



## CITY COUNCIL MEETING

September 02, 2020 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

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### AMENDED AGENDA

#### CALL TO ORDER

Invocation

Flag Salute

#### ROLL CALL

**PUBLIC PARTICIPATION:** For any items **NOT ON THE AGENDA**, citizen comments are limited to three (3) minutes per speaker. For items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

#### APPROVAL OF MINUTES

- [1.](#) Regular City Council Meeting August 5, 2020 (Amended)
- [2.](#) City Council Workshop August 12, 2020
- [3.](#) Special City Council Meeting August 19, 2020

#### ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA

#### PUBLIC HEARINGS

- [4.](#) The applicant, Darren Elkind, on behalf of Beyond Chance LLC., requests City Council to approve the first reading of Ordinance 05-2020, amending the existing Glen Abbey PUD in order to permit a house of worship at 350 Pine Meadow Drive.
- [5.](#) The applicant, Dean Barberree of HR Rivington LLC, is seeking final plat approval for Rivington Unit 1A, which consists of lots 1-137.
- [6.](#) Staff is requesting consideration by City Council of Ordinance 06-2020, revising sections of the TOD Regulating Plan addressing mixed use requirements, main street development criteria, architectural design principles, cohesive development requirements, permitted uses and other miscellaneous revisions within the Transit Oriented Development (TOD) Overlay District.

#### GROWTH MANAGEMENT AND DEVELOPMENT

- [7.](#) The applicant, Gabriel Garrido, is requesting a variance of the B-9 Zoning designation requirement of a one acre minimum lot size.

#### INFORMATIONAL ITEMS

## **COUNCIL MEMBER REPORTS / COMMUNICATIONS**

Board/Committee Appointments

Member Reports/ Communications

- A. Mayor and Council Members
- B. City Manager
- C. City Attorney

## **DATE OF UPCOMING MEETING / WORKSHOP**

Special City Council Meeting September 9, 2020, 6:30 p.m.

Special City Council Meeting September 23, 2020, 6:30 p.m.

## **ADJOURN**

If any person decides to appeal any decision made by the City Council 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 (FS 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 668-2040.



## CITY COUNCIL MEETING

August 05, 2020 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

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### AMENDED MINUTES

**CALL TO ORDER:** Mayor Chasez called the meeting to order at 6:32 p.m.

**ROLL CALL:** Mayor Chasez, Vice-Mayor Benfield, Council Members Bacon, Butlien and Stevenson are present.

Others present: Carmen Rosamonda, City Manager; Kurt Ardaman, City Attorney; Eric Frankton, IT Director; Shari Simmans, Public Information Officer; Alan Williamson, Public Works Director; Annette Hatch, City Clerk; Amy Perkins, Public Works Assistant; David Rodriguez, Help Desk Technician; D. Andrew Smith; Counsel to City Staff, and via Zoom; Jacob Stewart, Counsel to Council Member Bacon.

**PUBLIC PARTICIPATION:** For any items **NOT ON THE AGENDA**, citizen comments are limited to three (3) minutes per speaker. For items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

Morton Culligan addressed the Council.

#### PUBLIC HEARINGS

1. Hearing to consider and render a decision on whether Council Member Stephen Bacon violated Section 4.04(a) of the City Charter.

Mr. Ardaman read the procedures that will be followed during the public hearing.

Mr. Stewart objected and asked for a continuance. Mr. Smith objected to the continuance request.

Motion by Council Member Stevenson to deny the request for continuance. Seconded by Council Member Butlien. Motion passed 4-1 (Council Member Bacon; nay).

Motion by Council Member Stevenson to follow the City Attorney's advice and not call Council Members as witnesses, with the exception of Council Member Bacon. Seconded by Council Member Butlien. Motion passed 4-1 (Council Member Bacon; nay).

Mr. Ardaman swore in the following witnesses: Annette Hatch, Eric Frankton, Amy Perkins, Carmen Rosamonda, and Stephen Bacon.

Mayor and Council Members disclosed any ex parte communications.

Drew Smith, attorney for City Staff gave his opening statement.

Jacob Stewart, attorney for Council Member Bacon gave his opening statement.

Mr. Smith called and questioned his first witness, Annette Hatch. Mr. Stewart then questioned the witness.

Mayor Chalez requested a 5-minute recess at 8:44 p.m. The meeting was reconvened at 8:50 p.m.

Mr. Smith called and questioned his second witness, Eric Frankton. Mr. Stewart objected to Mr. Smith questioning this or any witness beyond the point of interaction. Mr. Smith objected to sustaining the questioning stating relevancy.

Motion by Council Member Stevenson to overrule Council Stewart's objection. Seconded by Council Member Bacon. Motion passed unanimously.

Mr. Smith continued his questioning of the witness. Mr. Stewart then questioned the witness.

Mr. Bacon requested a recess at 9:22 p.m. The meeting was reconvened at 9:27 p.m.

Mr. Smith called and questioned his third witness, Amy Perkins. Mr. Stewart then questioned the witness.

Mr. Smith called and questioned his fourth witness, Carmen Rosamonda. Mr. Stewart then questioned the witness.

Mr. Stewart requested a 5-minute recess at 9:46 p.m. The meeting was reconvened at 9:54 p.m.

Mr. Stewart called Ms. Hatch to the stand for further questioning.

The Mayor asked if anyone was present for public participation.

Mr. Stewart objected to any public participation.

Mr. Ardaman informed those present there was a Statutory requirement that prior to Council acting on a matter the public must be allowed to participate.

No one addressed the Council.

Mr. Smith made his closing statements.

Mr. Stewart made his objections to the proceedings continuing and then made his closing statements.

Motion by Council Member Butlien to find Council Member Bacon in violation of Section 4.04(a) of the City Charter based on the evidence presented during this evening's hearing. Seconded by Council Member Stevenson. Motion passed 4-1 (Council Member Bacon; nay).

Motion by Vice Mayor Benfield to extend the meeting beyond 11:00 p.m. Seconded by Council Member Stevenson. Motion passed 4-1 (Council Member Bacon; nay).

2. Hearing to consider and render a decision on whether Council Member Stephen Bacon will be declared to have forfeited his office in accordance with Sections 4.07 and 4.09 of the City Charter.

The Mayor asked if anyone was present for public participation.

No one addressed the Council.

Mr. Smith gave his opening statement.



Mr. Stewart objected to the continuance of the hearing.

Motion by Council Member Stevenson to proceed with the hearing. Seconded by Council Member Butlien. Motion passed 4-1 (Council Member Bacon; nay).

Mr. Stewart gave his opening statement and reiterated his objections to the proceedings.

Motion by Council Member Stevenson that the action committed by Council Member Bacon does not rise to the level of forfeiture of his office. Seconded by Vice-Mayor Benfield. Motion passed unanimously.

**DATE OF UPCOMING MEETING / WORKSHOP:** City Council Workshop August 12, 2020 at 6:30 p.m.

**ADJOURN:** The meeting was adjourned at 11:18 p.m.

**APPROVED:**

**CITY COUNCIL  
CITY OF DEBARY, FLORIDA**

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**Karen Chasez, Mayor**

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**Annette Hatch, City Clerk**



## **CITY COUNCIL WORKSHOP**

**August 12, 2020 at 6:30 PM**

**City Council Chambers, 16 Colomba Rd.**

**DeBary, Florida 32713**

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### **MINUTES**

**CALL TO ORDER:** Mayor Chasez called the meeting to order at 6:30 p.m.

**ROLL CALL:** Mayor Chasez, Vice-Mayor Benfield, Council Members Bacon, Butlien and Stevenson are present.

Others present: Carmen Rosamonda, City Manager; Elizabeth Bauer, Finance Director; Matt Boerger, Growth Management Director; Wendy Cullen, Human Resources Director; Eric Frankton, Information Technology Director; Jason Schaitz, Parks & Recreation Director; Shari Simmans, Public Information Officer; Alan Williamson, Public Works Director; and Annette Hatch, City Clerk.

#### **PRESENTATIONS**

- **Budget Overview:** City Manager briefly reviewed the budget including the budgeting process, ad valorem and millage rates, stormwater projects, revenue shortfalls in sales and gas tax, and proposed budget adjustments.

No one addressed the Council.

- **Law Enforcement:** Captain Fortin presented the budget highlights for the Sheriff's Office.

No one addressed the Council.

- **Fire Services:** Chief Long presented the budget highlights for the DeBary Fire Department.

No one addressed the Council.

- **Public Works:** Alan Williamson, Public Works Director, presented the budget highlights for the Public Works Department.

No one addressed the Council.

- **Parks and Recreation:** Jason Schaitz, Parks & Recreation Director, presented the budget highlights for Parks and Recreation.

