



**CITY OF DELAND
REGULAR MEETING OF THE PLANNING BOARD
MAY 13, 2026 AT 5:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

VERBAL REPORT ON CITY COMMISSION MEETINGS

MINUTES

1. Approval of the April 15, 2026 Planning Board Special Meeting minutes.

VARIANCE OLD BUSINESS

VARIANCE NEW BUSINESS

1. Applicant Name: David C. Hodges
Project Number: V26-053 - Variance
Project Location: 402 Ravenshill Way
Project Description: Variance request to allow a six-foot fence within the street-side setback area where a maximum of four feet is allowed
Project Planner: Sam Nelson

PLANNING - OLD BUSINESS

PLANNING - NEW BUSINESS

1. Applicant Name: J. Todd Swann - Swann Real Estate
Project Number: SE26-052 – Special Exception
Project Location: ±0.6 acres located at 109 Kensington Road
Project Description: Special exception request to allow for vehicle sales and rentals
Project Planner: Kendall Story
2. Applicant Name: Willie Robinson - Robinson Signature Realty LLC
Project Number: Z26-062 – Rezoning for The Plexes at Adelle
Project Location: 1500 S. Adelle Avenue
Project Description: Rezone ±2.02 acres from Springwood Town Homes PD (Planned Development) to R-16 (Multiple-Family Dwelling)
Project Planner: Christopher Carson

OTHER BUSINESS

1. LDR Workshop

ADJOURNMENT



**CITY OF DELAND
PLANNING BOARD REGULAR MEETING
MINUTES
WEDNESDAY, APRIL 15, 2026 - 5:00 P.M.
CITY HALL**

CALL TO ORDER

The meeting began at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance – Mr. Owens, Chairperson

ROLL CALL

Henry Thiry	Present
Nora Lewis	Absent
Aaron Preston	Present
Don Liska	Present
Troy Baumgartner	Absent
Harper Hill, <i>Vice Chairperson</i>	Present
Jeremy Owens, <i>Chairperson</i>	Present

Quorum: Yes

Present – Rick Werbiskis, Community Development Director; Carol Kuhn, Planning Director, Chris Carson, Senior Planner; Sam Nelson, Planner I; applicants; and members of the public.

MINUTES

1. Approval of the April 8, 2026 Planning Board Meeting minutes.

The board unanimously voted to approve the April 8, 2026 Meeting Minutes.

PUBLIC PARTICIPATION PROCEEDINGS

Mr. Owens read the Public Participation procedures.

PLANNING – NEW BUSINESS

1. Applicant Name: Derek Ramsburg - Kimley-Horn & Associates
Project Number: AN24-212 – Annexation for Orange Camp Commercial
Project Location: South of Orange Camp Road, west of the I-4 Interchange
Project Description: Annex ±25.44 acres
Project Planner: Christopher Carson

Kim Booker, on behalf of the applicant, was present and available to answer questions from the board.

Henry Thiry moved to recommend approval for this item. Aaron Preston seconded the motion. The motion to recommend approval passed unanimously.

2. Applicant Name: Derek Ramsburg - Kimley-Horn & Associates
Project Number: SMLU24-213 – Comprehensive Plan Amendment
Project Location: South of Orange Camp Road, west of the I-4 Interchange
Project Description: Land use change for ±22.4 acres from Volusia County Commercial and Volusia County Rural to City of DeLand Highway Commercial
Project Planner: Christopher Carson

Kim Booker, on behalf of the applicant, was present and available to answer questions from the board.

Henry Thiry moved to recommend approval for this item. Harper Hill seconded the motion. The motion to recommend approval passed unanimously.

3. Applicant Name: Derek Ramsburg - Kimley-Horn & Associates
Project Number: Z26-041 – Rezoning for Orange Camp Commercial
Project Location: South of Orange Camp Road, west of the I-4 Interchange
Project Description: Rezone ± 22.4 acres from Volusia County B-6 (Highway Interchange Commercial), BPUD (Business Planned Unit Development), and A-2 (Rural Agriculture) to City of Deland C-2 (General Commercial)
Project Planner: Christopher Carson

Kim Booker, on behalf of the applicant, was present and available to answer questions from the board.

Aaron Preston moved to recommend approval for this item. Henry Thiry seconded the motion. The motion to recommend approval passed unanimously.

OTHER BUSINESS

None.

ADJOURNMENT

The meeting ended at 5:14 p.m.

D. BACKGROUND: The property located at 402 Ravenshill Way is within the Victoria Park Planned Development (PD) and was constructed in 2005. Specifically, the property is located in the Victoria Commons community, which is comprised of a mixture of detached single-family residences (SFRs) and townhomes.

Shortly after construction of the single-family residence, a six-foot (6') opaque white vinyl fence was installed at the property without permit review or approval by the City. The fence was installed approximately five-feet (5') from the street-side property line, encroaching into the minimum 10-foot street-side setback area by five-feet (5'). Attention to the unpermitted fence was originally brought to the City during the review of a permit for a new swimming pool in 2009. At that time, it was noted that the fence was unpermitted, the previous owner was advised to obtain a permit. No further action was taken by either the owner or the City, and the fence has remained in the same location.

The current owners purchased the property in July of 2025 to use as their primary residence, unaware that the fence was not permitted by the City. The property has changed ownership three (3) times since the fence had been installed. After City Code Enforcement responded to a complaint at a nearby property where six-foot (6') fencing was installed adjacent to the sidewalk on a corner lot without permit approval, a complaint was filed against the subject property. This led to the initiation of Code Enforcement action for the unpermitted work.

To resolve the Code Enforcement case against the property while keeping the fence in the same location, the owners are now requesting a variance to allow the six-foot fence to remain within the street-side setback area.

E. ANALYSIS: The single-family residence within the Victoria Park PD is located at the southwestern intersection of Ravenshill Way and Carlyle Lane. The subject property is 7,268-square feet in size, which conforms to the requirements of the Victoria Park PD. The front yard building setback requirement is 10-feet, the side yard is five feet (5'), and the rear yard is 15-feet. The property is a corner lot which requires an additional street-side yard setback of 10-feet. A 16-foot wide, alley easement is located at the rear of the residence.

The applicant is requesting to allow an existing, unpermitted six-foot (6') opaque fence to remain within the street side setback area, where it is setback five-feet (5') from the street-side property line. When the PD is silent on specific regulations, fences are required to meet the standards of Sec. 33-28.06., which limit the height of fencing for single-family residential properties to six-feet (6') and prohibit fencing above four-feet (4') in height from being located within the front and street-side setback areas of a property. The PD does contain language which permits privacy walls to encroach into yard setbacks, but does not mention height. Thus, the applicant's request to permit an existing fence with a height of six-feet (6') which is setback five-feet (5') from the northern, street-side property line would exceed the maximum allowed height for fences located in the street-side setback area by two-feet (2'), encroaching into the required street-side setback area by five-feet (5').

The requirement for a lower maximum fence height in the front and street-side yards exists to promote safety and community aesthetics. Tall fencing on corner lots can create potential traffic hazards due to adversely impacted visibility. Because of this, properties with corner frontages on public rights-of-way are required to meet the visibility standards of Sec. 33-90.03. (o) and the Florida Department of Transportation (FDOT) Roadway and Traffic Design Standards Index No. 546. As this fence is located approximately 85-feet from the intersection of Ravenshill Way and Carlye Lane, traffic visibility at the intersection is not impacted. Visibility at the intersection of Carlye Ln and the private alley to the rear of the residence will not be impacted as the alley is one-way.

A screened swimming pool with decking was constructed within the side and rear of the property in 2009 and is setback at the required 10-feet from the street-side property line. Florida Building Code requires swimming pools to have a safety barrier, which can be provided with the screen enclosure or the fence. As this property is a corner lot, the swimming pool is visible from adjacent streets without a fence. This would be aesthetically incompatible with surrounding properties and would limit the applicant's privacy. A six-foot fence could not be constructed in the permitted area as it would conflict with the existing pool and deck.

There are options for the applicant to resolve the Code Enforcement case without the need for a variance. The applicant could remove the fence, or replace it with a four-foot (4') fence which would be permitted in the street-side setback area. Either option could negatively impact the applicant's privacy.

F. VARIANCE CRITERIA: Per Section 33-103.03, as amended, the Planning Board will consider the following criteria in making a determination concerning the granting or denial of the requested variance:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

There are no special conditions or circumstances unique to the property or residence. All dimensional and setback standards for the Victoria Park Planned Development (PD) are currently provided. The PD does permit privacy walls to encroach into setback areas, but does not specifically permit six-foot fences to encroach. The subject fence was installed shortly after construction of the SFR in 2006, to screen the permitted swimming pool.

2. Literal interpretation and enforcement of these Land Development Regulations will deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these Land Development Regulations, and work unnecessary and undue hardship on the applicant such as natural site conditions, size or shape of lot or existing structure(s);

Literal interpretation and enforcement of these Land Development Regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same PD as they must meet the same setback requirements. However, an existing, permitted swimming pool and deck are setback 10-feet from the street

side-yard property line which prevent the placement of a six-foot fence within the permitted area.

3. Granting of the variance request will not confer on the applicant any special privilege that is denied by these Land Development Regulations to other lands, buildings or structures in the same zoning district;

Granting of the variance will confer special privileges when compared with other properties in Victoria Park as it would allow a six-foot fence where otherwise only a four-foot fence is allowed.

4. The granting of the variance will be in harmony with the general intent and purpose of these Land Development Regulations and the Comprehensive Plan, as amended, and will not be injurious to the surrounding properties or detrimental to the public welfare;

The purpose and intent of the Land Development Regulations' (LDRs) fence standards it to ensure that they are not harmful physically or aesthetically to residents and surrounding areas. The fence does not cause visibility issues at any intersection as it is setback 85-feet from the intersection of Ravenshill Way and Carlyle Lane.

The existing fence provides visual screening for a swimming pool and screen enclosure. If the fence were to be removed, this pool and screen enclosure would be clearly visible from neighboring properties and rights-of-way, resulting in an aesthetically incompatible yard. When compared with surrounding permitted six-foot (6') fences on corner lots, the subject fence is consistent in appearance.

As safety issues are not created by the fence, and since it's removal would be aesthetically detrimental to the neighborhood, the granting of this variance may be considered to be in harmony with the purpose of these Land Development Regulations.

5. The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure; and

The request is the minimum variance necessary to permit the six-foot (6') fence to remain in the existing location.

6. The special conditions or circumstances are not the result of actions of the applicant or owner.

The six foot (6') fence was installed in 2006, prior to the applicant's ownership. Therefore, the circumstances are not the result of the applicant's actions.

G. STAFF SUMMARY: The applicant is requesting a variance to allow an existing unpermitted fence to remain at its current location while exceeding the maximum height for fencing in the street-side setback area. The fence was installed shortly after construction of the single-family residence in 2005 without review or approval from the City. The applicant

obtained the property in 2025, without knowledge of the unpermitted work. Code Enforcement began proceedings against the property when a nearby property owner installed a fence without an approved permit. The Victoria Park Planned Development does contain provisions to permit privacy walls to encroach into the required setbacks, but it does not mention height. As such, the provisions of the LDRs will govern which prohibit a fence with a height of six-feet (6') from being placed in the street-side setback area. To obtain permit approval to resolve the code enforcement case without removing or relocating the fence, a variance is required. The request does not meet many of the hardship criteria; however, it is unlikely to be injurious to surrounding properties or detrimental to the public welfare, as it has been in this existing location and the encroachment of privacy walls is allowed in the PD.

The Planning Board may choose to grant this variance request, grant this variance request with conditions, or deny this variance request.

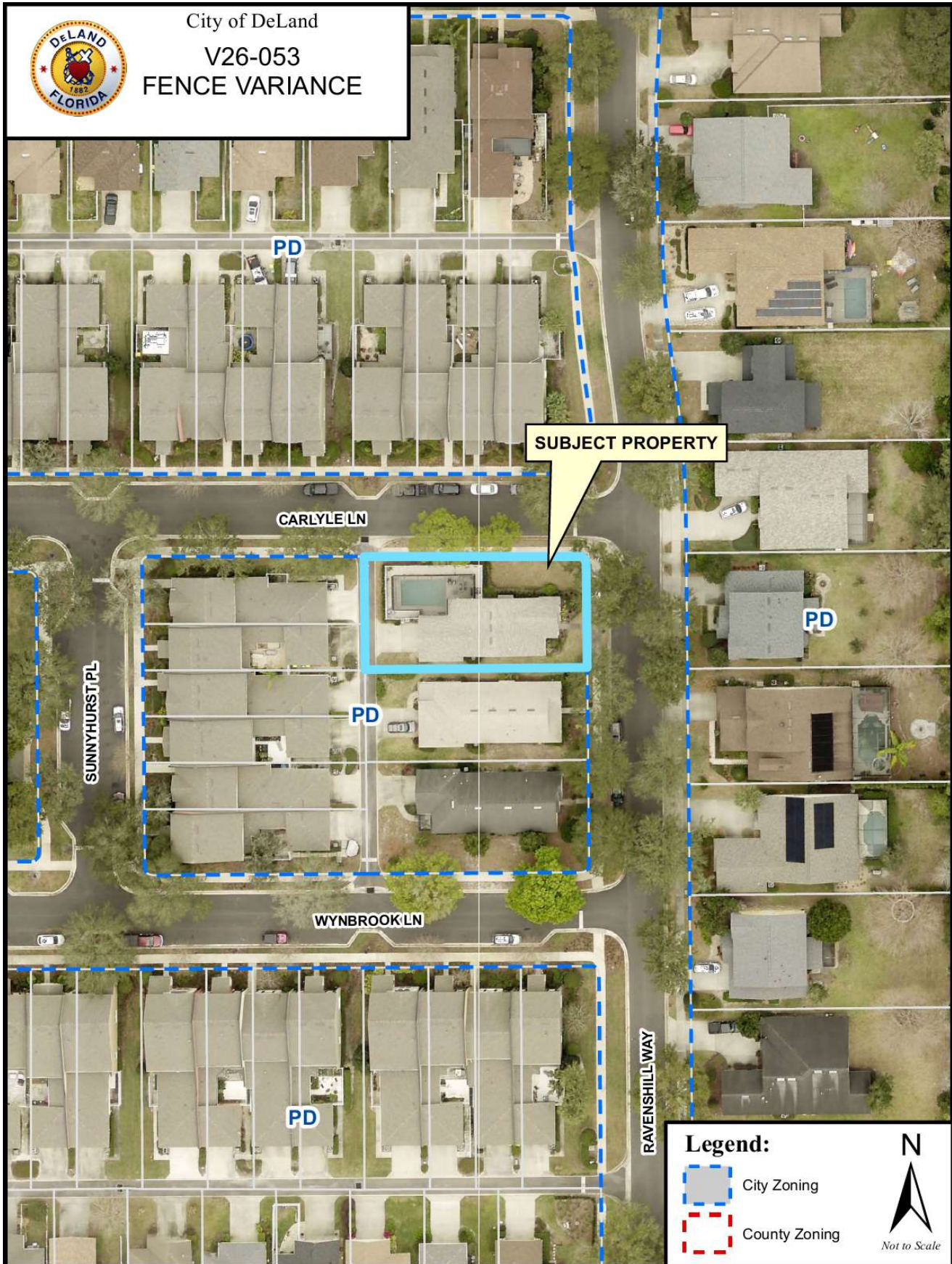
ATTACHMENTS:

- Property Survey
- Property Aerial
- Property Images
- Surrounding Corner Properties

Exhibit B – Property Aerials



City of DeLand
V26-053
FENCE VARIANCE



Aerial from 2006

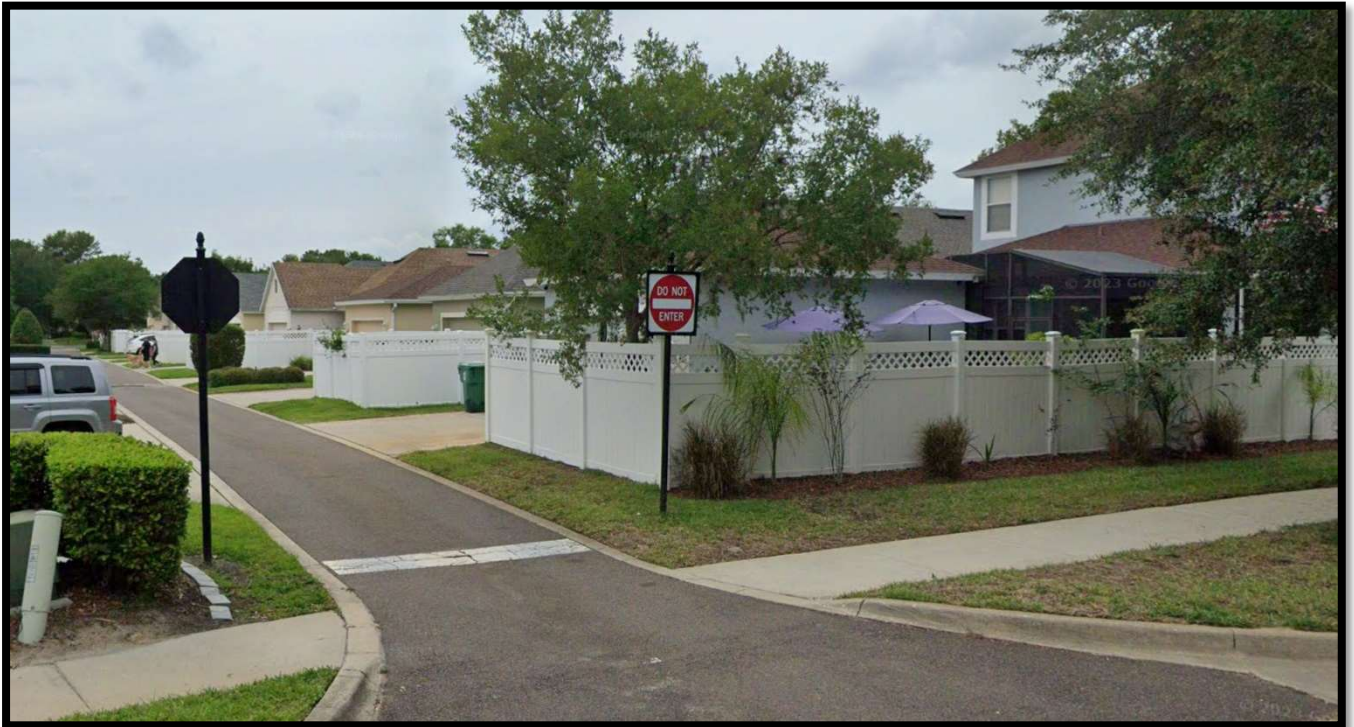


Exhibit C – Property Images





Exhibit D – Surrounding Corner Properties





City of DeLand
V26-053
FENCE VARIANCE



SUBJECT PROPERTY

PD

CARLYLE LN

SUNNYHURST PL

PD



WYNBROOK LN

PD

RAVENSHILL WAY

PD

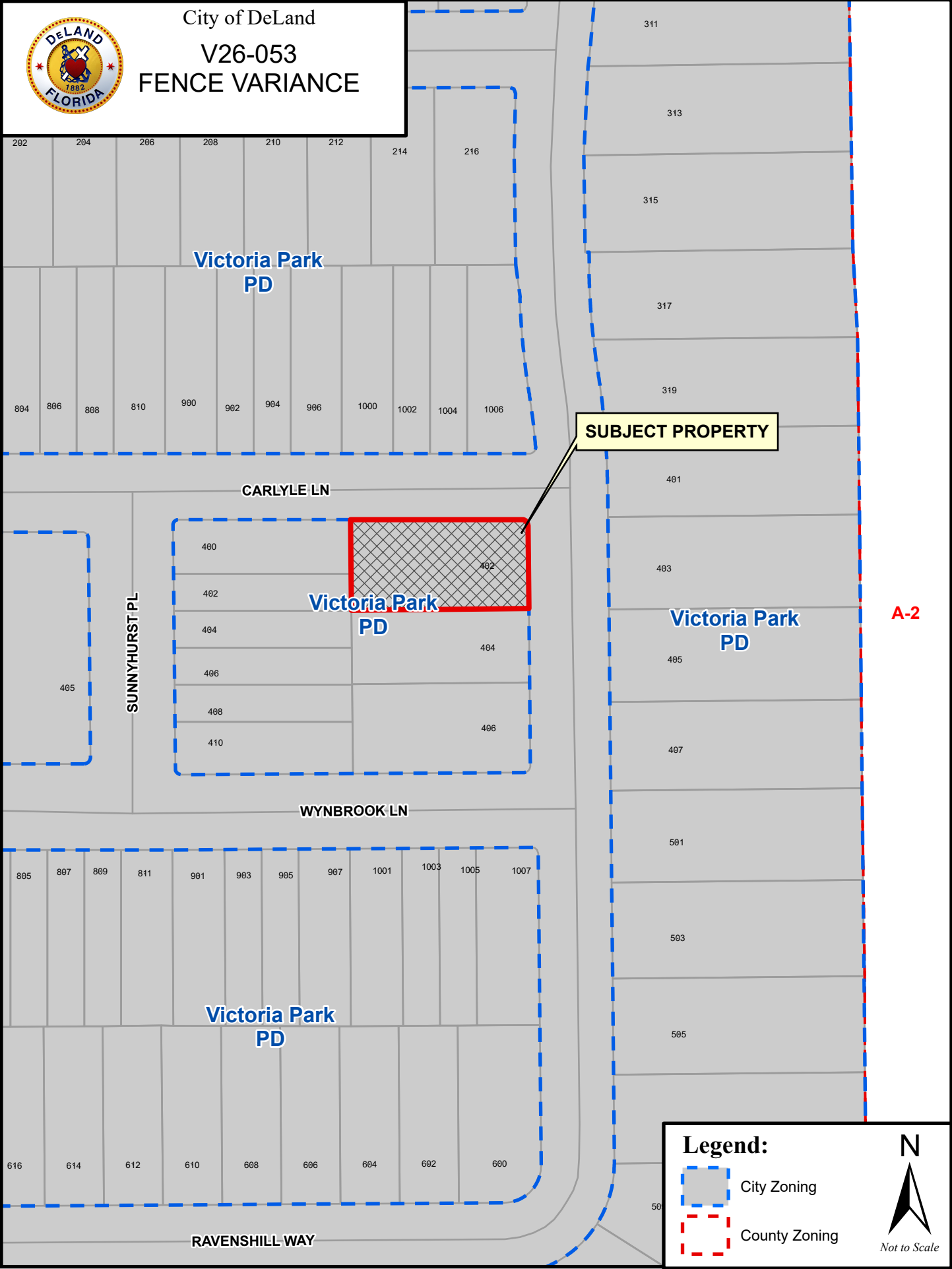
Legend:

-  City Zoning
-  County Zoning





City of DeLand
V26-053
FENCE VARIANCE



Legend:

- City Zoning
- County Zoning

N

Not to Scale

RE: Justification Narrative

402 Ravenshill Way

Legal Description: Lot 201, Victoria Park Increment Two Southeast, according to the map or plat thereof recorded in Map Book 50, Pages 115 through 117, Public Records of Volusia County, Florida.

We purchased the property on July 31, 2025. At that time, we were not aware of any permitting issues or code violations. The property appraiser's website has a picture of the property dating back to 2006 that shows the location of the fence as it currently stands.

The fence has been located on the property for at least twenty years. The corner of the fence on the West adjoins a one-way drive to the South and does not obstruct visibility to pedestrians or vehicles in any direction. Neighbors behind our property that have lived on this block for fifteen years stated that to their knowledge, there has never been an accident at this corner. There are many children in this neighborhood and the neighbors directly across this drive have two autistic children. The fence is not only a protection for the children, but it serves as privacy for us and our family to enjoy the pool it surrounds.

**PLANNING DEPARTMENT STAFF REPORT
TO
THE CITY OF DELAND PLANNING BOARD**

May 13, 2026

- A. APPLICATION #:** SE26-052, 109 Kensington Rd. – Vehicle Sales
- APPLICANT:** J. Todd Swann
- OWNER:** BALL BROS PROPERTIES LLC
- REQUEST:** Special Exception to Allow Vehicle Sales

APPLICABLE REGULATIONS:

Section 33-18(23 & 29) - Special exceptions, Sec. 33-134 - Procedures for obtaining a special exception

SITE FACTORS

- Location:** 109 Kensington Ave.
- Parcel ID:** 700416030100; 700431000070
- Size:** ± 0.6 acres
- Existing Zoning:** C-2 (General Commercial)
- Existing Land Use:** HC (Highway Commercial)

	SURROUNDING USE:	SURROUNDING ZONING:
North:	VC: Commercial	VC: B-4A
South:	Highway Commercial/VC: Commercial	C-2; VC: B-4A
East:	VC: Commercial	VC: B-4A
West:	Highway Commercial	C-2

B. ANALYSIS:

The applicant is seeking approval of a Special Exception to allow vehicle sales on property that is currently zoned C-2 (General Commercial) with a future land use of HC (Highway Commercial). The site is surrounded by other commercial uses and is next to another car dealership. A lot combination of two parcels, totaling ± 0.6 acres in size was approved earlier this year (LCA26-059). In the C-2 zoning district vehicle sales are only allowed through the Special Exception process.

The subject property was annexed into the City in 1987 and used for vehicle sales. In the C-2 zoning district, vehicle sales are allowed as a special exception. Since the property did not obtain special exception approval, the use was legally nonconforming. According to Sec. (33-102.04(b)), the nonconforming use may continue to operate legally as long as the nonconforming use of any building, structure or land is not discontinued for a period of 180 days. In 2022, the vehicle sales use ceased and the property has since been used as a motorcycle repair shop and other similar uses throughout the years. Since the vehicle sales use was discontinued for a period of more than 180 days, the vehicle sales use requires special exception approval to re-establish the use. In 2023, the applicant began using the property for vehicle sales without first obtaining special exception approval.

The applicant was advised by the Department of Safety and Motor Vehicles that they needed local approval to operate the business. After speaking with staff, it was advised the applicant would need to obtain special exception approval.

In the C-2 zoning district, vehicle sales are allowed as a special exception, subject to the following regulations: (Sec. 33-18(23)): *Rental of trailers, trucks, recreational vehicles and boats shall be limited to a maximum of 24 feet in length. The display of storage sheds shall be limited to a maximum size of ten feet × ten feet × 12 inches. Does not pertain to the retail sales of new cars, vans and light-duty trucks.* And (Sec. 33-18(29)): *All vehicle use areas must be paved and landscaped per article VIII and, where applicable, per article IV; Landscape buffers and interior landscaping must be provided consistent with Gateway Overlay. Parking must be provided for employees and customers in addition to display area. Site must be at least one-half acre in size.*

C. CRITERIA FOR SPECIAL EXCEPTIONS: LDR Sec. 33-134.08(a)

i. It is consistent with the findings and intent of this chapter.

This special exception request is consistent with the findings and intent of this chapter as it is located on a commercial corridor with similar uses.

ii. It is consistent with any element of the Comprehensive Plan.

This special exception request is consistent with the Comprehensive Plan, with a zoning designation that is compatible with the future land use.

iii. It will not adversely affect the public interest.

This special exception request will not adversely affect the overall public interest as it is an existing site surrounded by similar uses.

iv. It meets the requirements of the applicable special exception regulations.

