHO PARTICIPATED**

1	<b>Agency/Group/Organization</b>	<b>VOLUSIA COUNTY</b>
	<b>Agency/Group/Organization Type</b>	Other local government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homelessness Strategy Human Services
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City and the County work together to ensure the needs of our residents are met through intergovernmental coordination. The City administers several of the same programs and this open dialogue ensures the provision of much needed services to the residents of Deltona and Volusia County. In addition, due the significant amount of funding the County receives, the County is able to provide a myriad of services the City is unable to provide. The County is consulted several times annually to minimize duplication of service.
2	<b>Agency/Group/Organization</b>	<b>Volusia Flagler Continuum of Care</b>
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Homeless Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Health Services - Education Services - Employment Services - Fair Housing

		Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs -Veterans Homelessness Strategy Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Deltona has an ongoing relationship with the VFCOC. The agency has met with the City during this process and will continue to coordinate with the City to address any homelessness needs.
3	<b>Agency/Group/Organization</b>	<b>NEIGHBORHOOD CENTER OF WEST VOLUSIA</b>
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Families with children Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Neighborhood Center is consulted in reference to homelessness issues and helps the City more effectively manage homelessness prevention within the City.

4	<b>Agency/Group/Organization</b>	<b>UNIVERSITY OF FLORIDA (IFAS-Volusia County)</b>
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	IFAS provides financial education and mandatory housing counseling for housing clients. Also provide homeowner's maintenance counseling for rehab clients. The intent is to create a condition where residents can manage their finances and engage in viable homeownership.
5	<b>Agency/Group/Organization</b>	<b>UNTIED WAY OF VOLUSIA FLAGLER</b>
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Homeless Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Health Services - Education Services - Employment Services - Fair Housing Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless

		<p>Homeless Needs - Families with children</p> <p>Homelessness Needs -Veterans</p> <p>Homelessness Strategy</p> <p>Anti-poverty Strategy</p>
	<p><b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b></p>	<p>211 staff was invited to participate in the AAP process. The also met with our Affordable Housing Advisory Committee and presented the 211 system to local non-profits during our Social Services Summits. They also provided data used in the AAP in reference to the needs of the Deltona community.</p>
6	<p><b>Agency/Group/Organization</b></p>	<p><b>COMMUNITY LEGAL SERVICES OF MID-FLORIDA</b></p>
	<p><b>Agency/Group/Organization Type</b></p>	<p>Housing</p> <p>Services - Housing</p>
	<p><b>What section of the Plan was addressed by Consultation?</b></p>	<p>Housing Needs Assessment</p> <p>Housing - Legal</p>
	<p><b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b></p>	<p>The City of Deltona partners with Community Legal Services of Mid Florida to provide legal advice and counseling, credit counseling, housing education activities, and fair housing, housing education. CLSMF is instrumental in coordinating our Fair Housing public service announcements.</p>
7	<p><b>Agency/Group/Organization</b></p>	<p><b>MID FLORIDA HOUSING PARTNERSHIP</b></p>
	<p><b>Agency/Group/Organization Type</b></p>	<p>Housing</p> <p>Services - Housing</p>
	<p><b>What section of the Plan was addressed by Consultation?</b></p>	<p>Housing Need Assessment</p>

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Deltona partners with Mid Florida Housing Partnership to provide credit counseling, housing educational activities, including fair housing education and pre-foreclosure counseling. This agency also helps prepare prospective homebuyers for homeownership.
8	<b>Agency/Group/Organization</b>	<b>WEST VOLUSIA BOARD OF REALTORS</b>
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services - Fair Housing Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Needs Assessment
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The West Volusia Board of Realtors (WVBR) assists the City of Deltona in providing Fair Housing information to lenders, realtors and insurance agents.
10	<b>Agency/Group/Organization</b>	<b>HEALTHLY START COALITION OF FLAGLER AND VOLUSIA COUNTIES INC.</b>
	<b>Agency/Group/Organization Type</b>	Services - Homeless Services - Health Services - Education Services - Employment Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Families with Children Homelessness Strategy

		Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Healthy Start embodies the City of Deltona model of collaboration with other non-profits to maximize services to the residents. Healthy Start provides residents with access to computers so needy residents can apply to various service providers such as DCF (Medicaid, food stamps and cash assistance), the West Volusia Hospital Authority (health care), Early Learning Coalition (child care), Career Source (employment), etc.
11	<b>Agency/Group/Organization</b>	<b>NEW HOPE HUMAN SERVICES</b>
	<b>Agency/Group/Organization Type</b>	Services - Homeless Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Strategy Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	New Hope Human Service partners with University of Florida IFAS of Volusia County to provide bags of food to those in need several times per month. In addition, they have an annual event to feed and clothe the homeless. New Hope Human Service just received their first funding from DCF via the VFCOC consolidated application process and they are in the process of applying for funding from HUD via a similar process.

12	<b>Agency/Group/Organization</b>	<b>COMMUNITY LIFE CENTER</b>
	<b>Agency/Group/Organization Type</b>	Services - Homeless Services - Children Services - Elderly Persons

	Services - Persons with Disabilities Neighborhood Organization
<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Strategy Anti-poverty Strategy
<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Community Life Center partners with various churches to provide utility assistance (water & electric) and rent assistance. They also provide access to apply for SNAP benefits, Medicaid, medical care, cell phones, etc. The Center has a fully functioning food pantry including community breakfasts and community dinners. Finally, CLC provides Money Smart financial literacy classes and supplies clothing when available.

**Identify any Agency Types not consulted and provide rationale for not consulting**

Not applicable

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Not applicable

**TABLE 3 – OTHER LOCAL / REGIONAL / FEDERAL PLANNING EFFORTS**

Not applicable

**Narrative (optional)**

City Staff continues to be involved in the community, by networking with local partners and constantly interfacing with citizens. Through enhanced collaboration, the City is able to work closer with partners to streamline efforts and initiatives. The ultimate result is more effective service provision. The City of Deltona will continue to work with governmental, public, and private partners to meet the needs of residents and encourage coordination and collaboration for the betterment of the City.

*AP-12 Participation – 91.105, 91.200(c)*

**1. Summary of citizen participation process/efforts made to broaden citizen participation**

The City of Deltona encourages citizens to participate in all stages of the process regarding the development of the AAP. The U.S. Department of Urban Development (HUD) requires that all entitlement communities advertise anticipated funding, provide a 30 day comment period, and have a minimum of two public meetings or hearings. The City began the 30 day comment period on June 3, 2016 and ended July 5, 2016. The CDBG list of proposed projects was advertised in the Daytona News Journal, the Orlando Sentinel, Volusia edition and the West Volusia Beacon. Two public hearings were held during the development of this Plan. The two public meeting/hearing events were held on June 7, 2016 at Wes Crile Park, located at 1537 Norbert Terrace, Deltona FL, and on August 15, 2016 at City Hall during the regularly scheduled City Commission meeting. Citizens were encouraged to review the proposed plan and make comments about the anticipated use of CDBG funds.

In addition, e-mails were sent to public service agencies who had expressed an interest in potentially applying for CDBG funding. Notification of the plan was advertised in local publications (please see above), on the City website, and on the City's local TV channel. The advertisement included the length of public comment period along with dates and locations for public hearings.

**TABLE 4 – CITIZEN PARTICIPATION OUTREACH**

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL-If applicable
1	Newspaper Ad	Non-targeted broad community				N/A
2	Public Meeting 06/06/16 at Wes Crile	Non-targeted broad community	3 Adults completed surveys:	Resident ranked Community Facilities, Community Services, Economic Development and Public Facility Improvement as their top priorities	Two surveys were completed incorrectly	N/A

<b>Sort Order</b>	<b>Mode of Outreach</b>	<b>Target of Outreach</b>	<b>Summary of response/ attendance</b>	<b>Summary of comments received</b>	<b>Summary of comments not accepted and reasons</b>	<b>URL-If applicable</b>
3	Public Meeting	Non-targeted broad community	Will update after Commission meeting			
4	City of Deltona Website	Non-targeted broad community	17 Responses	For summary of comments received please see Exhibit #2 attached		

## AP-15 Expected Resources – 91.220(c)(1,2)

### Introduction

The City anticipates receiving approximately \$465,757 in CDBG funds for PY 2016-2017. The funds will be used to meet the priority needs identified in the City's Five-Year Consolidated Plan and the 2016-2017 Annual Action Plan. These funds will be leveraged with the SHIP, NSP1/NSP3 and (RMCP) grants.

**TABLE 5 - EXPECTED RESOURCES – PRIORITY TABLE**

<b>Program</b>	<b>Source of Funds</b>	<b>Uses of Funds</b>	<b>Annual Allocation:</b>	<b>Program Income:</b>	<b>Prior Year Resources:</b>	<b>Total:</b>	<b>Expected amount Available remainder of Con Plan</b>	
Community Development Block Grant (CDBG)	Public-federal	Administration Housing Public Improvements Public Services	465,757	-0-	241,643	707,400	460,000	The City of Deltona's anticipated CDBG PY 2016-2017 allocation will be \$465,757  Allocation will be used to fund the activities outlined within this Annual Action Plan.

<b>Program</b>	<b>Source of Funds</b>	<b>Uses of Funds</b>	<b>Annual Allocation:</b>	<b>Program Income:</b>	<b>Prior Year Resources:</b>	<b>Total:</b>	<b>Expected amount Available remainder of Con Plan</b>	
Competitive McKinney-Vento Homeless Assistance Act	Public-federal	Other	0	0	0	0	0	The City of Deltona does not anticipate receiving any funding under this strategy.
Housing Trust Fund State Housing Initiatives Program (SHIP)	Public-state	Housing Other	544,512	0	530,686	1,075,198	500,000	The City expects to receive \$544,512.00 in SHIP funding for the PY 2016-2017. These funds will be used for rehab, down payment and rental assistance.



Program	Source of Funds	Uses of Funds	Annual Allocation:	Program Income:	Prior Year Resources:	Total:	Expected amount Available remainder of Con Plan	
Residential Construction Mitigation Program (RCMP)	Public-State	Administration Housing Mitigation			167,100		-0-	The City currently has 5 homes preparing for retrofit under the RCMP program which was funded in December of 2015. Staff expects to complete all 5 properties and close out the program in 2016.

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

The City will leverage CDBG funds with SHIP, NSP, RCMP and general funds. Public service activities funded through CDBG are also funded by multiple other sources including private and in some limited cases City of Deltona general funds. Purchase assistance activities are leveraged with private first mortgage funds and personal funds from the potential homebuyer. Leveraging decisions associated with purchase assistance projects are made on a case-by-case basis depending on available funding. There is no statutory match required on any of these programs.

**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

The City will use City parkland to address the public facility oriented goals, included in this Plan. The City will also use publicly owned property to construct the new state of the art senior

facility as part of the Community Center identified in this plan. CDBG funds will be leveraged with general funds and Council on Aging funds in the development of this project.

### **Discussion**

The funds quoted on this page are an estimate derived from information that has been provided to the City at the time of the formulation of this plan. The City goal is to use limited funds as efficiently as possible by leveraging other funds where possible.

AP-20 Annual Goals and Objectives – 91.420, 91.220(c)(3)&(e)

TABLE 6 – GOALS SUMMARY

<i>Sort Order</i>	<i>Goal Name</i>	<i>Start Year</i>	<i>End Year</i>	<i>Category</i>	<i>Geo-graphic Area</i>	<i>Needs Addressed</i>	<i>Funding</i>	<i>Goal Outcome Indicator</i>
<b>1</b>	Public Facilities	2016	2017	Non-Housing Community Development	LIMITED CLIENTELE	Public Facilities	CDBG: \$380,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: <b>50,000</b> Persons Assisted Public Facility
<b>2</b>	Housing Rehabilitation	2016	2017	Affordable Housing	CITY-WIDE	Affordable Housing	CDBG: \$164,400	Homeowner Housing Rehabilitated: 2 household units; rental and down payment assistance for 18 households.
<b>3</b>	Public Facilities	2016	2017	Non-Housing Community Development	CDBG TARGET AREA	Public Facilities	CDBG: \$80,000	Replace a playground surface

<i>Sort Order</i>	<i>Goal Name</i>	<i>Start Year</i>	<i>End Year</i>	<i>Category</i>	<i>Geo-graphic Area</i>	<i>Needs Addressed</i>	<i>Funding</i>	<i>Goal Outcome Indicator</i>
<b>4</b>	Public Services	2016	2017	Non-Housing Community Development	CITY-WIDE	Public Services	CDBG: \$69,500	Public service activities other than Low/Moderate Income Housing Benefit: 400 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: <b>100</b> Households Assisted
<b>5</b>	Administration	2016	2017	Program Administration	CITY-WIDE	All	CDBG: \$93,151	Other: Administration is used to help fund staff positions

**TABLE 7 – GOAL DESCRIPTIONS**

<b>1</b>	<b>Goal Name</b>	Public Facilities
	<b>Goal Description</b>	Constructing a poured in place playground surface at Festival Park. Festival Park is one of the City’s most heavily utilized parks. \$80,000 The existing playground surface is beginning to warp and creating a safety hazard. The replacement of the playground surface is a safety priority.
<b>2</b>	<b>Goal Name</b>	Housing Rehabilitation
	<b>Goal Description</b>	The City expects to meet the goal of providing decent, affordable housing by rehabilitating two single family dwellings and leveraging CDBG funds with SHIP, NSP and program income monies to provide down payment or rent assistance to eighteen families.
<b>3</b>	<b>Goal Name</b>	Public Services
	<b>Goal Description</b>	The City will continue to invest in residents by funding local public service entities and establishing relationships that provide a direct benefit for citizens.
<b>4</b>	<b>Goal Name</b>	Administration
	<b>Goal Description</b>	Cover the cost of grant administration.

**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):**

The City of Deltona does not receive HOME funds, but the City anticipates it will assist approximately 30 families with rental assistance and 18 families with down payment assistance by leveraging SHIP with NSP and CDBG funds.

## AP-35 Projects – 91.220(d)

### Introduction

In accordance with the priority of needs established by the Five-Year Consolidated Plan, the City has leveraged various funds with CDBG funds and made substantial investments in infrastructure. As Deltona progresses down the priority of needs list, the City will continue to leverage CDBG funds with other resources to address the following projects:

**TABLE 8 – PROJECT INFORMATION**

#	Project Name
1	Public Facilities - (The Center at Deltona) - There is a need to expand the capacity of the City's public facilities to accommodate the demand for more public amenities. Activities include graduations, weddings, conferences, senior projects and various high demand projects.
2	Housing Rehabilitation - The City of Deltona is primarily a residential community, and with over 32,000 detached single family dwellings, there will always be a need for housing rehabilitation, housing assistance and rental assistance.
3	Public Facilities - (Festival Park) - The City of Deltona has determined a need to invest in public parks and therefore, money will be directed to projects to address these needs.
4	Public Services - Every city has a need for public services. The City is committed to partnering with viable public service partners that can assist low and moderate income residents with their needs.
5	Administration - Administration will be used to fund dedicated staff members to appropriately manage CDBG funds.

### **Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

Please see list of reasons for allocation priorities above (see Project Information-Table 8)

The City like most entitlement communities the largest obstacle to addressing needs is fiscal. While general economic conditions have improved, there is still demand within the City for

social type services ranging from housing to senior services. The projects identified in this Plan comport with financial realities and the activities identified for funding represent an efficient and implementable menu of projects which equitably distribute CDBG funds over various needy user groups. At this time, there are no identifiable obstacles to accomplishing the goals articulated within this Plan.

## AP-38 Projects Summary

TABLE 9 – PROJECT SUMMARY

<b>1</b>	<b>Project Name</b>	Community Center
	<b>Target Area</b>	Limited Clientele (Elderly)
	<b>Goals Supported</b>	Public Facilities
	<b>Needs Addressed</b>	Public Facilities - Council on Aging/senior services
	<b>Funding</b>	CDBG: \$300,000
	<b>Description</b>	Construction of a 3,000 square foot senior area within the new 12,000 square feet community center. CDBG funds will be layered.
	<b>Target Date</b>	12/01/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The new senior center will serve as the City main hub for senior activities and programs. In addition, the Council on Aging is also providing funding for the facility and will run their Meals on Wheels program for the City of Deltona out of the facility. Council on Aging servers over 200 seniors monthly. They expect to expand service once the center is completed.
	<b>Location Description</b>	The Community Center is located off Howland Blvd approximately 2 miles from I-4 and the new Halifax Hospital Emergency facility. Howland Blvd is the main northern, east/west thoroughfare within the City.
<b>Planned Activities</b>	Provide CDBG funding along with Council on Aging funding to build an approximately 3,000 square foot senior citizen area within a new City Center. The center will be located in the northwest area of the City. This area has had marked increase in development within the past three years. The center will be within 2 miles of Interstate 4, a movie theater, and a future hospital. As the seniors put it “they will be right of the center of everything”.	

2	<b>Project Name</b>	Festival Park
	<b>Target Area</b>	2016 CDBG Target Area Tract 091013 Block 2
	<b>Goals Supported</b>	Public Facilities
	<b>Needs Addressed</b>	Public Facilities
	<b>Funding</b>	CDBG: \$80,000
	<b>Description</b>	Replacement of a playground surface at one of the City's most utilized parks. The park is located within one of the City's Target Areas and the deterioration of the playground surface is a safety hazard.
	<b>Target Date</b>	August 31, 2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	
<b>Location Description</b>	The park is located within a 2016 CDBG Target Area (please see above). The park is positioned off Howland Blvd near SR 415, on the east side of the City. Not only is the area well-traveled because of easy access to Seminole County and Orlando, but the park is also in an area of the City that is beginning to see major commercial development activity (Walmart, McDonalds and Tractor Supply just to name a few).	
<b>Planned Activities</b>	The playground surface is beginning to warp. The replacement of the surface is a safety priority. Festival Park is one of the most heavily utilized parks within the City.	
3	<b>Project Name</b>	Housing Rehabilitation
	<b>Target Area</b>	CITY-WIDE
	<b>Goals Supported</b>	Housing Rehabilitation

	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	CDBG: \$169,900.00
	<b>Description</b>	Housing repairs to owner-occupied homes of eligible low income households.
	<b>Target Date</b>	8/01/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The City of Deltona should assist approximately 2 families with the 2016-2017 program year allocation. All families will be low income households.
	<b>Location Description</b>	The CDBG Housing repair activities will be available to any income eligible household throughout the City of Deltona regardless of CDBG target area; however, the intent is to direct at least 70% of CDBG housing expenditures to CDBG target areas.
	<b>Planned Activities</b>	Per the City of Deltona's current Local Housing Assistance Program (LHAP), eligible repairs will consist of all code oriented repairs. All properties built prior to 1976 will have lead based paint and asbestos inspections.
4	<b>Project Name</b>	Public Service
	<b>Target Area</b>	CITY-WIDE
	<b>Goals Supported</b>	Public Services
	<b>Needs Addressed</b>	Public Services
	<b>Funding</b>	CDBG: \$69,500.00
	<b>Description</b>	Eligible public service activities to benefit low and moderate income persons.
	<b>Target Date</b>	9/28/2017

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Over 2,000 needy individuals should be assisted.
	<b>Location Description</b>	Low and moderate clients through the City of Deltona.
	<b>Planned Activities</b>	Child care subsidies, senior services management, mentoring at risk youth, homelessness prevention, prenatal and post-natal care.
5	<b>Project Name</b>	Administration
	<b>Target Area</b>	CITY-WIDE
	<b>Goals Supported</b>	Administration
	<b>Needs Addressed</b>	Ensuring grant funds are appropriately managed
	<b>Funding</b>	CDBG: \$93,100.00
	<b>Description</b>	City of Deltona will use the 20% maximum allocation to administer activities related to the CDBG program
	<b>Target Date</b>	9/30/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The funding will enable staff to manage and monitor the program, which will benefit all residents of Deltona.
	<b>Location Description</b>	CITY-WIDE
<b>Planned Activities</b>	Grant Management	

### *AP-50 Geographic Distribution – 91.220(f)*

#### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

The CDBG largest target areas are located in the southwest and southeast sections of the City. There are also two smaller target areas in the northeast section of the City. From an economic standpoint the southwestern section of the City has underperformed for many years. The low performance is evidenced by vacant and underutilized commercial space, inadequate infrastructure and unrealized land use potential. In 2015, the City initiated the establishment of a Community Redevelopment Area (CRA) for an area located in the southwestern section of the City. The CRA is almost entirely located within a City of Deltona CDBG designated “area of greatest need” (AGN).

The CRA initiative involves 256 acres of contiguous land associated with Deltona Blvd. corridor and segments of the, Normandy Blvd. and Saxon Blvd. thoroughfares. The City has already made a determination of “blight” for the CRA area consistent with State Law. In addition, the City recently achieved another significant statutory milestone by receiving a “delegation of authority” from Volusia County. The delegation powers facilitate the establishment of a CRA board and a trust fund. In addition, the delegation event established a baseline for tax incremental funding which will provide revenue to support the implementation of CRA goals.

The method of achieving CRA goals includes the improvement of public infrastructure. A primary CRA initiative is to increase utility coverage within the CRA; especially expansion of wastewater infrastructure. Sewer lines and related transmission equipment area needed to promote commercial development within the CRA. Other infrastructure improvements will include intersection upgrades and lane expansions associated with certain segments of the CRA thoroughfare roadway network. The roadway improvements will create more traffic capacity and in turn encourage commercial development and redevelopment.

Since the CRA is intended to improve a depressed area of the City, the CRA dovetails with CDBG objectives regarding the AGN – upgrade the condition of the area and increase the wellbeing of the residents. CRA investments can be leveraged with CDBG funds to enhance infrastructure which will encourage private investment within the area. The end result of achieving CRA goals will yield an expanded commercial base, greater employment opportunity, more convenient access to goods and services and a higher living standard for those within the AGN.

**Table 10 Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
Public Facilities	53%
Public Services	15%
Housing Rehabilitation	11%
Administration	20%

*APPROXIMATELY \$240,000.00 WILL BE CARRIED OVER FROM 2015-2016 AND WILL BE ALLOCATED TO PUBLIC FACILITES (80%)*

## **Rationale for the priorities for allocating investments geographically**

The current priorities are public park facilities, housing, senior programs, and public services. The rationale for these allocations stems from the fact that Deltona has a population in excess of 86,000 people living mostly in over 30,000 single family detached dwellings limited human services and facilities.

- Public facilities are the cultural, educational, recreational and affordable venues within the City and user rates are high. Festival Park is located within a 2016-2017 CDBG target area (per ACS and 2010 Census Data).
- Housing justification will be addressed under section *AP-55 Affordable Housing – 91.220(g)* below.
- Senior citizens make up a large segment of the City population and the City has made considerable efforts to support seniors. However, senior programs have outgrown present space and the City is interested in upgrading senior services. Therefore, the City has earmarked a significant amount of square footage associated with the planned Community Center to serve seniors. There is recognition the planned Community Center is not located in a target area. However, the location of the Community Center combined with good access will increase accessibility of the facility to the senior citizen user group.
- In response to the lack of governmental human services, the City will support, collaborate and fund local public service entities that have a desire to provide needed services to the City's resident.

## **Discussion**

The priorities developed are based on the citizen needs and the requests. Funds will be utilized in a manner that meets program requirements and address the various needs of the residents.

## *AP-55 Affordable Housing – 91.220(g)*

### **Introduction**

The provision and preservation of affordable housing is a high priority need as illustrated by the Five-Year Consolidated Plan. Therefore, the City will continue to use CDBG funds for housing rehabilitation. In addition, the City will leverage NSP, SHIP, RCMP and CDBG funds to assist eligible persons with obtaining and maintaining decent affordable housing. The City will leverage SHIP and CDBG to also fund minor rental assistance and will continue to collaborate with Volusia County Human Services, who is the main facilitator of rental assistance due their HOME funding. The City will concentrate on preventing homelessness, and all homeless inquires will continue to be referred to Volusia/Flagler Continuum of Care (VFCOC), 211, Neighborhood Center and other public service partners.

**TABLE 11 - ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT REQUIREMENT**

<b>One Year Goals for the Number of Households to be Supported</b>	
Homeless	2
Non - Homeless	10
Special - Needs	3
Total	15

**TABLE 12 - ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT TYPE**

**One Year Goals for the Number of Households Supported Through**

Rental Assistance	10
The Production of New Units	2
Rehab of Existing Units	5
Acquisition of Existing Units	10
Total	27

**Discussion**

The City owner occupied rehabilitation program will help preserve affordable housing in the City. While making needed repairs, the City will also use energy efficient techniques, where possible, to help increase affordability. Handicapped accessibility features will also be funded where needed. CDBG funds will be leveraged with SHIP down payment assistance funds for affordable housing. These programs will fulfill the need for housing affordability expressed in the Consolidated Plan.

## *AP-60 Public Housing – 91.220(h)*

### **Introduction**

The City of Deltona is a residential community. Homeownership rates are very high - 81% (US Chamber of Commerce, 2014). There is no trend to indicate that homeownership rates will decline within the City. In 2014, the median sales price for a single family home in Volusia County was \$130,650. In comparison the statewide median sales price was \$185,000 (Shimburg-Florida Housing data 2014).

There are no public housing facilities in the City of Deltona.

The City recognizes that public housing may be needed in the future. However, there are no current plans for the provision of public housing within the City.

### **Actions planned during the next year to address the needs to public housing**

Deltona does not have a public housing authority, but will continue to coordinate with the County of Volusia, local public housing authorities, lenders, and Community Housing Development Organizations (CHDO's) to provide money management classes, fair housing workshops and foreclosure prevention workshops during PY 2016-2017.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

City staff met with representatives of Volusia County to explore the viability of creating a partnership aimed at reaching out to current public housing residents who may be on a path of self-sufficiency. The intent was to investigate if there were public housing clients that were ready for homeownership. Unfortunately, it was determined the majority of the candidates were unable to meet thresholds for homeownership or were not willing to commit to the counseling advice provided. It was determined using minor funding for rental assistance was the best way to move forward. Notwithstanding the above experience, the City is still committed to assisting any applicants that may want to apply for down payment assistance or persons in need of a referral for counseling.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not applicable

### **Discussion**

Deltona will continue to partner with the public housing providers and is always interested in assisting in a transition from public housing to homeownership.

## *AP-65 Homeless and Other Special Needs Activities – 91.220(i)*

### **Introduction**

The lead agency for the Continuum of Care is the Volusia/Flagler County Coalition for Homeless (VFCCH). City of Deltona Community Development staff attends VFCCH meetings regularly either in person or by conference call. The COC is responsible for conducting the annual count of homeless and identifying potential gaps in services regarding housing and needed homeless care. The Continuum's highest priority is the implementation of the Volusia/Flagler County Ten Year Plan to End Homelessness. The subject Ten Year Plan articulates methods to provide permanent housing for the chronically homeless with special emphasis on homeless veterans, utilization of the Homeless Management Information System (HMIS), unaccompanied youth and victims of domestic violence. The City does provide referrals to entities that counsel persons that may fall into homelessness and will continue to collaborate with local public service partners who are on the front line when it comes to homelessness.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

Please refer to the introduction.

### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

Please refer to the introduction.

### **Addressing the emergency shelter and transitional housing needs of homeless persons**

Currently the only shelter on the west side of Volusia County is The Neighborhood Center of West Volusia Family Emergency Shelter. Deltona provided CDBG funding via our public service allocation to help support the center in 2015 and anticipates that we will provide funding via our public cap this year also (please see public service projects). In addition, there are several other agencies that provide emergency shelter in surrounding Volusia and Flagler Counties, including the STAR Center, Salvation Army, The Family Renew, St Anne's Catholic Church, and Domestic Abuse Council.

### **Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

Please refer to the introduction.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

Please refer to the introduction.

**Discussion**

<b>One year goals for the number of households to be provided housing through the use of HOPWA for:</b>
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
Tenant-based rental assistance
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds
Total

The City of Deltona’s HOPWA funds were re-designated to the State of Florida who will direct those funds to the residents of Volusia and Flagler.

## *AP-75 Barriers to affordable housing – 91.220(j)*

### **Introduction**

**Lack of Affordability and Financing for Affordable Housing is Limited.** Home values are rebounding. Housing developers are building again. Lending institutions are ready and available to provide financing to eligible buyers. According to local lenders, realtors and affordable housing advocates, the availability of economically affordable housing may soon be a thing of the past without large subsidies from various agencies. Housing is rapidly becoming unaffordable. Realtors state that minimum sales price for most basic well maintained 3 bedroom two bath house is more than \$120,000.00. Basically, very-low income buyers are being priced out of the market. Providing affordable housing within the City has been further complicated by the fact that the HUD promulgated area median income limits have, ironically, actually been trending downward for the last few years. City Staff will continue to meet with financial institutions, local realtors and affordable housing advocates to find a solution to this dilemma. Notwithstanding the challenges, the City of Deltona is committed to assisting potential homebuyers realize their dream of homeownership.

**Market rents are generally affordable to median-income households, but not for low, very low- and extremely-low income households.** With a few exceptions, market rate rents are roughly comparable to the maximum affordable rents for Deltona households earning the median income. In contrast, the average market rate rent far exceeds the maximum affordable rent for most low, very low- and extremely low-income households.

**Development Constraints.** The City's Building Department has one of the most efficient permitting processes in Central Florida. The City's Planning Department has worked to make the development review process more economical and less labor intensive. In addition, the City is not associated with extensive wetland or floodplain areas and most of the vacant land within the City has potential to be developed at some capacity. One development constraint is the fact the City does not have a well-developed central sewer system. Without central sewer property cannot be developed at greater densities even if allowed by zoning. However, the City has recently expanded wastewater treatment capacity and there is anticipation the sewer network will be expanded.

**Supply of Available Land.** In many entitlement jurisdictions the limited availability of land for housing development constrains new housing production. As a result, new residential production will largely occur as infill projects, often a more challenging and costly development type. It is worth noting, however, that infill development offers the benefits of greater transit accessibility, the redevelopment of underused sites, and the preservation of open space. Additionally, locating housing next to job centers, amenities, and transit has the benefit of lowering total housing cost by decreasing automobile transportation costs. The City of Deltona Comprehensive Plan and related land use entitlements are driven by population projections. Currently the City has ample land resources to support the expected population until 2025 with extra land resources available

to act as a real estate market cushion.

**Land Costs.** As has been stated, there are ample land resources within the City to support the projected population for nearly 10 years. However, vacant land prices have begun to increase. This increase of price has been driven by the fact the local housing market seems healthy driven by increased population and affordable mortgage rates. The City also during the Great Recession did invest in expanding wastewater treatment capacity which has made central sewer available to some vacant tracts. The extension of public infrastructure has made land more valuable but has also set the stage for new development. There is an expectation land costs will continue to rise. The magnitude of future land cost is difficult to forecast. Even though the real estate market within the City appears to be on the mend, a basic housing fundamental is still weak. Local wages have not kept pace with housing price increases.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

The City of Deltona will continue to work with local banks, developers and non-profit organizations to expand the stock of affordable housing. A continuation of these efforts should increase the production of new affordable housing units and assist in the purchase and renovation of housing in existing neighborhoods.

**Action #2: Facilitate access to below-market-rate units.**

The City will facilitate communication between special needs service providers and affordable housing developers, to ensure that home seekers with special needs have fair access to available units.

## AP-85 Other Actions – 91.220(k)

### **Introduction**

Housing is a prime strategy regarding City CDBG investments. City housing rehabilitation programs play a major role in helping to promote decent, safe and affordable housing. The City's Building Department has one of the most efficient permitting processes in Central Florida. The City's Planning Department has worked to make the development review process more efficient. In the past, the City has allocated a great deal of funds in an effort to ensure the City housing stock is maintained and residential communities are protected. The City owner occupied repair program and the Neighborhood Stabilization Programs have certainly had positive impacts on the City.

CDBG funding has been used quite effectively in the past for public works projects that involve drainage improvements. These public work type investments have paid dividends with regard to the protection of housing resources from flooding. The City drainage improvements have been so effective the City is now just maintaining drainage infrastructure for peak efficiency. The next infrastructure focus for the City will be on the expansion of sewer to encourage economic development.

Finally, the City has started to fund public facilities – more specifically, public parks. As evidenced by the high user rate, public parks are an important City asset.

### **Actions planned to address obstacles to meeting underserved needs**

The primary obstacle to the City's ability to meet the needs of the underserved is the limited availability of funding. An underserved need within the City is economic opportunity. Notwithstanding an increase of commercial development in the last few years, the City is underserved by non-residential land uses. The lack of non-residential land uses is directly proportional to the jobs housing imbalance associated with the City. Most people have to leave the City for work which involves a resource hungry commute most often in single occupancy vehicles. There are limited transit options for commuting. In addition, the job base outside of the City jurisdiction is often service oriented and the wage scales tend to be modest. Therefore, the cost of commuting tends to be very regressive. This jobs/housing imbalance associated with the City creates a major obstacle for City residents to build wealth and elevate income levels.

However, there is anticipation that the investment of CDBG funds into park resources will expand economic opportunities by promoting City facilities among the various sports leagues in the area. League sporting activities at City parks could bring more visitors into the City, which will eventually manifest into more restaurants, lodging and related service development. The ultimate payoff is more local jobs for citizens.

While not slated for funding for PY 2015-2016, the expansion of City sewer infrastructure for commercial areas foreshadows a future City CDBG objective. Existing commercial areas within

the City that are not well served by central sewer services tend to underperform. Land use literature is rife with studies and reports clearly indicating adequate infrastructure, including central sewer, is needed for the development of viable commercial and non-residential employment areas. Therefore, future sewer expansions utilizing CDBG funds will address an obstacle for addressing an underserved need – local jobs.

### **Actions planned to foster and maintain affordable housing**

The City has over 33,000 detached single-family detached dwelling units. Therefore, the protection of housing and housing affordability is a reoccurring theme throughout this Annual Action Plan. Housing programs will include both owner occupied rehabilitation and housing purchase assistance through the Neighborhood Stabilization Programs (NSP 1 and NSP 3) and State Housing Initiatives Program.

Owner occupied rehabilitation is designed to maintain homeownership and protect the existing housing stock from deterioration. There are homeowners within the City that have limited resources of which to perform major home maintenance activities like roofing work. Many times owner occupied rehabilitation clients are elderly, on fixed incomes, and sometimes disabled. The owner occupied rehabilitation program keeps houses habitable and affordable. If clients had to move out of these homes the only other alternative would be more expensive rentals or newer homes with high mortgage payments.

The City NSP programs are winding down. There have been over 80 homes sold to very low, low and moderate income families. These homes have been made affordable through down payment assistance. Before the NSP programs, the City did help low income clients buy houses with through a State SHIP down payment assistance oriented housing strategy. The City has re-initiated the SHIP down payment assistance program because the NSP programs have begun to sunset. The SHIP down payment assistance program will probably be leveraged with CDBG funds. The end result will be a long term promotion of affordable housing options within the City.

### **Actions planned to reduce lead-based paint hazards**

Deltona will continue to conduct inspections to ensure there are no lead-based paint issues. The City will remediate any house that has tested positive for lead-based paint.

### **Actions planned to reduce the number of poverty-level families**

The City has made investments in many public service activities addressing the effects of poverty – homelessness prevention, poor prenatal care, mentoring at risk youths, etc. City public service investments are intended to be as proactive as possible. An example is an organization funded by the City known as the Early Learning Coalition. The Early Learning Coalition essentially subsidizes childcare so parents can remain employed. The benefits of working parents

certainly can be measured in the terms of household income but a less measurable yet positive outcome is a culture of work that is instilled in the family unit. Finally, careers tend to grow with time and persistence. If a parent has to take time off of work to engage in childcare, career opportunities can pass. Homelessness prevention is a City goal. The intent of the City is to keep at risk families housed. Therefore, rental and utility assistance services were considered to be important.

Earlier in this section there was discussion of economic development and job growth. Job opportunity represents a good method of which to reduce poverty. The City will continue to establish partnerships with local public service agencies. Deltona will continue to support economic development which promotes job creation and job retention.

### **Actions planned to develop institutional structure**

Partnerships and leveraging are important to effectively managing and maximizing CDBG investments. As has been stated in this plan, the City has been very effective at leveraging CDBG funds especially regarding housing. The use of State SHIP money along with CDBG funds has greatly increased the City footprint in the arena of affordable housing. However, the City is not resting on past achievements. The City has partnered with the Florida Division of Emergency Management to help implement the Residential Construction Mitigation Program (RCMP). The RCMP program is ultimately funded by FEMA and will provide homeowners with weatherization type of improvements that will result in a more resilient community and possibly additional monthly savings to the residents associated with better insulation.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The City has established many positive relationships with both public and private service providers. Some of these relationships are more formal than others and sometimes involve the City funding certain public service activities. Through monitoring activities, the City is always looking for a way to improve coordination with funded public service agencies. The City is willing to partner with other public service entities including meeting participation and other initiatives as deemed appropriate. An example is participating in the continuum of care meetings sponsored by the Volusia/Flagler County Coalition for the Homeless. In summary, the City will continue to engage with other entitlement communities, and nongovernment agencies to improve coordination and encourage institutional scaffolding.

### **Discussion**

An increase in the requests for various types of social services including emergency housing, utility payments, and rental assistance, has created a condition where the City will be assisting more in the coordination of services. The City will continue to work with agencies such as the Volusia/Flagler County Coalition for the Homeless and its partners to appropriately address the

needs of our community. Social service partners who receive approved funding will, on a smaller scale, help provide assistance to the needy. The City will continue to search for funding sources to accommodate future request.