Lorraine Koval addressed the Council.

- Growth Management: Matt Boerger, Growth Management Director, presented the budget highlights for the Growth Management Department.

No one addressed the Council.

**PUBLIC PARTICIPATION:** For any items **ON THE AGENDA**, citizen comments are limited to three (3) minutes per speaker. Speakers will be called when the item is introduced for discussion.

**COUNCIL DISCUSSION:** Council Members questioned staff, briefly discussed the presentations and proposed budget.

**CLOSING REMARKS:** City Manager reviewed upcoming budget workshop and meeting schedules.

**ADJOURN:** The meeting was adjourned at 8:56 p.m.

**APPROVED:**

**CITY COUNCIL**

**CITY OF DEBARY, FLORIDA**

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**KAREN CHASEZ, MAYOR**

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**ANNETTE HATCH, CITY CLERK**



## SPECIAL CITY COUNCIL MEETING

August 19, 2020 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

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### MINUTES

**CALL TO ORDER: CALL TO ORDER:** Mayor Chasez called the meeting to order at 6:30 p.m.

**ROLL CALL:** Mayor Chasez, Vice-Mayor Benfield, Council Members Bacon, Butlien and Stevenson are present.

Others present: Carmen Rosamonda, City Manager; Giffin Chumley, City Attorney; Matt Boerger, Growth Management Director; Eric Frankton, IT Director; and Annette Hatch, City Clerk.

**PUBLIC PARTICIPATION:** For any items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

#### APPROVAL OF MINUTES

1. City Council - Charter Review Commission Joint Workshop June 10, 2020
2. City Council Workshop June 17, 2020
3. Special City Council Meeting June 17, 2020
4. City Council Meeting July 1, 2020
5. Special City Council Meeting July 15, 2020
6. Special City Council Meeting July 22, 2020

Motion by Council Member Stevenson to approve the minutes as listed. Seconded by Council Member Butlien. Motion passed unanimously.

**DELETIONS OR AMENDMENTS TO THE AGENDA (City Charter Sec. 4.11):** None.

#### CONSENT AGENDA

7. City Manager is requesting the Mayor and City Council to authorize the City Attorney and City Manager to approve Task Order No. 2015-55 with Pegasus Engineering in order to provide services as directed by City Council associated with the General Stormwater Engineering Services.
8. City Manager is recommending City Council approval of the Fiscal Year 2020-21 Second Amendment to the Volusia County Interlocal Agreement for Law Enforcement Services.
9. City Manager requests City Council approval of a one-year renewal to the Interlocal Agreement for Distribution of Proceeds of Local Option Fuel Tax September 1, 2020 – August 31, 2021.

Motion by Council Member Butlien to approve the Consent Agenda. Seconded by Council Member Stevenson. Motion passed unanimously.

## **PUBLIC HEARINGS**

10. The applicant, Mark Carley, is requesting that City Council approve a Special Exception to allow for a garage apartment at his home.

Staff presented the item, which included two anonymous comments against the project. It was suggested that if the project was approved an additional restriction be added to keep all parking on the project site.

Mr. Carley addressed the Council.

Motion by Council Member Bacon to approve the Special Exception to allow for a garage apartment with the added restriction that all parking be kept on the project site. Seconded by Council Member Stevenson. Motion passed unanimously.

## **NEW BUSINESS**

11. IT Director is requesting City Council to award Bid for RFP 09-20 Security Surveillance System, to the lowest responsive and responsible bidder, Lane Technology Solutions.

Staff explained the bid process, the necessity for increased and updated security, and the availability of funding.

Jim Lane addressed the Council.

Motion by Vice-Mayor Benfield to approve the award of Bid for RFP 09-20 for a security surveillance system to Lane Technology Solutions. Seconded by Council Member Butlien. Motion passed unanimously.

## **COUNCIL MEMBER REPORTS / COMMUNICATIONS**

Member Reports/ Communications

- A. Mayor and Council Members
- B. City Manager
- C. City Attorney

## **DATE OF UPCOMING MEETING / WORKSHOP**

- City Council Workshop August 26, 2020, 6:30 p.m.
- Regular City Council Meeting September 2, 2020, 6:30 p.m.
- Special City Council Meeting September 9, 2020, 6:30 p.m.
- Special City Council Meeting September 23, 2020, 6:30 p.m.

**ADJOURN:** Meeting was adjourned at 7:22 p.m.

**APPROVED:**

**CITY COUNCIL  
CITY OF DEBARY, FLORIDA**

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**Karen Chasez, Mayor**

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**Annette Hatch, City Clerk**



## City Council Meeting City of DeBary AGENDA ITEM

<b>Subject:</b> PUD Amendment 350 Pine Meadow Dr.	<b>Attachments:</b> <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Supporting Documents/ Contracts <input type="checkbox"/> Other
<b>From:</b> Matt Boerger, Growth Management	
<b>Meeting Hearing Date</b> September 2, 2020	

### REQUEST

The Applicant, Darren Elkind, on behalf of Beyond Chance LLC., requests City Council to approve the first reading of Ordinance 05-2020, amending the existing Glen Abbey PUD in order to permit a house of worship at 350 Pine Meadow Drive.

### PURPOSE

The applicant wishes to convert an existing building to be used as a house of worship and needs to amend the existing PUD to be permitted to do so.

### CONSIDERATIONS

The property is located at 350 Pine Meaddow Drive, approximately 1,000 feet east of US 17-92, behind the Walmart Shopping Center.

The Applicant is requesting to amend the Glen Abbey PUD to accommodate the use of a house of worship in conjunction with office use, in an existing building. The building was originally built as a golf course club house, which is no longer in operation. The applicant plans to only make interior renovations to utilize the space as office and a sanctuary, but needs to amend the PUD before they can be approved for a building permit to do interior renovations. The total square feet of the existing building is 4,755. The proposed use of the building after the renovations is to utilize 3,625 square feet for business/office space and 1,130 square feet as sanctuary/house of worship use. The developed site is located on approximately 1.4 acres of land.

General Land Use Assessment:

Zoning. The proposed development has an existing zoning of Planned Unit Development (PUD), known as the Glen Abbey PUD, and previously known as the Swallows PUD. As such, the land uses and site specifications are governed by the requirements of a development agreement. The Applicant's proposed development includes provisions to expand upon the allowable land uses, to include House of Worship. The site currently permits for General Office use.

Future Land Use: The proposed development is under the future land use classification of Residential Low Density(R/LD). As per Comprehensive Plan Policy 5.402(a)(4), R/LD allows for residential low density development, and other special uses that may be appropriate as part of a larger development. These include institutional uses, employment centers, office parks, and larger retail areas. These uses should only be considered as part of a (primarily residential) planned unit development process where specific criteria for the development can be established. The subject site is part of the larger Glen Abbey PUD development project.

The following matrix identifies the uses of neighboring properties.

DIRECTION	ZONING DESIGNATION	FLU DESIGNATION	USE
North	Glen Abbey PUD	Residential/Low Density	Vacant/wooded lot Single Family Home
South	Glen Abbey PUD	Residential/Low Density	Pine Meadow Drive/Townhomes
East	Glen Abbey PUD	Residential/Low Density	Single Family Home
West	Glen Abbey PUD	Residential/Low Density	Vacant/wooded lot Defunct Tennis Courts

The proposed use is compatible with the intended development of the area as the character of the existing PUD is to provide for a transition of uses, from more intense commercial uses to the west along US 17-92, to less intense single family residential uses to the east.

The Applicant held a Community Meeting on August 26, 2020.

Traffic: The proposed use would generate approximately the same traffic as the existing use of General Office. Please see the attached Trip Generation Report. The existing parking lot provides adequate parking spaces for the newly proposed use of office and house of worship.



## **FINDINGS OF FACT**

- The proposed use is to allow for a house of worship in conjunction with the existing use of general office on a site within an existing building
- The existing parking will adequately serve the proposed use
- The proposed application meets the rezoning criteria of Land Development Code Sec 1-6 following the rezoning procedures
- The proposed use is consistent and compatible with the overall Glen Abbey PUD development
- A community meeting was held on August 26, 2020
- The Development Review Committee recommended approval to the DeBary City Council on June 16, 2020

## **COST/FUNDING**

N/A

## **RECOMMENDATION**

It is recommended that the City Council approve the first reading of the proposed PUD amendment to allow for the use of a house of worship with the condition that no overflow parking be permitted within any adjacent public rights-of-way.

## **IMPLEMENTATION**

The applicant would need to receive a building permit before interior renovations can be completed.