This special exception request does not meet all of the criteria required for the requested special exception as outlined in Section 33-18(29)(a-d).

(a) All vehicle use areas must be paved and landscaped per article VIII and, where applicable, per article IV. The property is almost completely paved over and therefore is unable to provide the required landscaping for the interior parking lot area, however all parking areas are paved.

(b) Landscape buffers and interior landscaping must be provided consistent with the Gateway Overlay. The subject property is located on N. Woodland Blvd. and is part of the Redevelopment Gateway Overlay which requires a landscape buffer of at least 30' wide. This is not provided due to the fully paved parking lot that extends out to the sidewalk, which was in place at the time of annexation.

(c) Parking must be provided for employees and customers in addition to display area. The site is paved, providing parking for customers and staff, as well as for car display areas.

(d) Site must be at least one-half acre in size. A lot combination (LCA26-059) was recently completed, combining two adjacent lots owned by Ball Bros Properties, LLC, making the property approximately ±0.6 acres in size.

v. The applicant will be able to meet all requirements imposed by federal, state or local government or the city commission. As listed above in *iv.*, the subject property does not meet all of the code requirements for the special exception. However, this is an existing site which has operated in a similar manner for many years.

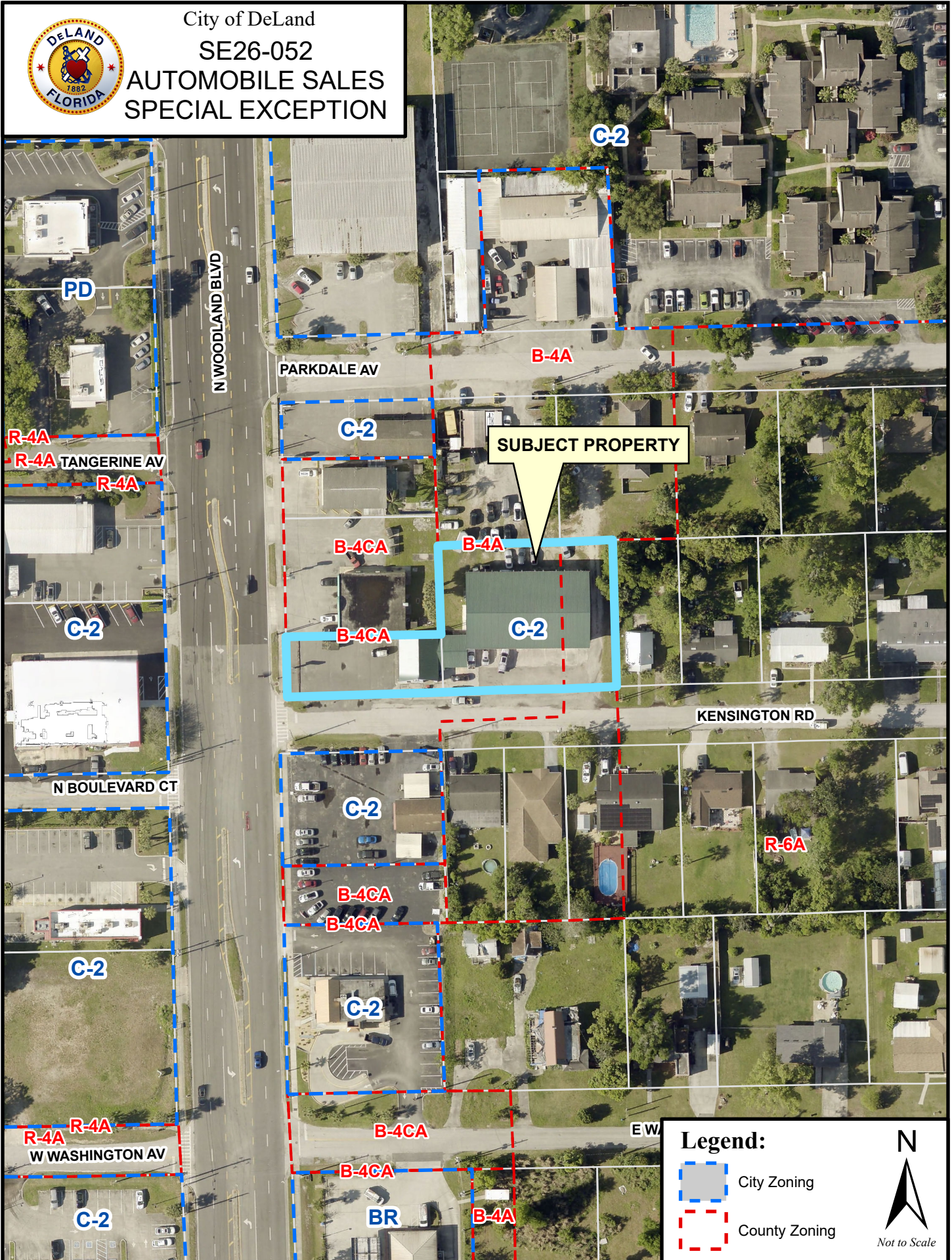
- vi. *It should not generate a volume or frequency of traffic which will substantially interfere with or disrupt the use or enjoyment of properties within 1,000 feet of the use.* The site is located along a commercial corridor with similar uses and will not create a substantial increase in traffic.
- vii. *It will not create a hazard, a public nuisance or be dangerous to individuals or the public.* The use of the property for vehicle sales will not create a hazard or public nuisance as it is located on a commercial corridor surrounded by uses with similar intensities.
- viii. *The proposed use is compatible with the predominant use of the surrounding property or will not materially alter, disrupt or decrease the character or value of the neighborhood.* The proposed use is compatible with the predominant uses of the surrounding properties and therefore will not negatively affect the character or value of the neighborhood. It has been used for auto sales since being annexed in 1987, except for the years 2023-2025, when it was used for motorcycle repair.
- ix. *It will not adversely affect the natural environment, natural resources or scenic beauty, or cause excessive pollution.* This is an existing site and will not affect the natural environment, natural resources, scenic beauty, or cause excessive pollution.

D. STAFF RECOMMENDATION:

Staff recommends approval of the Special Exception for vehicle sales located at 109 Kensington Rd., and recommends that the Planning Board forward the application to the City Commission with a recommendation of approval.

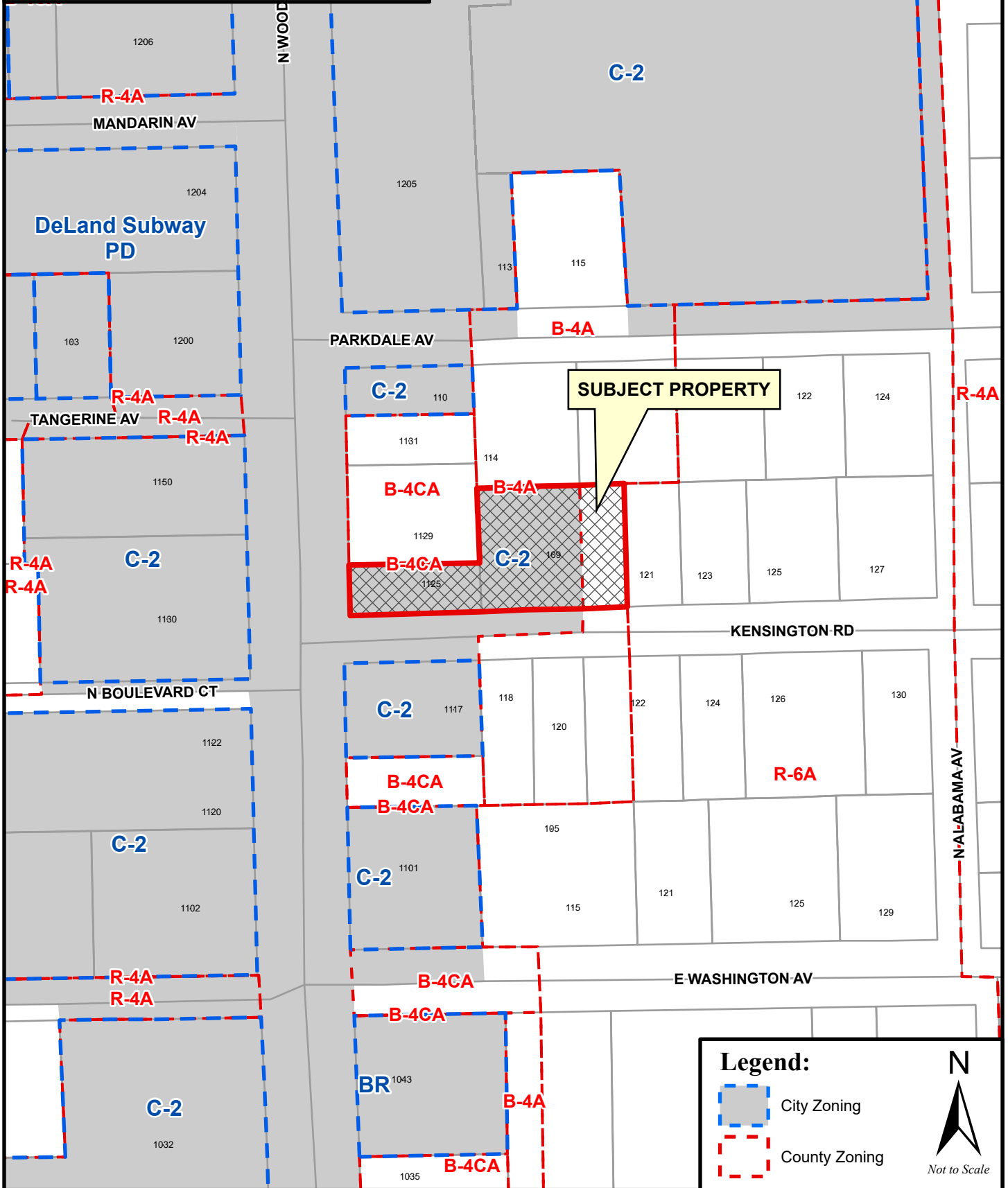


City of DeLand
SE26-052
AUTOMOBILE SALES
SPECIAL EXCEPTION





City of DeLand
SE26-052
AUTOMOBILE SALES
SPECIAL EXCEPTION



Legend:

- City Zoning
- County Zoning

N
Not to Scale

LEGAL DESCRIPTION: (OR 8165, PAGE 1132)

Parcel 1:
Lot 7, except that portion lying in State Road Right of Way, MABEL PERKINS DEAN'S SUBDIVISION OF BLOCK K, DEANBURG, according to the map or plat thereof, as recorded in Map Book 4, Page 42, of the Public Records of Volusia County, Florida.

Parcel 2:
Lots 10, 11 and 12, Block 3, THE BERKSHIRES, according to the map or plat thereof, as recorded in Map Book 10, Page 131, of the Public Records of Volusia County, Florida.

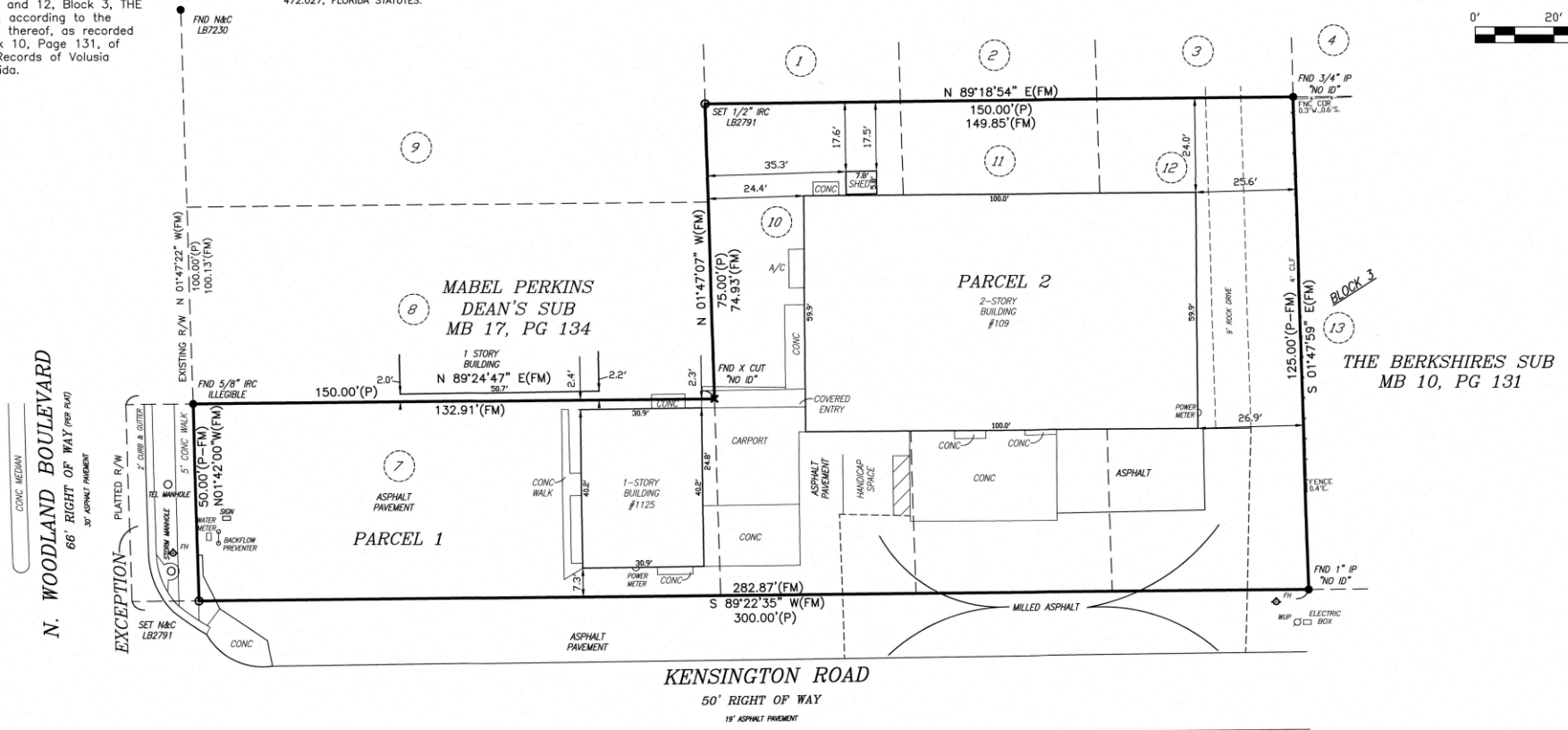
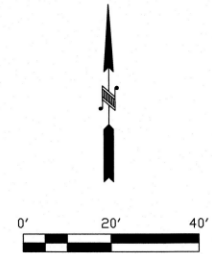
NOTES:

BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF KENSINGTON AS BEING A BEARING OF S 89°22'35" W (ASSUMED).