## *AP-90 Program Specific Requirements – 91.220(1)(1,2,4)*

### **Introduction**

Projects planned with CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed 0
  2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. 0
  3. The amount of surplus funds from urban renewal settlements 0
  4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan 0
  5. The amount of income from float-funded activities 0
- Total Program Income: 0**

### **Other CDBG Requirements**

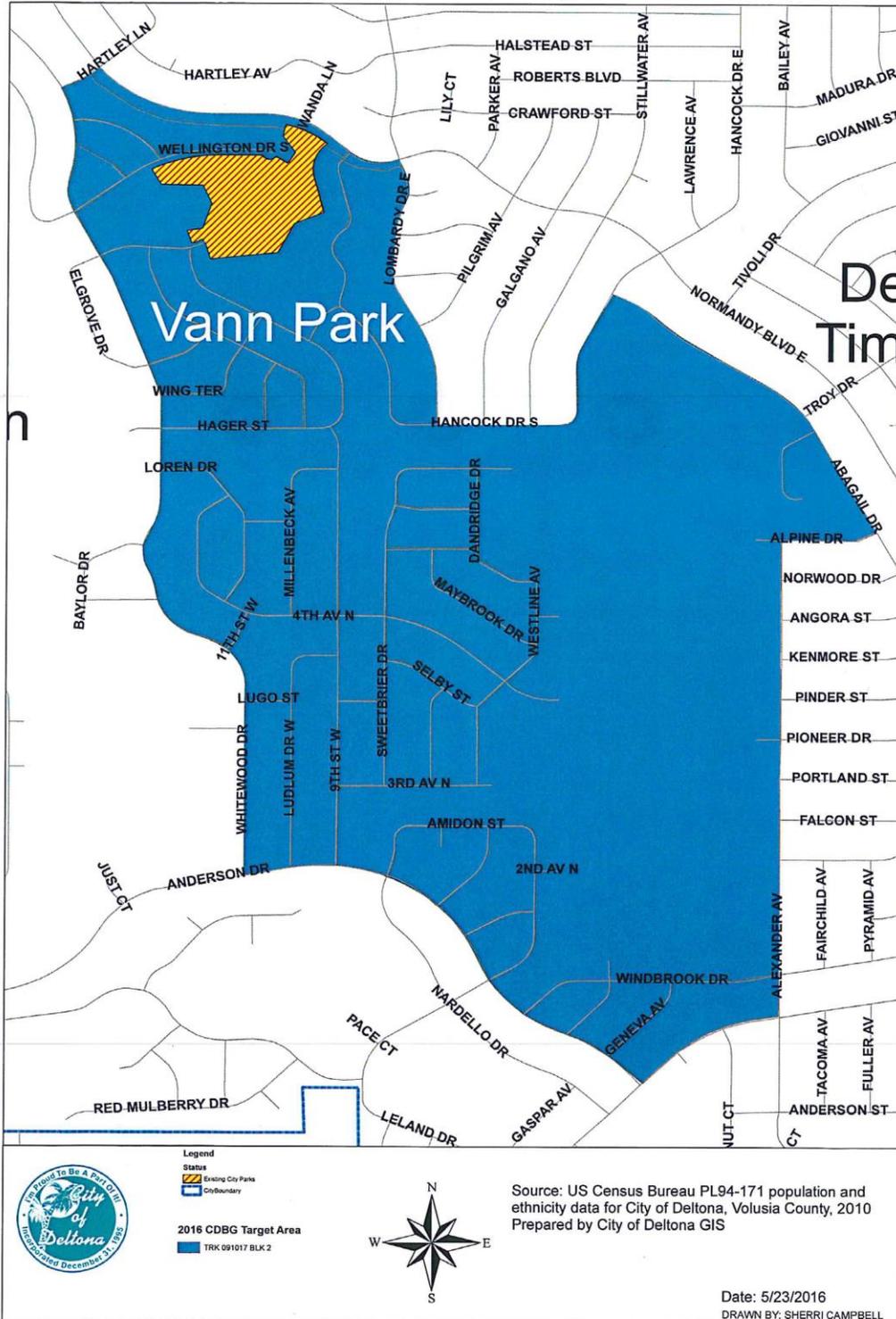
1. The amount of urgent need activities. 0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. 70.00%

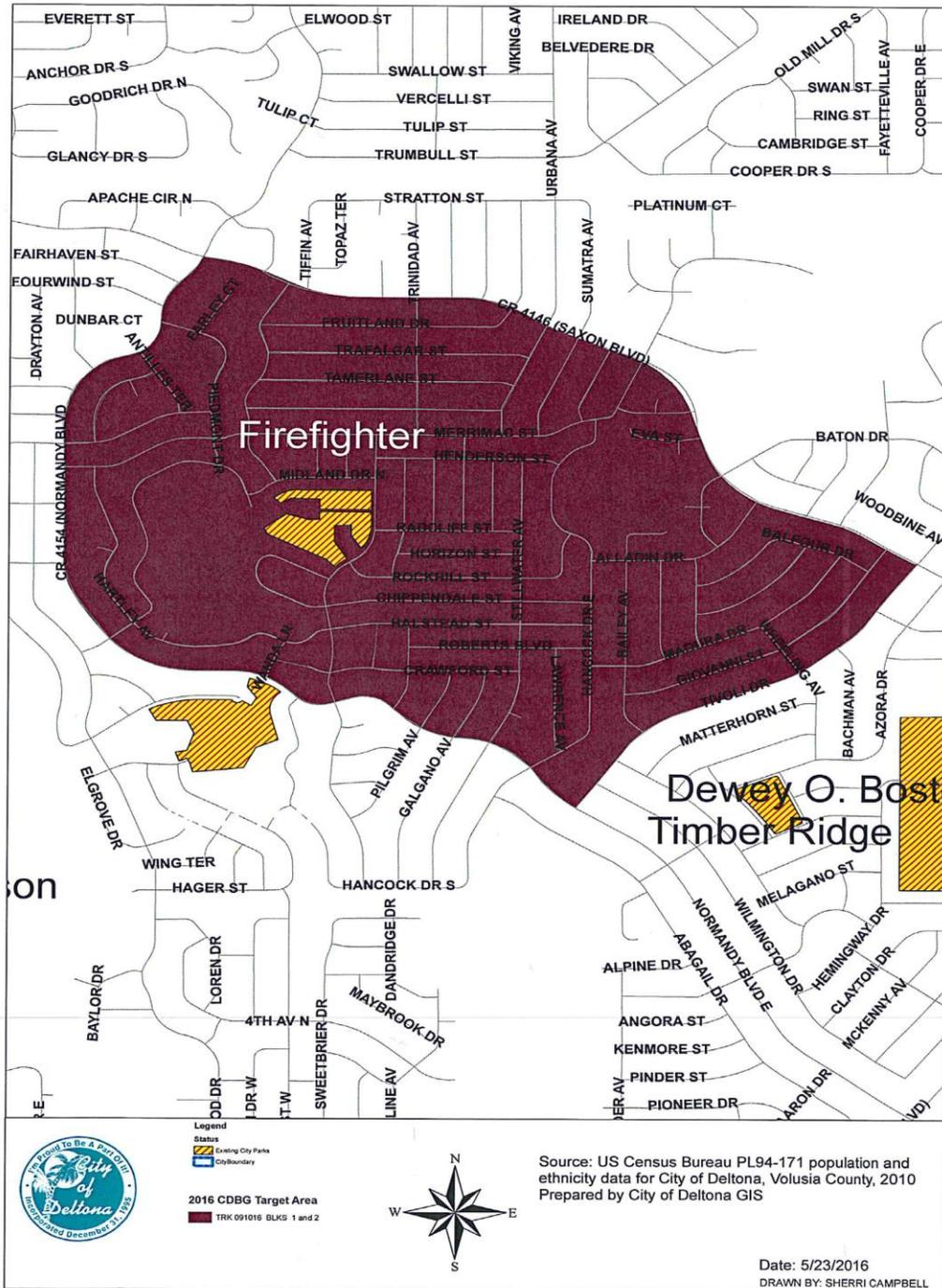
### **Discussion**

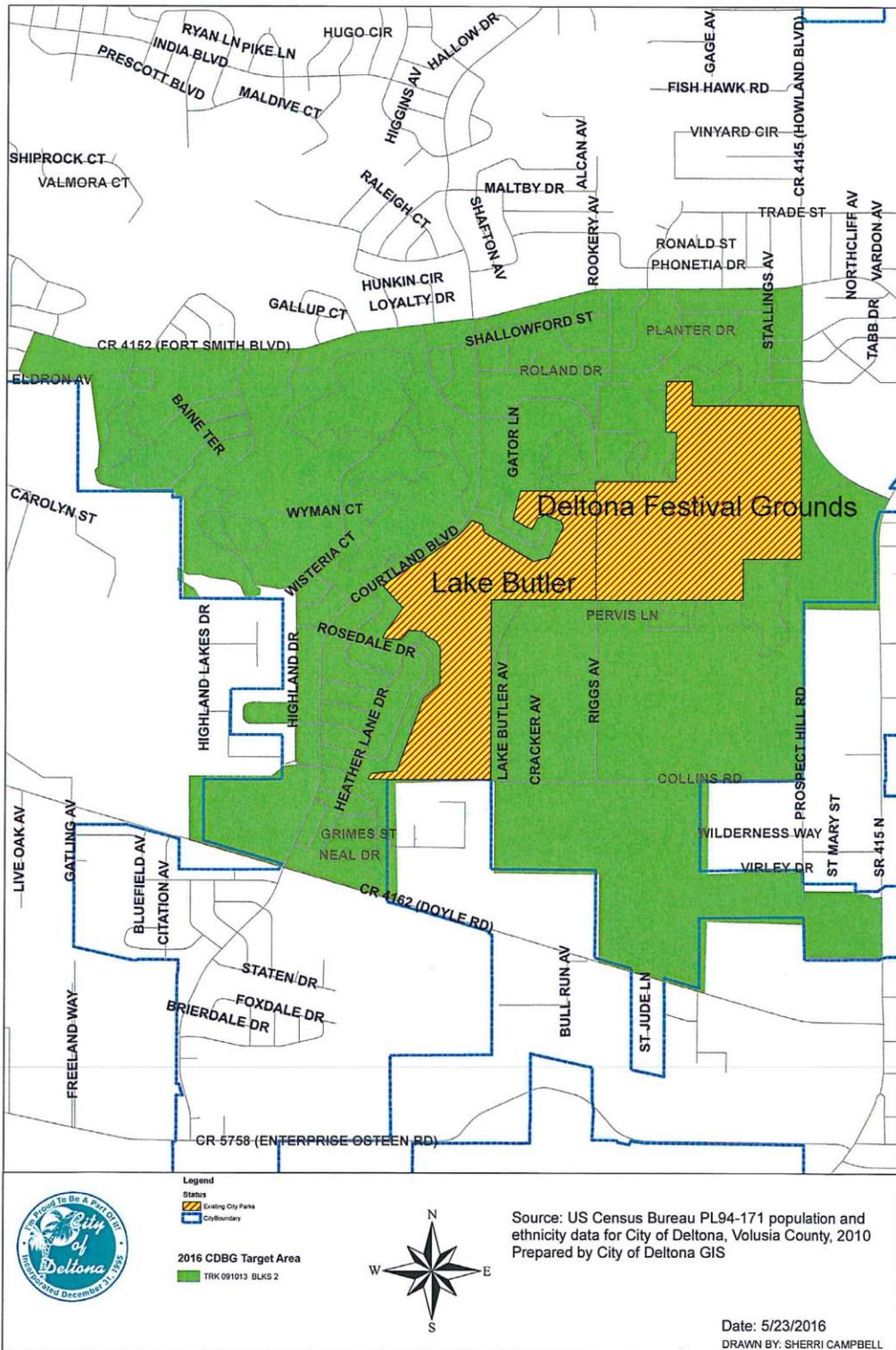
Deltona uses a specific target area to serve as a guide in implementing projects and activities in the CDBG Strategic Plan. In addition, the City will use limited clientele to implement one of the activities addressed in this Plan. Finally, the City will income qualify any persons that do not fall under the two methods listed above to ensure no less than 70% of the entire funds are spent on low-mod income residents.

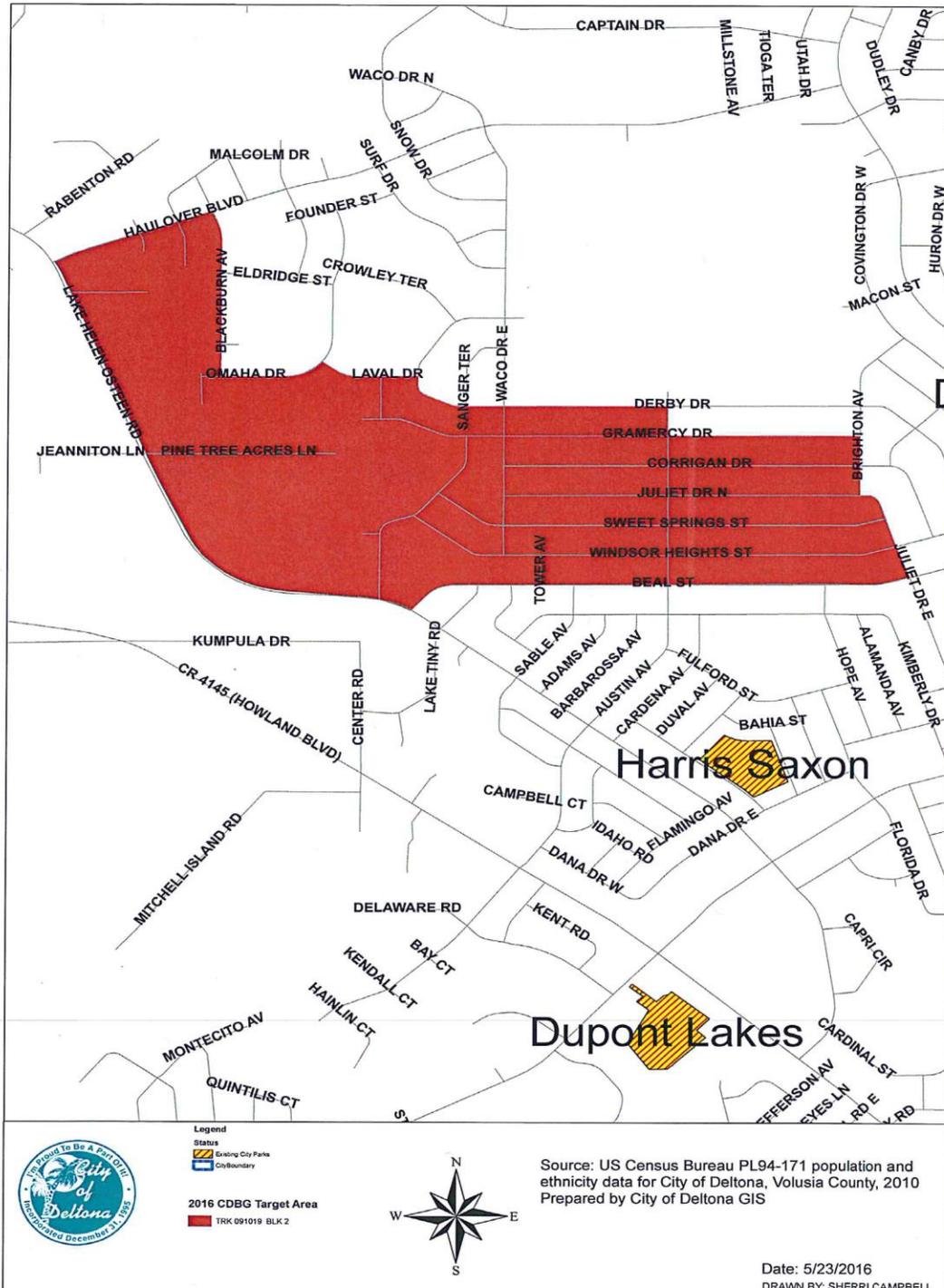


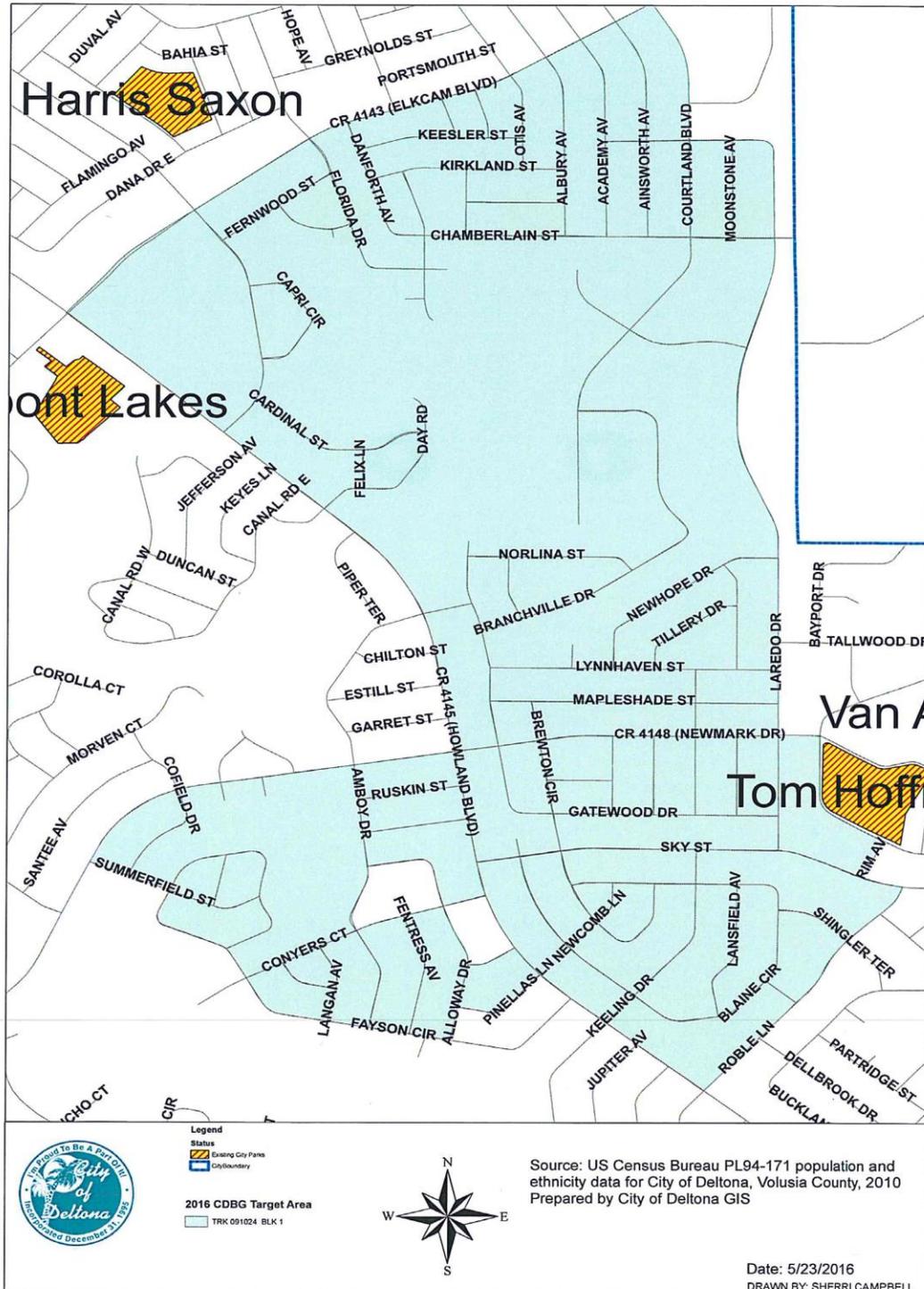












Community Need Individual Survey Data

PLACING	7TH	3RD	6TH	5TH	1ST	2ND	4TH			
Survey Number	<u>Community Facilities</u> (e.g., parks)	<u>Community Services</u> (e.g., childcare, nutritional supplementation, senior programs)	<u>Economic Development</u> (e.g., business assistance programs)	<u>Homeless Facilities &amp; Services</u> (e.g., shelters)	<u>Housing</u> (e.g., affordable housing, repairs, & homeownership)	<u>Public Improvements</u> (e.g., streets, lighting, water, sewer)	<u>Homeless Prevention Services</u> (e.g., emergency financial assistance to pay housing expenses)	<u>Community Connection</u>	Zip Code	<u>Non Profit Service Provider</u>
1	4	1	2	3	4	5	6	Blank	32738	YES
2	5	1	6	2	3	5	4	Resident, Homeowner & Business Owner	32738	Blank
3	5	1	7	2	3	4	6	Home owner	32725	Blank
4	5	3	6	4	2	5	1	Blank	other	YES
5	5	3	4	6	1	2	7	Resident	32725	Blank
6	5	4	7	6	2	3	1	Home owner	Blank	Blank
7	6	4	1	5	3	2	6	Resident, & Homeowner	32738	Blank
8	6	4	7	2	3	6	1	Resident	32725	YES
9	6	5	2	3	4	1	6	Business Owner	Blank	Blank
10	7	5	4	1	2	7	3	Left Blank	32738	YES
11	7	5	3	7	2	4	1	Resident	Blank	Blank
12	7	5	7	2	3	4	1	Resident	32725	YES
13	7	7	1	6	2	3	5	Resident, & Homeowner	other	Blank
14	7	7	6	4	3	2	1	Resident	32725	Blank
15	4	1	5	7	3	2	6	Resident, & Homeowner	32738	Blank
16	1	5	3	7	4	2	6	Resident, & Homeowner	32725	Blank
17	5	2	4	6	3	1	7	Resident	Blank	Blank
18										
19										
20										
<b>TOTAL</b>	92	63	75	73	47	58	68			
<b>Ranking High (1) to Low(7)</b>										
<b>1ST</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>9</b>	<b>2</b>	<b>6</b>			
<b>2ND</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>0</b>			
<b>3RD</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>8</b>	<b>2</b>	<b>1</b>			
<b>4TH</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>1</b>			
<b>5TH</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>1</b>			
<b>6TH</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>6</b>			
<b>7TH</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>2</b>			

**THE NEWS-JOURNAL**

Published Daily and Sunday  
Daytona Beach, Volusia County, Florida

**State of Florida,  
County of Volusia**

Before the undersigned authority personally appeared

**Rachael Smith**

who, on oath says that she is .....

**LEGAL COORDINATOR**

of The News-Journal, a daily and Sunday newspaper,  
published at Daytona Beach in Volusia County, Florida; the  
attached copy of advertisement, being a  
.....

**PUBLIC NOTICE**

**L 2182984**

in the Court,  
was published in said newspaper in the issues.....

**MARCH 6, 2016**

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

*Rachael Smith*

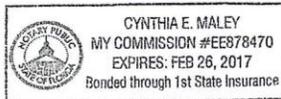
Sworn to and subscribed before me

This 7TH of MARCH

A.D. 2016

*Cynthia E. Maley*

49D



**CITY OF DELTONA  
2016-2017  
NOTICE OF FUNDING AVAILABILITY (NOFA)  
FOR  
COMMUNITY DEVELOPMENT BLOCK  
GRANT FUNDS (CDBG)**

On October 1, 2016 the City of Deltona (City) anticipates receiving funding from the U.S. Department of Housing & Urban Development (HUD) to implement activities to benefit low and moderate income families and persons. The anticipated allocation is approximately \$465,757.00 in Community Development Block Grant (CDBG) funds for Federal Fiscal Program Year 2016, which encompasses the period from October 1, 2016 through September 30, 2017. The City, in accordance with Federal regulations, will designate up to 15% of these funds for public service activities. Proposals are now being solicited for projects that may be implemented either by the City through contracted services with non-profit agencies or other public service organizations.

A workshop for all agencies interested in applying for funds will be held on Wednesday, April 13, 2016, at 2:00 p.m. in the 2<sup>nd</sup> Floor Conference Room at the Deltona Municipal Complex, 2345 Providence Boulevard. Applications will be available online at [www.deltonafl.gov](http://www.deltonafl.gov) and in the lobby of the Deltona Municipal Complex. Applications will be accepted from April 6, 2016 to May 5, 2016. Applications must be received by 5:00 P.M. on May 5, 2016 to be considered for funding. Please note- Faxed, emailed or late applications will not be accepted.

**ELIGIBLE PUBLIC SERVICE ACTIVITIES**

- Homelessness Prevention
- Youth and Child Care
- Veterans and Elder Care
- Other types of eligible services

- Funding for public services is reserved for a business or agency providing services for Deltona residents.
- All funding requests must be either for a new service or a quantifiable increase in the current level of service
- Funding award amounts may be reduced from the agency's proposed amount in order to maximize services provided to the community.

For additional program information, please contact Angelia Briggs at 386-878-8614 or email her at [abriggs@deltonafl.gov](mailto:abriggs@deltonafl.gov)  
Written correspondence may be mailed to:

City of Deltona  
Housing and Community Development  
2345 Providence Blvd  
Deltona, FL 32725

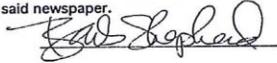



DF-0002182984.01

The Beacon Extra  
PUBLISHED WEEKLY

State of Florida  
COUNTY OF VOLUSIA SS

Before the undersigned authority personally appeared \_\_\_\_\_ Barb Shepherd, who on oath says that he/she is the Classified Advertising Representative of The Beacon Extra, a weekly newspaper published at \_\_\_\_\_ DeLand, in \_\_\_\_\_ Volusia County, Florida; that the attached copy of advertisement, being a \_\_\_\_\_ City of Deltona \_\_\_\_\_ Notice of 30-Day Public Comment Period and Public Hearing in the matter of \_\_\_\_\_ One Year Annual Action Plan (PY 2016-2017) Draft and Prior Year Amendment \_\_\_\_\_ in the \_\_\_\_\_ Court, was published in said newspaper, in the issue(s) of \_\_\_\_\_ May 26, 2016 \_\_\_\_\_ newspaper published at DeLand, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each week and has been entered as second-class mail matter at the post office in DeLand in said Volusia County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement or refund publication in the said newspaper.



The foregoing instrument was acknowledged before me this \_\_\_\_\_ 26th \_\_\_\_\_ day of \_\_\_\_\_ May, 2016 \_\_\_\_\_, by \_\_\_\_\_ Barb Shepherd \_\_\_\_\_, who is personally

**THE CITY OF DELTONA  
NOTICE OF 30-DAY PUBLIC COMMENT PERIOD  
AND PUBLIC HEARING  
FOR ONE YEAR ANNUAL ACTION PLAN  
(PY 2016-2017)  
DRAFT AND PRIOR YEAR AMENDMENT**

To ALL INTERESTED RESIDENTS, AGENCIES AND ORGANIZATIONS: The City of Deltona is publishing this draft of the 2016-2017 Annual Action Plan (AAP and Prior Program Year's Amendment for the Community Development Block Grant (CDBG) Program. The AAP identifies proposed projects and or activities to be undertaken with CDBG funds for the upcoming year which will serve to benefit low to moderate income persons. The Department of Housing and Urban Development will be allocating approximately \$465,757 to implement public service, housing and public facilities projects. The City is also amending the prior years' 2015-2016 Annual Action Plan in the amount of \$191,672 for funds remaining after the proposed projects were completed or cancelled.

**FY 2016-2017 Proposed Projects**

Program Administration	\$93,151
Public Services	69,864
Housing Rehabilitation	102,742
Community Center- Senior Area	200,000

**TOTAL \$465,757**

**FY 2015-2016 Reallocated Funds**

Housing	\$111,672
Festival Park-Playground surface	80,000

**TOTAL FUNDS AVAILABLE \$657,429**

A draft of the entire Annual Action Plan document including all projects or activities to be performed is available for review at City Hall, 2345 Provident Boulevard, from 8:00 am until 5:00 pm, Monday thru Friday, except holiday. Citizens are encouraged to review and make comments about the anticipated use of funds during the 30-day comment period beginning June 3, 2016 at ending July 5, 2016. Comments can be submitted in writing to the attention of the Community Development department at the address below. The CDBG survey can be obtained by visiting our website at [www.deltonafl.gov](http://www.deltonafl.gov). A Public Hearing to obtain citizen input will be held on June 7, 2016 from 3:00 to 6:00 p.m.

# Orlando Sentinel

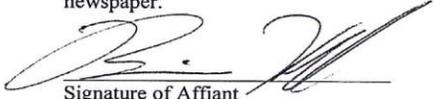
Published Daily  
ORANGE County, Florida

STATE OF FLORIDA

VOLUSIA County

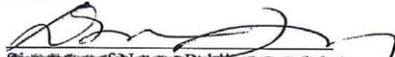
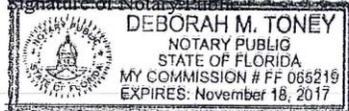
Before the undersigned authority personally appeared Sheri Schmitz / Adeliris DelValle / Brian Hall / Charity Casas / Pam Arnold, who on oath says that he/ she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter FY2014/2015 SHIP Funding in VOLUSIA County, Florida, was published in said newspaper in the issues 01/22/15

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature of Affiant

Sworn to and subscribed before me on this 22 day of January, 2015.

Name of Notary, Typed, Printed, or Stamped

Personally Known ( X ) or Produced Identification ( )

2973198

**CITY OF DELTONA  
STATE HOUSING INITIATIVES  
PARTNERSHIP (SHIP)  
NOTICE OF FUNDING AVAILABILITY (NOFA)**

The City of Deltona will receive an estimated \$ 374,002.00 in SHIP funding during Fiscal Year 2014/2015 to assist people at or below 120% of the area median income.

A portion of the funding will be used to assist income eligible homeowners with up to \$50,000.00 for owner occupied home repair assistance.

Income eligible homeowners will be assisted on a first-come, first completed and first qualified via an application process basis.

Mobile Homes are not eligible for SHIP funding.

**SHIP Owner Occupied Repair Housing Assistance** applications will be available Monday, February 23, 2015, 8AM; awards are subject to program parameters and funding disbursements by Florida Housing Finance Corporation.

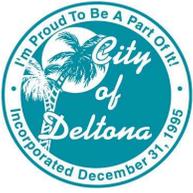
Applications will be available at the City of Deltona, City Hall located at 2345 Providence Blvd., Deltona, Florida 32725 from 8:00 AM to 5:00 PM, Monday through Friday or on-line at [www.deltonafl.gov](http://www.deltonafl.gov)

Applications will be accepted until all funds have been obligated.

You may download additional program information and income guidelines from the city's website at [www.deltonafl.gov](http://www.deltonafl.gov) or by contacting Angella Briggs, Community Development Specialist at 386-878-8614 or Denise Brooke at 386-878-8620 in the City of Deltona Planning and Community Development department.

The SHIP Program, in accordance with the provisions of State Statute 760.20-760.37 does not discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the application process for eligible housing assistance.

ORG2973198 1/22/2015



## Agenda Memo

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**AGENDA ITEM:** F.

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - F

**SUBJECT:**

Public Hearing - Resolution No. 2016-39, Creation of the Southwest Deltona Community Redevelopment Area (CRA) Redevelopment Agency - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Economic Development. Pursue the creation of a CRA for Deltona Blvd.

**LOCATION:**

Generally located in the southwest quadrant of the City of Deltona.

**BACKGROUND:**

On July 7, 2016, the Volusia County Council (County) adopted County Resolution No. 2016-092 (see attached) providing a Delegation of Authority to the City of Deltona for the establishment of our first CRA. The delegation provides for a partnership with the County for redevelopment within the specific geographical area provided within the CRA Redevelopment Plan (see attached). The subsequent steps needed for the official establishment of the CRA following the delegation are provided within the Florida Statutes. City Resolution No. 2016-39 is provided as the first step in the process. Specifically, Resolution No. 2016-39 achieves the provision for the City to create the Southwest Deltona CRA Redevelopment Agency.

**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 adoption of Resolution No. 2016-39 by the City Commission.

**POTENTIAL MOTION:**

"I hereby move to adopt Resolution No. 2016-39 officially creating the Southwest Deltona Community Redevelopment Area Redevelopment Agency."

**RESOLUTION NO. 2016-39**

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, RELATING TO CHAPTER 163, PART III, FLORIDA STATUTES (THE COMMUNITY REDEVELOPMENT ACT), CREATING A COMMUNITY REDEVELOPMENT AGENCY UNDER SECTIONS 163.356 AND 163.357, FLORIDA STATUTES, PROVIDING FOR POWERS AND DUTIES, CONFIRMING THE OFFICIAL BOUNDARY FOR THE SOUTHWEST DELTONA COMMUNITY REDEVELOPMENT AREA; REPEALING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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**WHEREAS**, the Florida Legislature duly enacted Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act") establishing the conditions and procedures for the establishment of community redevelopment areas and agencies.

**WHEREAS**, the City of Deltona ("City") has held multiple public meetings to consider the need for redevelopment along the Deltona Blvd., Normandy Blvd., and Saxon Blvd. corridors.

**WHEREAS**, pursuant to Resolution No. 2015-28, adopted by the City Commission of the City of Deltona ("Commission") on July 20, 2015, the City Commission expressed its intention to consider the creation of a community redevelopment area, and adopted the finding of necessity, and defined a proposed redevelopment study area within the City.

**WHEREAS**, through the finding of necessity the Commission made findings that the conditions in the Southwest Deltona Community Redevelopment Area, also referred to as the Southwest Volusia Community Redevelopment Area, met the criteria described in Section 163.340(8), Florida Statutes.

**WHEREAS**, the City found within the Community Redevelopment Area that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

**WHEREAS**, the results of that study have been presented to the Commission for its consideration and included in the public record.

**WHEREAS**, pursuant to Volusia County Resolution No. 2016-092 adopted July 7, 2016, the Volusia County Council delegated the authority for the creation of a Community Redevelopment Agency to carry out the redevelopment purposes of Chapter 163, Part III, Florida Statutes.

**WHEREAS**, the Southwest Deltona Community Redevelopment Area boundaries are confirmed and represented in Exhibit "A", which is attached hereto and incorporated herein by reference.

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

**Section 1. Creation of the Community Redevelopment Agency.**

Based upon the evidence, data, analysis and facts presented to it, the City Commission does hereby establish the creation of the Southwest Deltona Community Redevelopment Agency.

**Section 2. Community Redevelopment Area.**

Based upon facts presented and contained in the public record, the City does hereby find the Area, as legally described in Exhibit "A", contains conditions of blight as defined in Section 163.340, Florida Statutes (2011), and that such Area constitutes a community redevelopment area as defined in Section 163.340(10), Florida Statutes (2011).

**Section 3. Community Redevelopment Agency.**

The City Commission does hereby expressly find that it is necessary, appropriate, proper and timely that a community redevelopment agency be created to carry out the community redevelopment contemplated by Part III, Chapter 163, Florida Statutes, to further cause, promote, and encourage rehabilitation, conservation, and redevelopment within the Area.

**Section 4. Severability.**

If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution, are declared severable.

**Section 5. Repeal of Conflicting Resolutions.**

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**Section 6. Effective Date.**

This Resolution shall take effect immediately upon its final adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

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

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, MMC, City Clerk

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

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

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RESOLUTION 2016- 092

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, DELEGATING TO THE CITY OF DELTONA, FLORIDA, LIMITED COMMUNITY REDEVELOPMENT POWERS WITHIN A PORTION OF THE CITY, PROVIDING AN EFFECTIVE DATE

BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, THIS 7TH DAY OF JULY, 2016, AS FOLLOWS

SECTION 1 *Delegation of Authority* The county council delegates the community redevelopment powers conferred upon it by chapter 163, part III, Florida Statutes, to the City of Deltona for 20 years within that portion of the city legally described in exhibit A, subject to statutory requirements and the terms of this resolution. The city may not expand or modify the delegation. The county council reserves its right to revoke or amend the delegation.

