



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Agenda

Ordinance Review Committee

Chair Melissa Roberts
Vice Chair Sonjia Kihlmire
Member James Diehl
Member Cheri Taylor
Member Thomas Walsh
Member Rossana Sepulveda

Thursday, May 5, 2016

6:00 PM

Second Floor Conference Room

1. CALL TO ORDER:

2. ROLL CALL

3. APPROVAL OF MINUTES & AGENDA:

A. Minutes for April 7, 2016

4. PRESENTATIONS/AWARDS/REPORTS:

5. PUBLIC FORUM:

6. OLD BUSINESS:

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

7. NEW BUSINESS:

8. STAFF COMMENTS:

9. BOARD/COMMITTEE MEMBERS COMMENTS:

10. ADJOURNMENT:

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

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



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

DRAFT Minutes - Draft Ordinance Review Committee

Thursday, April 7, 2016

6:00 PM

Second Floor Conference Room

1. CALL TO ORDER:

The meeting was called to order at 6:00 pm.

2. ROLL CALL:

Also present: Chris Bowley, Planning and Development Services; Kathrine Kyp, Planning and Development Services and Officer Mark Gibson, Building and Enforcement Services.

Present: 6 - Chair Melissa Roberts
Vice Chair Sonjia Kihlmire
Member James Diehl
Member Cheri Taylor
Member Thomas Walsh
Member Rossana Sepulveda

3. APPROVAL OF MINUTES & AGENDA:

A. Minutes for March 3, 2016.

Motion by Member Walsh, seconded by Member Taylor, to approve the minutes of March 3, 2016. The motion carried by the following vote:

For: 6 - Chair Roberts, Vice Chair Kihlmire, Member Diehl, Member Taylor, Member Walsh and Member Sepulveda

4. PRESENTATIONS/AWARDS/REPORTS:

5. PUBLIC FORUM:

6. OLD BUSINESS:

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

Mr. Bowley provided a brief history of Section 110-828 regarding off street parking and loading regulations. Discussion regarding homeowner associations, long driveways, drainage and types of pavers suggested for additional parking. Officer Gibson asked how the brick pavers would be installed to allow for water to flow through. He suggested

adding criteria to allow for drainage. Mr. Bowley stated that language can be added to the Ordinance and will be verified with the Public Works department.

The Committee discussed the location of a parking pad and accessing additional parking through the driveway. Chairman Roberts suggested adding language that states secondary access to the property can be allowed through the Right of Way permit process.

Discussion regarding regulating the length and weight of vehicles or recreation vehicles. Officer Gibson noted that regulating the size and weight would be difficult to fight in court. Member Diehl questioned the reason for the restrictions on recreation vehicles and suggested that the vehicle be regulated by age. He noted that Deltona is too restrictive. Mr. Bowley added that the regulations are for all vehicles and are viewed to be more legally permissive and flexible for homeowners than less restrictive.

Mr. Bowley stated that at the next meeting he will have the first draft of the ordinance for the Committee to review.

7. NEW BUSINESS:

8. STAFF COMMENTS:

9. BOARD/COMMITTEE MEMBERS COMMENTS:

10. ADJOURNMENT:

The meeting adjourned at 6:47 pm.

Melissa Roberts, Chairperson

ATTEST:

Kathrine Kyp, Board Secretary

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.

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 shall be provided 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: _____

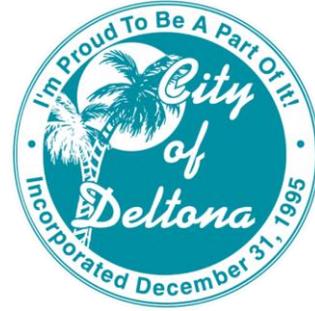
BY: _____
JOHN C. MASIARCZYK, SR., Mayor

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

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 shall be provided 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.