THE FLOODPLAIN BOUNDARY, IF SHOWN HEREON, WAS SCALED FROM A LARGE SCALE FEMA FLOOD INSURANCE MAP AND AS SUCH HAS AN INHERENT ERROR OF 10% OF THE FEMA MAP SCALE.

UNDERGROUND UTILITIES AND FOUNDATION MAY EXIST AND HAVE NOT BEEN LOCATED, EXCEPT AS SHOWN.

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE (MINIMUM TECHNICAL STANDARDS) AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, OF THE FLORIDA ADMINISTRATIVE CODE, SECTION 472.027, FLORIDA STATUTES.



KENSINGTON ROAD
50' RIGHT OF WAY
15' ASPHALT PAVEMENT

Robert Evers
Digitally signed by Robert Evers
Date: 2025.07.29 16:28:25 -0400

FLOOD CERTIFICATION:
(Per map dated February 19, 2014)
This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel No. 12127C-0470-H Map Panel 470 of 930, Zone "X".

NOTE:
This Plot of Survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals shown hereon, valid on the most current date shown hereon, and shall not be relied upon by any other entity or individual whomsoever.
There may be additional restrictions and/or other matters of record not shown on this Survey / Sketch that may be found in the Public Records of the county or contained within the Title Commitment.
This Survey / Sketch has been prepared without benefit of abstract or title search unless otherwise noted hereon.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BLACKWELL & ASSOCIATES
LAND SURVEYORS, INC.
ROBERT R. EVERS
LICENSE NUMBER 5675
STATE OF FLORIDA
BY: ROBERT R. EVERS
FLORIDA LICENSED SURVEYOR AND MAPPER 5675

BLACKWELL & ASSOCIATES
LAND SURVEYORS, INC.
WWW.BLACKWELLSURVEYING.COM
895 W. VOLUSIA AVE. • DELAND, FL • PH: (386)-734-8050

BOUNDARY SURVEY CERTIFIED TO:
BALL BROS PROPERTIES, LLC.

SYMBOLS:
● = REBAR FOUND (SIZE SHOWN HEREON)
○ = 1/2" REBAR & CAP SET
□ = 4"x4" CONCRETE MONUMENT & CAP SET
■ = CONCRETE MONUMENT FOUND (SIZE SHOWN HEREON)
▲ = R.L.S. DISC/NAI FOUND (SIZE SHOWN HEREON)
○ = R.L.S. DISC/NAI SET
○ = IRON PIPE FOUND (SIZE SHOWN HEREON)
● = RAILROAD SPIKE FOUND
● = BOLT FOUND (SIZE SHOWN HEREON)
○ = P/X NAIL FOUND

DATE: 07/09/2025
D.W. No.: 06-268-25
DRAWN BY: RC
FIELD BOOK: 773/4
CADD FILE / FILE No.: 06-268-25 M-

ABBREVIATIONS

AC=Acres	CONC=Concrete	F/W=Field Wire Fence	POL=Point on Line	TB=Tangent Bearing
A/C=Air Conditioning Unit	COR=Corner	GL=Guy Anchor	PRC=Point of Reverse Curve	TEL or T=Telephone Service
ASP=Asphalt	CUP=Concrete Utility Pole	GL=Government Lot	PRM=Permanent Reference Mon.	TIP=Ironstrip
BP=Back Flow Preventer	D=Inch coil	GLD=Government Land Office	PT=Point of Tangency	UV=Underground
BLD=Building	DR=Drainage Retention Area	H=Heard	PVC=Poly Vinyl Chloride	UNP=Unrecorded Plat
BLK=Block	ELEV or EL=Elevation	ID=Identification	R=Radius or Radial Line	UP=Utility Pole
BLN=Blockwork	ELEV or EL=Elevation	IR=Iron Rod	R&R=Rebar/ Rod Conc. Pipe	W/F=Wood Fence
(CALC)=Computed Data	FND=Found	IR=Iron Rod	REC=Recovered	W/P=Water Meter
CA-TV=Cable TV Service	FCC=Four Core Cable	IR=Iron Rod & Cap	RIS=Rebar/ Rod Spike	W/W=Water Main
CB=Concrete Block	FEE=Finish Floor Elev.	LB=Licensed Business	PIC=Point of Intersection	W/F=Wood Privacy Fence
CLF=Chain Link Fence	FR=Fire Hydrant	LD=Licensed Land Surveyor	PIC=Point of Beginning	W/L=Water Service Line
CM=Concrete Monument	FR=Frame Measured	ML=Map Book	POL=Point on the Curve	W/M=Water Meter
CMP=Corrugated Metal Pipe	FR=Frame Construction	MIN=Minimize	POL=Point on Line	W/W=Water Meter
	FNC=Fence	MON=Monument	PRC=Point of Reverse Curve	W/W=Wood Utility Pole

1125 N Woodland Jul 2006 - Mar 2007





**PLANNING DIVISION STAFF REPORT
TO
THE CITY OF DELAND PLANNING BOARD**

April 15, 2026

- A. APPLICATION NO.:** Z26-062
APPLICANT/OWNER: Willie & Thomas Robinson, Robinson Signature Realty LLC
STAFF PLANNER: Chris Carson, AICP, Interim Principal Planner
REQUEST: Request for a rezone from Springwood Town Homes PD (Planned Development) to R-16 (Multiple-Family Dwelling)

- B. APPLICABLE REGULATIONS:**
Article XII ADMINISTRATION AND ENFORCEMENT
 Sec. 33-135 – Procedure for text amendments & rezoning.

- C. SITE FACTORS:**
PARCEL NUMBER: 702000000872,
LOCATION: 1500 S. Adelle Avenue
SIZE OF PROPERTY: ±2.02 acres

- D. LAND USE DESIGNATION & ZONING OF SUBJECT PROPERTY:**
Future Land Use: High Density Residential
Existing Zoning: Springwood Town Homes PD
Existing Use: Vacant/Undeveloped

- E. SURROUNDING LAND USE & ZONING:**

	LAND USE	ZONING
North:	VC: Urban Medium Intensity (UMI), HDR	Springwood Town Homes PD, VC: R-4
South:	VC: UMI, Highway Commercial (HC)	VC: A-2
East:	VC: UMI, HC	VC: R-4, R-5, Santa Cruz PD
West:	VC: UMI, HDR	Springwood Town Homes PD, VC: R-4C

- F. BACKGROUND:** The subject property is ± 2.02 acres, vacant, undeveloped, and is part of the ± 7.35 acre Springwood Town Homes PD. The future land use is High Density Residential. The overall PD, approved in 2006, included three parcels. The intent of the PD was to provide for multi-family development with a maximum density of 16 dwelling units per acre on a ± 5.33 acre portion of the development, and a single-family dwelling on the remaining portion.

The property is adjacent to residential and commercial uses with the SR 15A truck route to the south and west. The PD has a unified ownership provision which requires unified ownership until after issuance of the Development Order. Properties were sold, thereby violating the terms of the agreement. To address the violation, both property owners will either need to apply for a new PD rezoning, or rezone to R-16. The applicant is requesting

to rezone the single-family portion of the property to R-16. The owner of the multi-family development portion will also need to rezone and no development can occur until such time. Staff has been working with both property owners to address the PD violation.

If the request is approved, the applicant intends to submit for site plan review to construct a multi-family development with 4-unit buildings.

ANALYSIS: The purpose of the R-16 zoning district is to provide for high density multifamily residential living in the older developed section of DeLand and providing a spacious, well maintained and natural environment in proximity to the City's downtown.

School Concurrency: A school concurrency letter dated May 5, 2026, was provided, stating that the Volusia County School District has no objections to the proposed development plan.

Traffic Analysis: Staff will review the traffic methodology at the time of plat or site plan review. If the proposed development generates more than 1,000 average daily trips, a full traffic study will be required per the Volusia Flagler Transportation Planning Organization traffic study guidelines.

Stormwater: Stormwater retention will be designed at the time of site plan or subdivision platting. The stormwater system shall be designed to retain the 100-year, 24-hour storm event on-site, and should be designed to incorporate LID (Low Impact Development).

Section 33-135 of the Land Development Regulations provides the following criteria, which the City Commission shall utilize in reviewing any rezoning request:

1. Is the proposed rezoning consistent with the Comprehensive Land Use Plan, the land use, zoning pattern and character of the surrounding area?

The R-16, E-1, and PD zoning districts are compatible with the High Density Residential future land use designation; therefore, the proposed zoning classification of R-16 is consistent with the Comprehensive Plan. The subject property is near the truck route to the south and west, residential uses to the north and east, and commercial uses to the south. The property will provide a transition from the truck route to the lower density residential uses to the north and east. Landscape buffering will be required consistent with Sec 33-92 of the LDRs.

According to the City's 2050 Vision Plan, the proposal is located in the Urban Core (Category 2), which is where the majority of new growth will take place. It is also located within the City's Utility Service Area boundary in a designated Activity Center. The proposed rezoning is appropriate for the location as it is located along a local road with existing infrastructure, and serving as a transition between lower density residential and a principal arterial, and near employment areas and future commercial development.

For all of these reasons, the request is consistent and compatible with the Comprehensive Plan, zoning pattern, and character of the surrounding area.

2. Will the proposed rezoning have an impact upon the environment or natural resources?

The subject property is currently undeveloped and wooded. A tree survey will be required identifying any trees over six inches in dBh (diameter at breast height). Removal of any historic or specimen trees will need to be mitigated in accordance with Sec 33-57 of the LDR. The R-16 zoning district allows a maximum of fifty to sixty percent impervious surfaces depending on the building height and fifteen percent of the site will need to be dedicated as Tree Protection Area. Therefore, the development is unlikely to have an impact upon the environment or natural resources.

3. Will the proposed rezoning have an impact upon the economy of the affected area?

The subject property is currently vacant and undeveloped; therefore, the development should have a positive impact on the city and surrounding area by providing additional housing options to the immediate area. This development could support further development of the surrounding area creating additional jobs, shopping, and convenience.

4. Will the proposed rezoning have an impact upon governmental services?

Governmental services such as potable water, reclaimed water, sewer, code enforcement, police, and fire are available and will be provided by the city. There is adequate infrastructure and facilities to service the development, therefore there will be no impact to the level of governmental services.

5. Are there changes in the circumstances or conditions affecting the area since the original assignment of zoning that will support the proposed zoning?

There have not been significant changes in the area surrounding the subject property.

6. Was there a mistake in the original classification?

There were no mistakes in the original classification, however, the PD required unified ownership until after issuance of the Final Development Order. Since the properties are under separate ownership, rezoning is required to address the PD violation.

7. Will the proposed rezoning have any effect upon the use or value of the affected area?

The proposed rezoning could have a positive impact upon the surrounding area, as the property would no longer be undeveloped and vacant, and the development could provide additional housing options.

8. Will the proposed rezoning have an impact upon public health, safety and welfare?

There is no indication at this time that the new proposal will create additional impacts upon the public health, safety or welfare, as all provided public services have the capacity needed to accommodate the proposed development. The rezoning would be consistent and compatible with the uses of the surrounding area.

G. NEXT STEPS: The request for a rezoning will go before the City Commission on June 15, 2026, for first reading and July 6, 2026, for second reading.

H. STAFF RECOMMENDATION: Staff recommends that the Planning Board forward the application to the City Commission with a recommendation of approval for the request to rezone from Spring Town Homes PD (Planned Development) to R-16 (Multiple-Family Dwelling).