SECTION 2 *Finding of necessity, creation of agency, adoption and review, and amendment of plan*

a The county council authorizes the city commission to find necessity pursuant to section 163 355 and 340(8), Florida Statutes, and approves and ratifies the city's July 20, 2015, finding made by exhibit B, within the boundaries for which authority is delegated.

b The city may create a community redevelopment agency, pursuant to 163 356, Florida Statutes, provided that the members of the city commission shall serve as members of the agency body pursuant to 163 357, Florida Statutes. The city commission as the governing body of the municipality shall adhere to the provisions of section 163 358, Florida Statutes.

c The city commission may adopt a community redevelopment plan, substantially in the form of exhibit C, pursuant to sections 163 358 and 360, Florida Statutes, provided that the plan approval shall be limited to only 20 years.

d Neither the city nor the agency shall deviate from the projects set forth in the plan, including their nature, size, design, location, schedule and estimated cost, without a plan

1 amendment The agency shall review the plan annually and update it every five years The  
2 agency prior to adoption shall submit to the county council for its review and approval any plan  
3 amendment which alters the use of the county increment for capital projects

4 SECTION 3 *Redevelopment Trust Fund*

5 a The city commission by ordinance shall establish a redevelopment trust fund  
6 pursuant to section 163 387, Florida Statutes, to which no other taxing district than the county or  
7 city need contribute The county shall contribute to the trust fund only from its general fund, not  
8 from any other, at a millage rate which does not exceed that of the city millage rate used to  
9 compute its contribution The most recent assessment roll used in connection with the taxation  
10 of property prior to adoption of the ordinance shall constitute the base year to compute the  
11 amount of any contribution by the county and the city

12 b Of the incremental revenue computed annually pursuant to the statute, the  
13 county shall pay 95% up to \$1 million, 75% between \$1 million and \$2 million, and 50% above  
14 \$2 million (For example, the county shall contribute \$950,000 of the first \$1 million increment )

15 c The county contribution will be used solely to fund the direct cost of any publicly  
16 owned capital projects identified in the redevelopment plan other than water, wastewater, and  
17 stormwater Direct cost may include the fully loaded compensation of city employees for time  
18 attributable directly to project design, survey, engineering, construction, testing and inspection,  
19 but shall not include any expenditure for administrative, supervisory, clerical, legal and support  
20 services Landscaping shall be considered a capital item only as subsidiary component of  
21 construction The county contribution shall fund no more than 50% of the direct cost of any  
22 capital project

23 d The city contribution may be used for the direct cost, as limited in c above, of  
24 any public infrastructure described in the redevelopment plan

1 e Neither county nor city contribution shall be used for personnel, administrative, or  
2 overhead costs of the agency, or for any other purpose of whatsoever nature

3 SECTION 4 *Reporting, budget*

4 a The agency shall conform to a uniform system of reporting established from time  
5 to time by the county and not less than annually shall make a presentation to the county  
6 council

7 b The agency shall submit its proposed budget for the next fiscal year to the county  
8 for review and comment prior to agency adoption and no later than August 1 of each year The  
9 county will respond with any questions or comments within 30 days of receipt of the proposed  
10 budget The agency shall not make any material changes to its budget without prior notice to the  
11 county

12 SECTION 5 *Coordination, Recognition*

13 a The agency shall ensure that the designated county representatives, including the  
14 appropriate Volusia County Council district member and a county staff representative shall be  
15 given timely notice, at least contemporaneously with the notice given to CRA board members,  
16 prior to any CRA meeting and given an opportunity to attend and participate

17 b The agency will include the county when recognizing contributing partners in print  
18 and electronic media as well as formal events such as groundbreakings, ribbon cuttings and  
19 activities celebrating CRA successes, including the following

- 20 1 Participation in planning and updating process,
- 21 2 Printed material including newsletters, flyers, advertisements and invitations,
- 22 3 Digital materials including websites, email campaigns and announcements,
- 23 and
- 24 4 Construction signs

1 SECTION 6 *Agreements* The agency may enter into agreements, including  
2 agreements with developers of real estate located within the boundaries of the redevelopment  
3 area, only as contemplated by and provided in the plan

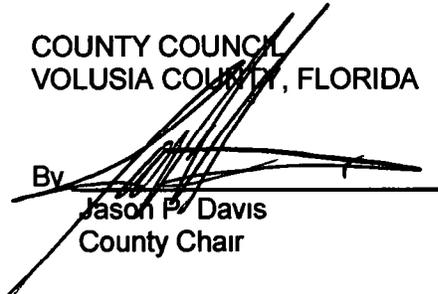
4 SECTION 7 *No county liability* Nothing contained herein shall impose any liability upon  
5 the county for any acts of the city or the agency

6 SECTION 8 *Non-severability* The provisions of this resolution are not severable If any  
7 part of this instrument is held invalid by a court of law or is superseded by statute, this resolution  
8 shall be deemed void and of no further effect

9 SECTION 9 *Effective date* This Resolution shall become effective immediately upon  
10 adoption

11  
12  
13 DONE AND ORDERED IN OPEN MEETING

14  
15 COUNTY COUNCIL  
16 VOLUSIA COUNTY, FLORIDA

17  
18 By   
19 Jason P. Davis  
20 County Chair

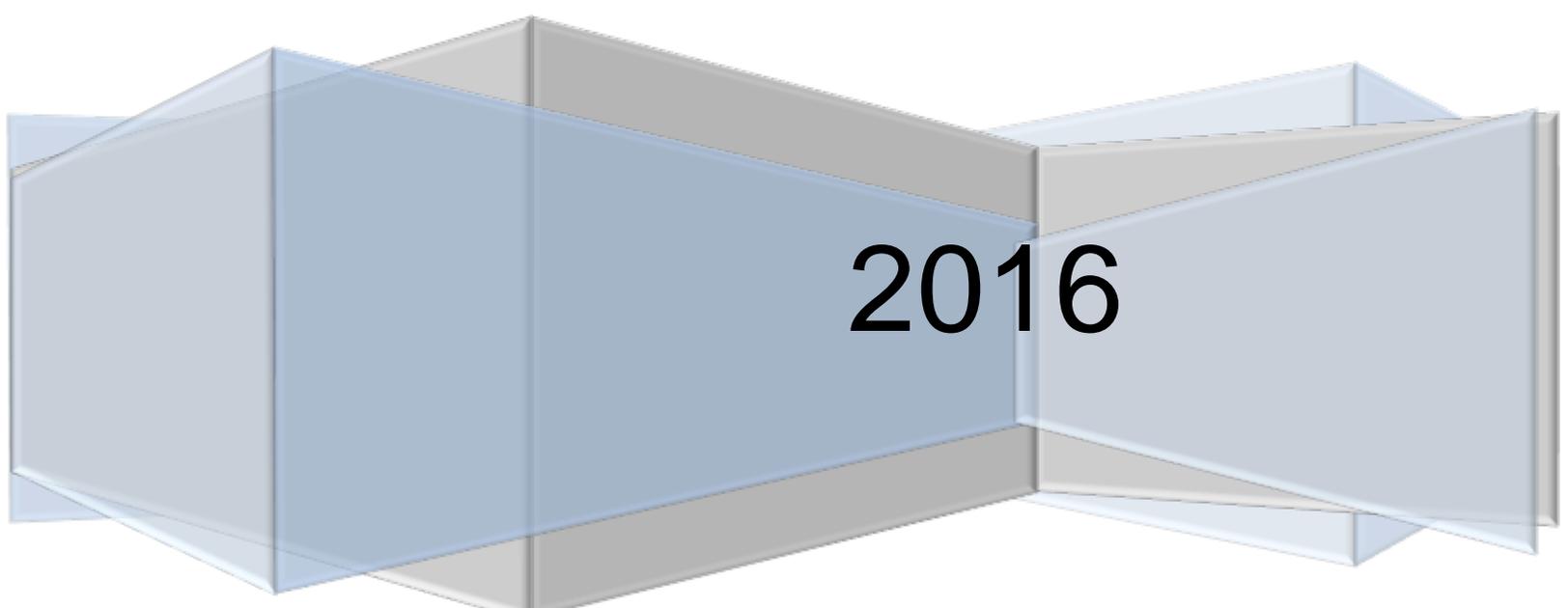
21  
22 ATTEST

23  
24 By   
25 James T. Dimheen  
26 County Manager  
27



**City of Deltona**

**City of Deltona  
Southwest Deltona CRA  
Redevelopment Plan**



**2016**

## **CHAPTER 1 COMMUNITY REDEVELOPMENT PLAN ADOPTION**

### **1.1 PREPARATION OF COMMUNITY REDEVELOPMENT PLAN**

The Community Redevelopment Act, Section 163.360(4), Florida Statutes, states that a municipality or Community Redevelopment Agency (CRA) may prepare a Community Redevelopment Plan. In a home rule charter county such as Volusia, the City of Deltona (City) must request delegation of authority to create a CRA and establish a Redevelopment Trust Fund.

The City will submit the Finding of Necessity and the Community Redevelopment Plan (Plan) to Volusia County Council for review and approval, and request for delegation of authority to create a CRA, and establish a Redevelopment Trust Fund. This Plan has been prepared at the direction of the City Commission and represents a collaborative effort among the City, local residents, and the County.

Community input and direction were provided from Visioning Workshops conducted on October 17, 2015, and November 7, 2015, where the elected officials, City staff and citizens came together to begin the discussion of Deltona's vision for the future of the City. This interactive workshop was the initial step in the visioning process and developing a unified strategy to overcome barriers, such as challenges associated with the Deltona/Normandy/Saxon Boulevards CRA. Attached as **Exhibit C** is a draft of the proposed strategic plan that captures the essence of the visioning sessions.

### **1.2 PROCEDURE FOR CONSIDERING AND ADOPTING THE PLAN**

The Community Redevelopment Act, Section 163.360, Florida Statutes, outlines the procedure for considering and adopting the Southwest Deltona Community Redevelopment Plan.

This Plan will be forwarded to the Deltona Planning and Zoning Board for review and recommendation as to its conformity within the Comprehensive Plan. Upon reviewing this Plan, the City Planning and Zoning Board is expected to submit written recommendations to the City Commission with respect to the conformity of the proposed Community Redevelopment Plan with the Comprehensive Plan, which City staff will format.

Upon receipt of comment from the City Planning and Zoning Board, the City is required to submit this Plan, together with any written recommendations, to the governing body of each taxing authority levying ad valorem taxes on real estate contained within the Redevelopment Area.

The City will also submit the Finding of Necessity and the Community Redevelopment Plan to Volusia County Council for review and approval, and request for delegation of authority to create a Community Redevelopment Area, a Community Redevelopment Agency, and establish a Redevelopment Trust Fund.

After receiving delegation of authority from Volusia County Council, the City must provide proper notice to each of the governing bodies having the ability to impose taxes within the

Redevelopment Area and publish the notice as prescribed by Statute at least 15 days before such proposed action. The CRA redevelopment agency may only then consider and approve this Plan at a public hearing. After approval of the Plan, the CRA redevelopment agency can establish a Redevelopment Trust Fund under Section 163.387, Florida Statutes.

### **1.3 COMMUNITY REDEVELOPMENT AGENCY POWERS**

The City requests the delegation of authority from Volusia County to create a CRA Community Redevelopment Agency, adopt a Community Redevelopment Plan, establish a Redevelopment Trust Fund, and carry out the implementation of the Plan, as specified by Section 163.356, 163.360, 163.361 and 163.387, Florida Statutes (2012). The City views the request from the County as a partnership between the County and the City that represents a sound investment that will pay dividends for both units of governments.

The City Commission shall assume its capacity as the governing body of the Southwest Deltona CRA, pursuant to Section 163.356 and 163.357, Florida Statutes (2012). The CRA shall consist of the seven members of the City Commission, pursuant to Section 163.357(1)(c), Florida Statutes. If the City Commission appoints a CRA Advisory Board, such Board shall have County representation of at minimum one member appointed by the County Council. Such Advisory Board shall meet at least as often as the CRA holds its regular meetings and shall meet prior to meetings of the CRA in order to review and provide recommendations on matters to be considered by the CRA.

The City also requests specific powers from the County to promote and encourage investment, rehabilitation, and redevelopment within the Redevelopment Area, pursuant to Section 163.370 and Section 163.410, Florida Statutes. However, certain powers may not be granted to the Southwest Deltona CRA, pursuant to Section 163.358, Florida Statutes. The City recognizes that Volusia County retains exclusive authority to adopt, amend or modify a community redevelopment plan to change the boundaries, create a new redevelopment area or exercise any power under the Community Redevelopment Act outside the CRA, pursuant to Volusia County Resolution 2010-20 and 2015-046. Finally, there are no parking facilities planned to be funded as part of the CRA. Therefore, the parking fee language contained in County Resolution No. 2015-78 would not apply to the Southwest Deltona CRA.

## **CHAPTER 2 REDEVELOPMENT VISION, OBJECTIVES, AND STRATEGIES**

### **2.1 APPROACH**

This Chapter presents the vision for the Redevelopment Area. In addition, this Chapter identifies potential objectives and strategies, and lays a foundation for the programs and projects to be considered by the City of Deltona, the CRA, and private enterprise in implementing this vision.

Projects, costs, or budgets provided in the Southwest Community Redevelopment Plan are estimated, and will be refined as additional research, plans, and documents are prepared to implement the particular objectives, strategies, resulting programs, and projects. The costs given for budgeting purposes establish the framework for the financial planning analysis.

Costs or budgets should not be construed as exclusively the burden of the public sector. Costs or budgets are intended to be total costs with potential allocations to the public and private sectors assigned on the basis of the encouragement of private enterprise as a tool to carry out a significant portion of this Plan and apparent benefit, value, revenues, or other relevant factors.

### **2.2 VISION FOR THE COMMUNITY REDEVELOPMENT AREA**

The vision for the Redevelopment Area focuses on creating a sustainable commercial/mixed-use corridor that offer visitors and residents a high quality local destination featuring a safe transportation network, pedestrian connections and public space/recreation facilities in a manner that promotes a positive environment for the City. At the same time, redevelopment efforts shall be complimented with maintaining affordable housing options for residents of low or moderate income, including the elderly. The CRA will support infrastructure and not impact the City's ability to provide an adequate level of service within the Redevelopment Area.

The Redevelopment Area is envisioned to consist of a mix of medium to small service and retail stores, such as a supermarket, specialty retail uses, restaurants, art galleries, professional offices and institutional uses. Opportunity will be available for mixed use development formats with residential and office uses contained within the same buildings or neighborhoods.

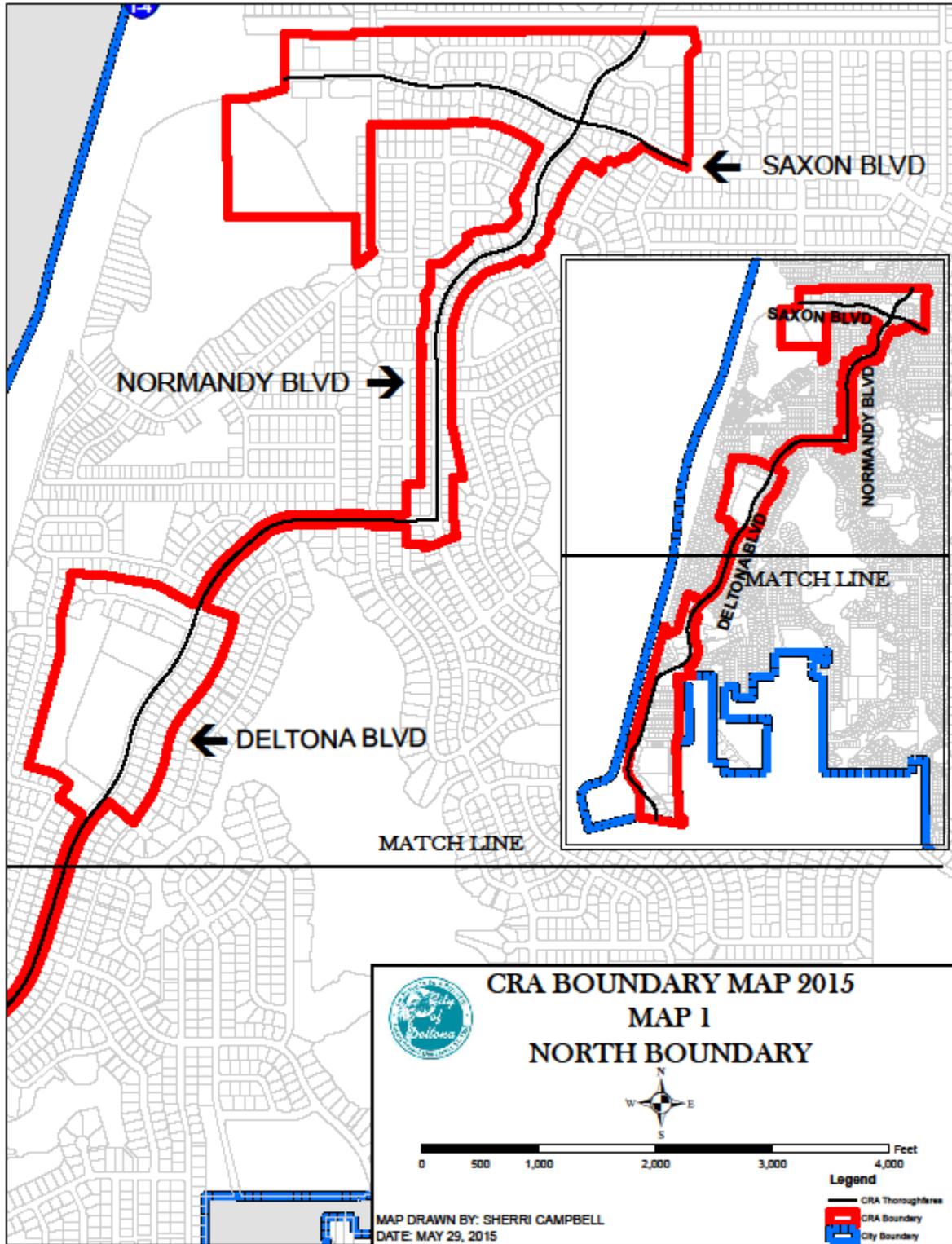
The development of certain segments of the subject corridors will lead to the conversion of the existing, non-sustainable, haphazard development pattern that has occurred along the corridors. The CRA will be treated with improved infrastructure intended to promote area rehabilitation and ultimately the highest and best use of structures. Landmarks will be developed at key intersections to identify entry to serve as focal points for the Community Redevelopment Area. Linear features will be beautified with landscape improvements and hardscapes.

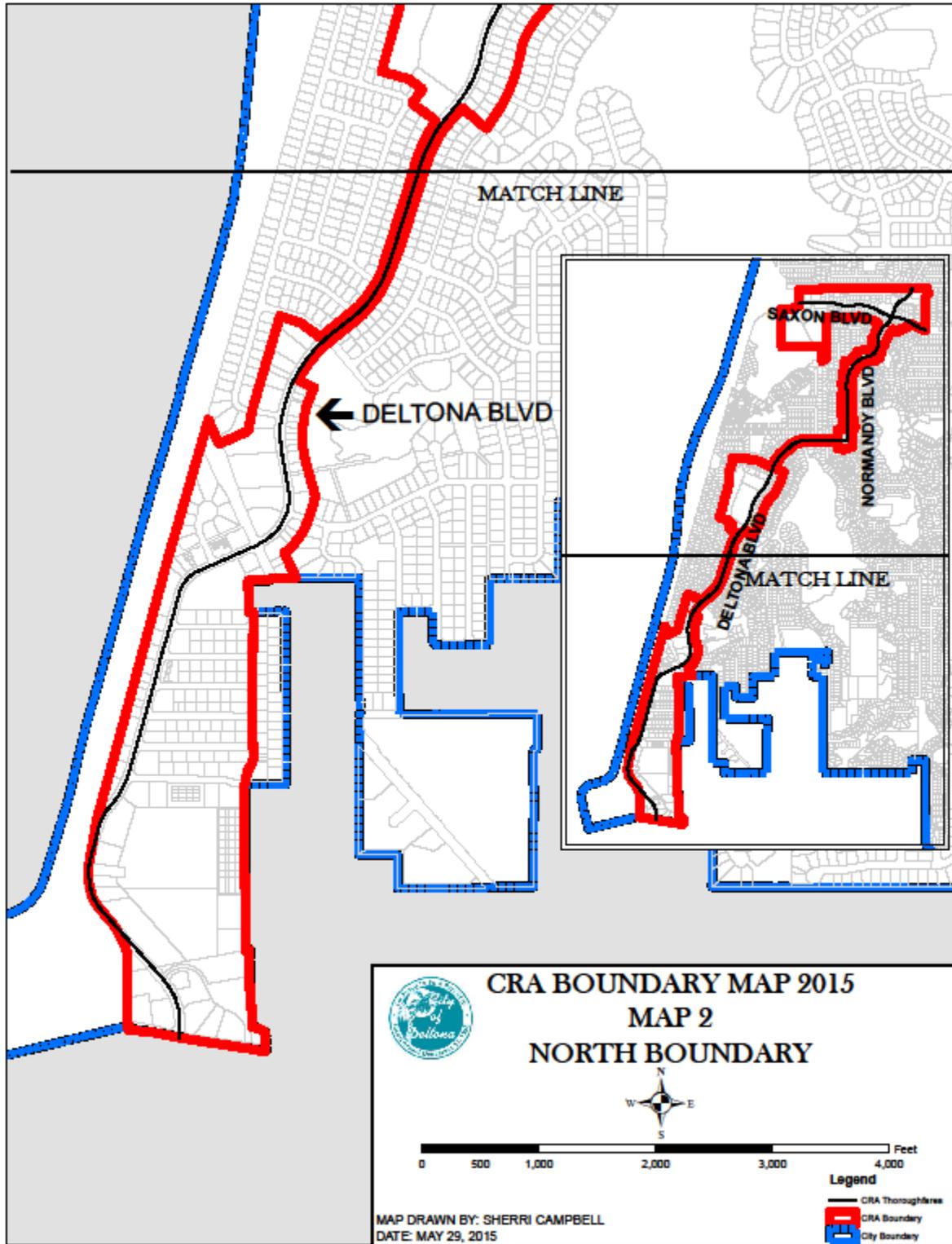
The intent of this Plan is to serve as a framework for guiding development and redevelopment in the Redevelopment Area. This Plan identifies redevelopment objectives, and lays the foundation for programs and capital projects to be undertaken, which will reverse and remove blight documented in the Findings of Necessity. This Plan addresses financing and implementation strategies as well as management and administrative opportunities. These programs, projects, funding/financing strategies, and administrative opportunities will continue to be refined as they are implemented. It is clearly understood that grants and other revenues (impact fees, general revenue, etc.) need be used in conjunction with available increment revenues to achieve these stated goals. While based on the most accurate data available, the various strategies and costs identified in this Plan will require additional study as specific programs and projects are initiated, refined, and implemented.

The focus of the Plan is the mitigation or correction of the various blighted area conditions documented in the adopted Finding of Necessity Report. Changing social, physical, and economic conditions could warrant the modification of this Plan. If the Plan is modified, the CRA must comply with Section 163.361, Florida Statutes and applicable County Resolutions.

As the redevelopment process unfolds, a Conceptual Diagram will be generated to illustrate specific improvements planned. The elements shown in the Conceptual Diagram may be relocated or realigned as part of future planning initiatives, so long as modifications are generally consistent with the vision articulated in this Plan. The Conceptual Diagram will consistently be evaluated and developed into a base Master Plan. This Master Plan will guide the redevelopment of the Redevelopment Area as it relates to function and aesthetics. The City Land Development Code (LDC) shall address the redevelopment area's urban design framework.

The CRA Boundary is depicted on the following map series.





## 2.3 REDEVELOPMENT OBJECTIVES AND STRATEGIES

In partnership with private enterprise and the County, the redevelopment initiative embodied in this Plan will reverse and remove the observed blighted conditions within the Redevelopment Area by leveraging public assets to improve the overall economic condition and the physical condition of the Redevelopment Area. Creating safe, viable, and sustainable corridors along Deltona/Normandy/Saxon Boulevards featuring more attractive mixed use and commercial opportunity will greatly enhance the quality of life not only for the residents but the population of the City and County at large.

Strategic initiatives are to be identified and placed into action to address, reverse, and remove the blighted area conditions, which have substantially impaired reinvestment activity within the Redevelopment Area; and ultimately will be substantially redeveloped and revitalized as a community focal point to the benefit of Deltona residents, businesses, property owners, and visitors through the implementation of this Redevelopment Plan.

Objectives have been identified as either "primary" or "community." The primary objectives are deemed the most important in addressing, removing, or mitigating blighted area conditions within the Redevelopment Area identified by the City within the Finding of Necessity Report. The community objectives are secondary to the principal focus of this Plan and are intended to pave the way for the redevelopment. Nonetheless, the community objectives are important and will be implemented as revenues or other resources permit. The objectives anticipate maximizing the use of private enterprise.

### 2.2.1 PRIMARY OBJECTIVES AND STRATEGIES

**Primary Objective 1:** Improve transportation facilities within the Redevelopment Area including sidewalks, crosswalks, bike paths, and other multi-modal options to enhance regional connection. These strategies will correct the blighted conditions of defective or inadequate street layout (*Pgs. 17, 18, 19, 20 and 23 of the Finding of Necessity Report*), roadways and public transportation facilities (*Pg. 19 and 23 of the Finding of Necessity Report*); and unsafe conditions (*Pgs. 21, 22, 23 and 25 of the Finding of Necessity Report*).

#### **Strategies:**

1. The transportation component for the Redevelopment Area will focus on developing an effective, safe, and efficient transportation system which will include multi-modal options.
2. The Primary Corridors along Deltona/Normandy/Saxon Boulevards enables the creation of gateways and focal points into the Redevelopment Area. Explore designing three (3) gateways/focal points. One at the north end (Saxon Boulevard near the I-4 interchange), the intersection of Normandy and Deltona Boulevard, and south end of the Redevelopment Area at or near the DeBary/Deltona Boulevard intersection.
3. Roadway and streetscape improvements will improve safety, access, and traffic flow characteristics. Such improvements will also provide for pedestrian and bicycle facilities and foster community beautification. The following will be considered as guidelines for roadway and streetscape improvements.
  - a. Undertake roadway and streetscape improvements along the Primary Corridors (Deltona/Normandy/Saxon Boulevards).

- b. Explore innovative intersection designs to alleviate traffic congestion along Deltona and Normandy Boulevards, such as roundabouts and signalization timing for better traffic flow.
  - c. Undertake roadway, sidewalk, and lighting improvements on appropriate streets, and provide safe pedestrian routes.
  - d. Implement roadway and streetscape improvements based on a phasing plan which emphasizes visual impact in addition to improved access and circulation.
  - e. Provide the ability for vehicles, pedestrians, and bicyclists to access an enhanced internal transportation network which connects, if applicable, the neighborhoods to services and commercial corridors.
  - f. Develop and incorporate landscape and lighting design standards to create a safe and inviting environment.
  - g. Integrate traffic calming techniques throughout the internal roadway system to enhance safety and facilitate a pedestrian/bicycle friendly environment. Traffic calming techniques may include the use of pavers or decorative concrete, raised pavement, roundabouts, change of landscape treatment, and the creation of pedestrian nodes at major intersection, mid-block crossings and other locations where potential conflicts exist between vehicles, pedestrians and bicyclists. Creative options to cross major streets should be investigated. Pedestrian safety and crime prevention design standards should be employed along with aesthetic considerations when evaluating, designing, and implementing pedestrian crossings.
  - h. Traffic lights, crosswalks, and regulatory/wayfinding signage will be used to enhance the safety of vehicles, pedestrians, and bicyclists in key locations throughout the Redevelopment Area
4. Improving transportation and pedestrian safety will positively transform the visual and real perception of the City of Deltona. The CRA shall develop transportation and pedestrian safety design guidelines and/or standards to focus on the following:
    - a. Establish driveway spacing to prevent a motorist from encountering more than one conflict at a time.
    - b. Address corner clearance and, wherever practical, control distance between driveways and the corner of an intersection.
    - c. Develop driveway designs to allow vehicles to quickly exit the through lane.
    - d. Encourage the use of roadway medians to provide a safe space for pedestrians to control turning movements, help to provide positive guidance to motorists, and allow beautification.
    - e. Promote shared parking and cross access easements to alleviate the traffic congestion along the three primary corridors.
    - f. Implement and incorporate lighting and landscape standards to design a safe and inviting environment.
  5. Promote the Redevelopment Area through designing and implementing a signage and wayfinding system directing traffic to and from the Redevelopment Area, the major connectors, and destinations in the region.
  6. Explore opportunities to partner with the Volusia Transportation Planning Organization (TPO), the County, and Votran to recognize/enhance connections to SunRail, and provide local and regional public transportation and associated facilities, such as bus stops, shelters, and hubs.

**Primary Objective 2:** Identify and promote a workable means to fund, finance, and deliver utility and infrastructure improvements needed for the redevelopment effort. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 23 – 25 of the Finding of Necessity Report*); and deterioration of site or other improvements.

**Strategies:**

1. Concurrent with roadway construction and repaving activities, the City/CRA shall coordinate the delivery of infrastructure and utility improvements (i.e., drainage structures, underground and overhead utilities, etc.).
2. The City/CRA shall implement and adhere to requisite stormwater and flood management requirements.
3. Design stormwater management and above ground utility features to serve as amenities to the Redevelopment Area and to improve aesthetics.
4. Increase central sewer coverage in the Redevelopment Area, to encourage more intensive development including expanded commercial opportunities. The goal is that by the sunset of the CRA, all commercial uses will be served by central sewer.
6. Upgrade undersized waterlines to continue to provide adequate flows, including fire flows, for the customers served and to foster redevelopment.

**Primary Objective 3:** Deliver an overall urban design and infrastructure initiative, which enhances basic utilities, and creates a positive identity. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs.23-25 the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16-20 of the Finding of Necessity Report*).

**Strategies:**

1. A conceptual diagram for redevelopment activities will be developed as part of this project. The elements that will be shown on the conceptual diagram may be relocated or realigned as a result of future planning initiatives and related evaluations. This Redevelopment Plan will guide the redevelopment of the Redevelopment Area as it relates to function and aesthetics. The City LDC shall be implemented to address the envisioned urban design framework.
2. The City and the CRA shall encourage improved appearance through appropriate design for all projects both public and private. The City of Deltona Urban Design Pattern Book, City Land Development Regulations and, as applicable, Enterprise Development Standards (Sec. 110-320) shall provide guidance with regard to the location and design of streetscapes, architectural elements, building mass and location, landscaping, signage, public art, etc. The intent is to provide visual continuity and a positive environment throughout an area for both new and existing facilities. The City's Comprehensive Plan addresses land use intent, intensities, densities, open space, and conservation. The LDC shall balance aesthetic values with functional and economic considerations to create an attractive and safe environment for pedestrians, bicyclists, and motorists.

**Primary Objective 4:** Ensure regulatory measures are in place to promote the redevelopment of attractive, safe, viable, and sustainable commercial nodes along Deltona/Normandy/Saxon Boulevards. These strategies will correct the blighted conditions

of defective or unsafe conditions (*Pgs. 23-25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16-20 of the Finding of Necessity Report*).

**Strategy:**

1. Where feasible, implement Land Development Code and Comprehensive Plan mixed use urban design/development standards for the primary commercial corridors. The standards will address the incorporation of parking lot layout, building design, landscaping, signage, pedestrian connections, and linkages between land uses through a functional cross access system.

**Primary Objective 5:** Create attractive, safe, viable, and sustainable commercial corridors along Deltona/Normandy/Saxon Boulevards. These strategies will correct the blighted conditions of faulty lot layout (*Pgs. 18, 23, and 24 of the Finding of Necessity Report*); unsafe conditions (*Pgs. 23 – 25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16, 17 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Establish roadway beautification plans to improve the appearance of CRA corridors.
2. The commercial development shall be designed to provide safe vehicular access, as well as pedestrian and bicycle-friendly streets.
3. The City/CRA shall develop a streetscape plan for the commercial corridors. The Streetscape Plan may include site furnishings, lighting, landscaping, decorative pavers, and signage. Roadway and streetscape planning must include a phasing/prioritization plan to construct the recommended improvements. The CRA will implement the Streetscape Plan.
4. Innovative design which integrates environmentally sound best practices (e.g., green building design, dual water systems, and xeriscape) will be encouraged.

**Primary Objective 6:** Ensure regulatory measures are in place to promote the redevelopment of vibrant urban mixed-use corridors consisting of retail stores, supermarkets, restaurants, art galleries, professional offices, and service businesses with a potential for a mixture of residential and office in the same buildings or within the same neighborhood. These strategies will correct the blighted conditions of faulty lot layout (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); unsafe conditions (*Pgs. 19, and 21 - 25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16, 17, 20, and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Investigate designating areas of the CRA with the Mixed Use Land Use Category.
2. Implement urban design/development standards such as criteria within the Land Development Code and if applicable, the Urban Design Pattern Book to integrate land uses to transportation corridors.

**Primary Objective 7:** Create a vibrant urban “Commercial Corridor” area with mixed-use developments. These strategies will correct the blighted conditions of faulty lot layout (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); unsafe conditions (*Pgs. 19 and 21 - 25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16, 17, 20 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. The Deltona Boulevard Corridor shall consist of a mix of retail stores, supermarkets, restaurants, art galleries, professional offices, and service businesses with some areas earmarked for medium to high density residential. Mixed use development patterns may also be contemplated with residential and commercial contained within the same building or located in the same neighborhood.
2. Mixed use development shall be processed as a Planned Unit Development.
3. Deltona Boulevard Corridor shall be developed with destination-oriented uses to promote a synergistic commercial environment.
4. Commercial and mixed use developments shall be designed to be pedestrian and bicycle friendly and promote safe, convenient and comfortable access.
5. The City shall develop a streetscape plan for commercial corridors. The Streetscape Plan may include site furnishings, lighting, landscaping, decorative pavers, and signage. Roadway and streetscape planning must include a phasing/prioritization plan to construct the recommended improvements. The CRA in partnership with other agencies, as deemed appropriate, will implement the Streetscape Plan.
6. Innovative design which integrates environmentally sound best practices (e.g., green building design and xeriscape) will be encouraged.

**Primary Objective 8:** Encourage parcel assembly to facilitate redevelopment of the redevelopment area within commercial nodes along the Saxon/Normandy/Deltona Corridors. The below strategies will correct the blighted conditions of faulty lot layout in relation to size, adequacy, accessibility, or usefulness (*Pgs. 18, 19, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Pursuant to the Community Redevelopment Act, Section 163.335(3), Florida Statutes, all public land acquisitions done for community redevelopment purposes will be done for public purposes. There is anticipation that public land acquisition will be limited to accommodate transportation improvements.
2. Pursuant to the Community Redevelopment Act, Section 163.360 (8) 4 (b), Florida Statutes - *"In the event the area is to be developed in whole or part for nonresidential uses, the governing body determines that: 1. Such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives"*.
3. Provide incentives such as City funded infrastructure improvements or enhanced land use entitlement for private properties to facilitate the aggregation of specially targeted or adjacent lots with multiple owners to create a single owner.
4. When feasible, the City should encourage acquisition and subsequent redevelopment by the private market. Other related activities that may be undertaken by the City include:
  - a. Map and index all commercial properties in the Redevelopment Area to provide detailed information on parcel boundaries, sizes, and ownership.
  - b. Identify and inventory all relevant substandard properties.
  - c. Document and analyze parking demands and infrastructure constraints throughout the Redevelopment Area.

- d. Document site criteria for modern mixed-use developments by business type to facilitate the understanding of contemporary developer site and parking requirements.
- e. The City may facilitate aggregation and redevelopment of “problem” or constrained parcels or groups of parcels.
- f. The City may assist in the purchase, sale, negotiation, and coordination of land assembly. However, the City shall not use eminent domain to acquire land that will be ultimately used or transferred for private development.
- g. Identify catalyst sites to serve as important strategic assets to cause an early and precedent-setting change in the community redevelopment area and to spur other growth. Two (2) catalyst areas have been identified:
  1. Deltona Plaza
  2. Saxon Blvd. Corridor

**Primary Objective 10:** Incorporate housing revitalization through housing maintenance programs and rehabilitation services. These strategies funded through the SHIP and CDBG programs will help correct the blighted conditions of unsanitary or unsafe conditions associated with residential uses (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. By addressing the problems associated with substandard and dilapidated housing, the City/CRA will mitigate contributing blight conditions within the Redevelopment Area.
2. In the same manner, redevelopment efforts shall be complimented with efforts to provide affordable/workforce housing to residents of low to moderate income, including the elderly.
3. Promote programs for homeowners to rehabilitate their homes. Such programs include zero interest loans or information on other funding sources for the repair of single and multi-family homes depending on the applicant’s income.
4. Assist low income households through the SHIP program with down payment and closing costs assistance. The assistance may be for the purchase of an existing structure.
5. Infrastructure improvements such as roadway improvements, stormwater, wastewater, and potable water make properties more conducive for development. The City may undertake infrastructure improvements in partnership with private entities. If determined improving the infrastructure of certain properties is beneficial to the City for housing revitalization and blight mitigation within the Redevelopment Area, the CRA may undertake capital improvements on these individual properties.

**Primary Objective 11:** Establish a creative, equitable, efficient and practical funding and financing mechanism to properly implement this Plan. These strategies will correct the blighted conditions of defective or inadequate street layout (*Pgs. 19, 20 and 23 of the Finding of Necessity Report*), parking facilities (*Pgs. 23 and 24 of the Finding of Necessity Report*), roadways and public transportation facilities (*Pgs. 19, 20, 23 and 24 of the Finding of Necessity Report*); faulty lot layout (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

Report); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. It is important the City/CRA identify and secure all effective sources of funding including, but not necessarily limited to, increment revenues, non-ad valorem assessments, and grant funding revenue.
2. The City/CRA must be willing to contemplate the issuance of bonds, secure other financial instruments, seek and utilize grants, and seek out other sources and alternatives to aid in implementing this Plan. Such sources and alternatives may include, but are not limited to, special assessments imposed by the City of Deltona, ad valorem taxes imposed for municipal purposes through a municipal services taxing unit, or the imposition and pledge of ad valorem taxes upon a vote of the electors consistent with the Florida Constitution.

### 2.2.2 COMMUNITY OBJECTIVES AND STRATEGIES

**Community Objective 1:** Implement an aesthetic and planning review program to guide redevelopment and maintenance activities within the Redevelopment Area. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. The City will review, consistent with City Land Development Regulations, plans for development within the Redevelopment Area, and coordinate with effected land owners to ensure the vision articulated in this Plan is achieved. The City will assign dedicated staff to coordinate and approve applicable development plans proposed for properties located within the Redevelopment Area.
2. Mixed-use redevelopment land use proposals will be processed as a PUD and will be associated with development/design standards for site, building, landscape, signage, and public areas for the commercial properties along the three corridors. The City's Pattern Design Book will act as a guideline to assist developers, builders, property owners, and individuals in preparing design/construction documents.
3. The City/CRA will assign staff or personnel to oversee the integrity of the CRA vision of the Redevelopment Area.

**Community Objective 2:** Ensure the Redevelopment Area is safe and clean over a period of time. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. The Community Redevelopment Act encourages "community policing innovations." This concept is defined as policing techniques or strategies designed to decrease crime by reducing opportunities for, and increasing the perceived risks of engaging in, criminal activity through visible presence of law enforcement in the community, including, but not limited to, community mobilization, neighborhood watch programs, citizen patrol, foot patrol, or intensified motorized patrol. The City will review these

programs to improve the actual and perceived security, building safety, and appearance of the Redevelopment Area.