## **ATTACHMENTS**

Ordinance 05-2020  
Master Development Plan/Boundary Survey  
Traffic Generation Report

**LEGAL DESCRIPTION:**

THAT CERTAIN PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 18 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF NORTH PINE MEADOW DRIVE, BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK "B", THE SWALLOWS, A SUBDIVISION ACCORDING TO MAP IN MAP BOOK 36, PAGES 101 THROUGH 103, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID POINT BEING A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282, LYING ON A CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 656.14 FEET, A DELTA OF 50°18'43", RUNNING ALONG SAID NORTHERLY RIGHT-OF-WAY AN ARC DISTANCE OF 578.16 FEET, RUN THENCE ALONG A CHORD BEARING OF S 48°34'31" W A CHORD DISTANCE OF 557.83 FEET TO THE POINT OF TANGENCY BEING A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282; THENCE RUN S 73°43' 53" W AND CONTINUING ALONG SAID RIGHT-OF-WAY A DISTANCE OF 16.50 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282 AND THE POINT OF BEGINNING; THENCE CONTINUE S 73°43'52" W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 5.02 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282, BEING THE POINT OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1,753.11 FEET, A DELTA OF 09°18'52", RUNNING ALONG SAID RIGHT-OF-WAY AN ARC DISTANCE OF 285.00 FEET, THENCE RUN ON A CHORD BEARING OF S 78°23'19" W, A CHORD DISTANCE OF 284.69 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282, THENCE RUN N 10°18'32" W BEING A NON-RADIAL LINE A DISTANCE OF 193.06 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282; THENCE RUN N 76°01'46" E, A DISTANCE OF 145.65 FEET, TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282 BEING ON THE SOUTHERLY RIGHT-OF-WAY OF A 16.50 FEET AT&T CABLE EASEMENT, THENCE RUN N 43°28'13" E ALONG SAID CABLE EASEMENT, A DISTANCE OF 142.18 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282; THENCE RUN S 16°20'51" E, A DISTANCE OF 280.95 FEET TO POINT OF BEGINNING.

**SURVEYOR'S NOTES:**

Bearings shown hereon are based on the Recorded Plat of Glen Abbey Club, as Recorded in Map book 48, Page 60.

There may be easements and restrictions of record and/or private agreements not furnished to this surveyor or shown on this boundary survey that may affect property rights and/or land use rights of the subject property.

Subject property falls within Flood Zone "X", according to the F.E.M.A Firm Map number 12127C0620 k, dated 9/29/2017.

This Survey was performed without the benefit of an Insurance Title Commitment.

There may be environmental issues and/or other matters regulated by various Departments of Federal, State or Local Governments affecting the subject property not shown on this survey.

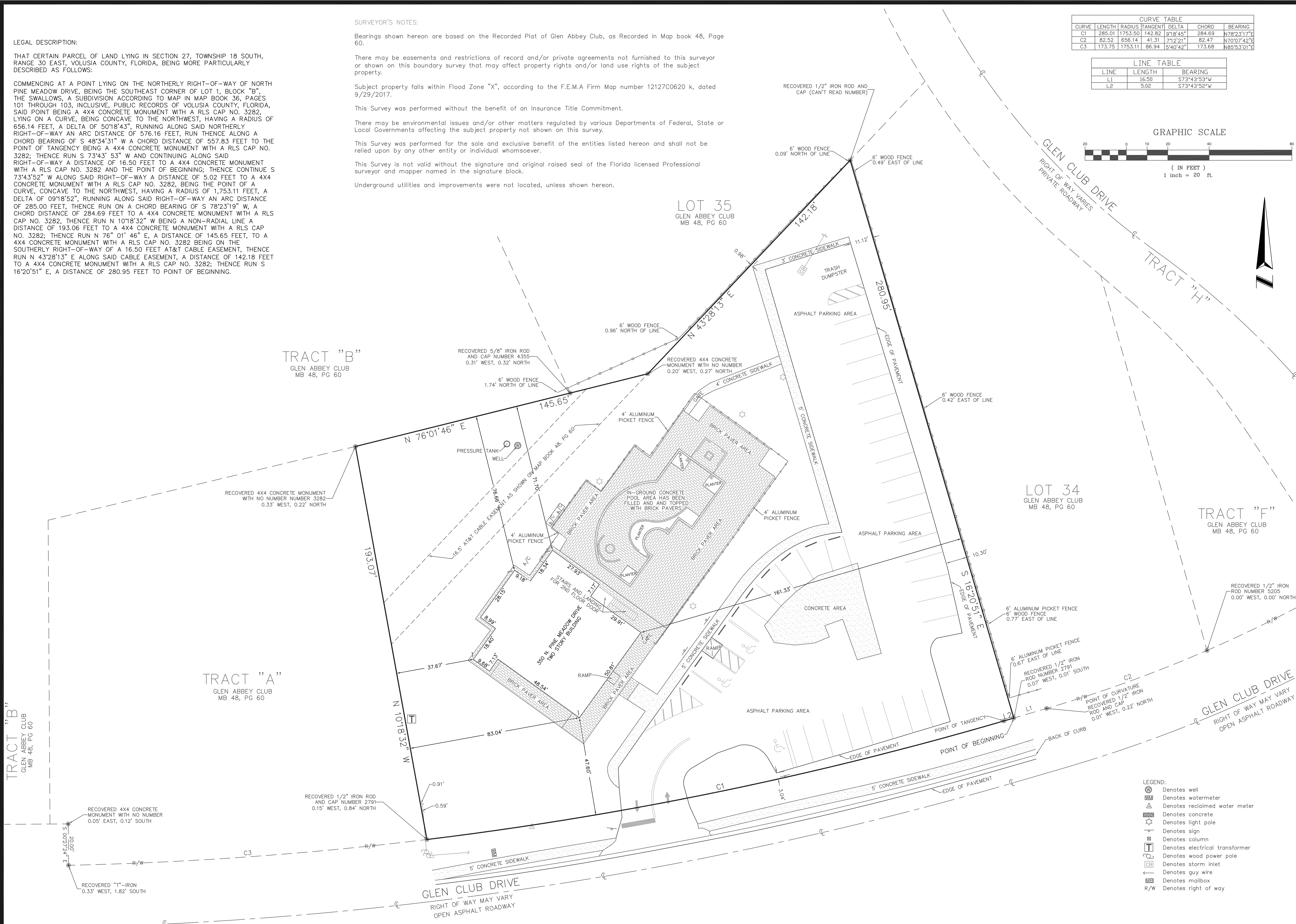
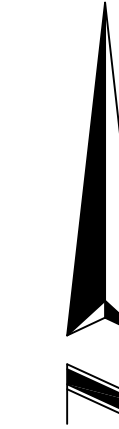
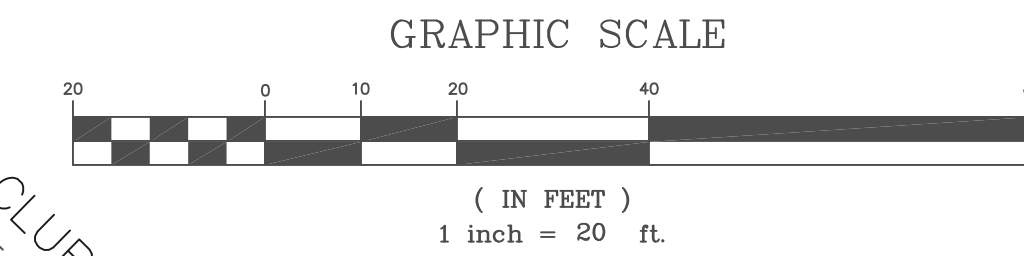
This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whomsoever.

This Survey is not valid without the signature and original raised seal of the Florida licensed Professional surveyor and mapper named in the signature block.

Underground utilities and improvements were not located, unless shown hereon.