City of DeLand
Z26-062
R-16 REZONING



SUBJECT PROPERTY

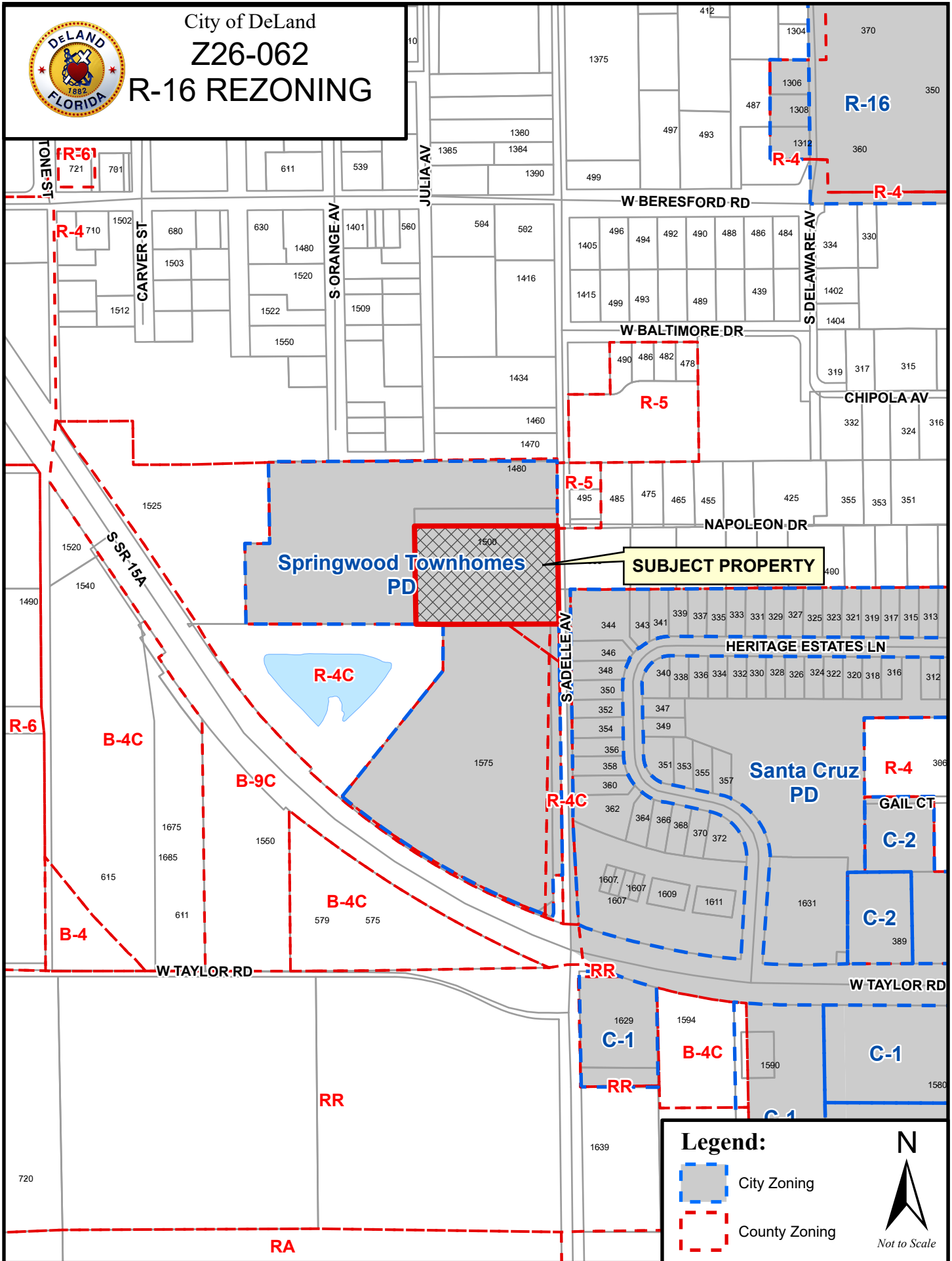
Legend:

-  City Zoning
-  County Zoning





City of DeLand
Z26-062
R-16 REZONING





Carmen J. Balgobin, Ed.D
Superintendent of Schools

School Board of Volusia County

Mr. Ruben Colón, Chair
Ms. Krista Goodrich, Vice Chair
Ms. Jamie M. Haynes
Mrs. Jessie Thompson
Ms. Donna Brosemer

**School Adequate Capacity Determination
Finding of Adequate Capacity Letter**

May 5, 2026

Mr. Willie Robinson and Mr. Thomas Robinson
Robinson Signature Realty, LLC
614 Laisy Dr
DeLand, FL 32724

RE: The Plexes at Adelle – City of DeLand
School Concurrency Case # 26-05-01-001-A

Mr. Robinson:

The County Charter requires any Comprehensive Plan Amendment or Rezoning that allows increased residential density to be effective only when adequate public schools can be timely planned and constructed to serve the projected increase in student population. The district uses this requirement as the guiding principle behind the school adequate capacity review.

District staff have reviewed the school concurrency application for the proposed project known as The Plexes at Adelle, associated with 2.17 +/- acres of property. The property is located at or near the intersection of S SR 15A and S Adelle Ave within DeLand city limits. Information provided in the application indicates the proposed zoning classification would allow up to thirty-two (32) multi-family units.

The district uses a county wide Student Generation Rate (SGR) of (0.137) per multi-family dwelling unit to calculate projected students. By applying the SGR to the use types in Table 1 below, the project could generate five (5) full time students.

Table 1

UNIT TYPE	SGR	UNIT COUNT	STUDENTS GENERATED
Single Family Dwelling Unit	0.258	32	5
Multifamily Dwelling Unit	0.137	0	0
Manufactured Home Dwelling Unit	0.052	0	0
Total		32	5

When performing an adequate capacity review, district staff evaluates the effects of the proposed change compared to any remaining permanent capacity within the impacted schools, up to 100%, Table 2 (next page). The projected increase in student population may be over 100% if there are plans to serve increased student population in that planning area within the long-term planning horizon. A finding of adequate capacity may be issued in either case.

Table 2

Schools	SY 2025/26 Enrollment	% of Permanent Capacity	Plans for Capacity Increase Long-Term	Traditional K-12 students projected
Woodward Avenue Elementary	567	87%	No	2
Southwestern Middle	716	100%	No	1
West CSA (DeLand High)	2,877	112%	No	1
Other				1

The student projections generated by this project **will** increase the existing percentage above 100% permanent capacity at the high school level. However, while the concurrency service area (CSA) for DeLand High is over 100% it is below 120% for level of service (LOS) standards. Based on this, the school district has no objections to the proposed development plan.

Minimum planning considerations should include pedestrian and vehicular access, safety, connectivity, and buffering. Additional considerations, particularly for gated and multi-family communities, include accessibility for school buses, by ensuring a turn radius of at least 60 feet at all entrances and exits, and the inclusion of dedicated pickup/drop off sites.

All future development orders, such as site plans and subdivisions, are subject to school concurrency review. School concurrency will be evaluated at the time when the impact of development is specifically quantified and known. Only funded school improvements and then current capacity will be considered at that time.

No student reservations have been made at this time.

Please note the School Board has the right to adjust the attendance boundaries to balance the student enrollment populations at these area schools. Consequently, students generated from this project may not attend the currently assigned schools.

Should you need additional information, please contact me at (386) 734-7190, ext. 50802.

Sincerely,



James F. Roberts
Specialist, Planning & GIS

CC: Carmen J. Balgobin, Ed.D, Superintendent of Schools
Ron Young, Director of Planning & Construction
Patricia S. Smith, AICP, Planning Coordinator
Carol Kuhn, AICP, Planning Director, City of DeLand



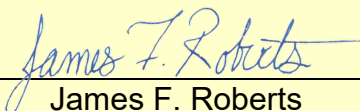
Finding of Adequate School Capacity
VOLUSIA COUNTY SCHOOL BOARD

Project Information	
Project Name	The Plexes at Adelle
VCSB Project #	26-05-01-001-A
Jurisdiction Project #	
Parcel ID Numbers	7020-00-00-0872
Project Location	S SR 15A and S Adelle Ave
Potential Residential Units	32 Multi-Family Units
Property Owner/Applicant	Robinson Signature Realty, LLC

Notes: Additional review will be required at the time of subdivision/site plan submittal(s). No Student Reservations have been made.

Based upon the Findings of Fact, pursuant to School Board Policy 612 and Section 206 of the County Charter, the school district has determined at this time that school capacity is adequate to serve the proposed increase in residential density. This Finding shall constitute competent substantial evidence that adequate public school capacity is likely to be available at the time it is required to serve the planned new development.

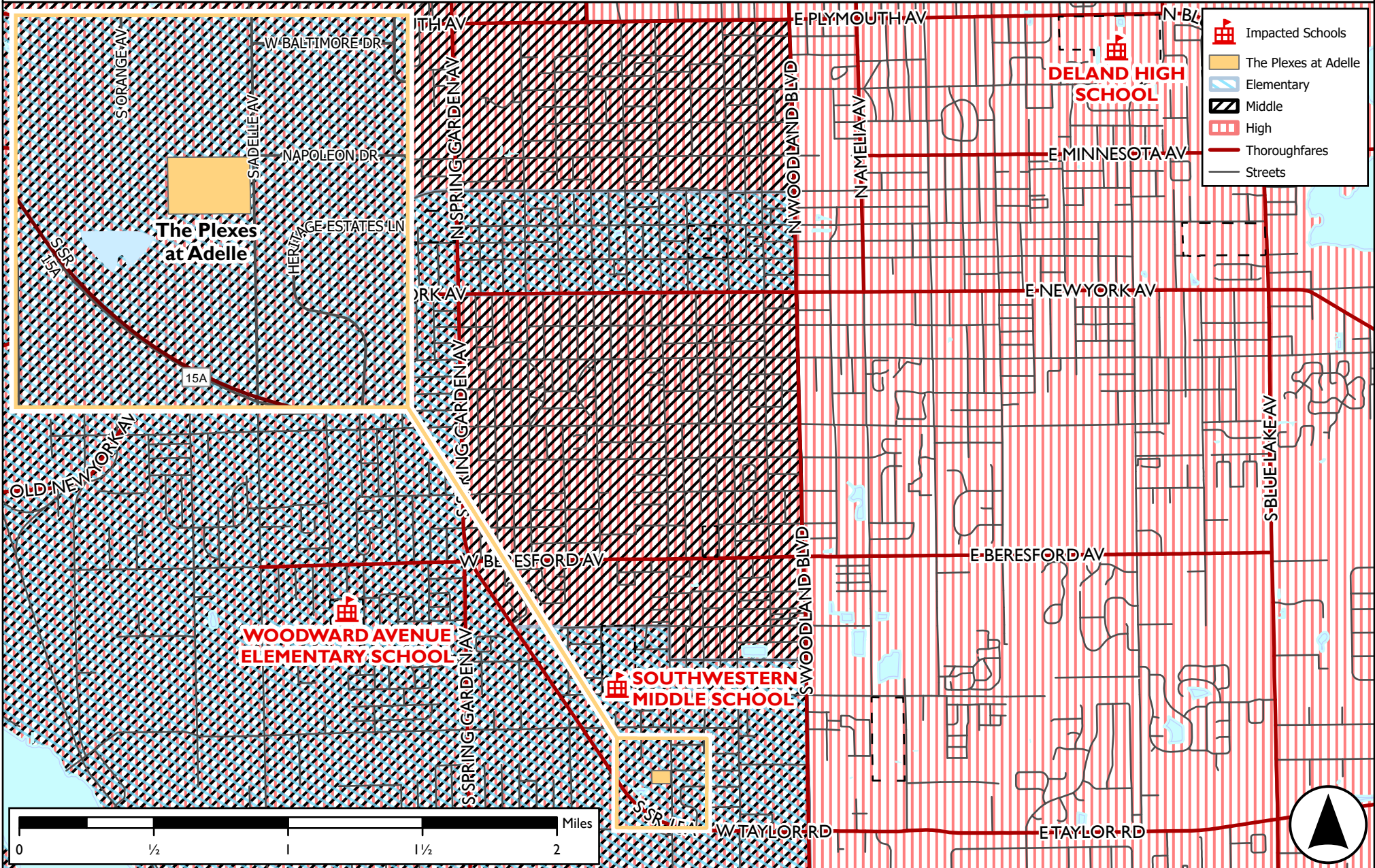
Capacity is not being reserved with this Finding unless otherwise noted on this document. This Finding of Adequate School Capacity allows this subject project to continue through the Comprehensive Plan Amendment and/or rezoning process; however, it may be subject to additional school capacity review in the future.


James F. Roberts
Specialist, Planning & GIS

May 5, 2026
Issue Date

VCSB Schools Impacted by Development

School Concurrency Review - The Plexes at Adelle



LEGAL DESCRIPTION: (OR. 4493 PG. 1661)

THE SOUTH THREE HUNDRED FEET OF THE NORTH FOUR HUNDRED NINETEEN FEET OF THE EAST THREE HUNDRED SEVENTY-ONE FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF ADELLE AVENUE OVER THE EASTERLY 25 FEET THEREOF.

LESS AND EXCEPT

(OR 7813, PAGE 237)

THE NORTH 45 FEET OF THE SOUTH 300 FEET OF THE NORTH 419 FEET OF THE EAST 317 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA.

Acreage: 2.02 acres



LDR Update – Project Summary

Date: April 30, 2026

To: Planning Board Members

From: Carol Kuhn, AICP, Planning Director

RE: Land Development Regulations Update – Executive Summary

The last major update to the City’s Land Development Regulations was in 2013. Over the past 13 years, the City has updated specific sections to respond to changes in development practices. The goal of the 2026 Land Development Regulations (LDR) Update is to comprehensively reorganize, reformat, and update the existing code to create predictable, flexible, simplified regulations with clear criteria and options for creative solutions. Specifically, the LDR Update included:

- Adding clear intent statements and design objectives to help guide decision making and support the goals, objectives, strategies, and action items found in the updates to the 2023 Strategic Plan, the 2024 Comprehensive Plan, and the Distinctly DeLand 2050 Vision Plan.
- Providing clear and simple standards to create a predictable development process.
- Including graphics, diagrams, and illustrations for clarity and simplicity.
- Providing options and standards for creative and innovative development.
- Consolidating related code requirements and standards into easy-to-read tables and charts for ease-of-use and clarity.
- Consolidating and simplifying zoning district requirements and standards.

In April, 2025, the City of DeLand entered into the contract with Inspire Placemaking Collective for the full rewrite of the City’s Land Development Regulations.

Over this last year, we have conducted public outreach events including open houses, workshops, social media campaigns, and online surveys. We have met with the City’s Staff Advisory Group and conducted numerous workshops with both City Commission and Planning Board. We kicked off the initial workshop series in September 2025 during which we discussed the fact sheets to gather interest and announce the project. During a Community Open House, Planning staff provided fact sheets and discussed key topics with the public. Planning Staff also had a “Code Talk with Carol” series with City Commission during which the Fact Sheets were discussed at Commission meetings to highlight key topics to be addressed in the LDR Update.