2. The City will identify, execute, and coordinate special maintenance standards and programs for public facilities, roadways, open space areas, entries, and commercial uses along the three corridors.

**Community Objective 3:** The City may plan, design, and deliver additional infrastructure improvements or services within the Redevelopment Area, if deemed those improvements enhance the quality or attractiveness of the Redevelopment Area especially with regard to public amenities. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Such additional infrastructure may include undergrounding utilities in certain areas to achieve a desired visual impact, upgrading technology, and telecommunications availability to attract businesses or the enhancement of landscape areas. Such additional improvements will complement the redevelopment plans for the Redevelopment Area.
2. Additional services may include extraordinary right-of-way or other public area maintenance, planning, and implementing cultural, charitable or place-making activities, events and related services which showcase the Redevelopment Area.
3. The City shall expand central sewer service for commercial areas of the CRA. The first priority will be the north side of the Saxon Blvd. corridor located west of the Saxon Blvd. and Normandy Blvd. intersection.

**Community Objective 4:** Establish a unique identity to promote the vision for the Redevelopment Area through branding and marketing programs. These strategies will correct the blighted conditions of deterioration of site or other improvements (*Pgs.18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Create page on the City website, which can be used to identify the Redevelopment Area.
2. Investigate branding the CRA area to be used on literature, banners, gateways and all types of promotional campaigns.
3. As deemed appropriate, support special events designed to attract residents and visitors to Deltona Boulevard.
4. Create a business recruitment package that is updated regularly with a listing of available properties, maps, building profiles, and information for current and planned events.

## **CHAPTER 3 STATUTORY COMPLIANCE**

### **3.1 STATUTORY COMPLIANCE**

The Community Redevelopment Act according to Sections 163.360 and 163.362, Florida Statutes requires every community redevelopment plan contain specific information relevant to its particular redevelopment initiative. This Chapter supplements and addresses the informational requirements articulated in the Community Redevelopment Act and serves to further describe the objectives and strategies presented in this Plan to implement the redevelopment initiative envisioned by the City for the Redevelopment Area.

This Plan is consistent with the requirements of the Community Redevelopment Act, Section 163.362(2), Florida Statutes. The City Land Development Code and Comprehensive Plan demonstrates: (1) the approximate amount of open space to be provided and street layout, (2) limitations on the type, size, height, number, and proposed use of buildings, (3) the approximate number of dwelling units, and (4) such property as is intended for use as public parks, recreation areas, streets, public utilities, and public improvements.

The development program discussed in Chapter 2 further describes the urban design intent and components of the developed landscape and how those areas could receive public improvements.

### **3.2 APPROXIMATE AMOUNT OF PARKS AND OPEN SPACE**

There are no park facilities within the CRA. The Redevelopment Area has an opportunity through investments in infrastructure to design a linear park that would utilize existing and planned sidewalk infrastructure. The linear park concept would provide connectivity between the commercial areas of the CRA and surrounding residential neighborhoods.

### **3.3 STREET LAYOUT**

The transportation component for the Redevelopment Area is expected to focus both on vehicular and pedestrian traffic expanding upon existing infrastructure within the CRA. Widened streets, intersection improvements, roadway design improvements along with sidewalk upgrades will create a pedestrian and bicyclist friendly, convenient, and safe travel environment. The ease of vehicle traffic through the Redevelopment Area enables the creation of gateways and wayfinding signage. The gateway and wayfinding signs will direct visitors and residents toward a revitalized Deltona Boulevard. The Redevelopment Area street improvements will enhance connectivity and produce pedestrian and bicycle amenities.

### **3.4 LIMITATIONS ON THE TYPE, SIZE, HEIGHT, NUMBER, DENSITY AND PROPOSED USE OF BUILDINGS**

The Redevelopment Area will be redeveloped as a commercial and residential corridor, utilizing distinct individual land use characteristics such as residential, commercial, institutional, and public. The overall vision embodies sound planning and design principles,

which focus on creating a sustainable community. The following provides development parameters for the Redevelopment Area.

1. The Redevelopment Area shall include residential neighborhoods offering a variety of housing options and price ranges. The existing residential densities will remain the same as specified by the Future Land Use Map:
  - a. Low Density Residential - 0 to 6 dwelling units per acre
  - b. Medium Density Residential – 6.1 - 12 dwelling units per acre
  - c. High Density Residential – 12.1 to 20 dwelling units per acre
2. The City may consider mixed use development formats with residential densities of up to 9.9 dwelling units per acre and allow a floor area ratio of 0.50. to achieve the overall vision for the Redevelopment Area. Any density modifications shall require amendment to the Future Land Use Map of the Comprehensive Plan.
3. Deltona Boulevard will be redeveloped to include a variety of non-residential uses including commercial, professional office, entertainment and service business uses. To promote more dense development patterns, the City may contemplate allowing floor area ratios of up to 0.55 through the planned unit development (PUD) zoning process.
4. Parcel assemblage of at least 1 acre is recommended to accommodate mixed use development formats.
5. Residential dwelling units will be allowed in the same buildings as office or commercial uses when associated with multi-use development sites.
6. Multi-use development on the same parcel must be compatible with surrounding land uses.
7. Commercial uses shall be limited to areas specifically classified as Commercial on the City of Deltona's Future Land Use Map. Parcel assemblage of at least 1 acre is recommended for a sustainable commercial development.
8. Building design, including height and location, is expected to reinforce a pedestrian-oriented character and include linkages between land uses through a functional bicycle-pedestrian system.
9. The City's Urban Development Pattern Design Book will serve as a guideline for building and development design.
10. In general, the land uses shall abide by the overall goals, objectives, policies, and standards, as outlined in the City's Comprehensive Plan.

### **3.5 INTENDED USE OF PROPERTY FOR PUBLIC PARKS, RECREATION AREAS, STREETS, PUBLIC UTILITIES, AND PUBLIC IMPROVEMENTS**

Public facilities such as parks, recreational facilities, bicycle paths/sidewalks, streets, and utilities shall be located throughout the community in a manner which offers convenient and safe access to public services and facilities while enhancing the aesthetic character of the Redevelopment Area. Utility lines shall be placed underground, wherever feasible. If above ground structures such as water tanks or transformer boxes must remain within the Redevelopment Area, they should be located and treated in a manner that is safe and aesthetically pleasing.

### **3.6 NEIGHBORHOOD IMPACT ELEMENT**

The Community Redevelopment Act, Section 163.362(3), Florida Statutes, requires that if a Community Redevelopment Area contains low or moderate income housing a neighborhood impact element shall be prepared to describe the impact of redevelopment upon the residents of the redevelopment area and the surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, and the effect on school population. The creation of the Redevelopment Area is mostly focused on non-residential development and is expected to generate minimum impact to existing neighborhoods.

Secondary impact on the residents relating to traffic circulation, environmental quality, availability of community services and facilities, effect on school population, and other matters affecting the physical and social quality of CRA neighborhoods are minimal. Impacts may involve temporary construction detours, noise, and dust. Overall, impacts are expected to be minimal while the benefits of redevelopment are long-lasting adding a higher quality of life to the City's residents and visitors.

Redevelopment planning efforts are focused on the improvement and strengthening of existing neighborhoods. Redevelopment planning efforts will not be directed towards large scale demolition and removal of existing structures. Rather, plans call for systematic improvement through a concerted effort aimed at rehabilitating homes and infill development, and creating identifiable neighborhoods.

### **3.7 REPLACEMENT HOUSING/RELOCATION**

The Community Redevelopment Act, Section 163.362, Florida Statutes, states the Community Redevelopment Plan shall assure that there will be replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities within the Redevelopment Area. The intent of this Plan is to create a revitalized commercial corridor with options for a mixed-use development format. This will improve the visual character of the area, which promotes a positive image for the City. Relocation is not anticipated. If relocation is required as a result of improvement activities, the City and the CRA will adhere to applicable laws and regulations, and provide assistance to minimize hardships to those being displaced, as appropriate.

### **3.8 DEMOLITION, CLEARANCE AND SITE PREPARATION**

The City does not intend to demolish, clear buildings, etc. within the CRA unless the clearing/demolition is associated with the provision of public facilities. The CRA is authorized to install and construct, or cause to be installed or constructed, the public improvements and public utilities necessary to carry out the Plan, subject to obtaining necessary permits and in compliance with all applicable laws.

### **3.9 DURATION**

Consistent with the provisions of the Community Redevelopment Act, Section 163.362(10), Florida Statutes, all redevelopment activities financed by increment revenues from the Redevelopment Trust Fund shall occur within 20 years after the fiscal year in which the Plan is approved or adopted. The duration of this Plan shall be for the maximum period allowed

by the Community Redevelopment Act and County Ordinance and shall expire and terminate 20 years after the creation of the CRA trust fund unless extended by mutual agreement of the City and the County. This 20-year duration is necessary due to the extent of defunct infrastructure; the low increment revenue projections, which will take nearly 10 years to start realizing appreciable revenue increment. This shows the need to use leverage and other funding sources for the improvements. It is further noted that the estimated revenues by year 20 will be a little over \$8 million.

The City believes that it will take, at minimum, 20 years to realize the dollars necessary to undertake some of the redevelopment initiatives identified within the Plan. However, the City understands the County's desire to manage the duration of community redevelopment areas. It is possible that economic conditions may improve more quickly than the increment revenue forecast currently demonstrates. As well, the City may be fortunate to obtain other funding sources, yet to be identified. Understanding this, the City suggests a sunset review with the County in year 20 (2036). The intent of the 2036 review is to determine if the redevelopment objectives, initiatives, and projects have been successful in reversing blight conditions as described within the *"Finding of Necessity"* and the Plan. If it is jointly determined that the CRA has accomplished the primary objectives outlined in the Plan, or most recent Plan Update, then the date for the sunset for the Community Redevelopment Area can be re-established for a period greater than 20 years.

### **3.10 REDEVELOPMENT PLAN MODIFICATION**

The Southwest Deltona Community Redevelopment Plan may be modified in a manner consistent with Section 163.361 Florida Statutes. After providing proper notice, the City of Deltona shall hold a public hearing for all modifications.

## **CHAPTER 4 FINANCIAL ANALYSIS AND PLANNING**

### **4.1 ESTIMATING INCREMENT REVENUES**

Estimates of prospective increment revenues that might be derived from the Redevelopment Area and paid into the Southwest Community Redevelopment Trust Fund (herein referred to as the "Redevelopment Trust Fund") were prepared by Strategic Planning Group, Inc. (SPG) (See **Appendix A**). The stream of prospective revenue is dependent on several factors, including the pace of redevelopment and development in the Redevelopment Area; the content of the development; the assessed and taxable values; the millage levied against the taxable base; the rate of appreciation in the existing tax base; and the level of public intervention. Together, these many variables suggest a wide range of outcomes. All are possible depending on the specific conditions imputed into the analysis.

Input from the City generated a possible scenario for the increment revenue projections based on a very conservative format. The information outlined in this Chapter is suitable for planning purposes particularly given the range of valuations and estimated improvements costs. However, as the Plan is executed, continual input and examination will be required to refine and update this analysis.

### **4.2 METHODOLOGY AND APPROACH**

The analysis is based on tax roll data obtained from the Volusia County Property Appraiser and expectations about the Development Plan. The data from the most recent assessment roll, used in connection with taxation by the Property Appraiser and the Tax Collector, will provide the base year taxable value. The base year will be determined using the assessment roll in use immediately prior to the adoption of the ordinance establishing the Redevelopment Trust Fund.

It is assumed for the purposes of this Plan, the base year will reflect the sum as the base year valuation. However, any differences that may occur through inclusion or exclusion are relatively immaterial in the context of the total valuation. A higher or lower base sum would, of course affect the ultimate tax collections to some degree. The actual number will be officially certified by the Volusia County Property Appraiser upon adoption of the Plan and the establishment of the Redevelopment Trust Fund, as part of the statutorily required administrative process.

Specific increases in the tax base are shown in terms of expected development and its value. This expected development is based exclusively on past patterns of activity. These programmatic assumptions offer a baseline for comparison with future potential development.

For this analysis, the City's 2015 millage rate has been used, and it is held constant over the planning horizon. For the last several years, the operating millage of the City has been relatively unchanged.

As for the revenues which may accrue, only the taxable value(s) net of the base year taxable value is considered in calculating current or future increment revenues. The general procedures used to calculate available revenues are shown in the following equations:

1. Assessed values, including new construction, LESS exemptions or exclusions EQUAL current taxable values;
2. Current taxable values LESS established base year taxable values EQUAL net valuations subject to applicable jurisdictional millages;
3. Net valuations MULTIPLIED by applicable millages EQUAL increment revenues. Pursuant to the Community Redevelopment Act, Section 163.387, Florida Statutes, the maximum revenue available to the Redevelopment Trust Fund will be 95% of the calculated increment revenues. The financial indicators, assumptions and results used in preparing this increment revenue analysis are attached hereto as **Appendix A**.

#### 4.3 INCREMENT REVENUE ANALYSIS

The availability of potential increment revenues is among the most attractive of the redevelopment tools provided in the Community Redevelopment Act. Increment revenues become available as the result of focused and continuing redevelopment activities within a community redevelopment area, and it may be used to fund or finance a variety of community redevelopment related capital and service initiatives. Increment revenues, when leveraged and combined by interlocal agreement with municipal service taxes or non-ad valorem assessments from a community redevelopment area, provide a particularly powerful tool to help Florida's local governments address and redevelop slum or blight in redevelopment areas.

This analysis focuses only on increment revenues, not other significant revenues and structural opportunities, which can be leveraged, combined and deployed in concert with increment revenues, and the leveraging affects they generate. A variety of local, state and federal programs may be connected to the increment revenues in a manner which leverages the increment revenues or obtains other dollars for redevelopment used for acquisition. Potentially, increment revenues may be used independently to service debt. They may be paired with a deliberately constructed non-ad valorem assessment program, which leverages the expected flow of increment revenues and uses the investment revenues to offset or buy down special assessments used to finance capital improvements.

Increment revenue forecasts in an area of future concentrated ownership, such as the Redevelopment Area, are extremely vulnerable to imminent development, land amendment, permitting, or any other activity which can quickly change the content of the tax roll. Once a generalized timing and development strategy is implemented, these projections will need to be re-examined periodically in the context of actual redevelopment and development activity. Re-examination is proposed at year 10, 15, 20, and if extended, every five years after to ensure revenue projects and appropriateness of projects. The revised increment revenues will be used to update the capital work program and the Plan.

#### 4.4 INCREMENT REVENUE SCENARIO

The scenario for the increment revenue projections for the City of Deltona was based on a very conservative format. The scenario (known as "anticipated growth scenario") identified the inclusion of anticipated development with an average yearly increase of four (4) percent. Assessed values from comparable structures within Volusia County were applied to

determine the estimated taxable values for each improved property. Under this scenario, approximately \$8,021,807 (*total City and County increment revenue contributions*) may be generated for the CRA over the next 20 years. In addition, the City agrees to set a ceiling on County's increment revenue contributions of no more than \$10,000,000 as stipulated in County Resolution 2015-046. Also, the Tax Increment Finance information as **Appendix A** utilizes a County millage rate of 6.8709 which is less than the City 7.99 millage rate used to project revenues. The lesser County millage rate is also consistent with County Resolution 2015-046. The County and the City will be the only taxing authorities contributing to the CRA TIF.

## CHAPTER 5 CAPITAL PLANNING

### 5.1 REDEVELOPMENT

Using contemporary planning methods and urban design techniques, the intent is the Redevelopment Area will represent a vibrant, urban area with safe, viable and sustainable commercial corridors; pedestrian-friendly, affordable, and attractive neighborhoods; and provide multi-modal transportation opportunities.

The central concepts represented by the redevelopment are as follows:

1. Explore innovative intersection designs to improve safety and alleviate traffic congestion along Saxon/Normandy/Deltona Boulevards. Intersection designs/improvements include, but are not limited to, roundabouts, signalization schemes for better and effective management of the junction delays, etc. Specific intersection locations include the following:
  - a. N. Normandy Blvd. and Deltona Blvd.
  - b. N. Normandy Blvd. and Saxon Blvd.
  - c. Deltona Blvd. and Enterprise Rd.
  - d. Deltona Blvd. and Dirksen Rd.
2. The redesign of primary corridors shall be enhanced in a manner which promotes internal, as well as regional connectivity to overall community aesthetics and function. This will present the City of Deltona as a destination place. Streetscape plans should be implemented along the corridors.
3. The primary corridors should be appropriately landscaped, incorporate traffic calming features, and contain pedestrian and bicycle facilities including attractive bus shelters, bicycle lanes and safe crossings.
4. The Redevelopment Area internal access network will include pedestrian facilities and bicycle ways, which will enhance interconnectivity and promote development.
5. Undertake roadway, sidewalk, landscaping and lighting improvements on all other streets to provide safe and pedestrian friendly connections.
6. Opportunities should be provided to integrate gathering places through pedestrian connections, bike paths/multi-use trails, open space and streetscapes.
7. Wayfinding and community identification gateways should be provided at major entry points into and within the Redevelopment Area.
  - a. Wayfinding signs at strategic locations to direct visitors to key destinations.
  - b. Gateways at the north (Saxon Boulevard), the Normandy/Deltona intersection and south end of the Redevelopment Area.
8. Create attractive, safe, viable and sustainable commercial corridors.
9. The Redevelopment Area will be redeveloped with a mixed-use Deltona Boulevard corridor with a distinct character featuring areas of residential and commercial land uses.
10. The mixed-use Deltona Blvd. corridor incorporates a wide mix of retail stores, such as markets, antiques shops, restaurants, art galleries, professional offices and service businesses with residential or office above these commercial uses.
11. Appropriate buffering techniques should be implemented between the higher density uses and the single family residential areas.
12. Potential redevelopment of catalyst sites to cause an early and precedent-setting change in the Deltona Boulevard corridor and to spur further growth.

## 5.2 CAPITAL PROJECTS

The Community Redevelopment Act, Section 163.362(4), Florida Statutes, requires identification of publicly funded capital projects to be undertaken within the Redevelopment Area. Such capital projects may include, but not limited to, the capital improvement program within **Appendix B**.

## 5.3 PROJECTED CAPITAL COSTS

The Community Redevelopment Act, Section 163.362(9), Florida Statutes requires the Plan to contain a detailed statement of projected costs related to the redevelopment initiative, including the amount to be expended on publicly funded capital projects in the Redevelopment Area and any indebtedness of the City of Deltona or CRA proposed to be incurred for such redevelopment if the indebtedness is to be repaid with revenues from the Redevelopment Trust Fund. To implement the Plan, it will be necessary to combine both public and private sources of capital, using both long and short term financing options. All projects financed by or in part through increment revenues will be completed prior to the sunset of the Community Redevelopment Area in year 20 (2036).

The Capital Work Plan projects and dollar amounts are primarily based on contemporary pricing. The projects and numbers listed in the work plan and operating budget have been used for budgetary purposes only, and are considered to be relatively conservative. The recommended costs for capital improvement projects include design and construction costs, as well as contingent costs for additional studies, data manipulation, or research needed to implement each project. The costs may not include costs of land acquisition and/or consolidation. In addition, the City will not use any County TIF contribution for administrative/overhead costs. Also, the County TIF will be earmarked for uses to be limited to roadway improvements.

The various costs associated with implementing the Redevelopment Plan have been identified as being either primarily a public responsibility. Public costs are those necessary to ensure that the general framework of the Development Plan is developed in the spirit and intention of the Redevelopment Area.

Those items identified as primarily public costs will be structured in a manner which private resources are committed in conjunction with, or in advance of public resources. In some cases, public expenditures will not be required to support the Plan. In other cases, these expenditures can be phased in accordance with the scale of the redevelopment effort, in a manner where costs are advantageously matched to the expected stream of increment revenues or other available revenues.

Due to the current and projected economic environment demonstrated through the increment revenue forecasts (see **Appendix A**) and the shortage of the dollars required to implement the intent of the Plan, it is critical that the City consider funding the projects identified within this Plan via the leverage of the increment dollars. The CRA can “package” many financial programs in order to have enough resources, especially when newly enacted to jump-start the Plan. While the bond market is not strong for CRA’s, many in Florida use a bank held Letter of Credit to fund large scale projects. Local governments commonly loan their CRA’s start-up funds as well, paid back over time as the increment revenues grow

from private investment. The following list shows other potential resources that can be coupled with or used to fund the projects outlined in the Redevelopment Plan.

1. Special revenue bonds.
2. General obligation bonds: for roadway improvements; curb and gutter addition/repair; intersection improvements; streetscaping; water, sewer and stormwater improvements; and a multi-use trail system.
3. Grants and loans to the agency from the City's special or general funds for start-up costs. This is a common practice for such planning, design and community objectives.
4. Commercial Loans: The CRA may directly borrow funds from local lending institutions, utilizing both short term and long term borrowing.
5. Private Contributions: While the direct infusion of private funds are not anticipated, the City would still be interested in matching grant arrangements for improvements to building facades, landscaping, signs, etc. In addition, voluntary contributions by private companies, foundations, and individuals are potential sources of income to the CRA. Although such contributions may account for only a small portion of redevelopment costs, they do provide opportunities for community participation with positive promotional benefits. The City's current land development code provides mechanisms to achieve this participation on such projects as roadway, streetscape and infrastructure improvements, including incentives and participating grants.
6. Special Assessment Districts: The City may also establish special assessment districts and Municipal Service Taxing Units (MSTU), (Florida Statutes Chapter 170) for the purpose of funding various capital improvements within an area or for the construction of a particular project. This may be an effective mechanism to support stormwater, water, and sanitary sewer improvements. However, it is noted that assessments may be difficult to pass without concessions on the City's millage rate, thus reducing overall revenues.
7. Grants from State and Federal funding sources are leveraged within CRA districts, many of which get extra points for being used to fund economic development and redevelopment projects. Specific projects for which grants will be sought include, but not limited to, trails, parks, streetscape, roadway, and environmental improvements. The world of grants is evolving, requiring local governments to be vigilant in the grants arena. Local matches are of utmost importance to be grant competitive.

The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the CRA. Advances and loans for operating capital may be provided by the City until adequate tax increment or other funds are available to repay the advances and loans, and to permit borrowing adequate working capital from sources other than the City. The City may also, at the request of the CRA, supply additional assistance through loans and grants for various public projects. The CRA will seek all funding sources to leverage increment revenues. However, the dollars generated through these programs are nearly impossible to forecast, therefore specific dollars from these programs have not been identified.

#### **5.4 NON-CAPITAL PROGRAMS**

After the creation of the CRA, resources can be used for administrative expenses and overhead of the CRA, and other non-capital programs, including the development and implementation of community policing innovations, pursuant to Section 263.356(3)(d),

Florida Statutes. Such non-capital programs may include, but not be limited to, the following:

1. Regulatory, operational and management;
2. Marketing, promotions, special events, economic development; and
3. Facade/property improvement grants.

No Volusia County increment revenues will be used for non-capital programs and the City does not plan to expend increment revenues on community policing. The non-capital programs are subject to revisions, updates and prioritization as community redevelopment implementation occurs.

## **CHAPTER 6 GENERAL**

### **6.1 COMMUNITY REDEVELOPMENT TRUST FUND**

The City of Deltona needs to submit the Finding of Necessity and the Community Redevelopment Plan to Volusia County Council for review and approval, and request for the delegation of authority to create a Community Redevelopment Agency, and to establish a Redevelopment Trust Fund through an appropriate ordinance. The Redevelopment Trust Fund will receive all increment revenues, grants, gifts or revenues generated by redevelopment activities. The Redevelopment Trust Fund must remain in place until all indebtedness from redevelopment activities is paid.

The annual funding of the Redevelopment Trust Fund will result from additional incremental revenues collected in the Redevelopment Area by the County of Volusia and the City of Deltona. The increment available will be determined annually in an amount equal to 95% (ninety-five percent) of the difference between:

1. The amount of ad valorem taxes levied each year by the County, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area; and
2. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the County, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Redevelopment Area. This is taxable real property as shown upon the most recent assessment roll, used in connection with the taxation of such property by the County prior to the effective date of the ordinance providing for the funding of the Redevelopment Trust Fund.

### **6.2 SAFEGUARDS, CONTROLS, RESTRICTIONS OR COVENANTS**

Redevelopment activities identified herein will not be initiated until they are found to be consistent with the Comprehensive Plan and applicable land development regulations. In order to assure that redevelopment will take place in conformance with the projects, objectives, and strategies expressed in this Plan, the CRA will utilize the regulatory devices, instruments, and systems used by the City to permit development and redevelopment within its jurisdiction. These regulatory devices, etc., include but are not limited to the Comprehensive Plan, the Land Development Code, design guidelines, and City authorized development review, permitting, and approval processes, and any other applicable adopted codes, standards, and policies.

In order to leverage the increment revenues, the City may contemplate imposing non-ad valorem assessments. The imposition of special assessments for capital improvements and essential services is covered by well settled case law and specific statutory provisions authorizing collection of non-ad valorem assessments on the same bill as ad valorem taxes. Such provisions require extraordinary notice to all affected property owners.

The County's increment revenues contribution would be based on a millage rate that does not exceed the millage rate used by the City to calculate its increment revenue contribution, regardless of the existing rate, pursuant to Volusia County Resolution 2010-20. The County increment revenue contributions will be used solely on capital projects with a maximum cap

of \$10,000,000 until the sunset date of 2036 (see **Appendix A** for total City and County increment revenue contributions).

### **6.3 CONSISTENCY WITH CITY OF DELTONA COMPREHENSIVE PLAN**

This Plan articulates the vision for the Redevelopment Area as a safe, economically sustainable, accessible destination for residents and visitors, with a vibrant urban mixed use Deltona Boulevard corridor; promoting safe, viable pedestrian-friendly, multi-modal transportation system; affordable and attractive neighborhoods; and bicycle paths/sidewalks connecting to services, recreation facilities, commercial corridors and the Corridors. These improvements will feature people oriented urban design principles. This Redevelopment Plan also encourages a mixture of housing types and price ranges to implement affordable to moderate rate housing initiatives.

The following are Goals, Objectives and Policies in the City of Deltona Comprehensive Plan, which are specifically addressed by the Community Redevelopment Plan. The usage of terms is directly quoted from the 2010 City of Deltona Comprehensive Plan (EAR Based Amendment).

## **FUTURE LAND USE ELEMENT (2010)**

### **GOAL FLU1**

Ensure that future growth is timed and located to maximize efficient and cost effective use of public infrastructure.

9J-5.006(3)(a)

#### **Policy FLU1-1.6**

All neighborhood, community and regional shopping centers shall include bicycle parking areas, and where appropriate, bus cut outs or shelters to encourage alternative transportation modes.

9J-5.006(3)(c)(4)

#### **Policy FLU1-1.8**

Sites for development shall be accessible to the following essential public facilities and services at the levels of service adopted in this Comprehensive Plan: fire services, transportation, potable water, an appropriate wastewater treatment facility, solid waste and stormwater management.

9J-5.006(3)(c)(3)

#### **Policy FLU1-1.11**

The following public facilities and services shall be available for new development in all areas: roadways, solid waste collection, stormwater management, fire and police protection, emergency medical services, potable water, sanitary sewer service, and public schools as defined in the Public School Facilities Element.

9J-5.006(3)(c)(4)

**OBJECTIVE FLU1-2**

The City shall encourage compact, mixed-use developments in appropriate locations in order to discourage urban sprawl, facilitate energy efficiency and provide the full-range of uses and services in walkable, vertically and horizontally-integrated, design-unified environments.

**Policy FLU1-2.1**

The City of Deltona shall establish and require level of service standards as set in the Transportation, Infrastructure, Capital Improvements, and Public School Facilities Elements. 9J-5.006(3)(c)(4)

**Policy FLU1-2.2**

Development orders cannot be issued unless the services are provided at the adopted level of service consistent with the concurrency provisions. 9J-5.006(3)(c)(4)

**Policy FLU1-2.3**

In order to direct growth and development away from valuable natural resources, the City shall utilize development bonuses, incentives, and other methods as deemed appropriate (i.e. transfer of development rights) to promote infill development and redevelopment projects. 9J-5.006(3)(c)(1,2,6)

**Policy FLU1-2.4**

The City shall expand commercial, industrial, and mixed-use developments in appropriate locations in order to discourage sprawl and to promote energy efficient development patterns.

**OBJECTIVE FLU1-7**

The City of Deltona shall appropriately allocate land uses to adequately meet the current and future population needs while maximizing land use compatibility. The City shall promote a variety of land uses including residential, commercial, industrial, pedestrian oriented mixed-use, recreational, conservation, and public facilities. 9J-5.006(3)(b)(1)

**Policy FLU1-7.23**

The City shall seek to ensure that its Future Land Use Plan Map provides for a minimum of six acres of commercial lands and four acres of industrial lands per 1,000 residents, with a goal of providing 10 or more acres of commercial lands and six or more acres of industrial lands per 1,000 residents by 2025.

**Policy FLU1-7.24**

The City shall implement strategies to ensure that new development and redevelopment contains a strong mixed-use component, defined as a mixture of at least two different land uses in a design-unified, vertically and/or horizontally integrated, pedestrian-friendly environment, or otherwise demonstrably furthers the achievement of specific goals, objectives and/or policies of the Comprehensive Plan.

**Policy FLU1-7.25**

The City shall require that development be designed consistent with the August 4, 2008 Urban Design Pattern Book as it may be amended from time to time.

**TRANSPORTATION ELEMENT (2010)**

**GOAL T1**

The City of Deltona shall develop programs to ensure that current and future land uses are served by adequate transportation and multi-modal system options. 9J-5.019(4)(a)

**Policy T1-1.3**

The City of Deltona shall maintain a City-wide network of thoroughfare and related transportation system corridors. 9J-5.019(4)(c)(4)

**Policy T1-1.7**

The City of Deltona shall provide incentives which encourage compact, energy efficient urban development, in appropriate places, through coordination with the Future Land Use Element.

9J-5.019(4)(c)(7,9,12)

**Policy T1-1.10**

The City of Deltona shall coordinate with the MPO and other entities, as deemed appropriate, to further develop City-wide bicycle and pedestrian infrastructure through the Parks and Recreation Master Plan or other programs to accomplish the following transportation oriented initiatives:

- a. Expand, with the intent of establishing connections to commercial, institutional and recreational nodes, the multi-modal trail system within the City for bicycle and pedestrian use;
- b. Expand the City sidewalk system;
- c. Promote the use of existing and future pedestrian and bicycle infrastructure by disseminating information to the public concerning the City pedestrian and bicycle system.

**Policy T1-1.14**

The City of Deltona shall assess the existing sidewalk network to locate specific problem areas related to interconnectivity, obstructions, damaged sidewalks, lack of crosswalks, inappropriate widths, the need for handicap ramps and other improvements.

**OBJECTIVE T1-2**

The City of Deltona shall provide for the separation of local traffic from through traffic to facilitate efficient and safe vehicular movement. 9J-5.019(4)(b)(1)

**Policy T1-2.1**

Traffic circulation shall be coordinated with the Future Land Use Element to ensure compatibility between land use and the transportation system. 9J-5.019(4)(c)(9)

**Policy T1-3.1**

The City of Deltona Transportation Element shall be coordinated with the Future Land Use Element and all other applicable elements to ensure compatibility between land use and the transportation system necessary to support it. 9J-5.019(4)(c)(5,9&12)

**OBJECTIVE T1-4**

The City of Deltona shall establish, achieve and maintain peak hour level of service standards on the transportation system. 9J-5.019(4)(b)(2)

**Policy T1-4.3**

Unless a thoroughfare is designated separately within the LOS Roadway Segment Table of this document for a level of service standard, the City of Deltona shall establish the following PM peak hour level of service standards:

<u>Functional Classification</u>	<u>Acceptable Standard</u>
I-4	As determined by FDOT
Arterial	E
Collector	E
Local	D

**Policy T1-5.3**

The City of Deltona shall study and undertake feasible intersection improvements as an interim solution to existing transportation system deficiencies. 9J-5.019(4)(c)(1,7)

**Infrastructure**

**GOAL I1**

Provide safe efficient, cost effective and adequate public supply, treatment, and distribution of potable water for the City of Deltona.

9J-5.011(2)(a)

**Policy I1-PW1.1**

The City of Deltona adopts a level of service standard providing for an annual average daily volume of 300 gallons of potable water per equivalent residential unit. Projected flow for commercial, industrial, and institutional land uses will be calculated utilizing Deltona Water equivalent residential unit factors for water consumption specified by Land Development regulations.

9J-5.011(2)(c)(2d)

**OBJECTIVE I1-PW2**

The City of Deltona shall provide for an adequate level of service standard for potable water service to meet the needs of current and future residents of the City of Deltona. *(Amended by Ordinance 32-2000 adopted by the Deltona City Commission at second reading March 19, 2001)*

9J-5.011(2)(b)(4)

**OBJECTIVE I1-PW3**

Throughout the planning period the City of Deltona shall encourage the use of existing and future facilities, so as to discourage urban sprawl. 9J-5.011(2)(b)(3)

**Policy I1-PW3.5**

The "infilling" of developed areas shall be directed to locations where an existing central system of potable water is available and where capacity is adequate to service the intended development or to those areas where funds have been committed for the provision of adequate capacity.

9J-5.011(2)(c)(1)

**Policy I1-PW4.2**

The City of Deltona shall coordinate the utility and transportation planning efforts to take advantage of the most economical construction and maintenance costs possible when installing utility lines and roads.

**GOAL I2**

Provide safe adequate cost effective and environmentally acceptable sanitary sewer systems for the City of Deltona.

**Policy I2-SS1.1**

The City of Deltona adopts a level of service standard providing for an annual average daily volume of 284 gallons of domestic wastewater per equivalent residential unit. Projected flow for commercial, industrial, and institutional land uses will be calculated utilizing Deltona Water equivalent residential unit factors for water and wastewater service as illustrated in City land development regulations. 9J-5.011(2)(c)(1)

**Policy I1-SS1.10**

The City shall further expand its wastewater treatment capacity to support new development and redevelopment activities within the City.

**Policy I1-SS1.11**

The City shall investigate methods, including funding sources, to retrofit areas of the City that are currently served by septic systems. A priority for such retrofit activity, if deemed feasible, will be as follows:

- a. Correct threats to public health and safety;
- b. Improve the environmental conditions of surface and ground water resources; and
- c. Encourage sustainable redevelopment and compact urban development patterns.

**OBJECTIVE I2-SS2**

Throughout the planning period, the City of Deltona shall maximize the use of existing facilities within sewer service areas, so as to discourage urban sprawl.

9J-5.011(2)(b)(3)

## **GOAL I4**

To protect the health and safety of the public by ensuring stormwater management facilities and services are properly maintained, environmentally sound, cost effective, and meet the community's present and future demands.

### **Policy I4-STW1.3**

All land use and development approval decisions which impact water resources in Deltona shall conform to the comprehensive surface and groundwater watershed management plan, when approved by the City Commission.

Level of Service for Storm Water Quantity and Quality:

a. **Closed Basing LOS:** The City will establish a Level of Service design standard in closed drainage basins as follows: All development shall meet the minimum volume of retention equivalent to one-half inch of depth over the entire project area and the discharge hydrograph produced for the developed or redeveloped site shall not exceed, in terms of peak flow and total volume, the hydrograph produced by conditions existing before development or redevelopment for a 24 hour, 100 year frequency storm.

b. **Basins with Outfall LOS:** The City will establish a Level of Service design standard in non-closed basins as follows: All development shall meet the minimum volume of retention equivalent to on-half inch of depth over the entire project area and the discharge hydrograph produced for the developed or redeveloped site shall not exceed, in terms of peak flow and total volume, the hydrograph produced by conditions existing before development or redevelopment for a 24 hour, 25 year frequency storm.

### **Policy I4-STW2.1**

The City of Deltona shall identify and prioritize drainage systems in need of retrofitting and upgrade of these systems, as funding becomes available. Watershed studies will be used to identify and prioritize systems in need of retrofitting. The City of Deltona may apply for any grants and loans available from the DEP Revolving Loan Fund. 9J-5.011(2)(c)(1,4,5)

## **INTERGOVERNMENTAL COORDINATION ELEMENT (2010)**

### **GOAL IC1**

The City of Deltona shall initiate and/or participate in the intergovernmental coordination mechanisms necessary to ensure the city identifies consistency and compatibility issues among governmental agencies, plans and policies and to resolve any conflicts that may arise.

9J-5.015(a)

### **OBJECTIVE IC1-1**

The City of Deltona shall coordinate with adjacent cities, counties, federal, state and regional agencies, and other governmental agencies, via effective formal and informal coordination mechanisms. This will ensure consistency in planning related matters and coordinating the impacts of development. The formal and informal mechanisms shall include membership in appropriate area-wide organizations, inter-agency staff communication and other methods as deemed appropriate.

9J-5.015(b)(1&2)

## **CAPITAL IMPROVEMENTS ELEMENT**

### **GOAL CIE1**

Public facilities shall be provided efficiently, safely, and cost effectively to promote timely, compact development, which is compatible with existing and designated land uses, and with the natural environment.