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD	BEARING
C1	285.01	1753.50	142.82	91°18'45"	284.69	N78°23'17"E
C2	82.52	656.14	41.31	77°2'21"	82.47	N70°07'42"E
C3	173.75	1753.11	86.94	5°40'42"	173.68	N65°53'01"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	16.50	S73°43'53"W
L2	5.02	S73°43'52"W



**BOUNDARY SURVEY**

OF

**PARCEL ID #8027-00-00-0042**

A PORTION OF SECTION 27, TOWNSHIP 18 SOUTH, RANGE 30 EAST  
THE CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA.  
61,249.79 SQUARE FEET OR 1.4061 ACRES MORE OR LESS

CERTIFY TO:

TS&C CONSTRUCTION SERVICES  
OF FLORIDA  
1002 MONTROSE AVENUE  
ORANGE CITY, FLORIDA 32763



1780 DOYLE ROAD, SUITE 6  
DELTONA, FLORIDA 32725  
(386) 860-1866

JOB NUMBER: 2020-066  
FIELD DATE: 4-10-2020  
DRAWING SCALE: 1" = 20 FEET  
CALCULATED BY: WHA  
FIELDWORK BY: SEAN/BRIAN/JASON  
DRAWN BY: WHA  
ADDRESS #350 N. PINE MEADOW DRIVE  
PARCEL #8027-00-00-0042

DATE	REVISION

SHEET 1 OF 1

FOR THE LICENSED BUSINESS # 7213 BY:



WILLIAM H. ABEL, JR. P.S.M. # 6165  
SIGNATURE DATE: 4-14-2020

- LEGEND:**
- ⊙ Denotes well
  - ⊠ Denotes watermeter
  - △ Denotes reclaimed water meter
  - Denotes concrete
  - ☆ Denotes light pole
  - ⊙ Denotes sign
  - ⊠ Denotes column
  - ⊠ Denotes electrical transformer
  - ⊠ Denotes wood power pole
  - ⊠ Denotes storm inlet
  - ⊠ Denotes guy wire
  - ⊠ Denotes mailbox
  - R/W Denotes right of way

March 27, 2020

City of DeBary

**Subject: Beyond Chance Church Remodel  
 Traffic Technical Memorandum  
 350 North Pine Meadow Drive, DeBary, FL 32713**

To whom it may concern:

Engineered Permits Inc. (EPI) as a professional engineer is supplying this letter as our statement of anticipated level of traffic from the change of use for the above project. The existing facility is currently used solely as a supplement business use to the house of worship. This project will remodel a portion of the existing building and create a sanctuary (fellowship) area and eliminate space. The existing building consists of two stories with a combined square footage of 4,755 square feet. After the remodel a large portion of the first floor will be converted to sanctuary (fellowship) space which removes the second floor. The post remodel building will be less intense at 3,625 square feet of business use and 1,130 square feet of sanctuary (fellowship) use.

The challenge is estimating vehicular trips from this type of land use. Using the ITE Trip Generation Guide a comparison has been made from the existing exclusive general business use to the proposed mixed use of house of worship and general business use. Therefore a reasonable standard methodology to project trip generation rates and trip distribution assumptions was used in this letter.

The Institute of Transportation Engineers (ITE) Trip Generation Manual, was used as the reference for the study of the projected trips. Using the Land Use Category, Office, General Office Building (710), and Institutional, Church (560) the projected trips and AM/PM peaks were calculated in Table 1.

**Table 1  
 Trip Generation  
 Beyond Chance Pre versus Post Remodel**

Time Period	Land Use	ITE Code	Size	Daily Driveway Volume	AM Peak Total	PM Peak Total	Saturday Total	Sunday Total
Pre Remodel	General Office Building	710	4.755	52	7	7	11	0
Post Remodel	General Office Building	710	3.625	40	5	4	9	4
Post Remodel	Church	560	1.130	10	0	0	12	41

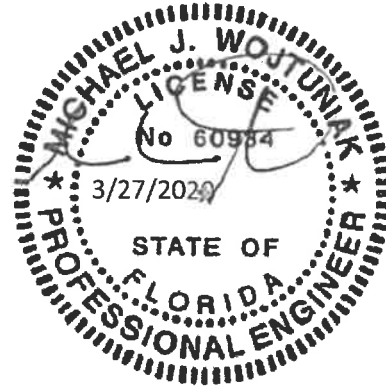
Therefore using the above Institute of Transportation Engineers (ITE) Trip Generation Manual trips a comparison was made on the expected level of trips. Because the use for sanctuary (fellowship) is less intense on a daily use the expected traffic level will be reduced or remain the same after the remodel.

Should there be any questions with this analysis letter please contact me at 386-734-0830 or by email at mwojtuniak@epieng.net.

Sincerely,  
Engineered Permits Inc.

**Michael J  
Wojtuniak**

Digitally signed by Michael J Wojtuniak  
DN: c=US, o=Unaffiliated,  
ou=A01410C0000016B412E1DEF00001  
CE7, cn=Michael J Wojtuniak  
Date: 2020.03.27 12:33:46 -04'00'

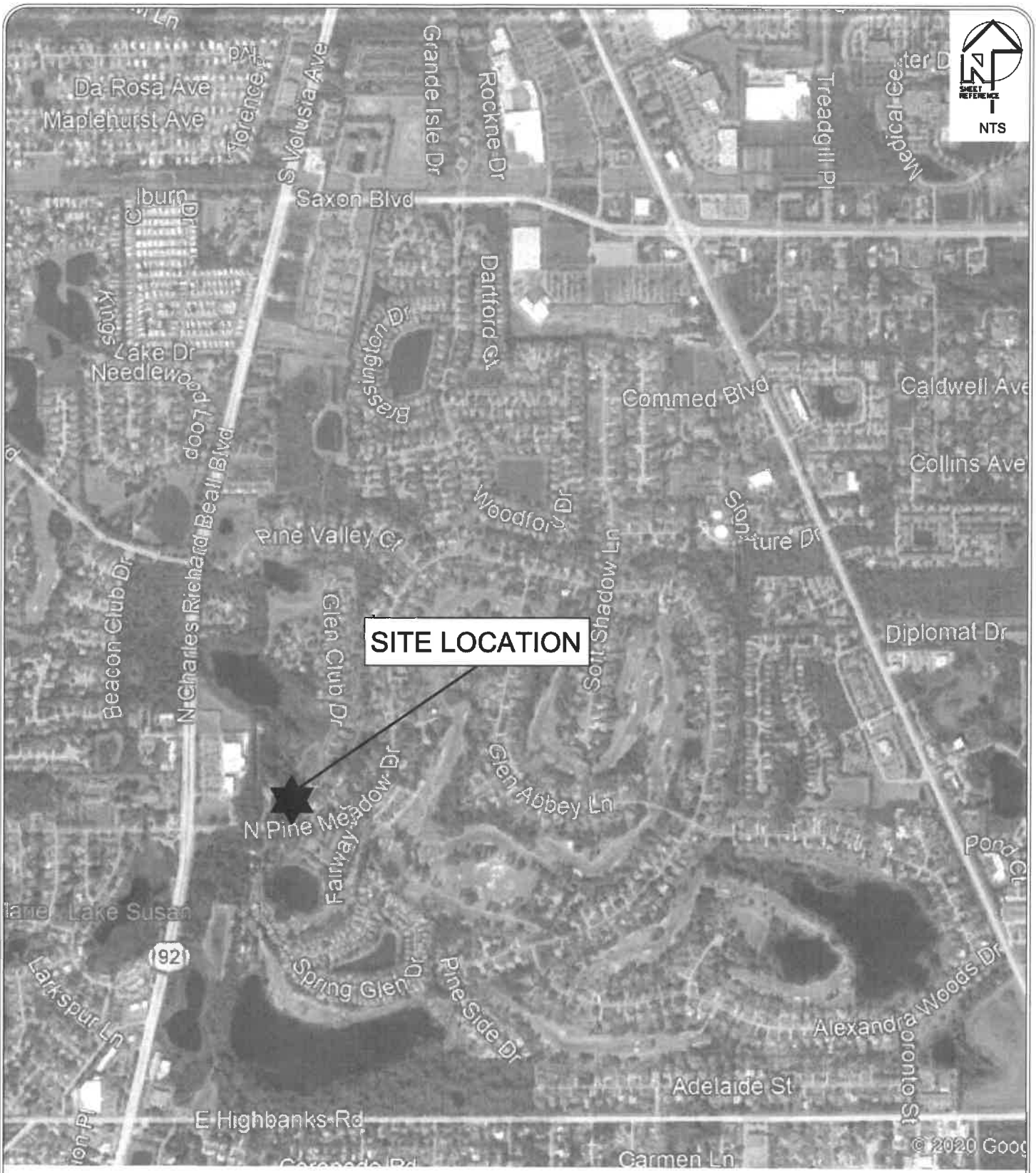


Michael Wojtuniak, P.E.  
Professional Engineer

Attachments:

Location Map  
ITE Trip Generation Models

*This document has been digitally signed and sealed by Michael J. Wojtuniak, P.E. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies, unless the raised seal has been used.*



**SITE LOCATION**



MICHAEL WOJTUNIAK, P.E.  
 P.E. NO. 60934  
 ENGINEERED PERMITS, INC.  
 311-A SOUTH WOODLAND BLVD  
 DELAND, FL 32720  
 PHONE: 386-734-0830  
 EMAIL: mwojtuniak@epieng.net  
 CERT NO. 26298

PROJECT:  
  
 BEYOND CHANCE CHURCH

SHEET TITLE:  
  
 SITE LOCATION

DATE:  
 3/27/2020  
 FIGURE NO:  
 1



Beyond Chance Church Pre Remodel  
 Summary of Trip Generation Calculation  
 For 4.755 Th.Sq.Ft. GFA of General Office Building  
 March 26, 2020