In October 2025, we conducted multiple Form-Based Code workshops during which we had City Commission, Planning Board, Stetson Presidential Fellows, the public, and the DeLand High School of Government groups participate in a hands-on brick exercise. The

Form-Based exercise included options for expanding the downtown area as well as design elements for the downtown support area. This workshop was supplemented by an online survey in which 137 participants responded.

Planning staff continued to meet every two weeks with the consulting team and in January, the drafting of new regulations began in earnest. As the consultant drafted proposed amendments, Planning staff conducted a series of workshops with City Commission to gather feedback and receive direction on key decision points. The workshop topics were arranged by Article title and staff presented information regarding the progress of the code drafting as well as presented decision points for Commission feedback. This feedback was then conveyed to the consulting team for inclusion in the drafts.

Planning staff conducted one full review of the LDR's in March/April and also met weekly with the consulting team to discuss key decision points, code language, and work through questions as they arose.

As part of the LDR update, staff has created separate manuals related to application requirements, engineering standards, and planning best practices., to be adopted by reference in the new Code. These manuals will be adopted by separate resolution along with the new LDC.

Staff and the consultant have prepared summaries of individual article drafts and the full draft of the new Land Development Code (LDC) is available on the City's website for public comment and review. The Article summaries are attached to this memo and the QR code for the LDC initial public draft can be found below. The summaries will be reviewed, along with the draft code language, during a series of 2.5-hour workshops starting on May 11, 2026.

- May 11, 2026 – City Commission – 6:00 pm
- May 12, 2026 – Public Open House – City Hall – 5:30 pm
- May 13, 2026 – Staff Advisory Group – 9:30 am
- May 13, 2026 – Planning Board – 5:00 pm
- May 14, 2026 – Public Open House – Chisholm Center – 5:30 pm

Planning staff will gather the feedback from the workshops and the online comments and make final revisions to the LDC.

The LDC will be scheduled for public hearings in July and August:

- July 8, 2026 – Planning Board
- August 3, 2026 – City Commission – 1st Reading
- August 17, 2026 – City Commission – 2nd Reading



Draft Updates: <https://www.deland.org/730/2026-Land-Development-Code-Proposed-Rev>

Table of Contents

- Section 33-101. Title
- Section 33-102. Authority
- Section 33-103. Applicability
- Section 33-104. Findings and Intent
- Section 33-105. Rules of Interpretation
- Section 33-106. Comprehensive Plan
- Section 33-107. Abrogation
- Section 33-108. Severability
- Section 33-109. Amendments
- Section 33-110. Non-regulatory Provisions
- Section 33-111. Conflicts
- Section 33-112. Resources, Guides, and Industry Standards
- Section 33-113. Nonconformities
- Section 33-114. Effective Date
- Section 33-115. Enforcement

Proposed Revisions

- Expanded interpretation rules (calculating time and quantities)
- Added elements from the updated 2024 Comprehensive Plan
- Clarified delegation authority for City Manager, Planning Director, City Engineer, Chief Building Official, etc.
- Allowed for additional resource guides and industry standards to assist with interpretation to supplement the Land Development Code and the Comprehensive Plan
- Referenced the Application Manual, Tree & Landscape Manual, Public Works and Streets Manual, Stormwater and Drainage Manual, and Utility Development Manual
- Revised and clarified section on nonconformities and moved from Hardship Relief (IX)
- Relocated enforcement section (from Administration & Enforcement – XII)
- Reorganized Administrative Procedures and consolidated to first Article for ease-of-use
- Moved the definitions end of the Code
- Listed an effective date of October 1, 2026

Table of Contents

- Section 33-201. Summary Review Procedures Table
- Section 33-202. Decision Making and Advisory Bodies and Persons
- Section 33-203. General for All Applications
- Section 33-204. Discretionary Decisions
- Section 33-205. Site Development
- Section 33-206. Subdivisions
- Section 33-207. Historic Preservation
- Section 33-208. Other Applications
- Section 33-209. Interpretation and Relief
- Section 33-210. Appeals
- Section 33-211. Enforcement

Proposed Revisions

- Added a decision-making authority and public notice summary table
- Standardized descriptions of authority for review and decisions
- Reorganized procedures or applications into types
 - Relocated procedures from other sections (i.e. Sidewalk Café Permit)
 - Added procedures for comprehensive plan amendments and annexations, consistent with state law
- Standardized applications to include applicability, review criteria, and review procedures
- Replaced Special Exception applications with Use by Special Review applications to better clarify the application type
- Updated subdivision provisions to better capture administrative statute requirements
- Simplified site plan categories (from 4 classes (Class I through IV) to 2 types (Major & Minor))
- Added a new Temporary Use Permit process to allow for temporary uses
- Added language and standards for “recovery residence”, as required by Federal law
- Added Alternative Compliance options
 - Applicable to:
 - Multi-family residential design standards
 - Non-residential design standards
 - Access and parking standards
 - Landscape standards
 - Sign standards
 - Justified for:
 - Better coordination with the area character
 - Improved environmental performance
 - Enhanced pedestrian amenity
 - Adaptive reuse of existing buildings or infill
 - Public health and safety
 - Advancement of any City-approved plans or policies

Table of Contents

- Section 33-301. General Provisions
- Section 33-302. Standard Zoning Districts
- Section 33-303. Uses
- Section 33-304. Dimensional Standards
- Section 33-305. Planned Development Zoning District
- Section 33-306. Overlay Zoning Districts

Proposed Revisions

- Created a New Article format – purpose statements, nonresidential uses, dimensional standards
- Eliminated the R-R1 district (not used)
- Renamed Residential Mobile Home district (R-M) to Residential Manufactured Home district (R-MH) to match HUD standards
- Retired C-3 Rail Spur District and Medical Services Overlay
- Renamed Wholesale Commercial (C-4) to Light Industrial (I-L)
- Clarified that setbacks are measured to the finished surface of the building
- Allowed limited setback encroachments, including balconies, bay windows, porches) city wide
- Clarified density calculations, especially for mixed-use development
- Refined purpose statements for neighborhood-serving and regional-scale commercial uses
- Updated, reorganized, and consolidated the entire structure of the zoning regulations for usability
- Strengthened the connection between Comprehensive Plan Future Land Use designations and zoning districts
- Renamed residential zoning districts – see below
- Expanded missing middle housing options in Residential Medium Density districts

RESIDENTIAL LOW (5.8 UPA)

R-1AA R1-A ⇒ RL-1
R-1B ⇒ RL-2
R-1 ⇒ RL-3



RESIDENTIAL MEDIUM (12 UPA)

R-2 ⇒ RM-1
R-8 R-12 ⇒ RM-2 RM-3



★ Multifamily not permitted in RM-1

RESIDENTIAL HIGH (16 UPA)

R-16 ⇒ RH-1



R-M ⇒ R-MH

Existing Code

33- R-1AA—Single-Family Dwelling District.

- 17.03. (a) *Statement of intent.* The purpose and intent of the R-1AA Single-Family Residential District is to provide and encourage low-density residential neighborhoods in an urban setting for both existing and proposed developments.

[EXPAND](#)

R-1AA SINGLE-FAMILY DWELLING
ALLOWED USES
PRIMARY USES AND STRUCTURES
Bed and breakfast homestay, accessory use only. (See also section 33-27.03.)
Family day care home.
Mini and neighborhood parks.
Single-family dwellings, except mobile homes.

Proposed New Code

33-302.B. Residential Zoning Districts

1. Rural Residential (R-R)

The purpose and intent of the Rural Residential District is to provide a gradual transition between agricultural and urban development. Other uses such as conservation and agriculture are permitted, but environmental constraints and public infrastructure limit other nonresidential development in this district.

1. Residential Low-Density Districts (RL-1, RL-2, and RL-3)

The purpose and intent of the RL-1 (formerly known as R-1AA), RL-2 (combines former R-1A and R-1B), and RL-3 (former R-1) Residential Low-Density Districts is to provide for and encourage low-density residential neighborhoods at varying densities, together with compatible supporting uses.

2. Residential Medium-Density Districts (RM-1, RM-2, and RM-3)

The purpose and intent of the RM-1, RM-2, and RM-3 Residential Medium-Density Districts (formerly known as the Two-Family Dwelling District R-2 and Multiple Family Dwelling Districts R-8 and R-12) is to provide for medium-density multifamily residential neighborhoods in an urban setting, accommodating a mix of single-family and multi-family dwelling types, together with compatible support uses.

3. Residential High-Density District (RH-1)

The purpose and intent of the RH-1 district (formerly known as Multiple Family Dwelling District R-16) is to provide for high-density multifamily residential uses in areas with existing infrastructure, located near employment, commercial centers, and major transportation corridors. This district is intended to serve residents seeking a well-maintained living environment that incorporates natural on-site features while remaining conveniently located near .

Article 3 Zoning

Future Land Use & Zoning Comparison Table




LAND USE DESIGNATION	DENSITY	ZONING CLASSIFICATIONS
Agricultural/Conservation*	0.5	R-R, R-R1, PD
Urban Low Intensity	0.2 to 4.0	PD
Transitional Residential Development	2.0	PD
Low Density Residential	5.8	R-R, R-R1, R-1A, R-1AA, R-1B, E1, PD
Medium Density Residential	12.0	R-1, R-2, R-M, R-8, R-12, E1, PD
High Density Residential	16.0	R-16, E1, PD
Mixed Office/Residential	5.8	P-1, PD
Mixed Commercial	10.0	P-1, C-1, C-2**, E1, PD
Business Retail	---	BR, PD
Highway Commercial	16.0	C-2, E1, PD
Downtown Commercial	20.0	C-2A, PD
Industrial/Warehouse	---	C-4, M-1, PD
Rail Spur Commercial	---	C-3, PD
Redevelopment	16.0	C-2AC, PD
Activity Center	16.0	PD New
Community Development	1.25 to 2.5	PD
Educational	---	All zones, PD
Recreational (Overlay)	---	All zones
Institutional (Overlay)	---	All zones
Historical (Overlay)	---	All zones
Multimodal Supportive (Overlay)	---	All zones, PD
Mixed-Use (Overlay)	---	All zones, PD
Community Health (Overlay)	---	All zones, PD

Table of Contents

- Section 33-401. Standards Specific to Principal Uses
- Section 33-402. Standards Specific to Accessory Uses and Structures
- Section 33-403. Standards Specific to Temporary Uses and Structures

Proposed Revisions

- Created consolidated table of uses and use categories
- Removed conditional uses and replaced with use specific standards
- Added additional design elements for civic and institutional uses
- Updated wireless communications regulations for consistency with state and federal provisions
- Created New use standards:
 - Food Truck Court
 - Fuel and Gas Storage
 - Self-storage/mini-warehouse
 - Thrift/secondhand stores
 - Drive-through facilities in the core
- Created Temporary Use standards
 - Farmers Market
 - Mobile Office or Mobile Unit
 - Special Events
 - Subdivision Sales Offices
 - Storage Container
 - Structures on Properties that Contain Vehicle Sales
 - Reorganized existing table of uses and provided clear categories for uses
 - Provided clear cross references for use specific standards within the table of uses

Accessory Uses		Approved administratively – consolidate all standards in one place
Temporary Uses		
Conditional Uses		Approved administratively – trim/streamline standards
Special Exceptions*		Current: Public hearings required – create clear criteria for approval Proposed: Approved administratively – trim/streamline standards

* *Special exception means a use allowed in a particular zoning district only upon demonstration to, and at the discretion of, the city commission that such use in a specific location will comply with the conditions and standards for the location or operation of such use as specified.*

Article 4 Uses

Combined Use Table

DRAFT

USES P=Permitted; S=Use by Special Review; Blank=Prohibited; P/S: Chapter 33-400 may require Special Review in some instances.	See Section	A-R	R-R	R-R1	RL-1	RL-2	RL-3	RM-1	RM-2	RM-3	RH-1	R-MH	P-1	BR	C-1	C-2	C-2A	C-2AC	C-3	M-1	M-2	E-1	P-F
AGRICULTURE																							
Agricultural production		P																					
Community and market gardens	33-401.I		S	S	S	S	S	S	S	S	S	S										S	S
Low intensity agriculture	33-402.J	P	P	P	P	P	P	P															
CIVIC / INSTITUTIONAL																							
Cemeteries			S	S	S	S	S	S	S	S	S												
Government or public buildings	33-401.F		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Religious institution	33-401.F 33-401.Y	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P
COMMERCIAL																							
Alcohol Sales – off-site consumption														P	P	P	P	P			P		
Apothecary shops													P		p ⁽⁶⁾								
Auction sales shop																		P			P		
Bakeries and coffee shops														P	P	P	P	P					
Bakeries, wholesale															p ⁽¹⁶⁾	p ⁽¹⁶⁾	p ⁽¹⁶⁾					P	
Bars/lounges														S ⁽¹⁰⁾	S ⁽¹⁰⁾	S ⁽¹⁰⁾	S ⁽¹⁰⁾	S ⁽¹⁰⁾			S ⁽¹⁰⁾	S ⁽¹⁰⁾	
Catering services														P	P	P	P	P			P	P	
Craft food and beverage producer																P	P	P	P		P	P	
Convenience stores without gas pumps																P	P	P			P	P	
Convenience stores with gas pumps	33-401.K													S		P					P	P	
Drive-through facilities	33-402.F													P		P	p ⁽³⁾	P			P	P	
Drugstores and pharmacies													P	P		P	P	P					
Farmers' Market	33-403.B															P	P	P	P	P			
Fertilizer and feed store		P															P					P	
Flea markets and merchandising barns or marts																						P	
Food truck court	33-401.O														P	P	P	P					
Greenhouses		P																				P	