9J-5.016(3)(a)

### **OBJECTIVE CIE1-1**

Deltona shall concentrate public facilities and services to areas that are delineated on the Future Land Use Map to provide, compact, efficient and cost-effective provision of services as a means necessary to meet existing deficiencies, accommodate future growth and replace obsolete or worn out facilities. 9J-5.016(3)(b)(1)

#### **Policy CIE1-1.1**

Deltona shall provide and maintain the necessary capital improvements to eliminate existing deficiencies and repair, renovate or replace its worn out capital stock by establishing a rational system for evaluating and reviewing Capital Improvement projects. 9J-5.016(3)(c)(3)

#### **Policy CIE1-1.3**

The City shall maximize the use of existing public facilities and target funding to services that are deficit or distressed in the development of its five year capital program. 9J-5.016(3)(c)(1,3,4,6&7)

### **OBJECTIVE CIE1-2**

The City will coordinate land use decisions and fiscal resources with a schedule of capital improvements, which maintains adopted level of service standards and meets the existing and future facility needs. 9J-5.016(3)(b)(3)

#### **Policy CIE1-4.6**

The City shall achieve and maintain standards for peak hour levels of service on the thoroughfare system. 9J-5.016(3)(c)(6)

#### **Policy CIE1-4.7**

Public facilities and services shall meet or exceed level of service standards and must be available concurrent with development. 9J-5.016(3)(c)(4&6)

## **6.4 CONCLUSION**

The Community Redevelopment Plan provides a framework for rehabilitation and redevelopment of the Redevelopment Area as an attractive, inviting, easily accessible, and economically successful community, which promotes a positive image for the City of Deltona. This Plan deliberately and reasonably addresses the blighted area conditions observed through the "*Finding of Necessity Report*" which has been ratified, and confirmed by the City Commission. To realize the redevelopment vision of the Plan, community

leaders, business persons and residents are encouraged to support the redevelopment objectives and continue the commitment over time in order for the vision to be successfully implemented into reality.

Realization of the Redevelopment Plan is a 20-year effort. The CRA will perform an annual review of the Plan and prepare an annual report and budget. The CRA may elect to update and amend the Plan every five years contingent on County review and approval.

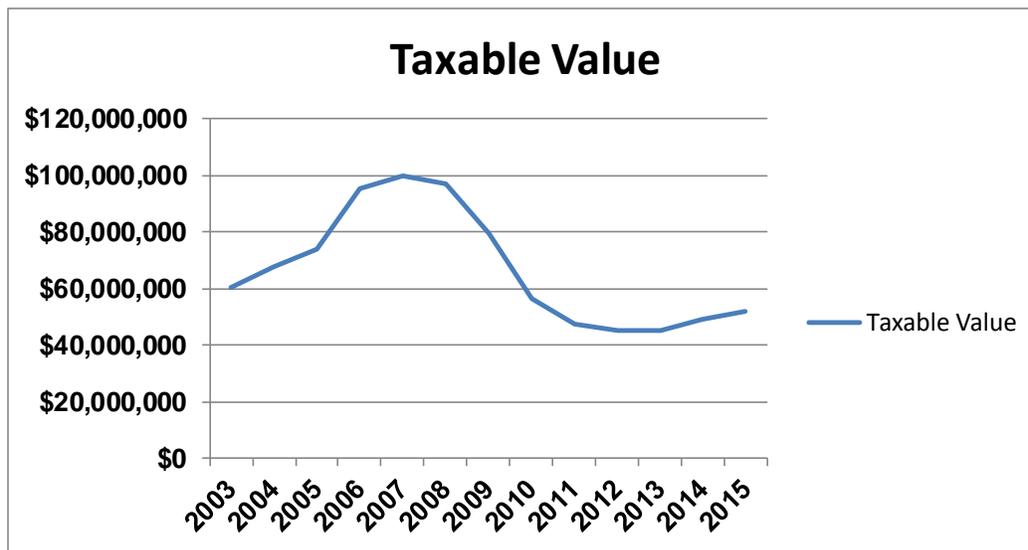
This 20-year duration is necessary due to the extent of defunct infrastructure; and the low increment revenue projections, which will take nearly 10 years to start realizing appreciable revenue to use to leverage other funding sources for the improvements. It is further noted that the estimated increment revenues by year 20 will be \$8,021,807 and that amount will be used to strategically create safer corridors.

It is important to note that the increment revenue estimates over the 20-year period fall short of the estimated costs to undertake the projects identified in this Plan to mitigate and reverse blight factors. The City believes that it will take the full 20 years to realize the dollars necessary to undertake the redevelopment initiatives identified within the Plan. However, the City understands the County's desire to limit the duration of community redevelopment areas to something less than the maximum allowed. It is possible that economic conditions may improve more than what the increment revenue forecast currently demonstrates, and the City may be fortunate to acquire other funding sources, yet to be identified. Understanding this, the City suggests completing a sunset review with the County in year 2036. The intent of 2036 review is to determine if the redevelopment objectives, initiatives, and projects have been successful in reversing blight conditions as described within the *"Finding of Necessity Report"* and the Plan. If it is jointly determined that the CRA has accomplished the primary objectives outlined in the Plan, or most recent updates, then the date for the sunset for the Redevelopment Area can be re-established for a period of 20 years.

## APPENDIX A TAX INCREMENT FINANCING

Using information from the City and Volusia County, SPG performed numerous analyses based on different growth scenarios. Volusia County and the City of Deltona experience significant ad valorem revenue (property taxes) as a result of the Great Recession. The historic ad valorem revenue stream for the City since 2003 has been impacted by two major events: the “Housing Bubble” and the “Great Recession”. The City of Deltona and the proposed CRA area experienced significant growth in ad valorem tax revenue until its peak in 2007 after which revenues declined significantly to below the 2003<sup>1</sup> levels. Revenue bottomed out in 2013.

Figure 1, Historical Taxable Values



Source: Strategic Planning Group, Inc., 2015

Both the “Housing Bubble” and “Great Recession” are unique events which should not occur again, at least not in the Plan’s 20 year horizon. If one were to use this 2003-2015 historic trend line to forecast future revenues, the result would result in declining revenue trends which does not reflect the trends of the last two years.

While CRA ad valorem revenue bottomed out in 2013 they are significantly below even 2003 (12 years) taxable values. SPG, for analytical reasons only, forecast future revenues using various short term growth rates (2012-2015, 2013-2015 and 2014-2015). The calculations are based on the following millage rates:

- City            7.99 mills
- County        6.8709 mills

<sup>1</sup> Last data available to SPG.

Table 1, Different TIF Calculations using recent growth in taxable property values

Growth Rate Year	Based on 2012-2015 4.4177%					Based on 2014-2015 5.7634%					Based on 2013-2015 7.1790%				
	Growth in Taxable Value					Growth in Taxable Value					Growth in Taxable Value				
		Tax Increment		City TIF Revenue	County TIF Revenue		Tax Increment @		City TIF Revenue	County TIF Revenue		Tax Increment @		City TIF Revenue	County TIF Revenue
2015	\$51,771,627	@ .95%			\$51,771,627	.95%				\$51,771,627	.95%				
2016	\$54,058,742	\$2,172,759	\$17,360	\$14,946	\$54,755,457	\$2,834,639	\$22,649	\$19,499	\$55,488,312	\$3,530,851	\$28,211	\$24,289			
2017	\$56,446,895	\$4,441,505	\$35,488	\$30,553	\$57,911,259	\$5,832,650	\$46,603	\$40,123	\$59,471,818	\$7,315,181	\$58,448	\$50,321			
2018	\$58,940,550	\$6,810,477	\$54,416	\$46,849	\$61,248,943	\$9,003,450	\$71,938	\$61,935	\$63,741,300	\$11,371,189	\$90,856	\$78,222			
2019	\$61,544,366	\$9,284,102	\$74,180	\$63,865	\$64,778,993	\$12,356,998	\$98,732	\$85,004	\$68,317,288	\$15,718,378	\$125,590	\$108,127			
2020	\$64,263,212	\$11,867,006	\$94,817	\$81,633	\$68,512,496	\$15,903,825	\$127,072	\$109,402	\$73,221,786	\$20,377,651	\$162,817	\$140,178			
2021	\$67,102,168	\$14,564,014	\$116,366	\$100,186	\$72,461,177	\$19,655,073	\$157,044	\$135,207	\$78,478,378	\$25,371,413	\$202,718	\$174,530			
2022	\$70,066,540	\$17,380,168	\$138,868	\$119,558	\$76,637,438	\$23,622,521	\$188,744	\$162,499	\$84,112,341	\$30,723,678	\$245,482	\$211,348			
2023	\$73,161,870	\$20,320,731	\$162,363	\$139,786	\$81,054,396	\$27,818,631	\$222,271	\$191,364	\$90,150,766	\$36,460,182	\$291,317	\$250,810			
2024	\$76,393,942	\$23,391,199	\$186,896	\$160,908	\$85,725,923	\$32,256,581	\$257,730	\$221,893	\$96,622,689	\$42,608,509	\$340,442	\$293,104			
2025	\$79,768,797	\$26,597,311	\$212,513	\$182,963	\$90,666,691	\$36,950,311	\$295,233	\$254,181	\$103,559,232	\$49,198,225	\$393,094	\$338,435			
2026	\$83,292,743	\$29,945,060	\$239,261	\$205,992	\$95,892,217	\$41,914,561	\$334,897	\$288,330	\$110,993,749	\$56,261,016	\$449,526	\$387,020			
2027	\$86,972,366	\$33,440,703	\$267,191	\$230,039	\$101,418,914	\$47,164,923	\$376,848	\$324,448	\$118,961,990	\$63,830,845	\$510,008	\$439,092			
2028	\$90,814,545	\$37,090,772	\$296,355	\$255,147	\$107,264,139	\$52,717,886	\$421,216	\$362,646	\$127,502,272	\$71,944,112	\$574,833	\$494,904			
2029	\$94,826,459	\$40,902,090	\$326,808	\$281,365	\$113,446,250	\$58,590,892	\$468,141	\$403,047	\$136,655,660	\$80,639,831	\$644,312	\$554,721			
2030	\$99,015,607	\$44,881,781	\$358,605	\$308,742	\$119,984,664	\$64,802,385	\$517,771	\$445,776	\$146,466,170	\$89,959,815	\$718,779	\$618,834			
2031	\$103,389,820	\$49,037,283	\$391,808	\$337,327	\$126,899,916	\$71,371,875	\$570,261	\$490,967	\$156,980,976	\$99,948,881	\$798,592	\$687,548			
2032	\$107,957,272	\$53,376,363	\$426,477	\$367,176	\$134,213,725	\$78,319,993	\$625,777	\$538,763	\$168,250,640	\$110,655,062	\$884,134	\$761,196			
2033	\$112,726,500	\$57,907,130	\$462,678	\$398,343	\$141,949,062	\$85,668,563	\$684,492	\$589,314	\$180,329,354	\$122,129,840	\$975,817	\$840,131			
2034	\$117,706,419	\$62,638,052	\$500,478	\$430,887	\$150,130,220	\$93,440,663	\$746,591	\$642,778	\$193,275,198	\$134,428,392	\$1,074,083	\$924,733			
2035	\$122,906,335	\$67,577,973	\$539,948	\$464,869	\$158,782,895	\$101,660,705	\$812,269	\$699,324	\$207,150,424	\$147,609,857	\$1,179,403	\$1,015,408			
			<b>\$4,902,876</b>	<b>\$4,221,137</b>			<b>\$7,046,278</b>	<b>\$6,066,502</b>			<b>\$9,748,462</b>	<b>\$8,392,950</b>			
			<b>Total TIF</b>	<b>\$9,124,013</b>			<b>Total TIF</b>	<b>\$13,112,780</b>			<b>Total TIF</b>	<b>\$18,141,412</b>			

Source: Strategic Planning Group, Inc., 2015

Using the 2012-2015 growth trend, the CRA would not reach its 2007 peak valuation until 2031. The 2014-15 growth trend would not reach its 2007 peak until 2027, while the 2013-2015 growth rate would reach the peak 2007 taxable value by 2025.

Based on the calculations above, taxable property values increases from 4.4177% to 7.1790%, resulting in the CRA TIF revenues (over the 20 year planning period) ranges from \$9.1 million to \$18.1 million.

The results of the improvements to the CRA transportation network as well as major improvements to the existing visual and structural blight, should improve the overall economic vitality of the area. Even given this assumption, SPG believes a conservative TIF revenue generation rate below the above referenced calculations should be used. For the purpose of this Plan, a 4% growth rate was assumed. Using the 4% growth in taxable property values, the CRA's TIF revenues is projected at a little over \$8 million.

Table 2, TIF 20 Year Estimates

Growth Rate Year	Best Conservative Estimate			
	4.00%			
		Tax Increment @ .95%	City TIF Revenue	County TIF Revenue
2015	\$51,771,627			
2016	\$53,842,492	\$1,967,322	\$15,719	\$13,533
2017	\$55,996,192	\$4,013,337	\$32,067	\$27,608
2018	\$58,236,039	\$6,141,192	\$49,068	\$42,245
2019	\$60,565,481	\$8,354,161	\$66,750	\$57,468
2020	\$62,988,100	\$10,655,650	\$85,139	\$73,300
2021	\$65,507,624	\$13,049,197	\$104,263	\$89,765
2022	\$68,127,929	\$15,538,487	\$124,153	\$106,889
2023	\$70,853,046	\$18,127,348	\$144,838	\$124,698
2024	\$73,687,168	\$20,819,764	\$166,350	\$143,219
2025	\$76,634,655	\$23,619,877	\$188,723	\$162,481
2026	\$79,700,041	\$26,531,993	\$211,991	\$182,514
2027	\$82,888,043	\$29,560,595	\$236,189	\$203,347
2028	\$86,203,565	\$32,710,341	\$261,356	\$225,014
2029	\$89,651,707	\$35,986,076	\$287,529	\$247,548
2030	\$93,237,775	\$39,392,841	\$314,749	\$270,983
2031	\$96,967,286	\$42,935,876	\$343,058	\$295,356
2032	\$100,845,978	\$46,620,633	\$372,499	\$320,703
2033	\$104,879,817	\$50,452,781	\$403,118	\$347,065
2034	\$109,075,010	\$54,438,214	\$434,961	\$374,480
2035	\$113,438,010	\$58,583,064	\$468,079	\$402,993
			<b>\$4,310,595</b>	<b>\$3,711,212</b>
			<b>Total TIF</b>	<b>\$8,021,807</b>

Source: Strategic Planning Group, Inc., 2015

# APPENDIX B CAPITAL IMPROVEMENT PLAN

<b>Southwest Deltona 20- Year CRA with 5-Year Capital Plan(s): 2016-2036</b>						Totals	TIFF Contribution City/County
	FY: 2016-2021 Capital Budget	FY: 2022-2026 Capital Planned	FY: 2027-2031 Capital Planned	FY: 2032-2036 Capital Planned	Proj. Total Capital - 2036		
<b>CRA 20-YEAR PROJECT SCHEDULE AND COSTS ESTIMATE</b>							
<b>YEAR</b>	<b>Enter project titles below</b>	<b>Enter 5-Year Increment Totals</b>			<b>Total cost of projects will total here (across)</b>		
1st 5YR: Item 1	9% Survey, Engineering, Permitting, etc.	202,500			202,500		
1st 5YR: Item 2	6% CEI Services	134,900			134,900		
1st 5YR: TOTAL	Subtotal First Phase-First 5 Years	337,400			337,400	\$337,400.00	CITY
2nd 5YR: Item 1	Saxon North of Normandy-Water, Reclaimed Water, Sewer		1,425,000		1,425,000		
2nd 5YR: Item 2	3% Mobilization, Bonds, Indemnity, etc.		67,500		67,500		
2nd 5YR: TOTAL	Subtotal Second Phase-Second 5 Years		1,492,500		1,492,500	\$1,492,500.00	CITY
3rd 5YR: Item 1	Estimated Land Acquisition			500,000	500,000		
3rd 5YR: Item 2	Normandy & Deltona Intersection Improvements			1,000,000	1,000,000		
3rd 5YR: Item 3	S. Deltona (Entprse-Dirksen) 4-Lane & Reconst. w/in 80' ROW			4,750,000	4,750,000		
3rd 5YR: Item 4	Deltona/Dirksen intersection improvement and mast arm			450,000	450,000		
3rd 5YR: Item 5	Deltona/Enterprise intersection improvements and mast arm			450,000	450,000		
3rd 5YR: Item 6	3% Mobilization, Bonds, Indemnity, etc.			169,500	169,500		
3rd 5YR: Item 7	9% Survey, Engineering, Permitting, etc.			508,500	508,500		
3rd 5YR: Item 8	6% CEI Services			339,000	339,000		
3rd 5YR: TOTAL	SubTotal Third Phase- Third 5 Years			8,167,000	8,167,000	\$4,083,500.00	CITY/COUNTY (Grant Match)
4th 5YR: Item 1	Normandy Blvd. Reconstruction and 4 Laning			4,250,000	4,250,000		
4th 5YR: Item 2	3% Mobilization, Bonds, Indemnity, etc.			127,500	127,500		
4th 5YR: Item 3	9% Survey, Engineering, Permitting, etc.			382,500	382,500		
4th 5YR: Item 4	6% CEI Services			155,000	155,000		
4th 5YR: Item 5	Estimated ROW Land Acquisition			600,000	600,000		
4th 5YR: TOTAL	SubTotal Fourth Phase-Fourth 5 Years			5,515,000	5,515,000	\$2,757,000.00	CITY/COUNTY (Grant Match)
4th-5							
<b>TOTAL</b>	<b>Totals 20-Year CRA [suggest add 10%]</b>	<b>\$ 337,400</b>	<b>\$ 1,492,500</b>	<b>\$ 8,167,000</b>	<b>\$ 5,515,000</b>	<b>\$ 15,511,900</b>	<b>\$8,670,400.00</b>

**APPENDIX C STRATEGIC PLAN**

**A List of Targeted  
Objectives to Achieve  
within 5-Years**

**City of Deltona  
Strategic Plan**



*Chris Bowley, AICP, Planning Director*

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## I. Introduction

The City of Deltona (City) is a relatively young community, historically speaking, having been established as an incorporated community in 1995. Although it has physically been a community since the early 1960s, it has grown into the largest city in Volusia County, with a population of over 87,000 residents in a short period of time. This rapid growth has led to the need to identify community goals that galvanize and focus City efforts for both short-range and long-range planning horizons.

The purpose of this Strategic Plan is to identify targeted achievable goals for a short-range planning horizon (no greater than 5 years). The City employed the assistance of Ms. Marilyn Crotty of the Florida Institute of Government at the University of Central Florida to facilitate a community vision to create common goals and objectives to place into this Strategic Plan. The Strategic Plan will also be used to create an Economic Development Element within the City's Comprehensive Plan to expand the short-range planning horizon into a longer-range version.

Two Community Visioning and Strategic Planning Workshops were conducted, one on October 17<sup>th</sup> and one on November 7<sup>th</sup>, 2015. The first meeting on October 17<sup>th</sup> was with residents and interested members of the community to create the topics to present to the City Commission for further focus. The second meeting on November 7<sup>th</sup> was with the City Commission and representatives of each City department to review the information provided from the community and to narrow it into a short list of priority objectives, to achieve within five years, as follows:

### Strategic Issues

1. **Economic Development:** Provide a strategic focused effort towards economic development throughout the City to enhance existing businesses and attract new businesses.
2. **Fiscal Issues:** Maintain current fiscal stability, maximize alternative funding sources, and promote an effective system of checks and balances.
3. **Infrastructure:** Focus on the expansion of park facilities, commercial utilities, technology, roadways and trails to make Deltona a more sustainable community.
4. **Internal and External Communication:** Provide consistent and effective communication that promotes economic development, civic pride and service delivery.
5. **Public Safety:** To provide quality high-level public safety services to the community through consistent regulations within a coordinated management plan process.
6. **Social Services:** Continue to foster a wide variety of effective and targeted social services for City residents. *Note: no priority objectives were listed for this issue.*



The names of the department per task are listed next to each objective, with a projected time period to complete, if not an on-going or already completed effort.

## II. Priority Objectives

From the above listed strategic issues, the following ranked priority objectives were created *(with the number of City Commissioner preferences listed in parentheses, where listed)*:

1. **Fiscal Issues** – create a grants management program: find and write grants, administer grants, and provide quarterly updates and pursue new/alternate revenue sources (6) – a grant writer was selected and will begin to assist on the following tasks: *Status: Brought on the City's Grant Writer through the City's procurement process and working with her to have and maintain a focus and ranked priority on projects.*
  - New Senior Community Center – *Planning & Development Services; contact person Chris Bowley. Two year project completing in 2017. Status: Underway with design, permitting in mid-2016, contractor selection late 2016, and construction completion in late 2017.*
  - Improvements to the existing Community Center – *Parks & Recreation Department; contact person Steve Moore. Two year project following the new Senior Center.*
  - Transportation/CIP (i.e. Tivoli Dr. expansion, Normandy Blvd. construction, Howland Blvd./Catalina Dr. intersection, TPO listed roads, sidewalks, trails/bike lanes) – *Public Works Department; contact person Gerald Chancellor. Start Normandy Blvd. and Tivoli Dr. in 2016.*
  - Thornby Park HERE Project – *City Manager's Office; contact persons Jerry Mayes and Lee Lopez. Project based on available funding with decision in 2016.*
  - Veteran's Museum – *Parks & Recreation Department; contact person Steve Moore. On-going with available funding.*
  - Overall beautification grants – *Varies by department. Underway and on-going effort. Status: Wrote the FDOT Bold Initiative Grant with an update, received \$125,000 for SR 472 (double the original grant award), received \$750,000 (verbally) for Interstate 4 at SR 472, and modified the 100% construction plans for the Saxon Blvd. interchange.*
  - Other grants as approved by the City Commission – *Varies by department. On-going per grant opportunities, as they are available. Status: Working with City staff in other departments to have their issues addressed through grant searches by the Grant Writer.*
2. **Economic Development** – update the economic development plan (including the Land Development Code) (5) – underway with real estate analysis with TVEDC and Phase III of the LDC to be adopted in 2016. *Status: Phase III of the Land Development Code amendments was brought to the City Commission and adopted as Ordinance No. 04-2016. Staff is coordinating with Team Volusia staff to complete the highest and best use analysis and bring it to the City Commission at the May 9<sup>th</sup> workshop.*
  - Team Volusia coordination and creation of a database of commercial properties on the Team Volusia website and City website (market analysis of available properties) – *Planning & Development Services; contact person Chris Bowley. Underway with completion in 2016. Status: See above pertaining to working with Team Volusia.*
  - Determine the business niche for the City to target/pursue (i.e. medical campus/offices/business park) – *Planning & Development Services; contact person*



- Chris Bowley. Underway with completion in 2016. Status: See above pertaining to working with Team Volusia.*
- Focus on Howland Boulevard as the gateway for commercial growth (create a City Center and pursue acquisition of Casey property) – *Planning & Development Services; contact person Chris Bowley. On-going until all parcels are developed. Status: The focus on Howland Blvd. as the gateway is being done in conjunction with the Parks Department and the consultant team to determine a sports niche, as well as through the product of Team Volusia.*
  - Work with existing businesses to expand/grow, including a questionnaire and one-on-one site visits – *City Manager's Office; contact person Jerry Mayes. Questionnaire to be completed in 2016 and site visits on-going.*
  - Promote customer service environment, including creation of a one-stop shop concept and any required staff development/training to achieve it – *City Manager's Office; contact persons Jerry Mayes and Dale Baker. Underway with completion in 2016.*
  - Construct a Senior Community Center and prepare a business pro forma, including the need for an events manager – *Planning & Development Services; contact person Chris Bowley. Two year project completing in 2017. Status: The design team, including the project engineer, has been selected and is underway with design. The development program has been finalized without a gymnasium and with an expanded assembly room. The Final Site Plan and Construction Plans are being worked on.*
  - Pursue the creation of CRA for Deltona Boulevard – *Planning & Development Services; contact person Ron Paradise. CRA submitted and obtain CRA authority/set-up within 2016. Status: The Southwest Deltona CRA requests for additional information were submitted to Volusia County and there is an anticipated awarding of the CRA in 2016 that needs County Council approval.*
  - Create more diversified and high-quality housing opportunities to provide for all market demands – *Planning & Development Services; contact person Chris Bowley. Underway and on-going. Status: The City approved Phase V of Arbor Ridge and Lake Baton Estates master planned communities. Both offer a variety of housing types to meet a broad spectrum of the real estate market. The Arbor Ridge project offers a more urban neighborhood with smaller lots on a central sewer system. The homes are conveniently located to schools. Lake Baton Estates, also on central sewer, offers a much larger home and is adjacent to Spirit Elementary.*
3. **Economic Development** – analyze City-owned properties and determine their highest and best use, need for land acquisition/disposition, etc. (4) – underway with three efforts for real estate, parks, and utility master planning. *Status: Staff is coordinating with Team Volusia staff to complete the highest and best use analysis and bring it to the City Commission at the May 9<sup>th</sup> workshop.*
- Obtain master planning services, once the niche is determined – *Planning & Development Services; contact person Chris Bowley. Underway with completion in 2016. Status: See above.*
  - Review relocation of existing facilities (i.e. Public Works) – *Public Works Department; contact person Gerald Chancellor. Analyze properties in 2016, with funding, relocation within two years from funding date.*



4. **Public Safety** – strengthen code enforcement (abandoned properties, rental properties) (5) – underway with actions taken to notify residents of trash pick-up timing and letters sent to property owners to take action on sites in disrepair. *Status: Ongoing until June 1<sup>st</sup>.*
  - Focus on the City’s beautification program (landscaping, trash removal, seasonal/holiday themes at the gateways, and major intersections) – *Enforcement Services; contact person Dale Baker. Status: Underway and on-going.*
  - Fund and implement a demolition program for homes in disrepair. *Enforcement Services; contact person Dale Baker. Status: Underway and on-going; 4 houses taken down to date.*
  - Review the need for additional staff – *Enforcement Services; contact person Dale Baker. Status: Underway and to be completed in 2016. Part of the budget process.*
  - Sign ordinance amendment/rewrite the sign code – *Planning & Development Services; contact person Chris Bowley. Underway with completion in 2016. Status: Sign Code draft was written and distributed to City staff, special interest groups, and sign contractors. The draft will be attached to an ordinance draft with comments received and brought to the City Commission at a workshop.*
  
5. **Public Safety** – pursue the ability of the City to be able to provide medical transport (4).
  - Prepare a fire assessment fee cost-benefit analysis – *Fire Department; contact person Chief Chris Sievert. Underway with completion in 2016.*
  - Begin dialogue with Volusia County officials/staff – *Fire Department; contact person Chief Chris Sievert. Underway and on-going.*
  - Review the need for additional staff – *Fire Department; contact person Chief Chris Sievert. Underway and to be completed in 2016.*
  - Prepare a medical transport cost-benefit analysis – *Fire Department; contact person Chief Chris Sievert. To be completed in 2016.*
  
6. **Internal and External Communication** – improve intergovernmental coordination (advocacy, proper courthouse annex location) (4) – always a top priority and on-going effort.
  - Proactively contact agencies and review mailing lists (especially for invitations to special events) – *City Manager’s Office; contact person Jerry Mayes. Underway and on-going.*
  - Conduct partnering sessions with County staff and State Legislature, with trips to Tallahassee, and review of lobbyist contract – *City Manager’s Office; contact person Jane Shang. Underway and on-going.*
  - Update the City’s media (City website) and broaden Deltona TV outreach – *City Manager’s Office; contact person Lee Lopez. Underway and on-going.*
  - Mayor’s Annual State of the City Address – *City Manager’s Office; contact person Jane Shang. Underway and on-going.*
  
7. **Internal and External Communication** – develop a Deltona brand and improve image (4) – efforts underway since 2007 with request to update that information.
  - Continue the partnership with FDOT for I-4 expansion and City beautification – *Planning & Development Services; contact person Chris Bowley. On-going with Bold Initiative Grant awarded in 2015. Status: The Bold Initiative Grant previously awarded by FDOT was doubled from \$63,000 to \$125,000 and the planting area expanded to between Interstate 4 and Graves Ave. The FDOT is also considering adding \$750,000 in landscaping to the I-4/SR 472 interchange within the travel lane area.*



- Beautify gateways and key locations – Howland Blvd./Graves Ave., Normandy Blvd./Saxon Blvd., Saxon Blvd./I-4, DeBary Ave./Deltona Blvd., City Hall, and City facilities (including lift stations, stormwater ponds, park entrances, etc.) – *Parks & Recreation Department; contact person Steve Moore. Underway and on-going.*
  - Solicit partnerships with businesses, schools, hospitals, and residents for information dissemination – *City Manager's Office; contact person Jerry Mayes. Underway and on-going.*
  - Create a new branding slogan and implement a new marketing campaign – *City Manager's Office; contact persons Jerry Mayes and Lee Lopez. Underway with completion in 2016.*
  - Conduct a needs assessment for social services and communicate resources for public benefit – *Planning & Development Services; contact person Chris Bowley. Two social services summits held with the third to be in February 2016. Coordination for expanded 211/HMIS. Status: The three initial Social Services Summits were conducted and achieved the mission to gather as many local human service agencies together that serve Deltona residents and to disseminate information in the most broad and accessible means possible. The two sources identified were the United Way 211 for access and the HMIS for a tracking database. The United Way staff began working directly with the local agencies. The AHAC is focused on future summits, continued 211 use, and use of the HMIS.*
8. **Infrastructure** – update the Parks and Recreation Master Plan (4) – combining efforts for parks and utility master plan for efficient land use planning.
- Engage a consultant for parks master planning – *Parks & Recreation; contact person Steve Moore. Underway and will be completed in 2016.*
  - Determine a sports facility niche for the City (define the 'stadium' concept) – *Parks & Recreation; contact person Steve Moore. Included in parks master planning in 2016.*
  - Expand existing park facilities (including lighting at Dwight Hawkins and Manny Rodriguez Parks) – *Parks & Recreation; contact person Steve Moore. Included in parks master planning in 2016.*
  - Work with schools, YMCA, and Council on Aging to develop recreational programs in partnership at Volusia County middle school sites utilizing existing infrastructure – *Parks & Recreation; contact person Steve Moore. Included in parks master planning in 2016.*
  - Review the amphitheater agreement for Lyonia Library – *City Attorney's Office; contact person Becky Vose. To be completed in 2016.*
9. **Infrastructure** – create a utility master plan consistent with zoning (water, sewer, natural gas, information technology, etc.) (4) – to be worked jointly with the parks and real estate master planning for greatest efficiency in long-range planning.
- Create a map that identifies existing infrastructure – *Planning & Development Services; contact person Chris Bowley. Underway and to be completed in 2016. Status: See the above concerning the Homeland Security Act. The City has the GIS layers and attribute tables for this information in its system.*
  - Upon completion of a master development plan for the City, identify areas for utility expansion – *Public Works; contact person Gerald Chancellor. Underway and to be completed in 2016.*



- Preserve and increase the City's water supply (Farmton/SJRWMD/Deltona North) – *Public Works Department; contact person Gerald Chancellor. Underway and on-going.*
- Include requirements for utilities when reviewing site plans for permitting – *Public Works Department; contact person Gerald Chancellor. Underway and on-going.*
- Implement Phase I of the Transportation CIP program and develop Phase II of the Transportation CIP program for roads and sidewalks – *Public Works Department; contact person Gerald Chancellor. Underway and on-going.*
- Support a ½-cent to 1 cent sales tax for transportation projects, upon agreement of a methodology for distribution and eligible projects within the TPO – *Planning & Development Services; contact person Ron Paradise. Begin dialogue with the TPO in 2016. Status: Attendance at the TPOs meetings has been consistent and three projects were added to the TPOs call for projects list. The Long Range Transportation Plan includes City projects and the ranking methodology was changed to award more points per a ±32.5% match. Staff is creating a ranking projects list.*

### III. On-going Projects & Other Priority Objectives Identified

#### On-going Projects

- Granicus implementation – *City Clerk; contact person Joyce Raftery.*
- TNR program – *Enforcement Services; contact person Dale Baker.*
- Health insurance alternative access (2) – *Human Resources; contact person Cara Burgess. Status: Presented various options to the Commission at a workshop on April 25th. Direction was to go to RFP this year for fully insured health care plan and to explore options such as plan design and contribution methods as ways to help reduce employee and City cost. We will continue to enhance the Wellness Program to help lower insurance claims by prevention. The Employee Health Insurance Committee will meet to review information and make recommendations.*

#### Other Priority Objectives Identified

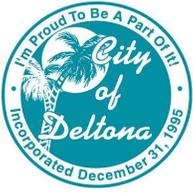
- City engagement and two-way communication (social media, advisory boards) (3) – *City Manager's Office; contact person Wendi Jackson.*
- Employee development and training (2); education and bonuses – *Human Resources; contact person Cara Burgess. Status: Employee Supervisory Training was completed in April. Staff continues to explore options for an employee incentive program and education incentive.*
- Explore multi-modal transportation opportunities with other government entities (2) – *Planning & Development Services; contact person Chris Bowley. Status: Planning staff is a member of the Volusia Transit Connector Study Project Advisory Group and has been making recommendations for increased ridership and multi-modal potential. The transportation consultant for Volusia County has ranked the SR 472 at I-4 interchange as an optimal location for a multi-modal station.*
- Community services summit for the provision of social services (2) and a needs assessment (1) – *Planning & Development Services; contact person Chris Bowley. Status: The three initial Social Services Summits were conducted and achieved the mission to gather as many local human service agencies together that serve Deltona residents and to disseminate information in the most broad and accessible means possible. The two sources identified were the United Way 211 for access and the HMIS*



**CITY OF DELTONA STRATEGIC PLAN**  
Strategic Goals for FY 15/16 - FY 16/17  
Revised April 27, 2016

*for a tracking database. The United Way staff began working directly with the local agencies. The AHAC is focused on future summits, continued 211 use, and use of the HMIS.*

- Maintain a balanced budget, reserves, and investments (1) – *Finance; contact person Bob Clinger.*
- Expand special events (1) – *Parks & Recreation; contact person Steve Moore.*
- Review the City's annexation policy (1) – *City Attorney's Office; contact person Becky Vose.*
- Support an Emergency Management Plan (1) – *Fire Department; contact person Chief Chris Sievert.*
- Continue to support the public safety education program/plan – *Fire Department; contact person Chief Chris Sievert.*



## Agenda Memo

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**AGENDA ITEM: G.**

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**TO:** Mayor and Commission

**AGENDA DATE:** 8/15/2016

**FROM:** Jane K. Shang, City Manager

**AGENDA ITEM:** 9 - G

**SUBJECT:**

Public Hearing - Resolution No. 2016-40, Designation of the Deltona City Commission as the Southwest Deltona Community Redevelopment Area (CRA) Board - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Economic Development. Pursue the creation of a CRA for Deltona Blvd.

**LOCATION:**

Generally located in the southwest quadrant of the City of Deltona.

**BACKGROUND:**

Following adoption of Resolution No. 2016-39, where the City Commission created the Southwest Deltona CRA Redevelopment Agency, the City Commission shall create a Community Redevelopment Area Board. There is an option for the City Commission to designate itself as the CRA Board. This approach is common and efficient for the management and oversight of the CRA and CRA Trust Fund. Thus, upon adoption, Resolution No. 2016-40 will designate the City Commission as the Community Redevelopment Area Board.

**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 adoption of Resolution No. 2016-40 by the City Commission.

**POTENTIAL MOTION:**

"I hereby move to adopt Resolution No. 2016-40 officially designating the Deltona City Commission as the Southwest Deltona Community Redevelopment Area Board."

**RESOLUTION NO. 2016-40**

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA,  
APPOINTING THE CITY COMMISSION AS THE  
GOVERNING BODY OF THE SOUTHWEST DELTONA  
COMMUNITY REDEVELOPMENT AGENCY;  
REPEALING RESOLUTIONS IN CONFLICT HEREWITH;  
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE  
DATE.**

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**WHEREAS**, the Community Redevelopment Act of 1969 as codified in Part III of Chapter 163, Florida Statutes, the Redevelopment Act ("Act"), empowers counties and municipalities to undertake community redevelopment in order to eliminate, remedy or prevent slums and blighted areas and to provide affordable housing.

**WHEREAS**, Volusia County, Florida ("County") has adopted a home rule charter and it is necessary for the City Commission of the City of Deltona ("City") to obtain a delegation of the powers conferred upon the County by the Redevelopment Act, so that the City may exercise the authority and powers conferred by such act within the community redevelopment area ("Redevelopment Area") in the City.

**WHEREAS**, on July 20, 2015, the City adopted Resolution No. 2015-28 by which the City (1) ascertained, determined and declared certain Finding of Necessity as required by law; created the Southwest Deltona Community Redevelopment Area, also referred to as the Southwest Volusia Community Redevelopment Area ("Redevelopment Area"); and determined that the Redevelopment Area constituted a "blighted area" as defined in Section 163.340(8), Florida Statutes, (2) expressed the creation of the Southwest Deltona Community Redevelopment Agency ("Agency"), pursuant to Section 163.356, Florida Statutes to promote and encourage rehabilitation, conservation and redevelopment within the Redevelopment Area, and (3) sought approval from the County that the Redevelopment Area meets the criteria described in Section 163.340(8) and 163.355, Florida Statutes and requested delegation of authority to create the Agency, adopt a Community Redevelopment Plan and establish a Redevelopment Trust Fund.

**WHEREAS**, on July 7, 2016, the County has found and determined that the establishment of the Redevelopment Area would serve a public purpose and would be consistent with the goals, objectives and policies of the Local Comprehensive Plan, and will otherwise be

consistent with the controlling provisions of State law. Pursuant to Section 163.410, Florida Statutes, the County adopted Resolution No. 2016-092 which delegates to the City such authority, rights, and responsibilities conferred upon the County pursuant to Part III, Chapter 163, Florida Statutes in order that the City may create the Agency.