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. <u>Weekday</u> 2-Way Volume	11.01	6.13	1.00	<u>52</u>
7-9 AM Peak Hour Enter	1.36	0.00	1.00	6
7-9 AM Peak Hour Exit	0.19	0.00	1.00	1
7-9 AM Peak Hour Total	1.55	1.39	1.00	7
4-6 PM Peak Hour Enter	0.25	0.00	1.00	1
4-6 PM Peak Hour Exit	1.24	0.00	1.00	6
4-6 PM Peak Hour Total	1.49	1.37	1.00	7
Saturday 2-Way Volume	2.37	2.08	1.00	11
Saturday Peak Hour Enter	0.22	0.00	1.00	1
Saturday Peak Hour Exit	0.19	0.00	1.00	1
Saturday Peak Hour Total	0.41	0.68	1.00	2

Note: A zero indicates no data available.  
 Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Total Pre Remodel Building Size = 4,755 sf



Beyond Chance Church Post Remodel  
 Summary of Multi-Use Trip Generation  
 Saturday and Sunday Driveway Volumes  
 March 26, 2020

Land Use	Size	Saturday			Sunday		
		24 Hr	Peak Hour	24 Hr	Peak Hour	24 Hr	Peak Hour
		2-Way Vol.	Enter	Exit	2-Way Vol.	Enter	Exit
General Office Building	3.625 Th.Sq.Ft. GFA	9	1	1	4	0	0
Church	1.130 Th.Sq.Ft. GFA	12	3	1	41	7	7
Total Driveway Volume		21	4	2	45	7	7
Total Peak Hour Pass-By Trips			0	0			
Total Pk Hr Vol Added to Adjacent Streets			4	2			

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS



## ORDINANCE NO. 05-2020

**AN ORDINANCE OF THE CITY OF DEBARY, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE GLEN ABBEY PLANNED UNIT DEVELOPMENT (A/K/A SWALLOWS PUD) AMENDING RESOLUTION NO. 98-17 AND ORDINANCE 04-14, GLEN ABBEY COMMUNITY DEVELOPMENT PLAN (A/K/A SWALLOWS COMMUNITY DEVELOPMENT PLAN) GOVERNING AN APPROXIMATELY 1.4 +/- ACRES OF LAND LOCATED ON THE NORTH SIDE OF N. PINE MEADOW DRIVE EAST OF US HIGHWAY 17-92 WITH AN ADDRESS OF 350 N. PINE MEADOW DRIVE AND HAVING A VOLUSIA COUNTY PROPERTY TAX IDENTIFICATION NUMBER OF 8027-00-00-0042 AND OWNED BY BEYOND CHANCE, LLC; AMENDING THE PLANNED UNIT DEVELOPMENT AGREEMENT TO PERMIT HOUSES OF WORSHIP ON SAID 1.4 +/- ACRES OF LAND; PROVIDING FOR SEVERABILITY, RECORDING, AND AN EFFECTIVE DATE.**

WHEREAS, that certain approximately 1.4 +/- acre parcel of land located in the City of DeBary and having Volusia County Tax Parcel Identification Number 8027-00-00-0042 and legally described on Exhibit "A" attached hereto (the "Subject Property") is part of and included within a Planned Unit Development known as the Glen Abbey Planned Unit Development (A/K/A Swallows Planned Unit Development); and

WHEREAS, on September 18, 1972, the County Council of Volusia County rezoned the parcel described in Exhibit A as part of the community development plan for Glen Abbey Development (A/K/A Swallows Planned Unit Development) and other subsequent amendment to such development have been approved; and

WHEREAS, the Property was originally zoned as residential in 1972 and in 1982 a minor amendment to Community Development plan rezoned the property to a recreational amenity in the residential area; and

WHEREAS, from 1983 to 1998, the Property was permitted as a commercial enterprise to include a full restaurant, lounge, tennis clubhouse and professional offices; and

WHEREAS, on May 6, 1998 the DeBary City Council adopted Resolution No. 98-17 amending the Glen Abbey Community Development Plan (A/K/A Swallows) downzoning the Property from a commercial recreational amenity to professional office use only; and

WHEREAS, on May 14, 2014, adopted Ordinance No. 04-14 a major amendment to the Glen Abbey (A/K/A Swallows PUD) Development Agreement to modify the Planned Unit Development Agreement to allow additional office uses to include medical, professional and general office and permit public uses as special exception uses; and

WHEREAS, Darren J. Elkind, Esq. is the applicant on behalf of the property owner, Beyond Chance, LLC requesting a major amendment to the Glen Abbey (A/K/A Swallows PUD) Development Agreement to modify the Planned Unit Development Agreement to allow a house of worship as a permitted use on the Subject Property; and

WHEREAS, this Ordinance has been advertised and noticed in accordance with the requirements of state law and Section 1-10 of the City of DeBary Land Development Code; and

WHEREAS, this Ordinance meets the requirements for rezoning pursuant to Section 1-6, City of DeBary Land Development Code and Comprehensive Plan Policy 5.505 and is consistent with the City of DeBary Comprehensive Plan.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF DeBARY AS FOLLOWS:

SECTION 1. Recitals. The City Council finds that the above recitals are true and correct.

SECTION 2. Major Amendment. A major amendment to the Glen Abbey Planned Unit Development (A/K/A Swallows PUD) and its corresponding Glen Abbey Community Development Plan and Development Agreement is hereby approved to modify the permitted uses for the Subject Property as described in Exhibit "A" to this Ordinance in order to allow a house of worship as a permitted use on the Subject Property. The site specific Development Plan for the Subject Property is hereby attached as Exhibit "B," which reflects the current developed condition of the Subject Property on the Effective Date of this Ordinance. To the extent a house of worship operates on the Subject Property it shall utilize the existing site improvements and structures as developed on the Effective Date of this Ordinance unless and until a future modification of the Development Plan is approved by the City and subsequent development orders and permits are issued allowing such redevelopment. This Ordinance is not altering the permitted uses on any other portion of the Glen Abbey Planned Unit Development (A/K/A Swallows PUD).

Except as modified herein, the Glen Abbey Planned Unit Development (A/K/A Swallows PUD) and its corresponding Glen Abbey Community Development Plan remain intact and is binding upon the Subject Property. The City of DeBary Land Development Code shall apply and govern the development of the Subject Property concerning any matter not addressed in either this Ordinance or the Glen Abbey Planned Unit Development (A/K/A Swallows PUD) and its corresponding Glen Abbey Community Development Plan, as modified by this Ordinance.

SECTION 3. Recording. The City Clerk is hereby directed to record this Ordinance in the Public Records of Volusia County, Florida. This Ordinance affecting the Subject Property shall run with the land and shall be applicable to and binding on any and all successors and assigns in interest.

SECTION 4. Severability. If any portion of this Ordinance is finally determined by a court of competent jurisdiction to be invalid, unconstitutional, unenforceable or void, the balance of the Ordinance shall continue in full force and effect.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon adoption.

First reading and public hearing occurred on \_\_\_\_\_.

Second reading and public hearing occurred on \_\_\_\_\_.

ADOPTED BY the City Council of the City of DeBary, Florida this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY COUNCIL  
CITY OF DeBARY, FLORIDA

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

By: \_\_\_\_\_  
\_\_\_\_\_, City Clerk

ATTACHMENTS: Exhibit "A" – Legal Description

Exhibit "A"

THAT CERTAIN PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 18 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF NORTH PINE MEADOW DRIVE, BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK "B", THE SWALLOWS, A SUBDIVISION ACCORDING TO MAP IN MAP BOOK 36, PAGES 101 THROUGH 103, INCLUSIVE, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID POINT BEING A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282, LYING ON A CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 656.14 FEET, A DELTA OF 50°18'43", RUNNING ALONG SAID NORTHERLY RIGHT-OF-WAY AN ARC DISTANCE OF 576.16 FEET, RUN THENCE ALONG A CHORD BEARING OF S 48°34'31" W A CHORD DISTANCE OF 557.83 FEET TO THE POINT OF TANGENCY BEING A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282; THENCE RUN S 73°43' 53" W AND CONTINUING ALONG SAID RIGHT-OF-WAY A DISTANCE OF 16.50 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282 AND THE POINT OF BEGINNING; THENCE CONTINUE S 73°43'52" W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 5.02 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282, BEING THE POINT OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1,753.11 FEET, A DELTA OF 09°18'52", RUNNING ALONG SAID RIGHT-OF-WAY AN ARC DISTANCE OF 285.00 FEET, THENCE RUN ON A CHORD BEARING OF S 78°23'19" W, A CHORD DISTANCE OF 284.69 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282, THENCE RUN N 10°18'32" W BEING A NON-RADIAL LINE A DISTANCE OF 193.06 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282; THENCE RUN N 76° 01' 46" E, A DISTANCE OF 145.65 FEET, TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282 BEING ON THE SOUTHERLY RIGHT-OF-WAY OF A 16.50 FEET AT&T CABLE EASEMENT, THENCE RUN N 43°28'13" E ALONG SAID CABLE EASEMENT, A DISTANCE OF 142.18 FEET TO A 4X4 CONCRETE MONUMENT WITH A RLS CAP NO. 3282; THENCE RUN S 16°20'51" E, A DISTANCE OF 280.95 FEET TO POINT OF BEGINNING.