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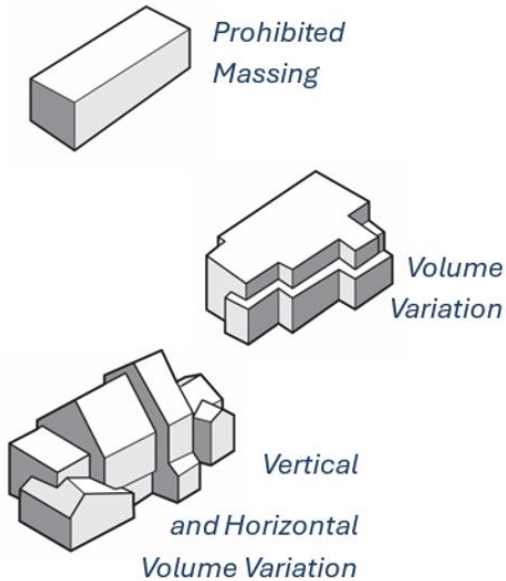
- Section 33-501. Community Design Standards
- Section 33-502. Lighting

Proposed Revisions

- Clarified block lengths
- Renamed and reformatted existing requirements and standards to protect trees from injury during development
- Clarified specimen tree requirements for tree protection to better align with Volusia County’s Chapter 52 (calculations, replacement sizes, percentages, and overall tree health)
- Consolidated standards and requirements into tables, whenever possible
- Added setback design standards for tree protection areas to reflect current practices
- Added requirements for Service Areas and Mechanical Equipment section to capture current practices
- Expanded and restructured lighting section to be compliant with updated 2024 Comprehensive Plan Dark Skies Policy
 - Added light level standards and maximum height
 - Included standards for parking lot, pedestrian, and decorative lighting
- Reorganized Design Standards into clear subsections for ease-of-use:
 - Relationship to surrounding development
 - Architectural Design
 - Massing
 - Roofs (including removal of green roof standards)
 - Building Frontage
 - Frontage Design
 - Façade Articulation
 - Entrances
 - Windows and Fenestration
 - Exterior Building Materials
 - Building Color
 - Parking Garages
- Created new graphics to better illustrate existing design standards and included real-world examples to guide desired outcomes

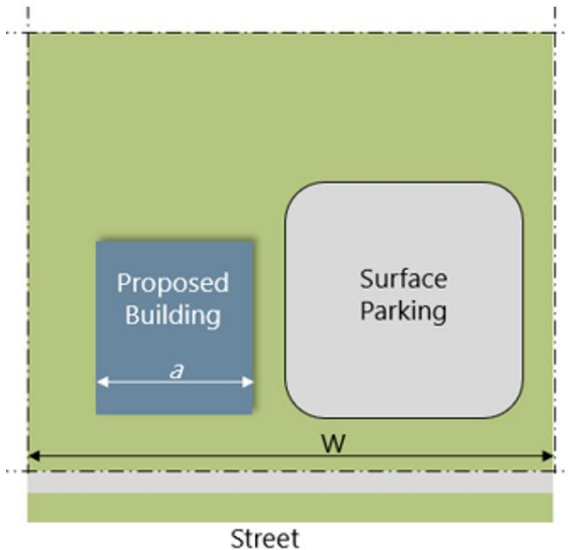
Article 5 Community Design Standards

Massing graphic

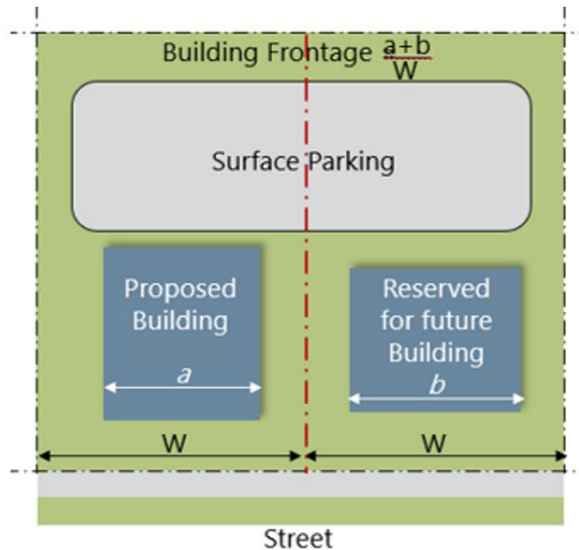


Vertical and Horizontal Volume Variation

Building Frontage Exception graphic



Not allowed. Building does not meet the minimum building frontage requirement.



Alternative compliance: Reserve room for a future building to meet the minimum building frontage.

Table of Contents

- Section 33-601. Subdivision Design
- Section 33-602. Complete Streets
- Section 33-603. Site Utilities
- Section 33-604. Exceptions and Variances

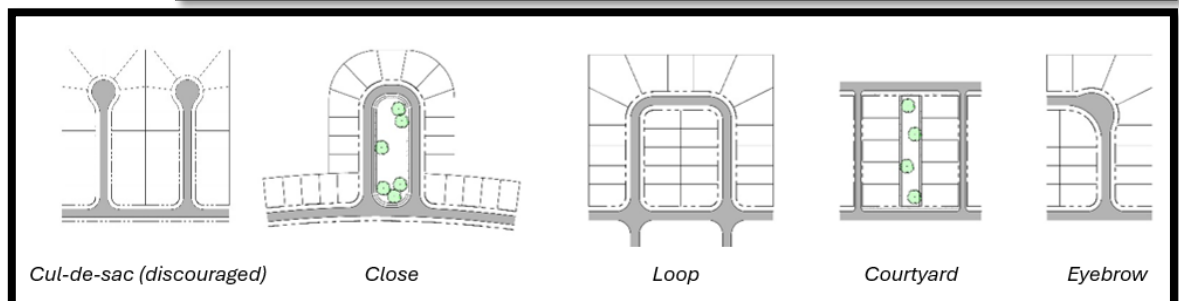
Proposed Revisions

- Expanded the Purpose and Intent section for Article
- Focused on design, including street typologies and lot/street layout
- Clarified standards and requirements to ensure relationship to surrounding context
- Removed utility easements section and moved requirements for Utilities Manual
- Consolidated and added graphics to clarify existing standards for street design and lot/block layout
- Increased allowance for minor subdivisions from creating 3 lots to 5 lots
- Added “Complete Streets” Design graphics to support 2024 Comprehensive Plan update, including street classification such as arterials and collectors, neighborhood and local streets, as well as alleyways

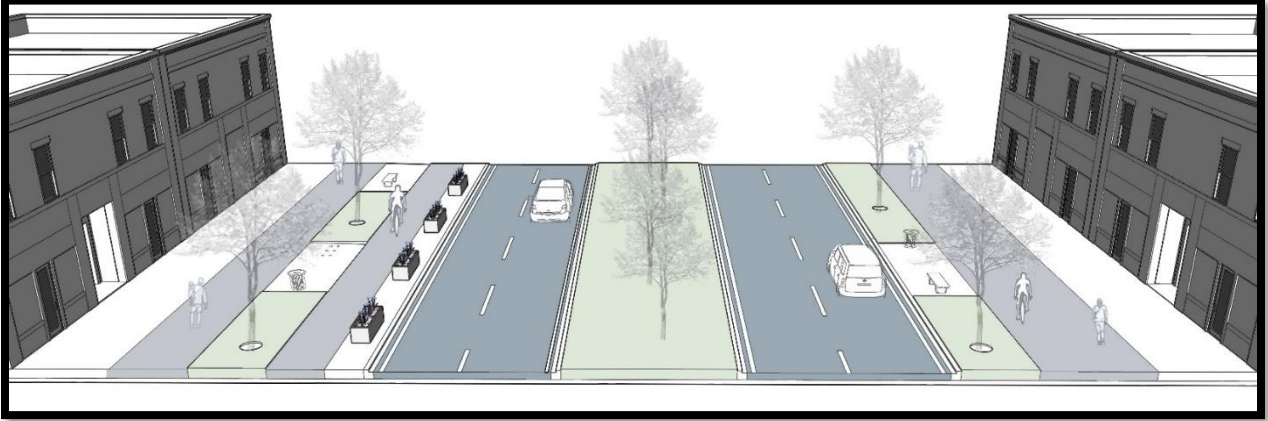
Street Connectivity Example



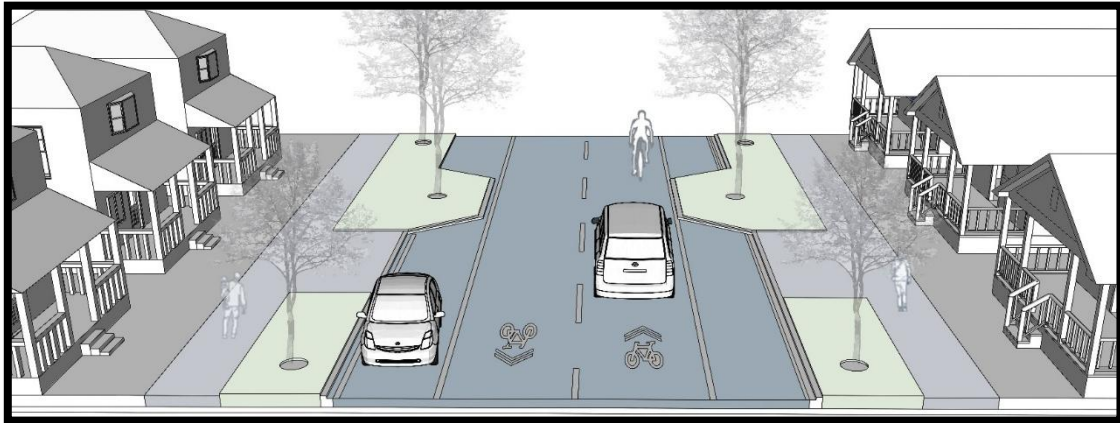
Cul-de-sac Alternatives



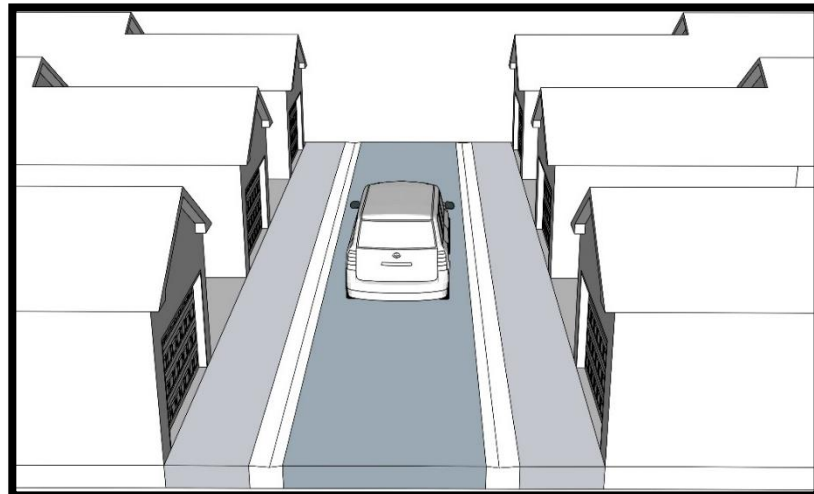
Arterial and Collector Streets



Neighborhood Streets



Alleys



Article 7

Access and Parking

Table of Contents

- Section 33-701. On-Site Circulation and Parking
- Section 33-702. Off-Street Loading

Proposed Revisions

- Revised parking requirements for:
 - Elementary and middle schools
 - Automotive sales
 - General retail
 - Bed and breakfast homestays and inns
 - Multifamily development
 - Convalescent, elder housing, and nursing homes
 - Hospitals
 - Medical clinics, offices, laboratories
 - Golf courses
 - Public parks
 - Utilities
- Clarified when Parking Study would be needed
- Established standards for shared parking in mixed-use developments
- Reduced the parking stall size to industry standard (9 x 18)
- Added standards to allow for a limited amount of compact parking in larger developments and provided size requirements

HEALTH SERVICES	Minimum-Off-Street-Parking Requirements	Notes
Convalescent, elder housing and nursing homes	1 space/ 5 4 beds <u>plus 1 space per employee on maximum shift</u>	Reduction may be proposed through submittal of a parking study.