**WHEREAS**, on August 15, 2016, the City Commission approved Resolution No. 2016-39 to create the Agency and that the City Commission declares itself to be the Agency and to sit as the governing body of the Agency, pursuant to Section 163.356(2) and 163.357, Florida Statutes, and the powers specified in the Act and Volusia County Resolution No. 2010-20.

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

**Section 1.** The City is delegated authority to create and establish the Agency and the City Commission hereby declares itself to be the Agency and to sit as the governing body of the Agency, pursuant to Section 163.356 and 163.357, Florida Statutes.

**Section 2.** The Mayor and Vice Mayor of the City shall serve respectively as the Chair and Vice-Chair of the Agency. The City Attorney or any special counsel to the City shall also serve respectively as the general counsel or special counsel for the Agency.

**Section 3. Severability.**

If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution, are declared severable.

**Section 4. Repeal of Conflicting Resolutions.**

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**Section 5. Effective Date.**

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

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

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

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, MMC, City Clerk

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

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

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RESOLUTION 2016- 092

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, DELEGATING TO THE CITY OF DELTONA, FLORIDA, LIMITED COMMUNITY REDEVELOPMENT POWERS WITHIN A PORTION OF THE CITY, PROVIDING AN EFFECTIVE DATE

BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, THIS 7TH DAY OF JULY, 2016, AS FOLLOWS

SECTION 1 *Delegation of Authority* The county council delegates the community redevelopment powers conferred upon it by chapter 163, part III, Florida Statutes, to the City of Deltona for 20 years within that portion of the city legally described in exhibit A, subject to statutory requirements and the terms of this resolution. The city may not expand or modify the delegation. The county council reserves its right to revoke or amend the delegation.

SECTION 2 *Finding of necessity, creation of agency, adoption and review, and amendment of plan*

a The county council authorizes the city commission to find necessity pursuant to section 163 355 and 340(8), Florida Statutes, and approves and ratifies the city's July 20, 2015, finding made by exhibit B, within the boundaries for which authority is delegated.

b The city may create a community redevelopment agency, pursuant to 163 356, Florida Statutes, provided that the members of the city commission shall serve as members of the agency body pursuant to 163 357, Florida Statutes. The city commission as the governing body of the municipality shall adhere to the provisions of section 163 358, Florida Statutes.

c The city commission may adopt a community redevelopment plan, substantially in the form of exhibit C, pursuant to sections 163 358 and 360, Florida Statutes, provided that the plan approval shall be limited to only 20 years.

d Neither the city nor the agency shall deviate from the projects set forth in the plan, including their nature, size, design, location, schedule and estimated cost, without a plan

1 amendment The agency shall review the plan annually and update it every five years The  
2 agency prior to adoption shall submit to the county council for its review and approval any plan  
3 amendment which alters the use of the county increment for capital projects

4 SECTION 3 *Redevelopment Trust Fund*

5 a The city commission by ordinance shall establish a redevelopment trust fund  
6 pursuant to section 163 387, Florida Statutes, to which no other taxing district than the county or  
7 city need contribute The county shall contribute to the trust fund only from its general fund, not  
8 from any other, at a millage rate which does not exceed that of the city millage rate used to  
9 compute its contribution The most recent assessment roll used in connection with the taxation  
10 of property prior to adoption of the ordinance shall constitute the base year to compute the  
11 amount of any contribution by the county and the city

12 b Of the incremental revenue computed annually pursuant to the statute, the  
13 county shall pay 95% up to \$1 million, 75% between \$1 million and \$2 million, and 50% above  
14 \$2 million (For example, the county shall contribute \$950,000 of the first \$1 million increment )

15 c The county contribution will be used solely to fund the direct cost of any publicly  
16 owned capital projects identified in the redevelopment plan other than water, wastewater, and  
17 stormwater Direct cost may include the fully loaded compensation of city employees for time  
18 attributable directly to project design, survey, engineering, construction, testing and inspection,  
19 but shall not include any expenditure for administrative, supervisory, clerical, legal and support  
20 services Landscaping shall be considered a capital item only as subsidiary component of  
21 construction The county contribution shall fund no more than 50% of the direct cost of any  
22 capital project

23 d The city contribution may be used for the direct cost, as limited in c above, of  
24 any public infrastructure described in the redevelopment plan

1 e Neither county nor city contribution shall be used for personnel, administrative, or  
2 overhead costs of the agency, or for any other purpose of whatsoever nature

3 SECTION 4 *Reporting, budget*

4 a The agency shall conform to a uniform system of reporting established from time  
5 to time by the county and not less than annually shall make a presentation to the county  
6 council

7 b The agency shall submit its proposed budget for the next fiscal year to the county  
8 for review and comment prior to agency adoption and no later than August 1 of each year The  
9 county will respond with any questions or comments within 30 days of receipt of the proposed  
10 budget The agency shall not make any material changes to its budget without prior notice to the  
11 county

12 SECTION 5 *Coordination, Recognition*

13 a The agency shall ensure that the designated county representatives, including the  
14 appropriate Volusia County Council district member and a county staff representative shall be  
15 given timely notice, at least contemporaneously with the notice given to CRA board members,  
16 prior to any CRA meeting and given an opportunity to attend and participate

17 b The agency will include the county when recognizing contributing partners in print  
18 and electronic media as well as formal events such as groundbreakings, ribbon cuttings and  
19 activities celebrating CRA successes, including the following

- 20 1 Participation in planning and updating process,
- 21 2 Printed material including newsletters, flyers, advertisements and invitations,
- 22 3 Digital materials including websites, email campaigns and announcements,
- 23 and
- 24 4 Construction signs

1 SECTION 6 *Agreements* The agency may enter into agreements, including  
2 agreements with developers of real estate located within the boundaries of the redevelopment  
3 area, only as contemplated by and provided in the plan

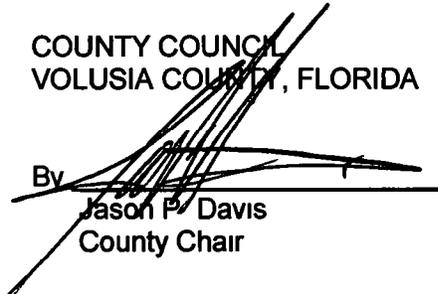
4 SECTION 7 *No county liability* Nothing contained herein shall impose any liability upon  
5 the county for any acts of the city or the agency

6 SECTION 8 *Non-severability* The provisions of this resolution are not severable If any  
7 part of this instrument is held invalid by a court of law or is superseded by statute, this resolution  
8 shall be deemed void and of no further effect

9 SECTION 9 *Effective date* This Resolution shall become effective immediately upon  
10 adoption

11  
12  
13 DONE AND ORDERED IN OPEN MEETING

14  
15 COUNTY COUNCIL  
16 VOLUSIA COUNTY, FLORIDA

17  
18 By   
19 Jason P. Davis  
20 County Chair

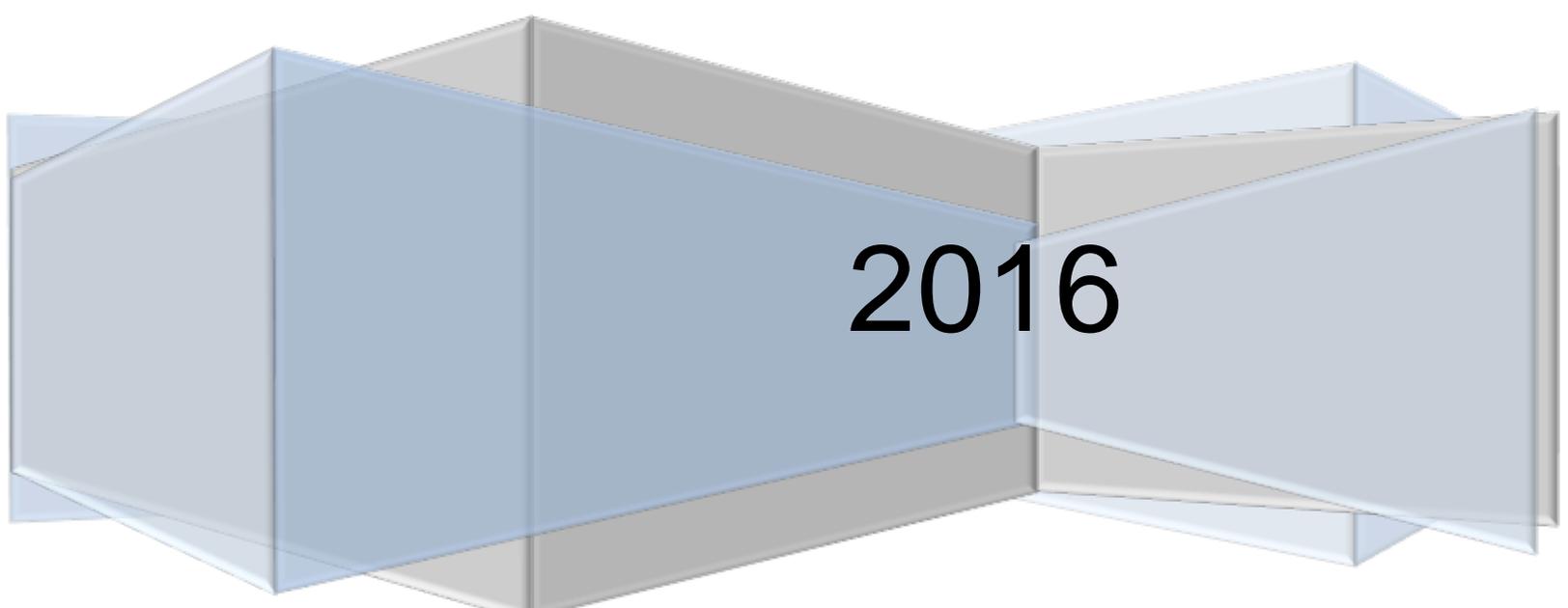
21  
22 ATTEST

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24 By   
25 James T. Dimheen  
26 County Manager  
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**City of Deltona**

**City of Deltona  
Southwest Deltona CRA  
Redevelopment Plan**



**2016**

## **CHAPTER 1 COMMUNITY REDEVELOPMENT PLAN ADOPTION**

### **1.1 PREPARATION OF COMMUNITY REDEVELOPMENT PLAN**

The Community Redevelopment Act, Section 163.360(4), Florida Statutes, states that a municipality or Community Redevelopment Agency (CRA) may prepare a Community Redevelopment Plan. In a home rule charter county such as Volusia, the City of Deltona (City) must request delegation of authority to create a CRA and establish a Redevelopment Trust Fund.

The City will submit the Finding of Necessity and the Community Redevelopment Plan (Plan) to Volusia County Council for review and approval, and request for delegation of authority to create a CRA, and establish a Redevelopment Trust Fund. This Plan has been prepared at the direction of the City Commission and represents a collaborative effort among the City, local residents, and the County.

Community input and direction were provided from Visioning Workshops conducted on October 17, 2015, and November 7, 2015, where the elected officials, City staff and citizens came together to begin the discussion of Deltona's vision for the future of the City. This interactive workshop was the initial step in the visioning process and developing a unified strategy to overcome barriers, such as challenges associated with the Deltona/Normandy/Saxon Boulevards CRA. Attached as **Exhibit C** is a draft of the proposed strategic plan that captures the essence of the visioning sessions.

### **1.2 PROCEDURE FOR CONSIDERING AND ADOPTING THE PLAN**

The Community Redevelopment Act, Section 163.360, Florida Statutes, outlines the procedure for considering and adopting the Southwest Deltona Community Redevelopment Plan.

This Plan will be forwarded to the Deltona Planning and Zoning Board for review and recommendation as to its conformity within the Comprehensive Plan. Upon reviewing this Plan, the City Planning and Zoning Board is expected to submit written recommendations to the City Commission with respect to the conformity of the proposed Community Redevelopment Plan with the Comprehensive Plan, which City staff will format.

Upon receipt of comment from the City Planning and Zoning Board, the City is required to submit this Plan, together with any written recommendations, to the governing body of each taxing authority levying ad valorem taxes on real estate contained within the Redevelopment Area.

The City will also submit the Finding of Necessity and the Community Redevelopment Plan to Volusia County Council for review and approval, and request for delegation of authority to create a Community Redevelopment Area, a Community Redevelopment Agency, and establish a Redevelopment Trust Fund.

After receiving delegation of authority from Volusia County Council, the City must provide proper notice to each of the governing bodies having the ability to impose taxes within the

Redevelopment Area and publish the notice as prescribed by Statute at least 15 days before such proposed action. The CRA redevelopment agency may only then consider and approve this Plan at a public hearing. After approval of the Plan, the CRA redevelopment agency can establish a Redevelopment Trust Fund under Section 163.387, Florida Statutes.

### **1.3 COMMUNITY REDEVELOPMENT AGENCY POWERS**

The City requests the delegation of authority from Volusia County to create a CRA Community Redevelopment Agency, adopt a Community Redevelopment Plan, establish a Redevelopment Trust Fund, and carry out the implementation of the Plan, as specified by Section 163.356, 163.360, 163.361 and 163.387, Florida Statutes (2012). The City views the request from the County as a partnership between the County and the City that represents a sound investment that will pay dividends for both units of governments.

The City Commission shall assume its capacity as the governing body of the Southwest Deltona CRA, pursuant to Section 163.356 and 163.357, Florida Statutes (2012). The CRA shall consist of the seven members of the City Commission, pursuant to Section 163.357(1)(c), Florida Statutes. If the City Commission appoints a CRA Advisory Board, such Board shall have County representation of at minimum one member appointed by the County Council. Such Advisory Board shall meet at least as often as the CRA holds its regular meetings and shall meet prior to meetings of the CRA in order to review and provide recommendations on matters to be considered by the CRA.

The City also requests specific powers from the County to promote and encourage investment, rehabilitation, and redevelopment within the Redevelopment Area, pursuant to Section 163.370 and Section 163.410, Florida Statutes. However, certain powers may not be granted to the Southwest Deltona CRA, pursuant to Section 163.358, Florida Statutes. The City recognizes that Volusia County retains exclusive authority to adopt, amend or modify a community redevelopment plan to change the boundaries, create a new redevelopment area or exercise any power under the Community Redevelopment Act outside the CRA, pursuant to Volusia County Resolution 2010-20 and 2015-046. Finally, there are no parking facilities planned to be funded as part of the CRA. Therefore, the parking fee language contained in County Resolution No. 2015-78 would not apply to the Southwest Deltona CRA.

## **CHAPTER 2 REDEVELOPMENT VISION, OBJECTIVES, AND STRATEGIES**

### **2.1 APPROACH**

This Chapter presents the vision for the Redevelopment Area. In addition, this Chapter identifies potential objectives and strategies, and lays a foundation for the programs and projects to be considered by the City of Deltona, the CRA, and private enterprise in implementing this vision.

Projects, costs, or budgets provided in the Southwest Community Redevelopment Plan are estimated, and will be refined as additional research, plans, and documents are prepared to implement the particular objectives, strategies, resulting programs, and projects. The costs given for budgeting purposes establish the framework for the financial planning analysis.

Costs or budgets should not be construed as exclusively the burden of the public sector. Costs or budgets are intended to be total costs with potential allocations to the public and private sectors assigned on the basis of the encouragement of private enterprise as a tool to carry out a significant portion of this Plan and apparent benefit, value, revenues, or other relevant factors.

### **2.2 VISION FOR THE COMMUNITY REDEVELOPMENT AREA**

The vision for the Redevelopment Area focuses on creating a sustainable commercial/mixed-use corridor that offer visitors and residents a high quality local destination featuring a safe transportation network, pedestrian connections and public space/recreation facilities in a manner that promotes a positive environment for the City. At the same time, redevelopment efforts shall be complimented with maintaining affordable housing options for residents of low or moderate income, including the elderly. The CRA will support infrastructure and not impact the City's ability to provide an adequate level of service within the Redevelopment Area.

The Redevelopment Area is envisioned to consist of a mix of medium to small service and retail stores, such as a supermarket, specialty retail uses, restaurants, art galleries, professional offices and institutional uses. Opportunity will be available for mixed use development formats with residential and office uses contained within the same buildings or neighborhoods.

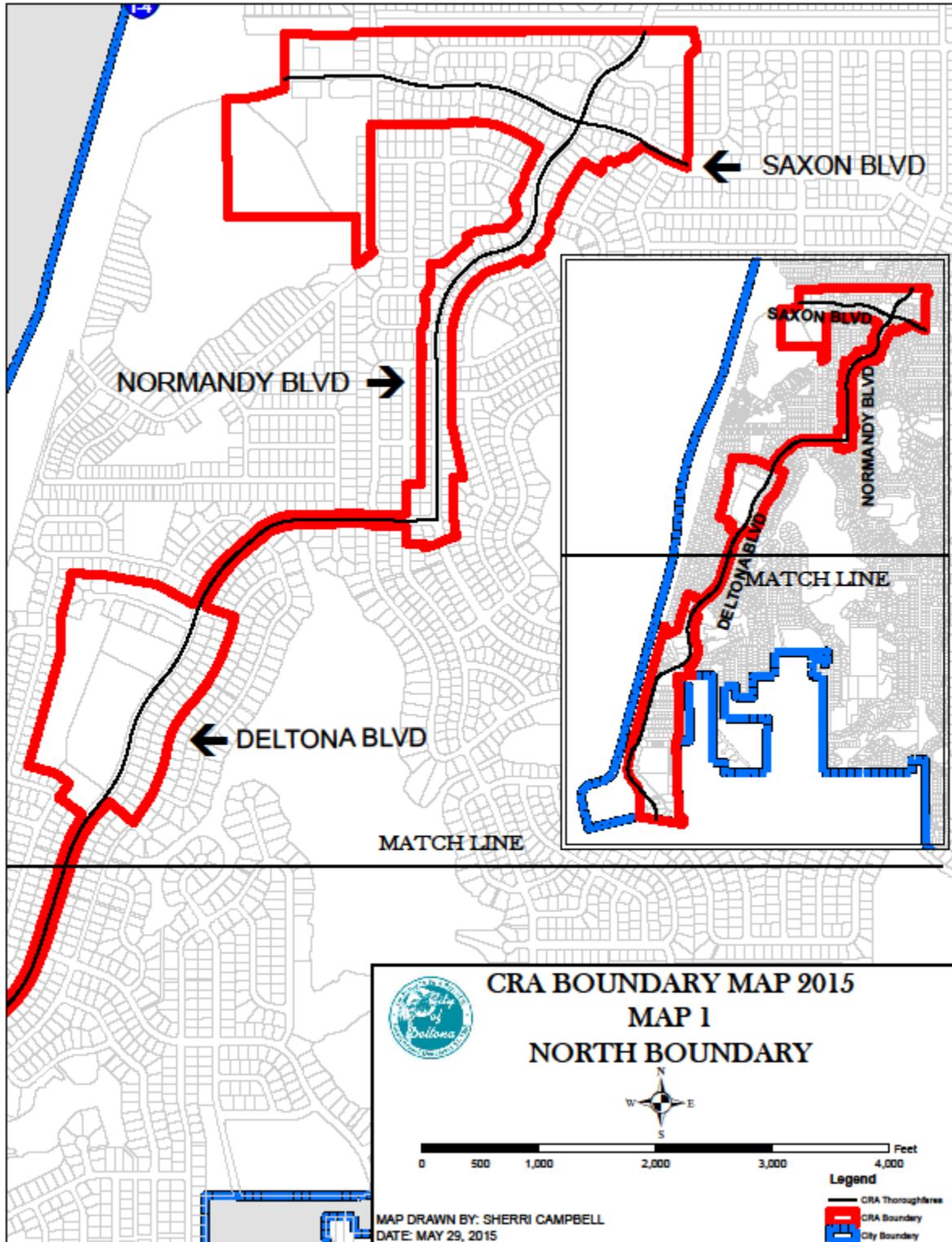
The development of certain segments of the subject corridors will lead to the conversion of the existing, non-sustainable, haphazard development pattern that has occurred along the corridors. The CRA will be treated with improved infrastructure intended to promote area rehabilitation and ultimately the highest and best use of structures. Landmarks will be developed at key intersections to identify entry to serve as focal points for the Community Redevelopment Area. Linear features will be beautified with landscape improvements and hardscapes.

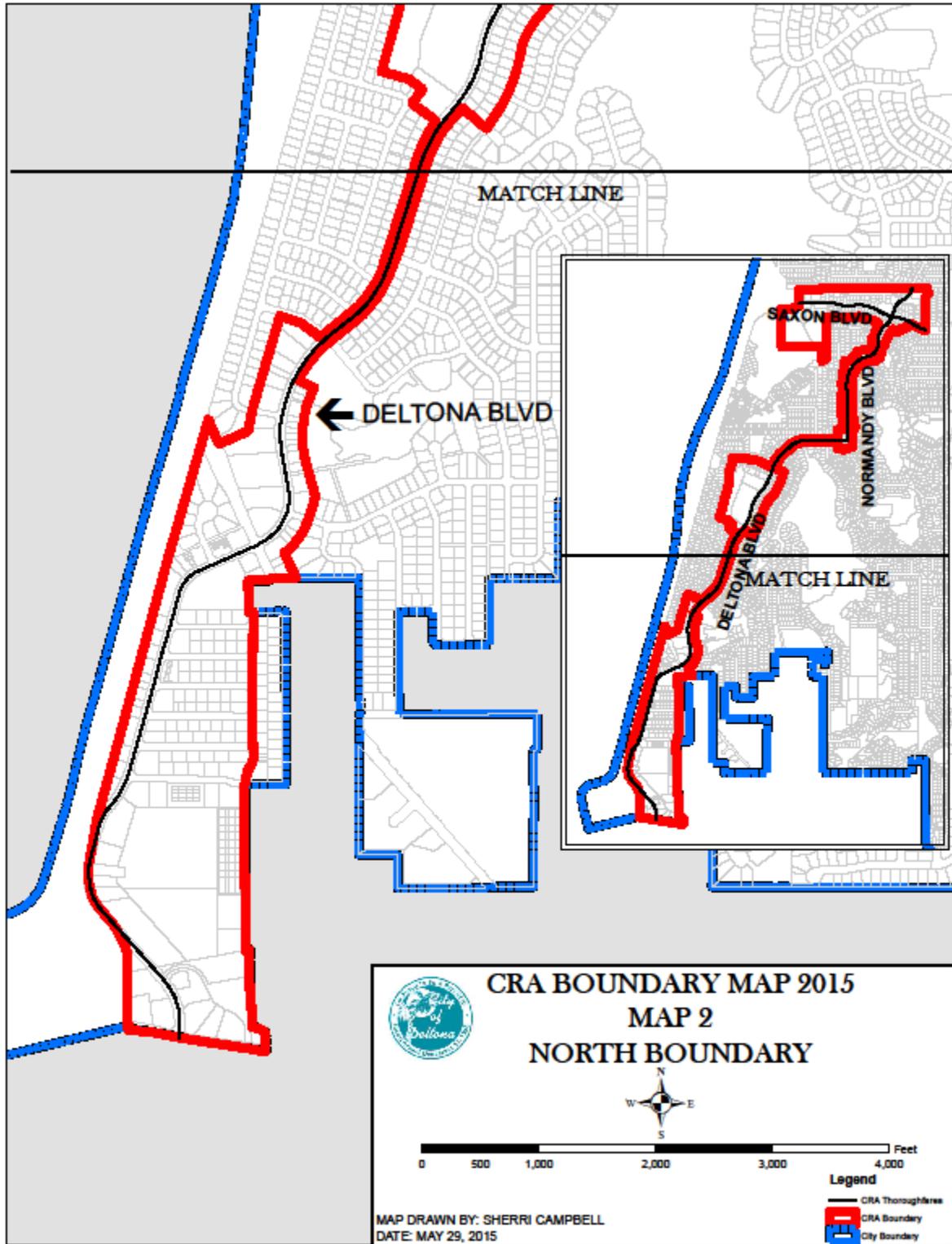
The intent of this Plan is to serve as a framework for guiding development and redevelopment in the Redevelopment Area. This Plan identifies redevelopment objectives, and lays the foundation for programs and capital projects to be undertaken, which will reverse and remove blight documented in the Findings of Necessity. This Plan addresses financing and implementation strategies as well as management and administrative opportunities. These programs, projects, funding/financing strategies, and administrative opportunities will continue to be refined as they are implemented. It is clearly understood that grants and other revenues (impact fees, general revenue, etc.) need be used in conjunction with available increment revenues to achieve these stated goals. While based on the most accurate data available, the various strategies and costs identified in this Plan will require additional study as specific programs and projects are initiated, refined, and implemented.

The focus of the Plan is the mitigation or correction of the various blighted area conditions documented in the adopted Finding of Necessity Report. Changing social, physical, and economic conditions could warrant the modification of this Plan. If the Plan is modified, the CRA must comply with Section 163.361, Florida Statutes and applicable County Resolutions.

As the redevelopment process unfolds, a Conceptual Diagram will be generated to illustrate specific improvements planned. The elements shown in the Conceptual Diagram may be relocated or realigned as part of future planning initiatives, so long as modifications are generally consistent with the vision articulated in this Plan. The Conceptual Diagram will consistently be evaluated and developed into a base Master Plan. This Master Plan will guide the redevelopment of the Redevelopment Area as it relates to function and aesthetics. The City Land Development Code (LDC) shall address the redevelopment area's urban design framework.

The CRA Boundary is depicted on the following map series.





## 2.3 REDEVELOPMENT OBJECTIVES AND STRATEGIES

In partnership with private enterprise and the County, the redevelopment initiative embodied in this Plan will reverse and remove the observed blighted conditions within the Redevelopment Area by leveraging public assets to improve the overall economic condition and the physical condition of the Redevelopment Area. Creating safe, viable, and sustainable corridors along Deltona/Normandy/Saxon Boulevards featuring more attractive mixed use and commercial opportunity will greatly enhance the quality of life not only for the residents but the population of the City and County at large.

Strategic initiatives are to be identified and placed into action to address, reverse, and remove the blighted area conditions, which have substantially impaired reinvestment activity within the Redevelopment Area; and ultimately will be substantially redeveloped and revitalized as a community focal point to the benefit of Deltona residents, businesses, property owners, and visitors through the implementation of this Redevelopment Plan.

Objectives have been identified as either "primary" or "community." The primary objectives are deemed the most important in addressing, removing, or mitigating blighted area conditions within the Redevelopment Area identified by the City within the Finding of Necessity Report. The community objectives are secondary to the principal focus of this Plan and are intended to pave the way for the redevelopment. Nonetheless, the community objectives are important and will be implemented as revenues or other resources permit. The objectives anticipate maximizing the use of private enterprise.

### 2.2.1 PRIMARY OBJECTIVES AND STRATEGIES

**Primary Objective 1:** Improve transportation facilities within the Redevelopment Area including sidewalks, crosswalks, bike paths, and other multi-modal options to enhance regional connection. These strategies will correct the blighted conditions of defective or inadequate street layout (*Pgs. 17, 18, 19, 20 and 23 of the Finding of Necessity Report*), roadways and public transportation facilities (*Pg. 19 and 23 of the Finding of Necessity Report*); and unsafe conditions (*Pgs. 21, 22, 23 and 25 of the Finding of Necessity Report*).

#### **Strategies:**

1. The transportation component for the Redevelopment Area will focus on developing an effective, safe, and efficient transportation system which will include multi-modal options.
2. The Primary Corridors along Deltona/Normandy/Saxon Boulevards enables the creation of gateways and focal points into the Redevelopment Area. Explore designing three (3) gateways/focal points. One at the north end (Saxon Boulevard near the I-4 interchange), the intersection of Normandy and Deltona Boulevard, and south end of the Redevelopment Area at or near the DeBary/Deltona Boulevard intersection.
3. Roadway and streetscape improvements will improve safety, access, and traffic flow characteristics. Such improvements will also provide for pedestrian and bicycle facilities and foster community beautification. The following will be considered as guidelines for roadway and streetscape improvements.
  - a. Undertake roadway and streetscape improvements along the Primary Corridors (Deltona/Normandy/Saxon Boulevards).

- b. Explore innovative intersection designs to alleviate traffic congestion along Deltona and Normandy Boulevards, such as roundabouts and signalization timing for better traffic flow.
  - c. Undertake roadway, sidewalk, and lighting improvements on appropriate streets, and provide safe pedestrian routes.
  - d. Implement roadway and streetscape improvements based on a phasing plan which emphasizes visual impact in addition to improved access and circulation.
  - e. Provide the ability for vehicles, pedestrians, and bicyclists to access an enhanced internal transportation network which connects, if applicable, the neighborhoods to services and commercial corridors.
  - f. Develop and incorporate landscape and lighting design standards to create a safe and inviting environment.
  - g. Integrate traffic calming techniques throughout the internal roadway system to enhance safety and facilitate a pedestrian/bicycle friendly environment. Traffic calming techniques may include the use of pavers or decorative concrete, raised pavement, roundabouts, change of landscape treatment, and the creation of pedestrian nodes at major intersection, mid-block crossings and other locations where potential conflicts exist between vehicles, pedestrians and bicyclists. Creative options to cross major streets should be investigated. Pedestrian safety and crime prevention design standards should be employed along with aesthetic considerations when evaluating, designing, and implementing pedestrian crossings.
  - h. Traffic lights, crosswalks, and regulatory/wayfinding signage will be used to enhance the safety of vehicles, pedestrians, and bicyclists in key locations throughout the Redevelopment Area
4. Improving transportation and pedestrian safety will positively transform the visual and real perception of the City of Deltona. The CRA shall develop transportation and pedestrian safety design guidelines and/or standards to focus on the following:
    - a. Establish driveway spacing to prevent a motorist from encountering more than one conflict at a time.
    - b. Address corner clearance and, wherever practical, control distance between driveways and the corner of an intersection.
    - c. Develop driveway designs to allow vehicles to quickly exit the through lane.
    - d. Encourage the use of roadway medians to provide a safe space for pedestrians to control turning movements, help to provide positive guidance to motorists, and allow beautification.
    - e. Promote shared parking and cross access easements to alleviate the traffic congestion along the three primary corridors.
    - f. Implement and incorporate lighting and landscape standards to design a safe and inviting environment.
  5. Promote the Redevelopment Area through designing and implementing a signage and wayfinding system directing traffic to and from the Redevelopment Area, the major connectors, and destinations in the region.
  6. Explore opportunities to partner with the Volusia Transportation Planning Organization (TPO), the County, and Votran to recognize/enhance connections to SunRail, and provide local and regional public transportation and associated facilities, such as bus stops, shelters, and hubs.

**Primary Objective 2:** Identify and promote a workable means to fund, finance, and deliver utility and infrastructure improvements needed for the redevelopment effort. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 23 – 25 of the Finding of Necessity Report*); and deterioration of site or other improvements.

**Strategies:**

1. Concurrent with roadway construction and repaving activities, the City/CRA shall coordinate the delivery of infrastructure and utility improvements (i.e., drainage structures, underground and overhead utilities, etc.).
2. The City/CRA shall implement and adhere to requisite stormwater and flood management requirements.
3. Design stormwater management and above ground utility features to serve as amenities to the Redevelopment Area and to improve aesthetics.
4. Increase central sewer coverage in the Redevelopment Area, to encourage more intensive development including expanded commercial opportunities. The goal is that by the sunset of the CRA, all commercial uses will be served by central sewer.
6. Upgrade undersized waterlines to continue to provide adequate flows, including fire flows, for the customers served and to foster redevelopment.

**Primary Objective 3:** Deliver an overall urban design and infrastructure initiative, which enhances basic utilities, and creates a positive identity. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs.23-25 the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16-20 of the Finding of Necessity Report*).

**Strategies:**

1. A conceptual diagram for redevelopment activities will be developed as part of this project. The elements that will be shown on the conceptual diagram may be relocated or realigned as a result of future planning initiatives and related evaluations. This Redevelopment Plan will guide the redevelopment of the Redevelopment Area as it relates to function and aesthetics. The City LDC shall be implemented to address the envisioned urban design framework.
2. The City and the CRA shall encourage improved appearance through appropriate design for all projects both public and private. The City of Deltona Urban Design Pattern Book, City Land Development Regulations and, as applicable, Enterprise Development Standards (Sec. 110-320) shall provide guidance with regard to the location and design of streetscapes, architectural elements, building mass and location, landscaping, signage, public art, etc. The intent is to provide visual continuity and a positive environment throughout an area for both new and existing facilities. The City's Comprehensive Plan addresses land use intent, intensities, densities, open space, and conservation. The LDC shall balance aesthetic values with functional and economic considerations to create an attractive and safe environment for pedestrians, bicyclists, and motorists.

**Primary Objective 4:** Ensure regulatory measures are in place to promote the redevelopment of attractive, safe, viable, and sustainable commercial nodes along Deltona/Normandy/Saxon Boulevards. These strategies will correct the blighted conditions

of defective or unsafe conditions (*Pgs. 23-25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16-20 of the Finding of Necessity Report*).

**Strategy:**

1. Where feasible, implement Land Development Code and Comprehensive Plan mixed use urban design/development standards for the primary commercial corridors. The standards will address the incorporation of parking lot layout, building design, landscaping, signage, pedestrian connections, and linkages between land uses through a functional cross access system.

**Primary Objective 5:** Create attractive, safe, viable, and sustainable commercial corridors along Deltona/Normandy/Saxon Boulevards. These strategies will correct the blighted conditions of faulty lot layout (*Pgs. 18, 23, and 24 of the Finding of Necessity Report*); unsafe conditions (*Pgs. 23 – 25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16, 17 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Establish roadway beautification plans to improve the appearance of CRA corridors.
2. The commercial development shall be designed to provide safe vehicular access, as well as pedestrian and bicycle-friendly streets.
3. The City/CRA shall develop a streetscape plan for the commercial corridors. The Streetscape Plan may include site furnishings, lighting, landscaping, decorative pavers, and signage. Roadway and streetscape planning must include a phasing/prioritization plan to construct the recommended improvements. The CRA will implement the Streetscape Plan.
4. Innovative design which integrates environmentally sound best practices (e.g., green building design, dual water systems, and xeriscape) will be encouraged.

**Primary Objective 6:** Ensure regulatory measures are in place to promote the redevelopment of vibrant urban mixed-use corridors consisting of retail stores, supermarkets, restaurants, art galleries, professional offices, and service businesses with a potential for a mixture of residential and office in the same buildings or within the same neighborhood. These strategies will correct the blighted conditions of faulty lot layout (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); unsafe conditions (*Pgs. 19, and 21 - 25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16, 17, 20, and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Investigate designating areas of the CRA with the Mixed Use Land Use Category.
2. Implement urban design/development standards such as criteria within the Land Development Code and if applicable, the Urban Design Pattern Book to integrate land uses to transportation corridors.

**Primary Objective 7:** Create a vibrant urban “Commercial Corridor” area with mixed-use developments. These strategies will correct the blighted conditions of faulty lot layout (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); unsafe conditions (*Pgs. 19 and 21 - 25 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 16, 17, 20 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. The Deltona Boulevard Corridor shall consist of a mix of retail stores, supermarkets, restaurants, art galleries, professional offices, and service businesses with some areas earmarked for medium to high density residential. Mixed use development patterns may also be contemplated with residential and commercial contained within the same building or located in the same neighborhood.
2. Mixed use development shall be processed as a Planned Unit Development.
3. Deltona Boulevard Corridor shall be developed with destination-oriented uses to promote a synergistic commercial environment.
4. Commercial and mixed use developments shall be designed to be pedestrian and bicycle friendly and promote safe, convenient and comfortable access.
5. The City shall develop a streetscape plan for commercial corridors. The Streetscape Plan may include site furnishings, lighting, landscaping, decorative pavers, and signage. Roadway and streetscape planning must include a phasing/prioritization plan to construct the recommended improvements. The CRA in partnership with other agencies, as deemed appropriate, will implement the Streetscape Plan.
6. Innovative design which integrates environmentally sound best practices (e.g., green building design and xeriscape) will be encouraged.

**Primary Objective 8:** Encourage parcel assembly to facilitate redevelopment of the redevelopment area within commercial nodes along the Saxon/Normandy/Deltona Corridors. The below strategies will correct the blighted conditions of faulty lot layout in relation to size, adequacy, accessibility, or usefulness (*Pgs. 18, 19, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Pursuant to the Community Redevelopment Act, Section 163.335(3), Florida Statutes, all public land acquisitions done for community redevelopment purposes will be done for public purposes. There is anticipation that public land acquisition will be limited to accommodate transportation improvements.
2. Pursuant to the Community Redevelopment Act, Section 163.360 (8) 4 (b), Florida Statutes - *"In the event the area is to be developed in whole or part for nonresidential uses, the governing body determines that: 1. Such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives"*.
3. Provide incentives such as City funded infrastructure improvements or enhanced land use entitlement for private properties to facilitate the aggregation of specially targeted or adjacent lots with multiple owners to create a single owner.
4. When feasible, the City should encourage acquisition and subsequent redevelopment by the private market. Other related activities that may be undertaken by the City include:
  - a. Map and index all commercial properties in the Redevelopment Area to provide detailed information on parcel boundaries, sizes, and ownership.
  - b. Identify and inventory all relevant substandard properties.
  - c. Document and analyze parking demands and infrastructure constraints throughout the Redevelopment Area.