## City Council Meeting City of DeBary AGENDA ITEM

<b>Subject:</b> Final Plat Rivington Unit 1A	<b>Attachments:</b> <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Supporting Documents/ Contracts <input checked="" type="checkbox"/> Other
<b>From:</b> Matt Boerger, Growth Management	
<b>Meeting Hearing Date:</b> September 2, 2020	

### **REQUEST**

The Applicant, Dean Barberree of HR Rivington LLC, is seeking final plat approval for Rivington Unit 1A, which consists of lots 1-137.

### **PURPOSE**

The Applicant is requesting approval of a final plat for the purpose of recording the plat and permitting sellable lots.

### **CONSIDERATIONS**

On October 3, 2018 the DeBary City Council adopted Ordinance No. 11-18, approving Reader & Partners, LLC's, Mixed-Use Planned Unit Development Amendment (MPUD), known as the Rivington project. With this approval, City Council authorized the entitlements specified within the development agreement which included the development of up to 700 single family attached and detached residential units and up to 30,000 square feet of neighborhood commercial. On April 2, 2019, the Development Review Committee approved the Rivington Preliminary Plat and Construction Plans and a Final Development Order was issued to begin site work construction.

The Applicant is now requesting a Final Plat approval for Rivington, Unit 1A, which includes lots 1-137 of the total developable 700 units. The Applicant wishes to develop the collective lots into Single family homes, as previously permitted in the Preliminary Plat and Construction Plans.

The required infrastructure improvements for this phase of the project is partially completed. A certified engineer's opinion of cost for the remaining required improvements has been provided and verified by the City Engineer. The outstanding amount of cost-related infrastructure improvements are \$633,351. A performance guarantee, according to LDC Sec 4-111(a)(1), will be provided to the City for the remaining infrastructure that is not complete prior to the recording of the plat in public records.

## **Findings of Fact**

The City of DeBary Development Review Committee and City Attorney reviewed the request and provide for the following findings of fact:

- All requirements per local and state codes have been addressed; and
- The City's Surveyor, in conformity with Chapter 177 of the Florida Statutes, has reviewed the final plat and the City Attorney has conducted a legal review of the final plat and the title opinion.
- The required infrastructure improvements for this phase of the project is mostly completed, an engineer's estimate and a performance guarantee according to LDC Sec 4-111. (a) (1) is to be provided for the remaining infrastructure that is not complete prior to the recording of the plat in public records.
- On May 14, 2020, the City's Development Review Committee reviewed and recommended approval to the City Council of the proposed plat.

## **COST/FUNDING**

N/A

## **RECOMMENDATION**

It is recommended that the City Council approve the Final Plat for Rivington Phase 1A Plat, subject to staff conditions of approval including the following:

- Payment of all required fees, deposits, and costs may be applicable or required pursuant to the Land Development Code, and other applicable laws, ordinances, and regulations shall be paid to the City prior to final plat approval and recording. The applicant shall be responsible for all recording costs associated with the plat and related documents.
- The original signed plat Mylar and all original executed plat related documents are to be promptly recorded in the Public Records of Volusia County, Florida, after final plat approval and only after satisfaction of all conditions of plat approval. Upon recording of the plat and plat related documents, the applicant shall provide the City with a recorded copy of the plat and plat documents to evidence proper recording.
- It is the responsibility of the entity subdividing the land to ensure that all applicable requirements of the Land Development Code and Florida Statutes relative to the subdividing and development of property are met prior to the final plat approval and recording. The lots on the plat shall not be conveyed unless and until the conditions of approval have been satisfied and the plat as well as the plat related documents have been fully executed and recorded in the public records.

## **IMPLEMENTATION**

The Plat will be recorded with the Volusia County Clerk of the Courts.

## **ATTACHMENTS**

Rivington Phase 1A, Final Plat

# RIVINGTON PHASE 1A

SHEET 1 OF 14

PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

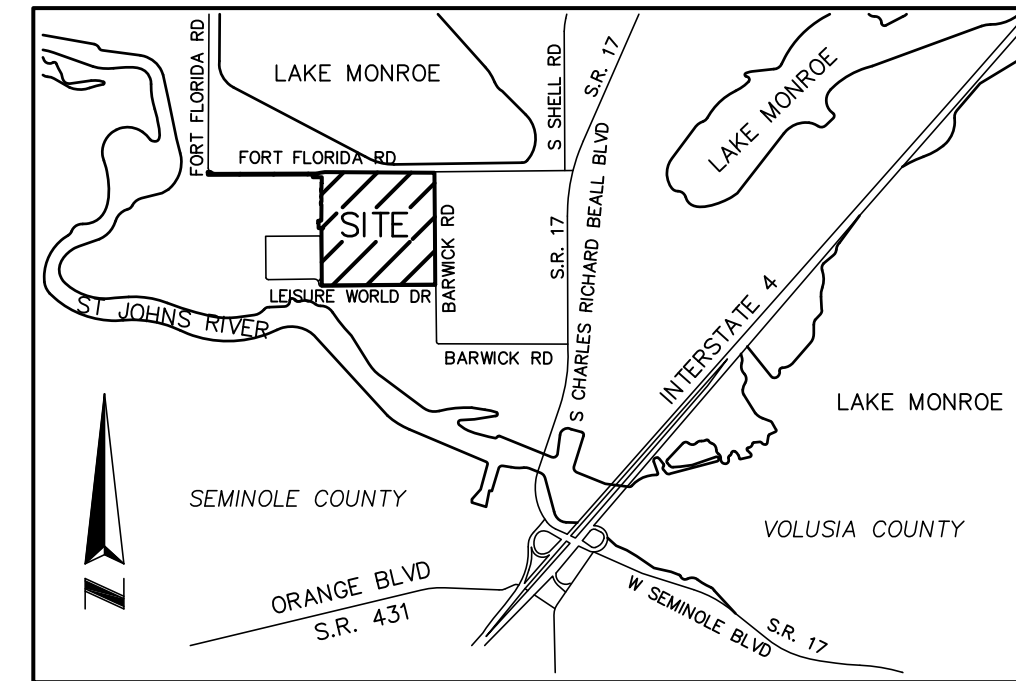
A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