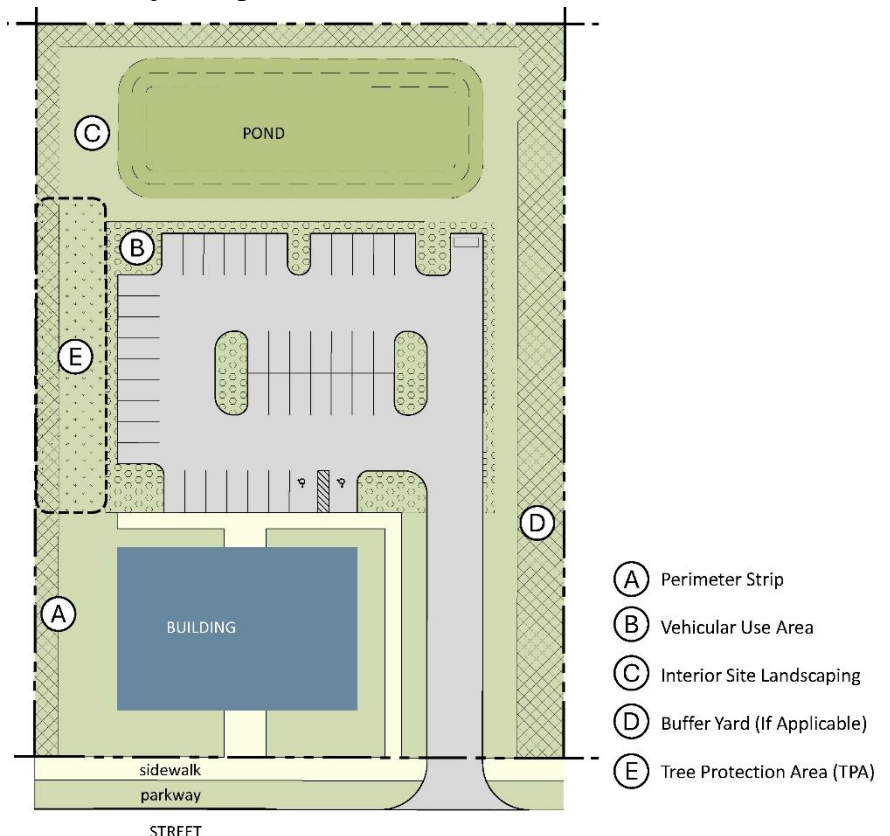
Table of Contents

- Section 33-801. Tree Protection
- Section 33-802. Landscaping

Proposed Revisions

- Updated purpose and intent statement
- Clarified the exemption process for tree removal permits
- Moved design and planting standards and tree species to the Tree and Landscaping Manual
- Adopted University of Florida - Florida-Friendly Plant Guide for list of permitted plants
- Adjusted historic tree protection threshold to be consistent with Volusia County
- Moved Tree Relocation standard to a stand-alone subsection
- Clarified the prohibition Against Harming Public Trees
- Renamed buffer requirements to perimeter landscaping standards for clarification and to encourage mixed use developments and infill options
- Simplified planting calculations from fractional units to whole numbers for ease-of-use
- Updated parking landscaping standards and provided graphics for clarity
- Simplified list of buffer types and reduced buffer widths along the gateways to encourage infill and redevelopment within the city core
- Clarified standards for buffers between adjacent parcels

Landscaping Areas



Article 8

Trees and Landscaping

Table 33-7.2.2.A.7, Required Landscaping for Vehicular Use Areas²

Number of Parking Spaces	Required Landscaped Area, Square Feet Per Parking Space	
	All uses except industrial zoning districts	Industrial Zoning Districts
5 to 50	7	3.5
51 to 100	10	5
100+	13	6.5

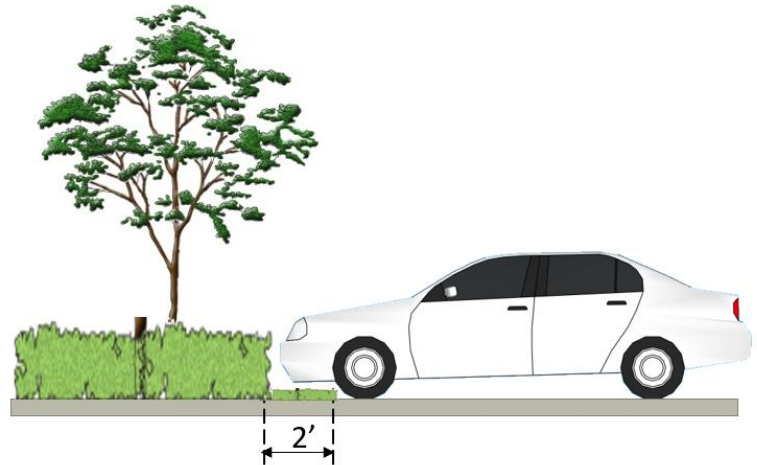
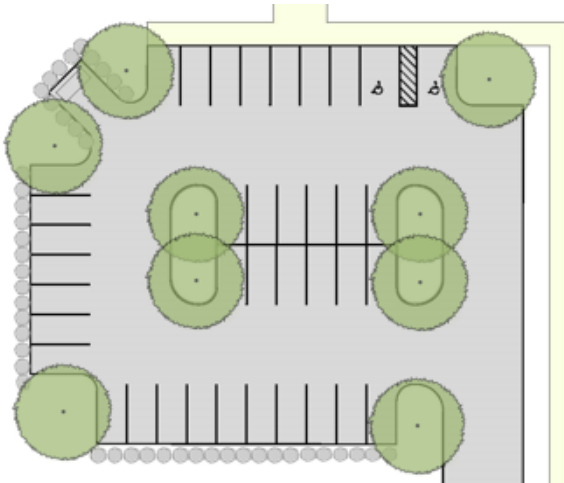


Table 33-702.B.2(B)a, Buffer Standards

Buffer Type	Buffer Width (feet)	Required Plant Material per 100 Linear Feet		
		Canopy	Understory	Shrubs
Buffer Type "A"	10	2 (3 dbh)	1	5
Buffer Type "B"	20	4 (3 dbh)	2	12
Buffer Type "C"	30	6 (3 dbh)	2	20
Buffer Type "D"	50	8 (3 dbh)	3	24

Table ###. Buffers Between Adjacent Parcels

Proposed Use	Adjacent Zoning District									
	Ag	Rural Residential	RL	RM & R-MH	RH	P-1, BR, & MU-N	MU-G	MU-D & MU-I	C-3, I-L, & I-G	PF & E-1
Agriculture	---	C	C	C	C	B	B	B	B	B
Single Family, Duplex	A	A	---	---	---	---	---	---	---	---
Residential subdivision	B	B	A	A	---	---	---	---	---	---
Multifamily	B	B	B	B	---	---	---	---	---	---
Personal Service	B	B	B	B	B	---	---	---	---	---
Commercial	B	C+	C+	C+	B	B	B	---	---	---
Entertainment	B	C	C	C	B	B	B	---	---	---
- Golf course operations (not including greens and fairways)	C	C	C	C	C	C	C	---	---	B
Lodging	B	C	C	C	B	B	B	---	---	---
Intensive Service	B	D+	D+	D+	C+	C	B	---	---	---
Civic/Institutional	B	C	C	C	C	B	B	---	---	---
- Public utilities	D	D+	D+	D+	D+	D	C	C	---	---
Utilities	B	C	C	C	B	B	B	---	---	---
Industrial	D	D+	D+	D+	D+	D	C	C	---	C
Miscellaneous Uses										

+ The buffer must also include a 100 percent opaque screen (fence or wall) along the rear or side lot line. Chain link, open mesh, or similar fencing shall not be used to satisfy this requirement. The screen shall be architecturally compatible with the adjacent residential property. The screen shall be a minimum of six feet high and a maximum of eight feet high. The screen shall be located no closer than ten feet to the abutting property line and landscape materials shall be located between the screen and the abutting property line.

Table of Contents

- Section 33-901. General Provisions
- Section 33-902. Design, Construction and Location
- Section 33-903. Permitted Signs
- Section 33-904. Temporary Signs
- Section 33-905. Outdoor Advertising Signs (Billboards)
- Section 33-906. Prohibited Signs

Proposed Revisions

- Updated purpose and intent statements
- Removed non-content-neutral language to comply with Federal law (Reed vs. Gilbert)
- Clarified non-commercial message standards
- Added a provision to allow for Master Sign Plans
- Moved permitting requirements to Application Manual
- Revised list of exempt signs and provided maximum sizes
 - Small signs, 3 sq ft or less (was 2 sq ft)
 - Public utility signs less than 2 sq ft (was 1 sq ft)
 - Temporary signs added
 - Flagpoles not exceeding 30 ft height
 - Address numbers
- Added standards for maintenance requirements
- Consolidated ground and monument sign standards into table for ease-of-use
- Clarified monument sign restrictions within the downtown (i.e. within 15 ft of the ROW in the Core Overlay)
- Clarified the requirements for double-sided sign vs. single-sided in subdivisions
- Clarified existing language prohibiting new pole signs within the city
- Better explained standards for signage on parapet walls and provided illustrations
- Provided regulations and size limitations for temporary signs and removed references to sign types (i.e. garage sale signs) for consistency with Federal law

Building Sign Standards

Property Size (Acres)	Max Sign Area ¹ (per side)	Max. Sign Height			
		Emerging Gateway	Core Overlay ⁴	Redevelopment Gateway	All other areas
Non-Residential Zoning Districts					
< 2.5 acres	48 sq. ft.	8 ft.	12 ft.	16 ft.	12 ft.
2.5 – 5 acres	68 sq. ft.				
> 5 acres	128 sq. ft.				
> 20 acres in the Redevelopment and Emerging Gateway Overlays	150 sq. ft.				
Residential Zoning Districts					
Residential Subdivisions ^{2,3}		8 ft.			
12 units or less	16 sq. ft.				
More than 12 units	48 sq. ft.				
Institutional Uses	48 sq. ft.				
Bed and Breakfast (homestay or inn)	10 sq. ft.				
All Zoning Districts					
Public and Private Parks	16 sq. ft.	8 ft.			

^{1,2} Signs may be installed on a perimeter fence or wall. Additionally, one building sign may be used in lieu of a ground sign of a maximum size specified in **sections 1 and 2 above**. No projecting signs shall be permitted.

³ One double-sided sign or up to two single-sided ground signs, not to exceed the size noted **per sign**.

⁴ If building in Core Overlay is within 15 ft of the right-of-way, a monument sign is not permitted.

Building Sign Types

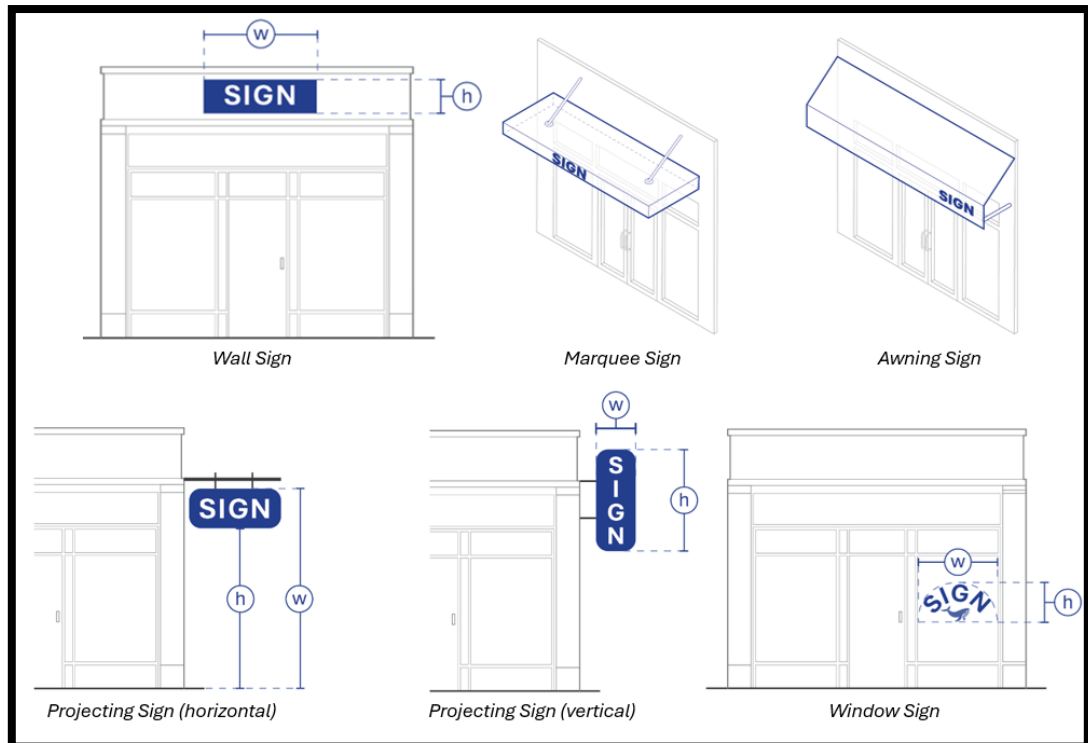


Table of Contents

- Section 33-1001. Concurrency
- Section 33-1002. Impact Fees

Proposed Revisions

- Updated concurrency purpose and intent statements for consistency with state requirements
- Updated and provided ties to 2024 Comprehensive Plan update
- Simplified list of public services and facilities
- Revised Level of Service (LOS) table
- Enhanced and expanded methods to achieve required LOS standards
- Made time period for certificate of concurrency/conditional certificate of concurrency consistent with statutory time frames (i.e. three (3) years)
- Removed Public School facility concurrency monitoring and review procedures
- Moved Guarantees and Sureties to Article 200 – Subdivisions
- Maintained reservation for Impact Fees Section (which includes water and wastewater, parks and recreation, police, and fire/rescue)

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- Section 33-1101. Purpose
- Section 33-1102. Stormwater Management and Control of Runoff
- Section 33-1103. Wetlands
- Section 33-1104. Habitat of Endangered or Threatened Species
- Section 33-1105. Floodplain Management
- Section 33-1106. Mining and Excavations
- Section 33-1107. Potable Water Wellfield Protection
- Section 33-1108. Erosion Control

Proposed Revisions

- Updated purpose and intent statement
- Moved responsibility of stormwater management system from existing Site Utilities section
- Changed requirement of discharge hydrograph for developments larger than one acre to depict conditions before a 24-hour, 100-year frequency storm (previously 25-year frequency storm) for consistency with 2024 Comprehensive Plan language
- Clarified stormwater requirements and design standards in the Core Overlay for consistency with St. Johns Water Management District River Water Management requirements
- Moved references for maintenance of stormwater management systems to Stormwater and Drainage Manual
- Clarified existing list of wetland protection exemptions and buffer zone standards
- Clarified appeal process for floodplains
- Moved Mining and Excavation permit requirements to Application Manual
- Moved Wellfield Protection Zone Permit to Article 200

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- Section 33-1301. Definitions

Proposed Revisions

- Updated and clarified definitions
- Made definitions consistent with code terms
- Added examples for current uses
- Added new definitions for existing terms used in Code
- Removed terms not found in the Code
- Modernized terms and definitions
- Removed regulatory language and standards from individual definitions
- Moved definitions from front of Code to end of Code for ease-of-use