- d. Document site criteria for modern mixed-use developments by business type to facilitate the understanding of contemporary developer site and parking requirements.
- e. The City may facilitate aggregation and redevelopment of “problem” or constrained parcels or groups of parcels.
- f. The City may assist in the purchase, sale, negotiation, and coordination of land assembly. However, the City shall not use eminent domain to acquire land that will be ultimately used or transferred for private development.
- g. Identify catalyst sites to serve as important strategic assets to cause an early and precedent-setting change in the community redevelopment area and to spur other growth. Two (2) catalyst areas have been identified:
  1. Deltona Plaza
  2. Saxon Blvd. Corridor

**Primary Objective 10:** Incorporate housing revitalization through housing maintenance programs and rehabilitation services. These strategies funded through the SHIP and CDBG programs will help correct the blighted conditions of unsanitary or unsafe conditions associated with residential uses (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. By addressing the problems associated with substandard and dilapidated housing, the City/CRA will mitigate contributing blight conditions within the Redevelopment Area.
2. In the same manner, redevelopment efforts shall be complimented with efforts to provide affordable/workforce housing to residents of low to moderate income, including the elderly.
3. Promote programs for homeowners to rehabilitate their homes. Such programs include zero interest loans or information on other funding sources for the repair of single and multi-family homes depending on the applicant’s income.
4. Assist low income households through the SHIP program with down payment and closing costs assistance. The assistance may be for the purchase of an existing structure.
5. Infrastructure improvements such as roadway improvements, stormwater, wastewater, and potable water make properties more conducive for development. The City may undertake infrastructure improvements in partnership with private entities. If determined improving the infrastructure of certain properties is beneficial to the City for housing revitalization and blight mitigation within the Redevelopment Area, the CRA may undertake capital improvements on these individual properties.

**Primary Objective 11:** Establish a creative, equitable, efficient and practical funding and financing mechanism to properly implement this Plan. These strategies will correct the blighted conditions of defective or inadequate street layout (*Pgs. 19, 20 and 23 of the Finding of Necessity Report*), parking facilities (*Pgs. 23 and 24 of the Finding of Necessity Report*), roadways and public transportation facilities (*Pgs. 19, 20, 23 and 24 of the Finding of Necessity Report*); faulty lot layout (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

Report); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. It is important the City/CRA identify and secure all effective sources of funding including, but not necessarily limited to, increment revenues, non-ad valorem assessments, and grant funding revenue.
2. The City/CRA must be willing to contemplate the issuance of bonds, secure other financial instruments, seek and utilize grants, and seek out other sources and alternatives to aid in implementing this Plan. Such sources and alternatives may include, but are not limited to, special assessments imposed by the City of Deltona, ad valorem taxes imposed for municipal purposes through a municipal services taxing unit, or the imposition and pledge of ad valorem taxes upon a vote of the electors consistent with the Florida Constitution.

### 2.2.2 COMMUNITY OBJECTIVES AND STRATEGIES

**Community Objective 1:** Implement an aesthetic and planning review program to guide redevelopment and maintenance activities within the Redevelopment Area. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. The City will review, consistent with City Land Development Regulations, plans for development within the Redevelopment Area, and coordinate with effected land owners to ensure the vision articulated in this Plan is achieved. The City will assign dedicated staff to coordinate and approve applicable development plans proposed for properties located within the Redevelopment Area.
2. Mixed-use redevelopment land use proposals will be processed as a PUD and will be associated with development/design standards for site, building, landscape, signage, and public areas for the commercial properties along the three corridors. The City's Pattern Design Book will act as a guideline to assist developers, builders, property owners, and individuals in preparing design/construction documents.
3. The City/CRA will assign staff or personnel to oversee the integrity of the CRA vision of the Redevelopment Area.

**Community Objective 2:** Ensure the Redevelopment Area is safe and clean over a period of time. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. The Community Redevelopment Act encourages "community policing innovations." This concept is defined as policing techniques or strategies designed to decrease crime by reducing opportunities for, and increasing the perceived risks of engaging in, criminal activity through visible presence of law enforcement in the community, including, but not limited to, community mobilization, neighborhood watch programs, citizen patrol, foot patrol, or intensified motorized patrol. The City will review these

programs to improve the actual and perceived security, building safety, and appearance of the Redevelopment Area.

2. The City will identify, execute, and coordinate special maintenance standards and programs for public facilities, roadways, open space areas, entries, and commercial uses along the three corridors.

**Community Objective 3:** The City may plan, design, and deliver additional infrastructure improvements or services within the Redevelopment Area, if deemed those improvements enhance the quality or attractiveness of the Redevelopment Area especially with regard to public amenities. These strategies will correct the blighted conditions of unsanitary or unsafe conditions (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*); and deterioration of site or other improvements (*Pgs. 18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Such additional infrastructure may include undergrounding utilities in certain areas to achieve a desired visual impact, upgrading technology, and telecommunications availability to attract businesses or the enhancement of landscape areas. Such additional improvements will complement the redevelopment plans for the Redevelopment Area.
2. Additional services may include extraordinary right-of-way or other public area maintenance, planning, and implementing cultural, charitable or place-making activities, events and related services which showcase the Redevelopment Area.
3. The City shall expand central sewer service for commercial areas of the CRA. The first priority will be the north side of the Saxon Blvd. corridor located west of the Saxon Blvd. and Normandy Blvd. intersection.

**Community Objective 4:** Establish a unique identity to promote the vision for the Redevelopment Area through branding and marketing programs. These strategies will correct the blighted conditions of deterioration of site or other improvements (*Pgs.18, 23 and 24 of the Finding of Necessity Report*).

**Strategies:**

1. Create page on the City website, which can be used to identify the Redevelopment Area.
2. Investigate branding the CRA area to be used on literature, banners, gateways and all types of promotional campaigns.
3. As deemed appropriate, support special events designed to attract residents and visitors to Deltona Boulevard.
4. Create a business recruitment package that is updated regularly with a listing of available properties, maps, building profiles, and information for current and planned events.

## **CHAPTER 3 STATUTORY COMPLIANCE**

### **3.1 STATUTORY COMPLIANCE**

The Community Redevelopment Act according to Sections 163.360 and 163.362, Florida Statutes requires every community redevelopment plan contain specific information relevant to its particular redevelopment initiative. This Chapter supplements and addresses the informational requirements articulated in the Community Redevelopment Act and serves to further describe the objectives and strategies presented in this Plan to implement the redevelopment initiative envisioned by the City for the Redevelopment Area.

This Plan is consistent with the requirements of the Community Redevelopment Act, Section 163.362(2), Florida Statutes. The City Land Development Code and Comprehensive Plan demonstrates: (1) the approximate amount of open space to be provided and street layout, (2) limitations on the type, size, height, number, and proposed use of buildings, (3) the approximate number of dwelling units, and (4) such property as is intended for use as public parks, recreation areas, streets, public utilities, and public improvements.

The development program discussed in Chapter 2 further describes the urban design intent and components of the developed landscape and how those areas could receive public improvements.

### **3.2 APPROXIMATE AMOUNT OF PARKS AND OPEN SPACE**

There are no park facilities within the CRA. The Redevelopment Area has an opportunity through investments in infrastructure to design a linear park that would utilize existing and planned sidewalk infrastructure. The linear park concept would provide connectivity between the commercial areas of the CRA and surrounding residential neighborhoods.

### **3.3 STREET LAYOUT**

The transportation component for the Redevelopment Area is expected to focus both on vehicular and pedestrian traffic expanding upon existing infrastructure within the CRA. Widened streets, intersection improvements, roadway design improvements along with sidewalk upgrades will create a pedestrian and bicyclist friendly, convenient, and safe travel environment. The ease of vehicle traffic through the Redevelopment Area enables the creation of gateways and wayfinding signage. The gateway and wayfinding signs will direct visitors and residents toward a revitalized Deltona Boulevard. The Redevelopment Area street improvements will enhance connectivity and produce pedestrian and bicycle amenities.

### **3.4 LIMITATIONS ON THE TYPE, SIZE, HEIGHT, NUMBER, DENSITY AND PROPOSED USE OF BUILDINGS**

The Redevelopment Area will be redeveloped as a commercial and residential corridor, utilizing distinct individual land use characteristics such as residential, commercial, institutional, and public. The overall vision embodies sound planning and design principles,

which focus on creating a sustainable community. The following provides development parameters for the Redevelopment Area.

1. The Redevelopment Area shall include residential neighborhoods offering a variety of housing options and price ranges. The existing residential densities will remain the same as specified by the Future Land Use Map:
  - a. Low Density Residential - 0 to 6 dwelling units per acre
  - b. Medium Density Residential – 6.1 - 12 dwelling units per acre
  - c. High Density Residential – 12.1 to 20 dwelling units per acre
2. The City may consider mixed use development formats with residential densities of up to 9.9 dwelling units per acre and allow a floor area ratio of 0.50. to achieve the overall vision for the Redevelopment Area. Any density modifications shall require amendment to the Future Land Use Map of the Comprehensive Plan.
3. Deltona Boulevard will be redeveloped to include a variety of non-residential uses including commercial, professional office, entertainment and service business uses. To promote more dense development patterns, the City may contemplate allowing floor area ratios of up to 0.55 through the planned unit development (PUD) zoning process.
4. Parcel assemblage of at least 1 acre is recommended to accommodate mixed use development formats.
5. Residential dwelling units will be allowed in the same buildings as office or commercial uses when associated with multi-use development sites.
6. Multi-use development on the same parcel must be compatible with surrounding land uses.
7. Commercial uses shall be limited to areas specifically classified as Commercial on the City of Deltona's Future Land Use Map. Parcel assemblage of at least 1 acre is recommended for a sustainable commercial development.
8. Building design, including height and location, is expected to reinforce a pedestrian-oriented character and include linkages between land uses through a functional bicycle-pedestrian system.
9. The City's Urban Development Pattern Design Book will serve as a guideline for building and development design.
10. In general, the land uses shall abide by the overall goals, objectives, policies, and standards, as outlined in the City's Comprehensive Plan.

### **3.5 INTENDED USE OF PROPERTY FOR PUBLIC PARKS, RECREATION AREAS, STREETS, PUBLIC UTILITIES, AND PUBLIC IMPROVEMENTS**

Public facilities such as parks, recreational facilities, bicycle paths/sidewalks, streets, and utilities shall be located throughout the community in a manner which offers convenient and safe access to public services and facilities while enhancing the aesthetic character of the Redevelopment Area. Utility lines shall be placed underground, wherever feasible. If above ground structures such as water tanks or transformer boxes must remain within the Redevelopment Area, they should be located and treated in a manner that is safe and aesthetically pleasing.

### **3.6 NEIGHBORHOOD IMPACT ELEMENT**

The Community Redevelopment Act, Section 163.362(3), Florida Statutes, requires that if a Community Redevelopment Area contains low or moderate income housing a neighborhood impact element shall be prepared to describe the impact of redevelopment upon the residents of the redevelopment area and the surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, and the effect on school population. The creation of the Redevelopment Area is mostly focused on non-residential development and is expected to generate minimum impact to existing neighborhoods.

Secondary impact on the residents relating to traffic circulation, environmental quality, availability of community services and facilities, effect on school population, and other matters affecting the physical and social quality of CRA neighborhoods are minimal. Impacts may involve temporary construction detours, noise, and dust. Overall, impacts are expected to be minimal while the benefits of redevelopment are long-lasting adding a higher quality of life to the City's residents and visitors.

Redevelopment planning efforts are focused on the improvement and strengthening of existing neighborhoods. Redevelopment planning efforts will not be directed towards large scale demolition and removal of existing structures. Rather, plans call for systematic improvement through a concerted effort aimed at rehabilitating homes and infill development, and creating identifiable neighborhoods.

### **3.7 REPLACEMENT HOUSING/RELOCATION**

The Community Redevelopment Act, Section 163.362, Florida Statutes, states the Community Redevelopment Plan shall assure that there will be replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities within the Redevelopment Area. The intent of this Plan is to create a revitalized commercial corridor with options for a mixed-use development format. This will improve the visual character of the area, which promotes a positive image for the City. Relocation is not anticipated. If relocation is required as a result of improvement activities, the City and the CRA will adhere to applicable laws and regulations, and provide assistance to minimize hardships to those being displaced, as appropriate.

### **3.8 DEMOLITION, CLEARANCE AND SITE PREPARATION**

The City does not intend to demolish, clear buildings, etc. within the CRA unless the clearing/demolition is associated with the provision of public facilities. The CRA is authorized to install and construct, or cause to be installed or constructed, the public improvements and public utilities necessary to carry out the Plan, subject to obtaining necessary permits and in compliance with all applicable laws.

### **3.9 DURATION**

Consistent with the provisions of the Community Redevelopment Act, Section 163.362(10), Florida Statutes, all redevelopment activities financed by increment revenues from the Redevelopment Trust Fund shall occur within 20 years after the fiscal year in which the Plan is approved or adopted. The duration of this Plan shall be for the maximum period allowed

by the Community Redevelopment Act and County Ordinance and shall expire and terminate 20 years after the creation of the CRA trust fund unless extended by mutual agreement of the City and the County. This 20-year duration is necessary due to the extent of defunct infrastructure; the low increment revenue projections, which will take nearly 10 years to start realizing appreciable revenue increment. This shows the need to use leverage and other funding sources for the improvements. It is further noted that the estimated revenues by year 20 will be a little over \$8 million.

The City believes that it will take, at minimum, 20 years to realize the dollars necessary to undertake some of the redevelopment initiatives identified within the Plan. However, the City understands the County's desire to manage the duration of community redevelopment areas. It is possible that economic conditions may improve more quickly than the increment revenue forecast currently demonstrates. As well, the City may be fortunate to obtain other funding sources, yet to be identified. Understanding this, the City suggests a sunset review with the County in year 20 (2036). The intent of the 2036 review is to determine if the redevelopment objectives, initiatives, and projects have been successful in reversing blight conditions as described within the *"Finding of Necessity"* and the Plan. If it is jointly determined that the CRA has accomplished the primary objectives outlined in the Plan, or most recent Plan Update, then the date for the sunset for the Community Redevelopment Area can be re-established for a period greater than 20 years.

### **3.10 REDEVELOPMENT PLAN MODIFICATION**

The Southwest Deltona Community Redevelopment Plan may be modified in a manner consistent with Section 163.361 Florida Statutes. After providing proper notice, the City of Deltona shall hold a public hearing for all modifications.

## **CHAPTER 4 FINANCIAL ANALYSIS AND PLANNING**

### **4.1 ESTIMATING INCREMENT REVENUES**

Estimates of prospective increment revenues that might be derived from the Redevelopment Area and paid into the Southwest Community Redevelopment Trust Fund (herein referred to as the "Redevelopment Trust Fund") were prepared by Strategic Planning Group, Inc. (SPG) (See **Appendix A**). The stream of prospective revenue is dependent on several factors, including the pace of redevelopment and development in the Redevelopment Area; the content of the development; the assessed and taxable values; the millage levied against the taxable base; the rate of appreciation in the existing tax base; and the level of public intervention. Together, these many variables suggest a wide range of outcomes. All are possible depending on the specific conditions imputed into the analysis.

Input from the City generated a possible scenario for the increment revenue projections based on a very conservative format. The information outlined in this Chapter is suitable for planning purposes particularly given the range of valuations and estimated improvements costs. However, as the Plan is executed, continual input and examination will be required to refine and update this analysis.

### **4.2 METHODOLOGY AND APPROACH**

The analysis is based on tax roll data obtained from the Volusia County Property Appraiser and expectations about the Development Plan. The data from the most recent assessment roll, used in connection with taxation by the Property Appraiser and the Tax Collector, will provide the base year taxable value. The base year will be determined using the assessment roll in use immediately prior to the adoption of the ordinance establishing the Redevelopment Trust Fund.

It is assumed for the purposes of this Plan, the base year will reflect the sum as the base year valuation. However, any differences that may occur through inclusion or exclusion are relatively immaterial in the context of the total valuation. A higher or lower base sum would, of course affect the ultimate tax collections to some degree. The actual number will be officially certified by the Volusia County Property Appraiser upon adoption of the Plan and the establishment of the Redevelopment Trust Fund, as part of the statutorily required administrative process.

Specific increases in the tax base are shown in terms of expected development and its value. This expected development is based exclusively on past patterns of activity. These programmatic assumptions offer a baseline for comparison with future potential development.

For this analysis, the City's 2015 millage rate has been used, and it is held constant over the planning horizon. For the last several years, the operating millage of the City has been relatively unchanged.

As for the revenues which may accrue, only the taxable value(s) net of the base year taxable value is considered in calculating current or future increment revenues. The general procedures used to calculate available revenues are shown in the following equations:

1. Assessed values, including new construction, LESS exemptions or exclusions EQUAL current taxable values;
2. Current taxable values LESS established base year taxable values EQUAL net valuations subject to applicable jurisdictional millages;
3. Net valuations MULTIPLIED by applicable millages EQUAL increment revenues. Pursuant to the Community Redevelopment Act, Section 163.387, Florida Statutes, the maximum revenue available to the Redevelopment Trust Fund will be 95% of the calculated increment revenues. The financial indicators, assumptions and results used in preparing this increment revenue analysis are attached hereto as **Appendix A**.

#### 4.3 INCREMENT REVENUE ANALYSIS

The availability of potential increment revenues is among the most attractive of the redevelopment tools provided in the Community Redevelopment Act. Increment revenues become available as the result of focused and continuing redevelopment activities within a community redevelopment area, and it may be used to fund or finance a variety of community redevelopment related capital and service initiatives. Increment revenues, when leveraged and combined by interlocal agreement with municipal service taxes or non-ad valorem assessments from a community redevelopment area, provide a particularly powerful tool to help Florida's local governments address and redevelop slum or blight in redevelopment areas.

This analysis focuses only on increment revenues, not other significant revenues and structural opportunities, which can be leveraged, combined and deployed in concert with increment revenues, and the leveraging affects they generate. A variety of local, state and federal programs may be connected to the increment revenues in a manner which leverages the increment revenues or obtains other dollars for redevelopment used for acquisition. Potentially, increment revenues may be used independently to service debt. They may be paired with a deliberately constructed non-ad valorem assessment program, which leverages the expected flow of increment revenues and uses the investment revenues to offset or buy down special assessments used to finance capital improvements.

Increment revenue forecasts in an area of future concentrated ownership, such as the Redevelopment Area, are extremely vulnerable to imminent development, land amendment, permitting, or any other activity which can quickly change the content of the tax roll. Once a generalized timing and development strategy is implemented, these projections will need to be re-examined periodically in the context of actual redevelopment and development activity. Re-examination is proposed at year 10, 15, 20, and if extended, every five years after to ensure revenue projects and appropriateness of projects. The revised increment revenues will be used to update the capital work program and the Plan.

#### 4.4 INCREMENT REVENUE SCENARIO

The scenario for the increment revenue projections for the City of Deltona was based on a very conservative format. The scenario (known as "anticipated growth scenario") identified the inclusion of anticipated development with an average yearly increase of four (4) percent. Assessed values from comparable structures within Volusia County were applied to

determine the estimated taxable values for each improved property. Under this scenario, approximately \$8,021,807 (*total City and County increment revenue contributions*) may be generated for the CRA over the next 20 years. In addition, the City agrees to set a ceiling on County's increment revenue contributions of no more than \$10,000,000 as stipulated in County Resolution 2015-046. Also, the Tax Increment Finance information as **Appendix A** utilizes a County millage rate of 6.8709 which is less than the City 7.99 millage rate used to project revenues. The lesser County millage rate is also consistent with County Resolution 2015-046. The County and the City will be the only taxing authorities contributing to the CRA TIF.

## CHAPTER 5 CAPITAL PLANNING

### 5.1 REDEVELOPMENT

Using contemporary planning methods and urban design techniques, the intent is the Redevelopment Area will represent a vibrant, urban area with safe, viable and sustainable commercial corridors; pedestrian-friendly, affordable, and attractive neighborhoods; and provide multi-modal transportation opportunities.

The central concepts represented by the redevelopment are as follows:

1. Explore innovative intersection designs to improve safety and alleviate traffic congestion along Saxon/Normandy/Deltona Boulevards. Intersection designs/improvements include, but are not limited to, roundabouts, signalization schemes for better and effective management of the junction delays, etc. Specific intersection locations include the following:
  - a. N. Normandy Blvd. and Deltona Blvd.
  - b. N. Normandy Blvd. and Saxon Blvd.
  - c. Deltona Blvd. and Enterprise Rd.
  - d. Deltona Blvd. and Dirksen Rd.
2. The redesign of primary corridors shall be enhanced in a manner which promotes internal, as well as regional connectivity to overall community aesthetics and function. This will present the City of Deltona as a destination place. Streetscape plans should be implemented along the corridors.
3. The primary corridors should be appropriately landscaped, incorporate traffic calming features, and contain pedestrian and bicycle facilities including attractive bus shelters, bicycle lanes and safe crossings.
4. The Redevelopment Area internal access network will include pedestrian facilities and bicycle ways, which will enhance interconnectivity and promote development.
5. Undertake roadway, sidewalk, landscaping and lighting improvements on all other streets to provide safe and pedestrian friendly connections.
6. Opportunities should be provided to integrate gathering places through pedestrian connections, bike paths/multi-use trails, open space and streetscapes.
7. Wayfinding and community identification gateways should be provided at major entry points into and within the Redevelopment Area.
  - a. Wayfinding signs at strategic locations to direct visitors to key destinations.
  - b. Gateways at the north (Saxon Boulevard), the Normandy/Deltona intersection and south end of the Redevelopment Area.
8. Create attractive, safe, viable and sustainable commercial corridors.
9. The Redevelopment Area will be redeveloped with a mixed-use Deltona Boulevard corridor with a distinct character featuring areas of residential and commercial land uses.
10. The mixed-use Deltona Blvd. corridor incorporates a wide mix of retail stores, such as markets, antiques shops, restaurants, art galleries, professional offices and service businesses with residential or office above these commercial uses.
11. Appropriate buffering techniques should be implemented between the higher density uses and the single family residential areas.
12. Potential redevelopment of catalyst sites to cause an early and precedent-setting change in the Deltona Boulevard corridor and to spur further growth.

## 5.2 CAPITAL PROJECTS

The Community Redevelopment Act, Section 163.362(4), Florida Statutes, requires identification of publicly funded capital projects to be undertaken within the Redevelopment Area. Such capital projects may include, but not limited to, the capital improvement program within **Appendix B**.

## 5.3 PROJECTED CAPITAL COSTS

The Community Redevelopment Act, Section 163.362(9), Florida Statutes requires the Plan to contain a detailed statement of projected costs related to the redevelopment initiative, including the amount to be expended on publicly funded capital projects in the Redevelopment Area and any indebtedness of the City of Deltona or CRA proposed to be incurred for such redevelopment if the indebtedness is to be repaid with revenues from the Redevelopment Trust Fund. To implement the Plan, it will be necessary to combine both public and private sources of capital, using both long and short term financing options. All projects financed by or in part through increment revenues will be completed prior to the sunset of the Community Redevelopment Area in year 20 (2036).

The Capital Work Plan projects and dollar amounts are primarily based on contemporary pricing. The projects and numbers listed in the work plan and operating budget have been used for budgetary purposes only, and are considered to be relatively conservative. The recommended costs for capital improvement projects include design and construction costs, as well as contingent costs for additional studies, data manipulation, or research needed to implement each project. The costs may not include costs of land acquisition and/or consolidation. In addition, the City will not use any County TIF contribution for administrative/overhead costs. Also, the County TIF will be earmarked for uses to be limited to roadway improvements.

The various costs associated with implementing the Redevelopment Plan have been identified as being either primarily a public responsibility. Public costs are those necessary to ensure that the general framework of the Development Plan is developed in the spirit and intention of the Redevelopment Area.

Those items identified as primarily public costs will be structured in a manner which private resources are committed in conjunction with, or in advance of public resources. In some cases, public expenditures will not be required to support the Plan. In other cases, these expenditures can be phased in accordance with the scale of the redevelopment effort, in a manner where costs are advantageously matched to the expected stream of increment revenues or other available revenues.

Due to the current and projected economic environment demonstrated through the increment revenue forecasts (see **Appendix A**) and the shortage of the dollars required to implement the intent of the Plan, it is critical that the City consider funding the projects identified within this Plan via the leverage of the increment dollars. The CRA can “package” many financial programs in order to have enough resources, especially when newly enacted to jump-start the Plan. While the bond market is not strong for CRA’s, many in Florida use a bank held Letter of Credit to fund large scale projects. Local governments commonly loan their CRA’s start-up funds as well, paid back over time as the increment revenues grow

from private investment. The following list shows other potential resources that can be coupled with or used to fund the projects outlined in the Redevelopment Plan.

1. Special revenue bonds.
2. General obligation bonds: for roadway improvements; curb and gutter addition/repair; intersection improvements; streetscaping; water, sewer and stormwater improvements; and a multi-use trail system.
3. Grants and loans to the agency from the City's special or general funds for start-up costs. This is a common practice for such planning, design and community objectives.
4. Commercial Loans: The CRA may directly borrow funds from local lending institutions, utilizing both short term and long term borrowing.
5. Private Contributions: While the direct infusion of private funds are not anticipated, the City would still be interested in matching grant arrangements for improvements to building facades, landscaping, signs, etc. In addition, voluntary contributions by private companies, foundations, and individuals are potential sources of income to the CRA. Although such contributions may account for only a small portion of redevelopment costs, they do provide opportunities for community participation with positive promotional benefits. The City's current land development code provides mechanisms to achieve this participation on such projects as roadway, streetscape and infrastructure improvements, including incentives and participating grants.
6. Special Assessment Districts: The City may also establish special assessment districts and Municipal Service Taxing Units (MSTU), (Florida Statutes Chapter 170) for the purpose of funding various capital improvements within an area or for the construction of a particular project. This may be an effective mechanism to support stormwater, water, and sanitary sewer improvements. However, it is noted that assessments may be difficult to pass without concessions on the City's millage rate, thus reducing overall revenues.
7. Grants from State and Federal funding sources are leveraged within CRA districts, many of which get extra points for being used to fund economic development and redevelopment projects. Specific projects for which grants will be sought include, but not limited to, trails, parks, streetscape, roadway, and environmental improvements. The world of grants is evolving, requiring local governments to be vigilant in the grants arena. Local matches are of utmost importance to be grant competitive.

The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the CRA. Advances and loans for operating capital may be provided by the City until adequate tax increment or other funds are available to repay the advances and loans, and to permit borrowing adequate working capital from sources other than the City. The City may also, at the request of the CRA, supply additional assistance through loans and grants for various public projects. The CRA will seek all funding sources to leverage increment revenues. However, the dollars generated through these programs are nearly impossible to forecast, therefore specific dollars from these programs have not been identified.

#### **5.4 NON-CAPITAL PROGRAMS**

After the creation of the CRA, resources can be used for administrative expenses and overhead of the CRA, and other non-capital programs, including the development and implementation of community policing innovations, pursuant to Section 263.356(3)(d),

Florida Statutes. Such non-capital programs may include, but not be limited to, the following:

1. Regulatory, operational and management;
2. Marketing, promotions, special events, economic development; and
3. Facade/property improvement grants.

No Volusia County increment revenues will be used for non-capital programs and the City does not plan to expend increment revenues on community policing. The non-capital programs are subject to revisions, updates and prioritization as community redevelopment implementation occurs.

## **CHAPTER 6 GENERAL**

### **6.1 COMMUNITY REDEVELOPMENT TRUST FUND**

The City of Deltona needs to submit the Finding of Necessity and the Community Redevelopment Plan to Volusia County Council for review and approval, and request for the delegation of authority to create a Community Redevelopment Agency, and to establish a Redevelopment Trust Fund through an appropriate ordinance. The Redevelopment Trust Fund will receive all increment revenues, grants, gifts or revenues generated by redevelopment activities. The Redevelopment Trust Fund must remain in place until all indebtedness from redevelopment activities is paid.

The annual funding of the Redevelopment Trust Fund will result from additional incremental revenues collected in the Redevelopment Area by the County of Volusia and the City of Deltona. The increment available will be determined annually in an amount equal to 95% (ninety-five percent) of the difference between:

1. The amount of ad valorem taxes levied each year by the County, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area; and
2. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the County, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Redevelopment Area. This is taxable real property as shown upon the most recent assessment roll, used in connection with the taxation of such property by the County prior to the effective date of the ordinance providing for the funding of the Redevelopment Trust Fund.

### **6.2 SAFEGUARDS, CONTROLS, RESTRICTIONS OR COVENANTS**

Redevelopment activities identified herein will not be initiated until they are found to be consistent with the Comprehensive Plan and applicable land development regulations. In order to assure that redevelopment will take place in conformance with the projects, objectives, and strategies expressed in this Plan, the CRA will utilize the regulatory devices, instruments, and systems used by the City to permit development and redevelopment within its jurisdiction. These regulatory devices, etc., include but are not limited to the Comprehensive Plan, the Land Development Code, design guidelines, and City authorized development review, permitting, and approval processes, and any other applicable adopted codes, standards, and policies.

In order to leverage the increment revenues, the City may contemplate imposing non-ad valorem assessments. The imposition of special assessments for capital improvements and essential services is covered by well settled case law and specific statutory provisions authorizing collection of non-ad valorem assessments on the same bill as ad valorem taxes. Such provisions require extraordinary notice to all affected property owners.

The County's increment revenues contribution would be based on a millage rate that does not exceed the millage rate used by the City to calculate its increment revenue contribution, regardless of the existing rate, pursuant to Volusia County Resolution 2010-20. The County increment revenue contributions will be used solely on capital projects with a maximum cap

of \$10,000,000 until the sunset date of 2036 (see **Appendix A** for total City and County increment revenue contributions).

### **6.3 CONSISTENCY WITH CITY OF DELTONA COMPREHENSIVE PLAN**

This Plan articulates the vision for the Redevelopment Area as a safe, economically sustainable, accessible destination for residents and visitors, with a vibrant urban mixed use Deltona Boulevard corridor; promoting safe, viable pedestrian-friendly, multi-modal transportation system; affordable and attractive neighborhoods; and bicycle paths/sidewalks connecting to services, recreation facilities, commercial corridors and the Corridors. These improvements will feature people oriented urban design principles. This Redevelopment Plan also encourages a mixture of housing types and price ranges to implement affordable to moderate rate housing initiatives.

The following are Goals, Objectives and Policies in the City of Deltona Comprehensive Plan, which are specifically addressed by the Community Redevelopment Plan. The usage of terms is directly quoted from the 2010 City of Deltona Comprehensive Plan (EAR Based Amendment).

## **FUTURE LAND USE ELEMENT (2010)**

### **GOAL FLU1**

Ensure that future growth is timed and located to maximize efficient and cost effective use of public infrastructure.

9J-5.006(3)(a)

#### **Policy FLU1-1.6**

All neighborhood, community and regional shopping centers shall include bicycle parking areas, and where appropriate, bus cut outs or shelters to encourage alternative transportation modes.

9J-5.006(3)(c)(4)

#### **Policy FLU1-1.8**

Sites for development shall be accessible to the following essential public facilities and services at the levels of service adopted in this Comprehensive Plan: fire services, transportation, potable water, an appropriate wastewater treatment facility, solid waste and stormwater management.

9J-5.006(3)(c)(3)

#### **Policy FLU1-1.11**

The following public facilities and services shall be available for new development in all areas: roadways, solid waste collection, stormwater management, fire and police protection, emergency medical services, potable water, sanitary sewer service, and public schools as defined in the Public School Facilities Element.

9J-5.006(3)(c)(4)

**OBJECTIVE FLU1-2**

The City shall encourage compact, mixed-use developments in appropriate locations in order to discourage urban sprawl, facilitate energy efficiency and provide the full-range of uses and services in walkable, vertically and horizontally-integrated, design-unified environments.

**Policy FLU1-2.1**

The City of Deltona shall establish and require level of service standards as set in the Transportation, Infrastructure, Capital Improvements, and Public School Facilities Elements. 9J-5.006(3)(c)(4)

**Policy FLU1-2.2**

Development orders cannot be issued unless the services are provided at the adopted level of service consistent with the concurrency provisions. 9J-5.006(3)(c)(4)

**Policy FLU1-2.3**

In order to direct growth and development away from valuable natural resources, the City shall utilize development bonuses, incentives, and other methods as deemed appropriate (i.e. transfer of development rights) to promote infill development and redevelopment projects. 9J-5.006(3)(c)(1,2,6)

**Policy FLU1-2.4**

The City shall expand commercial, industrial, and mixed-use developments in appropriate locations in order to discourage sprawl and to promote energy efficient development patterns.

**OBJECTIVE FLU1-7**

The City of Deltona shall appropriately allocate land uses to adequately meet the current and future population needs while maximizing land use compatibility. The City shall promote a variety of land uses including residential, commercial, industrial, pedestrian oriented mixed-use, recreational, conservation, and public facilities. 9J-5.006(3)(b)(1)

**Policy FLU1-7.23**

The City shall seek to ensure that its Future Land Use Plan Map provides for a minimum of six acres of commercial lands and four acres of industrial lands per 1,000 residents, with a goal of providing 10 or more acres of commercial lands and six or more acres of industrial lands per 1,000 residents by 2025.

**Policy FLU1-7.24**

The City shall implement strategies to ensure that new development and redevelopment contains a strong mixed-use component, defined as a mixture of at least two different land uses in a design-unified, vertically and/or horizontally integrated, pedestrian-friendly environment, or otherwise demonstrably furthers the achievement of specific goals, objectives and/or policies of the Comprehensive Plan.

**Policy FLU1-7.25**

The City shall require that development be designed consistent with the August 4, 2008 Urban Design Pattern Book as it may be amended from time to time.

**TRANSPORTATION ELEMENT (2010)**

**GOAL T1**

The City of Deltona shall develop programs to ensure that current and future land uses are served by adequate transportation and multi-modal system options. 9J-5.019(4)(a)

**Policy T1-1.3**

The City of Deltona shall maintain a City-wide network of thoroughfare and related transportation system corridors. 9J-5.019(4)(c)(4)

**Policy T1-1.7**

The City of Deltona shall provide incentives which encourage compact, energy efficient urban development, in appropriate places, through coordination with the Future Land Use Element.

9J-5.019(4)(c)(7,9,12)

**Policy T1-1.10**

The City of Deltona shall coordinate with the MPO and other entities, as deemed appropriate, to further develop City-wide bicycle and pedestrian infrastructure through the Parks and Recreation Master Plan or other programs to accomplish the following transportation oriented initiatives:

- a. Expand, with the intent of establishing connections to commercial, institutional and recreational nodes, the multi-modal trail system within the City for bicycle and pedestrian use;
- b. Expand the City sidewalk system;
- c. Promote the use of existing and future pedestrian and bicycle infrastructure by disseminating information to the public concerning the City pedestrian and bicycle system.

**Policy T1-1.14**

The City of Deltona shall assess the existing sidewalk network to locate specific problem areas related to interconnectivity, obstructions, damaged sidewalks, lack of crosswalks, inappropriate widths, the need for handicap ramps and other improvements.

**OBJECTIVE T1-2**

The City of Deltona shall provide for the separation of local traffic from through traffic to facilitate efficient and safe vehicular movement. 9J-5.019(4)(b)(1)

**Policy T1-2.1**

Traffic circulation shall be coordinated with the Future Land Use Element to ensure compatibility between land use and the transportation system. 9J-5.019(4)(c)(9)

**Policy T1-3.1**

The City of Deltona Transportation Element shall be coordinated with the Future Land Use Element and all other applicable elements to ensure compatibility between land use and the transportation system necessary to support it. 9J-5.019(4)(c)(5,9&12)

**OBJECTIVE T1-4**

The City of Deltona shall establish, achieve and maintain peak hour level of service standards on the transportation system. 9J-5.019(4)(b)(2)

**Policy T1-4.3**

Unless a thoroughfare is designated separately within the LOS Roadway Segment Table of this document for a level of service standard, the City of Deltona shall establish the following PM peak hour level of service standards:

<u>Functional Classification</u>	<u>Acceptable Standard</u>
I-4	As determined by FDOT
Arterial	E
Collector	E
Local	D

**Policy T1-5.3**

The City of Deltona shall study and undertake feasible intersection improvements as an interim solution to existing transportation system deficiencies. 9J-5.019(4)(c)(1,7)

**Infrastructure**

**GOAL I1**

Provide safe efficient, cost effective and adequate public supply, treatment, and distribution of potable water for the City of Deltona.

9J-5.011(2)(a)

**Policy I1-PW1.1**

The City of Deltona adopts a level of service standard providing for an annual average daily volume of 300 gallons of potable water per equivalent residential unit. Projected flow for commercial, industrial, and institutional land uses will be calculated utilizing Deltona Water equivalent residential unit factors for water consumption specified by Land Development regulations.

9J-5.011(2)(c)(2d)

**OBJECTIVE I1-PW2**

The City of Deltona shall provide for an adequate level of service standard for potable water service to meet the needs of current and future residents of the City of Deltona. *(Amended by Ordinance 32-2000 adopted by the Deltona City Commission at second reading March 19, 2001)*

9J-5.011(2)(b)(4)

**OBJECTIVE I1-PW3**

Throughout the planning period the City of Deltona shall encourage the use of existing and future facilities, so as to discourage urban sprawl. 9J-5.011(2)(b)(3)

**Policy I1-PW3.5**

The "infilling" of developed areas shall be directed to locations where an existing central system of potable water is available and where capacity is adequate to service the intended development or to those areas where funds have been committed for the provision of adequate capacity.

9J-5.011(2)(c)(1)

**Policy I1-PW4.2**

The City of Deltona shall coordinate the utility and transportation planning efforts to take advantage of the most economical construction and maintenance costs possible when installing utility lines and roads.

**GOAL I2**

Provide safe adequate cost effective and environmentally acceptable sanitary sewer systems for the City of Deltona.