**LEGAL DESCRIPTION:**

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST, CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGIN** AT THE EAST QUARTER CORNER OF SAID SECTION 8; THENCE RUN ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8, SOUTH 00°13'15" EAST FOR A DISTANCE OF 1288.38 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 30.00 FEET OF THE NORTH HALF OF GOVERNMENT LOT 6; THENCE RUN ALONG SAID NORTH LINE AND THE NORTH LINE OF THE SOUTH 30.00 FEET OF GOVERNMENT LOT 1, SOUTH 89°35'07" WEST FOR A DISTANCE OF 2639.65 FEET TO A POINT ON THE EAST LINE OF GOVERNMENT LOT 2; THENCE RUN ALONG SAID EAST LINE, NORTH 00°22'17" WEST FOR A DISTANCE OF 1314.12 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 2; THENCE DEPARTING SAID EAST LINE RUN NORTH 34°29'52" WEST FOR A DISTANCE OF 2.24 FEET; THENCE RUN NORTH 67°17'42" EAST FOR A DISTANCE OF 47.83 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 545.00 FEET AND A CENTRAL ANGLE OF 00°43'22" WITH A CHORD BEARING OF SOUTH 89°32'08" WEST, AND A CHORD LENGTH OF 6.88 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 6.88 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89°53'49" WEST FOR A DISTANCE OF 103.11 FEET; THENCE RUN NORTH 00°06'11" WEST FOR A DISTANCE OF 115.00 FEET; THENCE RUN SOUTH 89°53'49" WEST FOR A DISTANCE OF 10.00 FEET; THENCE RUN NORTH 00°06'11" WEST FOR A DISTANCE OF 60.00 FEET; THENCE RUN NORTH 89°53'49" EAST FOR A DISTANCE OF 61.59 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 7.00 FEET AND A CENTRAL ANGLE OF 89°33'00" WITH A CHORD BEARING OF NORTH 45°07'19" EAST, AND A CHORD LENGTH OF 9.86 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 10.94 FEET; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 360.10 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 7.00 FEET AND A CENTRAL ANGLE OF 90°00'00" WITH A CHORD BEARING OF NORTH 44°39'11" WEST, AND A CHORD LENGTH OF 9.90 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 11.00 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 60.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 7.00 FEET AND A CENTRAL ANGLE OF 90°00'00" WITH A CHORD BEARING OF NORTH 45°20'49" EAST, AND A CHORD LENGTH OF 9.90 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 11.00 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 92.33 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 7.00 FEET AND A CENTRAL ANGLE OF 90°00'00" WITH A CHORD BEARING OF NORTH 44°39'11" WEST, AND A CHORD LENGTH OF 9.90 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 11.00 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 67.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 7.00 FEET AND A CENTRAL ANGLE OF 90°00'00" WITH A CHORD BEARING OF NORTH 45°20'49" EAST, AND A CHORD LENGTH OF 9.90 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 11.00 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 86.00 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 7.00 FEET AND A CENTRAL ANGLE OF 44°24'55" WITH A CHORD BEARING OF NORTH 21°51'38" WEST, AND A CHORD LENGTH OF 5.29 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 5.43 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 37.10 FEET; THENCE RUN SOUTH 89°39'11" EAST FOR A DISTANCE OF 7.00 FEET; THENCE RUN NORTH 00°20'49" EAST FOR A DISTANCE OF 130.00 FEET; THENCE RUN NORTH 89°39'11" WEST FOR A DISTANCE OF 205.12 FEET; THENCE RUN NORTH 00°08'51" WEST FOR A DISTANCE OF 63.59 FEET; THENCE RUN SOUTH 89°51'09" WEST FOR A DISTANCE OF 2285.41 FEET; THENCE RUN SOUTH 89°07'41" WEST FOR A DISTANCE OF 158.87 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 8; THENCE RUN ALONG SAID WEST LINE, NORTH 00°23'22" WEST FOR A DISTANCE OF 67.99 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUN ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 8, SOUTH 89°55'27" EAST FOR A DISTANCE OF 63.64 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 126.16 FEET AND A CENTRAL ANGLE OF 49°12'16" WITH A CHORD BEARING OF SOUTH 65°32'38" EAST, AND A CHORD LENGTH OF 105.05 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 108.34 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 89°51'09" EAST FOR A DISTANCE OF 2349.14 FEET; THENCE RUN NORTH 83°09'26" EAST FOR A DISTANCE OF 59.75 FEET; THENCE RUN NORTH 77°45'55" EAST FOR A DISTANCE OF 57.33 FEET; THENCE RUN NORTH 82°02'33" EAST FOR A DISTANCE OF 102.95 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE RUN ALONG SAID NORTH LINE, SOUTH 89°39'48" EAST FOR A DISTANCE OF 2554.90 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE RUN ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, SOUTH 00°27'09" EAST FOR A DISTANCE OF 1314.66 FEET TO THE POINT OF BEGINNING.

CONTAINING: 7,006,722 SQUARE FEET OR 160.85 ACRES OF LAND, MORE OR LESS.



VICINITY MAP (NOT TO SCALE)

**LEGEND:**

- CL CENTERLINE
- ORB. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- D.B. DEED BOOK
- PG(S). PAGE(S)
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- NT NON-TANGENT
- PI POINT OF INTERSECTION
- PRC POINT OF REVERSE CURVATURE
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- LB LICENSED BUSINESS
- CCR# CERTIFIED CORNER RECORD NUMBER
- PRM PERMANENT REFERENCE MONUMENT
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- V.U.E. VOLUSIA COUNTY UTILITY EASEMENT
- S.E. SIDEWALK EASEMENT
- CM CONCRETE MONUMENT
- NR NON-RADIAL
- R/W RIGHT-OF-WAY
- A SET 4"x4" CONCRETE MONUMENT LB# 6723 PERMANENT REFERENCE MONUMENT
- A SET 1/2" IRON ROD AND/OR NAIL & DISK P.S.M. #6723 PERMANENT CONTROL POINT
- CHANGE IN DIRECTION
- FOUND IRON ROD AND CAP AS SHOWN, PERMANENT REFERENCE MONUMENT

**DEDICATION**  
**RIVINGTON PHASE 1A**

KNOW ALL MEN BY THESE PRESENTS, That HR RIVINGTON, LLC being the owner in fee simple of the lands described in the attached plat, entitled RIVINGTON PHASE 1A, located in the City of DeBary, Florida, hereby dedicates said lands and plot for the uses and purposes therein expressed and dedicates Tracts RW-1 and RW-2, all Streets, Roads and Lanes, the Trail Easement, and Utility Easements shown or described thereon to the perpetual use of the Public, for the purposes therein expressed.

Tract LS-1 (Lift Station) is hereby dedicated in fee simple to Volusia County, Florida, without any restriction whatsoever. County ownership of the tract and the improvements thereon vest upon approval of this plat by the City Commissioners of the City of DeBary, Florida. Recording of this plat shall act as conveyance to Volusia County, Florida and no further instrument shall be necessary to vest fee simple in the County as aforementioned.

IN WITNESS WHEREOF, has caused these presents to be signed and attested to by the officers named below and its corporate seal to be affixed hereto on this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

HR RIVINGTON, LLC, a Florida limited liability company  
By: HR Southeast, LLC,  
a Delaware limited liability company, sole member  
By: Reader & Partners, LLC,  
a Florida limited liability company, its managing member

By: \_\_\_\_\_  
Printed Name: Dean Barberree  
Title: President  
Signature of Witness \_\_\_\_\_  
Printed Name of Witness \_\_\_\_\_

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

I HEREBY CERTIFY, that on this day, the foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by \_\_\_\_\_ on behalf of said \_\_\_\_\_. That before me by means of ( ) physical presence or ( ) online notarization, He/she is personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Commission No. \_\_\_\_\_  
Signature of Notary Public \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Printed Name of Notary Public \_\_\_\_\_  
Notary Public, State of Florida

**RIVINGTON PHASE 1A**  
**RIVINGTON COMMUNITY DEVELOPMENT DISTRICT**  
All right, title, and interest of HR RIVINGTON, LLC, (the "owner") in Tracts A-1, Tracts P-1 and P-2, Tracts OS-1, OS-2, OS-3, OS-4, OS-5, OS-6, and OS-7, and sidewalk easements shown hereon are hereby sold and conveyed to Rivington Community Development District (the "District"), reserving unto the "owner" and its assigns the right of approval of all changes to signage and walls (including changes to color) as originally constructed and also reserving unto the "owner" perpetual easements for ingress and egress and the construction, installations, maintenance, and operation of underground electric, telephone, cable, gas, or other utilities, irrigation facilities, potable water, sanitary sewer, and storm water facilities, landscaped areas, fences, walls, entry facilities, including electronic card reading equipment, and pedestrian paths.

The "owner" also grants to the "District" non-exclusive, perpetual easements over, across, and upon the areas shown hereon as stormwater and drainage easements. The "District" by executing the dedication contained on this plat, accepts this conveyance and grants and agrees to maintain the tracts and sidewalk easements listed above, including all improvements constructed thereon, the stormwater, and drainage easements perpetually and to maintain the rights-of-ways until such time after the City Engineer has certified the construction has been completed.

RIVINGTON COMMUNITY DEVELOPMENT DISTRICT  
By: \_\_\_\_\_  
Printed Name: Jeffrey Reader  
Title: Chairman  
Signature of Witness \_\_\_\_\_  
Printed Name of Witness \_\_\_\_\_

I HEREBY CERTIFY, that on this day, the foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by \_\_\_\_\_ on behalf of said \_\_\_\_\_. That before me by means of ( ) physical presence or ( ) online notarization, He/she is personally known to me or produced \_\_\_\_\_ as identification.  
\_\_\_\_\_  
Commission No. \_\_\_\_\_  
Signature of Notary Public \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Printed Name of Notary Public \_\_\_\_\_  
Notary Public, State of Florida

**NOTICE:**  
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**CERTIFICATE OF APPROVAL BY THE CITY COUNCIL OF THE CITY OF DEBARY, FLORIDA**  
This is to certify that on \_\_\_\_\_ the foregoing plat was approved by the City Council of the City of DeBary, Florida.  
Mayor of the City of DeBary \_\_\_\_\_  
City Clerk of the City of DeBary \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY OF DEBARY LAND DEVELOPMENT MANAGER**

This is to certify that on \_\_\_\_\_ this plat was approved.  
Land Development Manager \_\_\_\_\_  
or his Authorized Representative \_\_\_\_\_

**CERTIFICATE OF CLERK OF CIRCUIT COURT**  
I HEREBY CERTIFY, That the foregoing plat was received on \_\_\_\_\_ Chapter 177, Florida Statutes, pursuant to the requirements of CLERK OF THE COURT in and for Volusia County, Florida  
BY \_\_\_\_\_ D.C.