**Policy I2-SS1.1**

The City of Deltona adopts a level of service standard providing for an annual average daily volume of 284 gallons of domestic wastewater per equivalent residential unit. Projected flow for commercial, industrial, and institutional land uses will be calculated utilizing Deltona Water equivalent residential unit factors for water and wastewater service as illustrated in City land development regulations. 9J-5.011(2)(c)(1)

**Policy I1-SS1.10**

The City shall further expand its wastewater treatment capacity to support new development and redevelopment activities within the City.

**Policy I1-SS1.11**

The City shall investigate methods, including funding sources, to retrofit areas of the City that are currently served by septic systems. A priority for such retrofit activity, if deemed feasible, will be as follows:

- a. Correct threats to public health and safety;
- b. Improve the environmental conditions of surface and ground water resources; and
- c. Encourage sustainable redevelopment and compact urban development patterns.

**OBJECTIVE I2-SS2**

Throughout the planning period, the City of Deltona shall maximize the use of existing facilities within sewer service areas, so as to discourage urban sprawl.

9J-5.011(2)(b)(3)

## **GOAL I4**

To protect the health and safety of the public by ensuring stormwater management facilities and services are properly maintained, environmentally sound, cost effective, and meet the community's present and future demands.

### **Policy I4-STW1.3**

All land use and development approval decisions which impact water resources in Deltona shall conform to the comprehensive surface and groundwater watershed management plan, when approved by the City Commission.

Level of Service for Storm Water Quantity and Quality:

a. **Closed Basing LOS:** The City will establish a Level of Service design standard in closed drainage basins as follows: All development shall meet the minimum volume of retention equivalent to one-half inch of depth over the entire project area and the discharge hydrograph produced for the developed or redeveloped site shall not exceed, in terms of peak flow and total volume, the hydrograph produced by conditions existing before development or redevelopment for a 24 hour, 100 year frequency storm.

b. **Basins with Outfall LOS:** The City will establish a Level of Service design standard in non-closed basins as follows: All development shall meet the minimum volume of retention equivalent to on-half inch of depth over the entire project area and the discharge hydrograph produced for the developed or redeveloped site shall not exceed, in terms of peak flow and total volume, the hydrograph produced by conditions existing before development or redevelopment for a 24 hour, 25 year frequency storm.

### **Policy I4-STW2.1**

The City of Deltona shall identify and prioritize drainage systems in need of retrofitting and upgrade of these systems, as funding becomes available. Watershed studies will be used to identify and prioritize systems in need of retrofitting. The City of Deltona may apply for any grants and loans available from the DEP Revolving Loan Fund. 9J-5.011(2)(c)(1,4,5)

## **INTERGOVERNMENTAL COORDINATION ELEMENT (2010)**

### **GOAL IC1**

The City of Deltona shall initiate and/or participate in the intergovernmental coordination mechanisms necessary to ensure the city identifies consistency and compatibility issues among governmental agencies, plans and policies and to resolve any conflicts that may arise.

9J-5.015(a)

### **OBJECTIVE IC1-1**

The City of Deltona shall coordinate with adjacent cities, counties, federal, state and regional agencies, and other governmental agencies, via effective formal and informal coordination mechanisms. This will ensure consistency in planning related matters and coordinating the impacts of development. The formal and informal mechanisms shall include membership in appropriate area-wide organizations, inter-agency staff communication and other methods as deemed appropriate.

9J-5.015(b)(1&2)

## **CAPITAL IMPROVEMENTS ELEMENT**

### **GOAL CIE1**

Public facilities shall be provided efficiently, safely, and cost effectively to promote timely, compact development, which is compatible with existing and designated land uses, and with the natural environment.

9J-5.016(3)(a)

### **OBJECTIVE CIE1-1**

Deltona shall concentrate public facilities and services to areas that are delineated on the Future Land Use Map to provide, compact, efficient and cost-effective provision of services as a means necessary to meet existing deficiencies, accommodate future growth and replace obsolete or worn out facilities. 9J-5.016(3)(b)(1)

#### **Policy CIE1-1.1**

Deltona shall provide and maintain the necessary capital improvements to eliminate existing deficiencies and repair, renovate or replace its worn out capital stock by establishing a rational system for evaluating and reviewing Capital Improvement projects. 9J-5.016(3)(c)(3)

#### **Policy CIE1-1.3**

The City shall maximize the use of existing public facilities and target funding to services that are deficit or distressed in the development of its five year capital program. 9J-5.016(3)(c)(1,3,4,6&7)

### **OBJECTIVE CIE1-2**

The City will coordinate land use decisions and fiscal resources with a schedule of capital improvements, which maintains adopted level of service standards and meets the existing and future facility needs. 9J-5.016(3)(b)(3)

#### **Policy CIE1-4.6**

The City shall achieve and maintain standards for peak hour levels of service on the thoroughfare system. 9J-5.016(3)(c)(6)

#### **Policy CIE1-4.7**

Public facilities and services shall meet or exceed level of service standards and must be available concurrent with development. 9J-5.016(3)(c)(4&6)

## **6.4 CONCLUSION**

The Community Redevelopment Plan provides a framework for rehabilitation and redevelopment of the Redevelopment Area as an attractive, inviting, easily accessible, and economically successful community, which promotes a positive image for the City of Deltona. This Plan deliberately and reasonably addresses the blighted area conditions observed through the "*Finding of Necessity Report*" which has been ratified, and confirmed by the City Commission. To realize the redevelopment vision of the Plan, community

leaders, business persons and residents are encouraged to support the redevelopment objectives and continue the commitment over time in order for the vision to be successfully implemented into reality.

Realization of the Redevelopment Plan is a 20-year effort. The CRA will perform an annual review of the Plan and prepare an annual report and budget. The CRA may elect to update and amend the Plan every five years contingent on County review and approval.

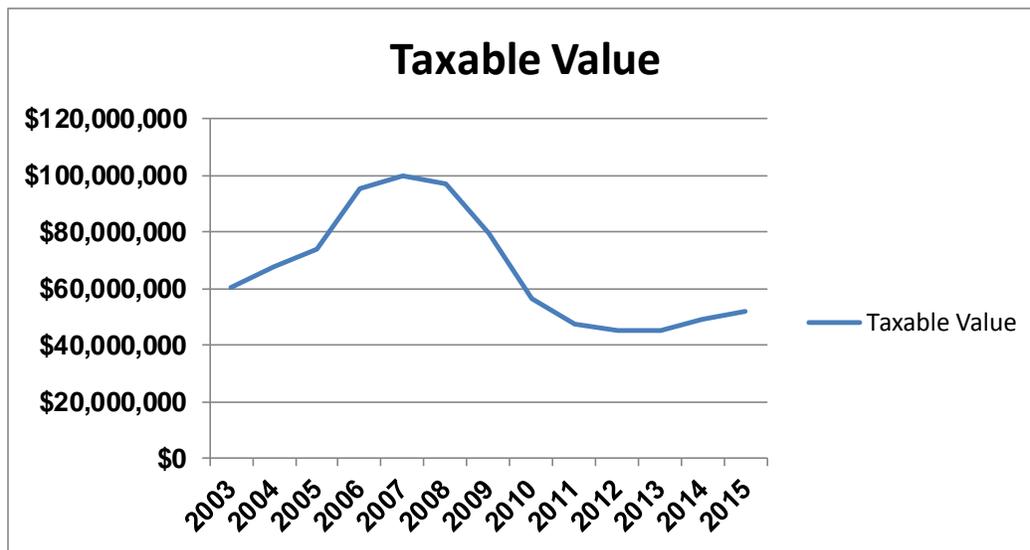
This 20-year duration is necessary due to the extent of defunct infrastructure; and the low increment revenue projections, which will take nearly 10 years to start realizing appreciable revenue to use to leverage other funding sources for the improvements. It is further noted that the estimated increment revenues by year 20 will be \$8,021,807 and that amount will be used to strategically create safer corridors.

It is important to note that the increment revenue estimates over the 20-year period fall short of the estimated costs to undertake the projects identified in this Plan to mitigate and reverse blight factors. The City believes that it will take the full 20 years to realize the dollars necessary to undertake the redevelopment initiatives identified within the Plan. However, the City understands the County's desire to limit the duration of community redevelopment areas to something less than the maximum allowed. It is possible that economic conditions may improve more than what the increment revenue forecast currently demonstrates, and the City may be fortunate to acquire other funding sources, yet to be identified. Understanding this, the City suggests completing a sunset review with the County in year 2036. The intent of 2036 review is to determine if the redevelopment objectives, initiatives, and projects have been successful in reversing blight conditions as described within the *"Finding of Necessity Report"* and the Plan. If it is jointly determined that the CRA has accomplished the primary objectives outlined in the Plan, or most recent updates, then the date for the sunset for the Redevelopment Area can be re-established for a period of 20 years.

## APPENDIX A TAX INCREMENT FINANCING

Using information from the City and Volusia County, SPG performed numerous analyses based on different growth scenarios. Volusia County and the City of Deltona experience significant ad valorem revenue (property taxes) as a result of the Great Recession. The historic ad valorem revenue stream for the City since 2003 has been impacted by two major events: the “Housing Bubble” and the “Great Recession”. The City of Deltona and the proposed CRA area experienced significant growth in ad valorem tax revenue until its peak in 2007 after which revenues declined significantly to below the 2003<sup>1</sup> levels. Revenue bottomed out in 2013.

Figure 1, Historical Taxable Values



Source: Strategic Planning Group, Inc., 2015

Both the “Housing Bubble” and “Great Recession” are unique events which should not occur again, at least not in the Plan’s 20 year horizon. If one were to use this 2003-2015 historic trend line to forecast future revenues, the result would result in declining revenue trends which does not reflect the trends of the last two years.

While CRA ad valorem revenue bottomed out in 2013 they are significantly below even 2003 (12 years) taxable values. SPG, for analytical reasons only, forecast future revenues using various short term growth rates (2012-2015, 2013-2015 and 2014-2015). The calculations are based on the following millage rates:

- City        7.99 mills
- County    6.8709 mills

<sup>1</sup> Last data available to SPG.

Table 1, Different TIF Calculations using recent growth in taxable property values

Growth Rate Year	Based on 2012-2015 4.4177%					Based on 2014-2015 5.7634%					Based on 2013-2015 7.1790%				
	Growth in Taxable Value					Growth in Taxable Value					Growth in Taxable Value				
		Tax Increment		City TIF Revenue	County TIF Revenue		Tax Increment @		City TIF Revenue	County TIF Revenue		Tax Increment @		City TIF Revenue	County TIF Revenue
2015	\$51,771,627	@ .95%			\$51,771,627	.95%				\$51,771,627	.95%				
2016	\$54,058,742	\$2,172,759	\$17,360	\$14,946	\$54,755,457	\$2,834,639	\$22,649	\$19,499	\$55,488,312	\$3,530,851	\$28,211	\$24,289			
2017	\$56,446,895	\$4,441,505	\$35,488	\$30,553	\$57,911,259	\$5,832,650	\$46,603	\$40,123	\$59,471,818	\$7,315,181	\$58,448	\$50,321			
2018	\$58,940,550	\$6,810,477	\$54,416	\$46,849	\$61,248,943	\$9,003,450	\$71,938	\$61,935	\$63,741,300	\$11,371,189	\$90,856	\$78,222			
2019	\$61,544,366	\$9,284,102	\$74,180	\$63,865	\$64,778,993	\$12,356,998	\$98,732	\$85,004	\$68,317,288	\$15,718,378	\$125,590	\$108,127			
2020	\$64,263,212	\$11,867,006	\$94,817	\$81,633	\$68,512,496	\$15,903,825	\$127,072	\$109,402	\$73,221,786	\$20,377,651	\$162,817	\$140,178			
2021	\$67,102,168	\$14,564,014	\$116,366	\$100,186	\$72,461,177	\$19,655,073	\$157,044	\$135,207	\$78,478,378	\$25,371,413	\$202,718	\$174,530			
2022	\$70,066,540	\$17,380,168	\$138,868	\$119,558	\$76,637,438	\$23,622,521	\$188,744	\$162,499	\$84,112,341	\$30,723,678	\$245,482	\$211,348			
2023	\$73,161,870	\$20,320,731	\$162,363	\$139,786	\$81,054,396	\$27,818,631	\$222,271	\$191,364	\$90,150,766	\$36,460,182	\$291,317	\$250,810			
2024	\$76,393,942	\$23,391,199	\$186,896	\$160,908	\$85,725,923	\$32,256,581	\$257,730	\$221,893	\$96,622,689	\$42,608,509	\$340,442	\$293,104			
2025	\$79,768,797	\$26,597,311	\$212,513	\$182,963	\$90,666,691	\$36,950,311	\$295,233	\$254,181	\$103,559,232	\$49,198,225	\$393,094	\$338,435			
2026	\$83,292,743	\$29,945,060	\$239,261	\$205,992	\$95,892,217	\$41,914,561	\$334,897	\$288,330	\$110,993,749	\$56,261,016	\$449,526	\$387,020			
2027	\$86,972,366	\$33,440,703	\$267,191	\$230,039	\$101,418,914	\$47,164,923	\$376,848	\$324,448	\$118,961,990	\$63,830,845	\$510,008	\$439,092			
2028	\$90,814,545	\$37,090,772	\$296,355	\$255,147	\$107,264,139	\$52,717,886	\$421,216	\$362,646	\$127,502,272	\$71,944,112	\$574,833	\$494,904			
2029	\$94,826,459	\$40,902,090	\$326,808	\$281,365	\$113,446,250	\$58,590,892	\$468,141	\$403,047	\$136,655,660	\$80,639,831	\$644,312	\$554,721			
2030	\$99,015,607	\$44,881,781	\$358,605	\$308,742	\$119,984,664	\$64,802,385	\$517,771	\$445,776	\$146,466,170	\$89,959,815	\$718,779	\$618,834			
2031	\$103,389,820	\$49,037,283	\$391,808	\$337,327	\$126,899,916	\$71,371,875	\$570,261	\$490,967	\$156,980,976	\$99,948,881	\$798,592	\$687,548			
2032	\$107,957,272	\$53,376,363	\$426,477	\$367,176	\$134,213,725	\$78,319,993	\$625,777	\$538,763	\$168,250,640	\$110,655,062	\$884,134	\$761,196			
2033	\$112,726,500	\$57,907,130	\$462,678	\$398,343	\$141,949,062	\$85,668,563	\$684,492	\$589,314	\$180,329,354	\$122,129,840	\$975,817	\$840,131			
2034	\$117,706,419	\$62,638,052	\$500,478	\$430,887	\$150,130,220	\$93,440,663	\$746,591	\$642,778	\$193,275,198	\$134,428,392	\$1,074,083	\$924,733			
2035	\$122,906,335	\$67,577,973	\$539,948	\$464,869	\$158,782,895	\$101,660,705	\$812,269	\$699,324	\$207,150,424	\$147,609,857	\$1,179,403	\$1,015,408			
			<b>\$4,902,876</b>	<b>\$4,221,137</b>			<b>\$7,046,278</b>	<b>\$6,066,502</b>			<b>\$9,748,462</b>	<b>\$8,392,950</b>			
			<b>Total TIF</b>	<b>\$9,124,013</b>			<b>Total TIF</b>	<b>\$13,112,780</b>			<b>Total TIF</b>	<b>\$18,141,412</b>			

Source: Strategic Planning Group, Inc., 2015

Using the 2012-2015 growth trend, the CRA would not reach its 2007 peak valuation until 2031. The 2014-15 growth trend would not reach its 2007 peak until 2027, while the 2013-2015 growth rate would reach the peak 2007 taxable value by 2025.

Based on the calculations above, taxable property values increases from 4.4177% to 7.1790%, resulting in the CRA TIF revenues (over the 20 year planning period) ranges from \$9.1 million to \$18.1 million.

The results of the improvements to the CRA transportation network as well as major improvements to the existing visual and structural blight, should improve the overall economic vitality of the area. Even given this assumption, SPG believes a conservative TIF revenue generation rate below the above referenced calculations should be used. For the purpose of this Plan, a 4% growth rate was assumed. Using the 4% growth in taxable property values, the CRA's TIF revenues is projected at a little over \$8 million.

Table 2, TIF 20 Year Estimates

Growth Rate Year	Best Conservative Estimate 4.00%			
		Tax Increment @ .95%	City TIF Revenue	County TIF Revenue
2015	\$51,771,627			
2016	\$53,842,492	\$1,967,322	\$15,719	\$13,533
2017	\$55,996,192	\$4,013,337	\$32,067	\$27,608
2018	\$58,236,039	\$6,141,192	\$49,068	\$42,245
2019	\$60,565,481	\$8,354,161	\$66,750	\$57,468
2020	\$62,988,100	\$10,655,650	\$85,139	\$73,300
2021	\$65,507,624	\$13,049,197	\$104,263	\$89,765
2022	\$68,127,929	\$15,538,487	\$124,153	\$106,889
2023	\$70,853,046	\$18,127,348	\$144,838	\$124,698
2024	\$73,687,168	\$20,819,764	\$166,350	\$143,219
2025	\$76,634,655	\$23,619,877	\$188,723	\$162,481
2026	\$79,700,041	\$26,531,993	\$211,991	\$182,514
2027	\$82,888,043	\$29,560,595	\$236,189	\$203,347
2028	\$86,203,565	\$32,710,341	\$261,356	\$225,014
2029	\$89,651,707	\$35,986,076	\$287,529	\$247,548
2030	\$93,237,775	\$39,392,841	\$314,749	\$270,983
2031	\$96,967,286	\$42,935,876	\$343,058	\$295,356
2032	\$100,845,978	\$46,620,633	\$372,499	\$320,703
2033	\$104,879,817	\$50,452,781	\$403,118	\$347,065
2034	\$109,075,010	\$54,438,214	\$434,961	\$374,480
2035	\$113,438,010	\$58,583,064	\$468,079	\$402,993
			<b>\$4,310,595</b>	<b>\$3,711,212</b>
			<b>Total TIF</b>	<b>\$8,021,807</b>

Source: Strategic Planning Group, Inc., 2015

# APPENDIX B CAPITAL IMPROVEMENT PLAN

Southwest Deltona 20- Year CRA with 5-Year Capital Plan(s): 2016-2036						Totals	TIFF Contribution City/County
	FY: 2016-2021 Capital Budget	FY: 2022-2026 Capital Planned	FY: 2027-2031 Capital Planned	FY: 2032-2036 Capital Planned	Proj. Total Capital - 2036		
<b>CRA 20-YEAR PROJECT SCHEDULE AND COSTS ESTIMATE</b>							
<b>YEAR</b>	<b>Enter project titles below</b>	<b>Enter 5-Year Increment Totals</b>			<b>Total cost of projects will total here (across)</b>		
1st 5YR: Item 1	9% Survey, Engineering, Permitting, etc.	202,500			202,500		
1st 5YR: Item 2	6% CEI Services	134,900			134,900		
1st 5YR: TOTAL	Subtotal First Phase-First 5 Years	337,400			337,400	\$337,400.00	CITY
2nd 5YR: Item 1	Saxon North of Normandy-Water, Reclaimed Water, Sewer		1,425,000		1,425,000		
2nd 5YR: Item 2	3% Mobilization, Bonds, Indemnity, etc.		67,500		67,500		
2nd 5YR: TOTAL	Subtotal Second Phase-Second 5 Years		1,492,500		1,492,500	\$1,492,500.00	CITY
3rd 5YR: Item 1	Estimated Land Acquisition			500,000	500,000		
3rd 5YR: Item 2	Normandy & Deltona Intersection Improvements			1,000,000	1,000,000		
3rd 5YR: Item 3	S. Deltona (Entprse-Dirksen) 4-Lane & Reconst. w/in 80' ROW			4,750,000	4,750,000		
3rd 5YR: Item 4	Deltona/Dirksen intersection improvement and mast arm			450,000	450,000		
3rd 5YR: Item 5	Deltona/Enterprise intersection improvements and mast arm			450,000	450,000		
3rd 5YR: Item 6	3% Mobilization, Bonds, Indemnity, etc.			169,500	169,500		
3rd 5YR: Item 7	9% Survey, Engineering, Permitting, etc.			508,500	508,500		
3rd 5YR: Item 8	6% CEI Services			339,000	339,000		
3rd 5YR: TOTAL	SubTotal Third Phase- Third 5 Years			8,167,000	8,167,000	\$4,083,500.00	CITY/COUNTY (Grant Match)
4th 5YR: Item 1	Normandy Blvd. Reconstruction and 4 Laning			4,250,000	4,250,000		
4th 5YR: Item 2	3% Mobilization, Bonds, Indemnity, etc.			127,500	127,500		
4th 5YR: Item 3	9% Survey, Engineering, Permitting, etc.			382,500	382,500		
4th 5YR: Item 4	6% CEI Services			155,000	155,000		
4th 5YR: Item 5	Estimated ROW Land Acquisition			600,000	600,000		
4th 5YR: TOTAL	SubTotal Fourth Phase-Fourth 5 Years			5,515,000	5,515,000	\$2,757,000.00	CITY/COUNTY (Grant Match)
4th-5							
TOTAL	Totals 20-Year CRA [suggest add 10%]	\$ 337,400	\$ 1,492,500	\$ 8,167,000	\$ 5,515,000	\$ 15,511,900	\$8,670,400.00

**APPENDIX C STRATEGIC PLAN**

**A List of Targeted  
Objectives to Achieve  
within 5-Years**

**City of Deltona  
Strategic Plan**



*Chris Bowley, AICP, Planning Director*

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## I. Introduction

The City of Deltona (City) is a relatively young community, historically speaking, having been established as an incorporated community in 1995. Although it has physically been a community since the early 1960s, it has grown into the largest city in Volusia County, with a population of over 87,000 residents in a short period of time. This rapid growth has led to the need to identify community goals that galvanize and focus City efforts for both short-range and long-range planning horizons.

The purpose of this Strategic Plan is to identify targeted achievable goals for a short-range planning horizon (no greater than 5 years). The City employed the assistance of Ms. Marilyn Crotty of the Florida Institute of Government at the University of Central Florida to facilitate a community vision to create common goals and objectives to place into this Strategic Plan. The Strategic Plan will also be used to create an Economic Development Element within the City's Comprehensive Plan to expand the short-range planning horizon into a longer-range version.

Two Community Visioning and Strategic Planning Workshops were conducted, one on October 17<sup>th</sup> and one on November 7<sup>th</sup>, 2015. The first meeting on October 17<sup>th</sup> was with residents and interested members of the community to create the topics to present to the City Commission for further focus. The second meeting on November 7<sup>th</sup> was with the City Commission and representatives of each City department to review the information provided from the community and to narrow it into a short list of priority objectives, to achieve within five years, as follows:

### Strategic Issues

1. **Economic Development:** Provide a strategic focused effort towards economic development throughout the City to enhance existing businesses and attract new businesses.
2. **Fiscal Issues:** Maintain current fiscal stability, maximize alternative funding sources, and promote an effective system of checks and balances.
3. **Infrastructure:** Focus on the expansion of park facilities, commercial utilities, technology, roadways and trails to make Deltona a more sustainable community.
4. **Internal and External Communication:** Provide consistent and effective communication that promotes economic development, civic pride and service delivery.
5. **Public Safety:** To provide quality high-level public safety services to the community through consistent regulations within a coordinated management plan process.
6. **Social Services:** Continue to foster a wide variety of effective and targeted social services for City residents. *Note: no priority objectives were listed for this issue.*



The names of the department per task are listed next to each objective, with a projected time period to complete, if not an on-going or already completed effort.

## II. Priority Objectives

From the above listed strategic issues, the following ranked priority objectives were created *(with the number of City Commissioner preferences listed in parentheses, where listed)*:

1. **Fiscal Issues** – create a grants management program: find and write grants, administer grants, and provide quarterly updates and pursue new/alternate revenue sources (6) – a grant writer was selected and will begin to assist on the following tasks: *Status: Brought on the City's Grant Writer through the City's procurement process and working with her to have and maintain a focus and ranked priority on projects.*
  - New Senior Community Center – *Planning & Development Services; contact person Chris Bowley. Two year project completing in 2017. Status: Underway with design, permitting in mid-2016, contractor selection late 2016, and construction completion in late 2017.*
  - Improvements to the existing Community Center – *Parks & Recreation Department; contact person Steve Moore. Two year project following the new Senior Center.*
  - Transportation/CIP (i.e. Tivoli Dr. expansion, Normandy Blvd. construction, Howland Blvd./Catalina Dr. intersection, TPO listed roads, sidewalks, trails/bike lanes) – *Public Works Department; contact person Gerald Chancellor. Start Normandy Blvd. and Tivoli Dr. in 2016.*
  - Thornby Park HERE Project – *City Manager's Office; contact persons Jerry Mayes and Lee Lopez. Project based on available funding with decision in 2016.*
  - Veteran's Museum – *Parks & Recreation Department; contact person Steve Moore. On-going with available funding.*
  - Overall beautification grants – *Varies by department. Underway and on-going effort. Status: Wrote the FDOT Bold Initiative Grant with an update, received \$125,000 for SR 472 (double the original grant award), received \$750,000 (verbally) for Interstate 4 at SR 472, and modified the 100% construction plans for the Saxon Blvd. interchange.*
  - Other grants as approved by the City Commission – *Varies by department. On-going per grant opportunities, as they are available. Status: Working with City staff in other departments to have their issues addressed through grant searches by the Grant Writer.*
2. **Economic Development** – update the economic development plan (including the Land Development Code) (5) – underway with real estate analysis with TVEDC and Phase III of the LDC to be adopted in 2016. *Status: Phase III of the Land Development Code amendments was brought to the City Commission and adopted as Ordinance No. 04-2016. Staff is coordinating with Team Volusia staff to complete the highest and best use analysis and bring it to the City Commission at the May 9<sup>th</sup> workshop.*
  - Team Volusia coordination and creation of a database of commercial properties on the Team Volusia website and City website (market analysis of available properties) – *Planning & Development Services; contact person Chris Bowley. Underway with completion in 2016. Status: See above pertaining to working with Team Volusia.*
  - Determine the business niche for the City to target/pursue (i.e. medical campus/offices/business park) – *Planning & Development Services; contact person*



- Chris Bowley. Underway with completion in 2016. Status: See above pertaining to working with Team Volusia.*
- Focus on Howland Boulevard as the gateway for commercial growth (create a City Center and pursue acquisition of Casey property) – *Planning & Development Services; contact person Chris Bowley. On-going until all parcels are developed. Status: The focus on Howland Blvd. as the gateway is being done in conjunction with the Parks Department and the consultant team to determine a sports niche, as well as through the product of Team Volusia.*
  - Work with existing businesses to expand/grow, including a questionnaire and one-on-one site visits – *City Manager's Office; contact person Jerry Mayes. Questionnaire to be completed in 2016 and site visits on-going.*
  - Promote customer service environment, including creation of a one-stop shop concept and any required staff development/training to achieve it – *City Manager's Office; contact persons Jerry Mayes and Dale Baker. Underway with completion in 2016.*
  - Construct a Senior Community Center and prepare a business pro forma, including the need for an events manager – *Planning & Development Services; contact person Chris Bowley. Two year project completing in 2017. Status: The design team, including the project engineer, has been selected and is underway with design. The development program has been finalized without a gymnasium and with an expanded assembly room. The Final Site Plan and Construction Plans are being worked on.*
  - Pursue the creation of CRA for Deltona Boulevard – *Planning & Development Services; contact person Ron Paradise. CRA submitted and obtain CRA authority/set-up within 2016. Status: The Southwest Deltona CRA requests for additional information were submitted to Volusia County and there is an anticipated awarding of the CRA in 2016 that needs County Council approval.*
  - Create more diversified and high-quality housing opportunities to provide for all market demands – *Planning & Development Services; contact person Chris Bowley. Underway and on-going. Status: The City approved Phase V of Arbor Ridge and Lake Baton Estates master planned communities. Both offer a variety of housing types to meet a broad spectrum of the real estate market. The Arbor Ridge project offers a more urban neighborhood with smaller lots on a central sewer system. The homes are conveniently located to schools. Lake Baton Estates, also on central sewer, offers a much larger home and is adjacent to Spirit Elementary.*
3. **Economic Development** – analyze City-owned properties and determine their highest and best use, need for land acquisition/disposition, etc. (4) – underway with three efforts for real estate, parks, and utility master planning. *Status: Staff is coordinating with Team Volusia staff to complete the highest and best use analysis and bring it to the City Commission at the May 9<sup>th</sup> workshop.*
- Obtain master planning services, once the niche is determined – *Planning & Development Services; contact person Chris Bowley. Underway with completion in 2016. Status: See above.*
  - Review relocation of existing facilities (i.e. Public Works) – *Public Works Department; contact person Gerald Chancellor. Analyze properties in 2016, with funding, relocation within two years from funding date.*



4. **Public Safety** – strengthen code enforcement (abandoned properties, rental properties) (5) – underway with actions taken to notify residents of trash pick-up timing and letters sent to property owners to take action on sites in disrepair. *Status: Ongoing until June 1<sup>st</sup>.*
  - Focus on the City’s beautification program (landscaping, trash removal, seasonal/holiday themes at the gateways, and major intersections) – *Enforcement Services; contact person Dale Baker. Status: Underway and on-going.*
  - Fund and implement a demolition program for homes in disrepair. *Enforcement Services; contact person Dale Baker. Status: Underway and on-going; 4 houses taken down to date.*
  - Review the need for additional staff – *Enforcement Services; contact person Dale Baker. Status: Underway and to be completed in 2016. Part of the budget process.*
  - Sign ordinance amendment/rewrite the sign code – *Planning & Development Services; contact person Chris Bowley. Underway with completion in 2016. Status: Sign Code draft was written and distributed to City staff, special interest groups, and sign contractors. The draft will be attached to an ordinance draft with comments received and brought to the City Commission at a workshop.*
  
5. **Public Safety** – pursue the ability of the City to be able to provide medical transport (4).
  - Prepare a fire assessment fee cost-benefit analysis – *Fire Department; contact person Chief Chris Sievert. Underway with completion in 2016.*
  - Begin dialogue with Volusia County officials/staff – *Fire Department; contact person Chief Chris Sievert. Underway and on-going.*
  - Review the need for additional staff – *Fire Department; contact person Chief Chris Sievert. Underway and to be completed in 2016.*
  - Prepare a medical transport cost-benefit analysis – *Fire Department; contact person Chief Chris Sievert. To be completed in 2016.*
  
6. **Internal and External Communication** – improve intergovernmental coordination (advocacy, proper courthouse annex location) (4) – always a top priority and on-going effort.
  - Proactively contact agencies and review mailing lists (especially for invitations to special events) – *City Manager’s Office; contact person Jerry Mayes. Underway and on-going.*
  - Conduct partnering sessions with County staff and State Legislature, with trips to Tallahassee, and review of lobbyist contract – *City Manager’s Office; contact person Jane Shang. Underway and on-going.*
  - Update the City’s media (City website) and broaden Deltona TV outreach – *City Manager’s Office; contact person Lee Lopez. Underway and on-going.*
  - Mayor’s Annual State of the City Address – *City Manager’s Office; contact person Jane Shang. Underway and on-going.*
  
7. **Internal and External Communication** – develop a Deltona brand and improve image (4) – efforts underway since 2007 with request to update that information.
  - Continue the partnership with FDOT for I-4 expansion and City beautification – *Planning & Development Services; contact person Chris Bowley. On-going with Bold Initiative Grant awarded in 2015. Status: The Bold Initiative Grant previously awarded by FDOT was doubled from \$63,000 to \$125,000 and the planting area expanded to between Interstate 4 and Graves Ave. The FDOT is also considering adding \$750,000 in landscaping to the I-4/SR 472 interchange within the travel lane area.*



- Beautify gateways and key locations – Howland Blvd./Graves Ave., Normandy Blvd./Saxon Blvd., Saxon Blvd./I-4, DeBary Ave./Deltona Blvd., City Hall, and City facilities (including lift stations, stormwater ponds, park entrances, etc.) – *Parks & Recreation Department; contact person Steve Moore. Underway and on-going.*
  - Solicit partnerships with businesses, schools, hospitals, and residents for information dissemination – *City Manager's Office; contact person Jerry Mayes. Underway and on-going.*
  - Create a new branding slogan and implement a new marketing campaign – *City Manager's Office; contact persons Jerry Mayes and Lee Lopez. Underway with completion in 2016.*
  - Conduct a needs assessment for social services and communicate resources for public benefit – *Planning & Development Services; contact person Chris Bowley. Two social services summits held with the third to be in February 2016. Coordination for expanded 211/HMIS. Status: The three initial Social Services Summits were conducted and achieved the mission to gather as many local human service agencies together that serve Deltona residents and to disseminate information in the most broad and accessible means possible. The two sources identified were the United Way 211 for access and the HMIS for a tracking database. The United Way staff began working directly with the local agencies. The AHAC is focused on future summits, continued 211 use, and use of the HMIS.*
8. **Infrastructure** – update the Parks and Recreation Master Plan (4) – combining efforts for parks and utility master plan for efficient land use planning.
- Engage a consultant for parks master planning – *Parks & Recreation; contact person Steve Moore. Underway and will be completed in 2016.*
  - Determine a sports facility niche for the City (define the 'stadium' concept) – *Parks & Recreation; contact person Steve Moore. Included in parks master planning in 2016.*
  - Expand existing park facilities (including lighting at Dwight Hawkins and Manny Rodriguez Parks) – *Parks & Recreation; contact person Steve Moore. Included in parks master planning in 2016.*
  - Work with schools, YMCA, and Council on Aging to develop recreational programs in partnership at Volusia County middle school sites utilizing existing infrastructure – *Parks & Recreation; contact person Steve Moore. Included in parks master planning in 2016.*
  - Review the amphitheater agreement for Lyonia Library – *City Attorney's Office; contact person Becky Vose. To be completed in 2016.*
9. **Infrastructure** – create a utility master plan consistent with zoning (water, sewer, natural gas, information technology, etc.) (4) – to be worked jointly with the parks and real estate master planning for greatest efficiency in long-range planning.
- Create a map that identifies existing infrastructure – *Planning & Development Services; contact person Chris Bowley. Underway and to be completed in 2016. Status: See the above concerning the Homeland Security Act. The City has the GIS layers and attribute tables for this information in its system.*
  - Upon completion of a master development plan for the City, identify areas for utility expansion – *Public Works; contact person Gerald Chancellor. Underway and to be completed in 2016.*



- Preserve and increase the City's water supply (Farmton/SJRWMD/Deltona North) – *Public Works Department; contact person Gerald Chancellor. Underway and on-going.*
- Include requirements for utilities when reviewing site plans for permitting – *Public Works Department; contact person Gerald Chancellor. Underway and on-going.*
- Implement Phase I of the Transportation CIP program and develop Phase II of the Transportation CIP program for roads and sidewalks – *Public Works Department; contact person Gerald Chancellor. Underway and on-going.*
- Support a ½-cent to 1 cent sales tax for transportation projects, upon agreement of a methodology for distribution and eligible projects within the TPO – *Planning & Development Services; contact person Ron Paradise. Begin dialogue with the TPO in 2016. Status: Attendance at the TPOs meetings has been consistent and three projects were added to the TPOs call for projects list. The Long Range Transportation Plan includes City projects and the ranking methodology was changed to award more points per a ±32.5% match. Staff is creating a ranking projects list.*

### III. On-going Projects & Other Priority Objectives Identified

#### On-going Projects

- Granicus implementation – *City Clerk; contact person Joyce Raftery.*
- TNR program – *Enforcement Services; contact person Dale Baker.*
- Health insurance alternative access (2) – *Human Resources; contact person Cara Burgess. Status: Presented various options to the Commission at a workshop on April 25th. Direction was to go to RFP this year for fully insured health care plan and to explore options such as plan design and contribution methods as ways to help reduce employee and City cost. We will continue to enhance the Wellness Program to help lower insurance claims by prevention. The Employee Health Insurance Committee will meet to review information and make recommendations.*

#### Other Priority Objectives Identified

- City engagement and two-way communication (social media, advisory boards) (3) – *City Manager's Office; contact person Wendi Jackson.*
- Employee development and training (2); education and bonuses – *Human Resources; contact person Cara Burgess. Status: Employee Supervisory Training was completed in April. Staff continues to explore options for an employee incentive program and education incentive.*
- Explore multi-modal transportation opportunities with other government entities (2) – *Planning & Development Services; contact person Chris Bowley. Status: Planning staff is a member of the Volusia Transit Connector Study Project Advisory Group and has been making recommendations for increased ridership and multi-modal potential. The transportation consultant for Volusia County has ranked the SR 472 at I-4 interchange as an optimal location for a multi-modal station.*
- Community services summit for the provision of social services (2) and a needs assessment (1) – *Planning & Development Services; contact person Chris Bowley. Status: The three initial Social Services Summits were conducted and achieved the mission to gather as many local human service agencies together that serve Deltona residents and to disseminate information in the most broad and accessible means possible. The two sources identified were the United Way 211 for access and the HMIS*



**CITY OF DELTONA STRATEGIC PLAN**  
Strategic Goals for FY 15/16 - FY 16/17  
Revised April 27, 2016

*for a tracking database. The United Way staff began working directly with the local agencies. The AHAC is focused on future summits, continued 211 use, and use of the HMIS.*

- Maintain a balanced budget, reserves, and investments (1) – *Finance; contact person Bob Clinger.*
- Expand special events (1) – *Parks & Recreation; contact person Steve Moore.*
- Review the City's annexation policy (1) – *City Attorney's Office; contact person Becky Vose.*
- Support an Emergency Management Plan (1) – *Fire Department; contact person Chief Chris Sievert.*
- Continue to support the public safety education program/plan – *Fire Department; contact person Chief Chris Sievert.*