Licensed Business # 6723  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355

**SHEET INDEX**  
SHEET 1 OF 14: LEGAL DESCRIPTION, DEDICATIONS, AND LEGEND  
SHEET 2 OF 14: SURVEYORS NOTES AND KEY SHEET  
SHEETS 2 - 3 OF 14: BOUNDARY INFORMATION AND TRACT GEOMETRY  
SHEETS 4 - 13 OF 14: LOT & TRACT GEOMETRY

**CERTIFICATE OF APPROVAL BY THE CITY OF DEBARY SURVEYOR**  
I hereby certify that I have examined the foregoing plat and find that it conforms to Chapter 177, Florida Statutes.  
\_\_\_\_\_  
City of DeBary Surveyor \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_, PSM  
Southeastern Surveying and Mapping Corp.  
Professional Surveyor & Mapper  
License Number \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**  
KNOW ALL MEN BY THESE PRESENTS, that the undersigned being a professional land surveyor and mapper licensed in the State of Florida, does hereby certify that this plat was prepared under my direction and it complies with all of the survey requirements of F.S. ch. 177.  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
James L. Rickman P.S.M. # 5633  
Allen & Company  
Licensed Business # 6723  
16 East Plant Street  
Winter Garden, Florida 34787



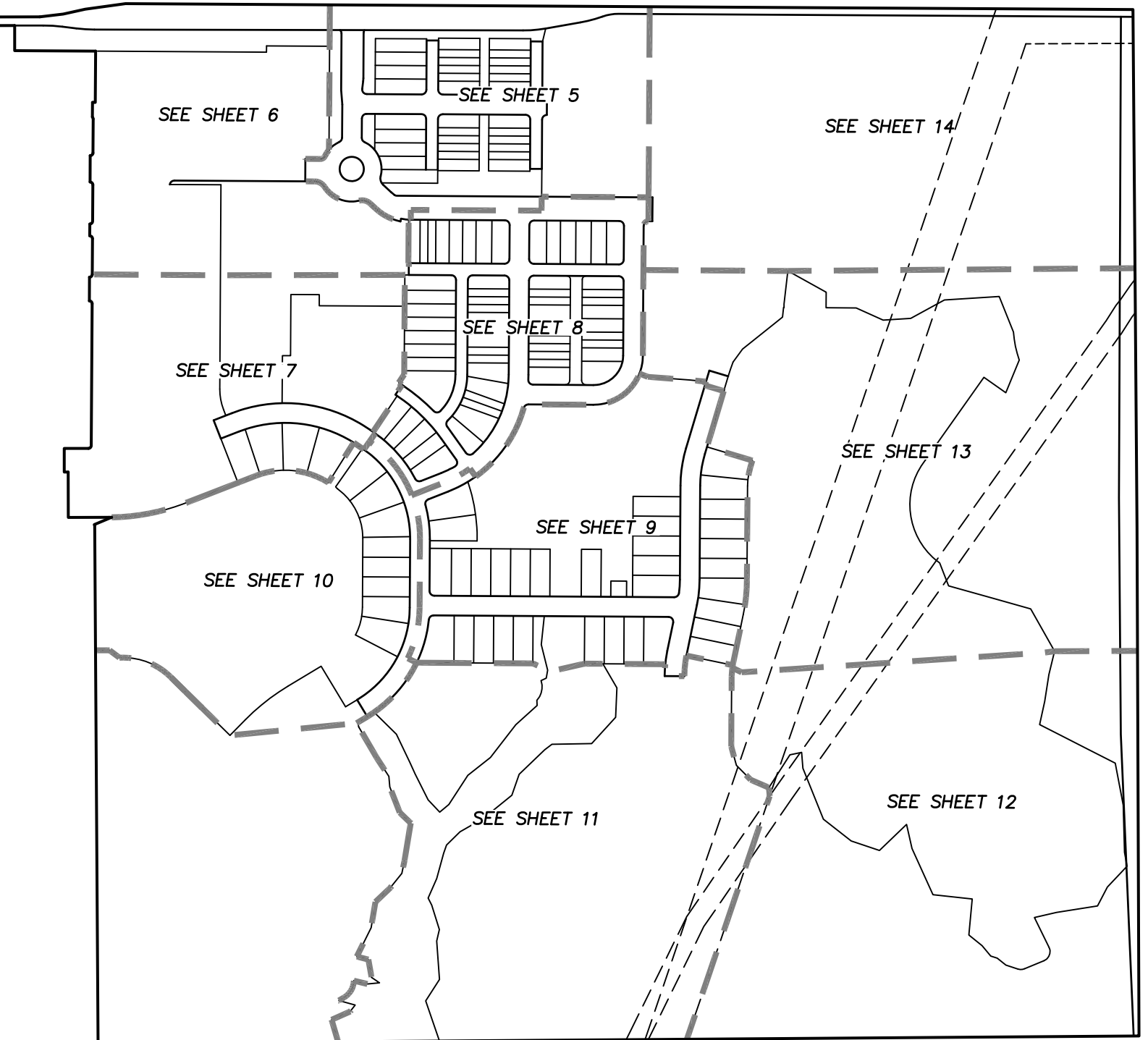
# RIVINGTON PHASE 1A

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

SEE SHEET 4

**SURVEYORS NOTES:**

1. ALL LOT LINES INTERSECTING CURVES ARE RADIAL, UNLESS OTHERWISE NOTED NON-RADIAL ( N.R. ).
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 8-19-30 BEING SOUTH 00°13'15" EAST.
3. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
4. PER FLORIDA STATUTES CHAPTER 177.091(9), LOT CORNERS MUST BE SET BEFORE THE TRANSFER OF ANY LOT.
5. THE LANDS SHOWN HEREON ARE SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS, EASEMENTS, AND RESTRICTIONS FOR THE RIVINGTON HOMEOWNERS ASSOCIATION, INC. ("THE ASSOCIATION"), ITS SUCCESSORS, AND ASSIGNS, FORMED PURSUANT TO THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS FOR RIVINGTON PHASE 1 ("THE DECLARATION"), RECORDED IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
6. THE LANDS SHOWN HEREON ARE SUBJECT TO THOSE CERTAIN GOVERNING DOCUMENTS ESTABLISHING THE RIVINGTON COMMUNITY DEVELOPMENT DISTRICT ("THE DISTRICT"), AS RECORDED IN OFFICIAL RECORDS BOOK 7617, PAGE 4390 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
7. TRACTS OS-1, OS-2, OS-3, OS-4, OS-5, OS-6, AND OS-7 (OPEN SPACE) "COMMON AREA" SHALL BE DEDICATED TO AND MAINTAINED BY "THE DISTRICT" IN ACCORDANCE WITH "THE DECLARATION."
8. TRACTS C-1, C-2, C-3, AND C-4 (CONSERVATION) AND THE UPLAND BUFFERS THEREIN SHALL BE DEDICATED TO "THE DISTRICT" IN ACCORDANCE WITH "THE DECLARATION" WITH DEVELOPMENT RIGHTS DEDICATED TO THE CITY OF DEBARY, FLORIDA. NO CONSTRUCTION, CLEARING, GRADING, OR ALTERATION IS PERMITTED WITHOUT PRIOR APPROVAL OF THE CITY OF DEBARY, FLORIDA AND/OR ALL OTHER APPLICABLE JURISDICTIONAL AGENCIES. THE CITY OF DEBARY RESERVES THE EXPRESS RIGHT TO ENFORCE THE RESTRICTIONS THAT PREVENT DEVELOPMENT OF TRACTS C-1, C-2, C-3, AND C-4 (CONSERVATION) AND THE UPLAND BUFFERS THEREIN.
9. TRACTS P-1 AND P-2 (STORMWATER) "COMMON AREA" AND THE DRAINAGE EASEMENTS SHOWN HEREON SHALL BE DEDICATED TO AND MAINTAINED BY "THE DISTRICT" IN ACCORDANCE WITH "THE DECLARATION."
10. THE SIDEWALK EASEMENTS SHOWN HEREON SHALL BE DEDICATED TO AND MAINTAINED BY "THE DISTRICT" IN ACCORDANCE WITH "THE DECLARATION."
11. THE TRAIL LOOP EASEMENT SHOWN HEREON SHALL BE CONTINUED TO BE OWNED AND MAINTAINED BY HR RIVINGTON, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THEIR SUCCESSORS, AND ASSIGNS.
12. THE VOLUSIA COUNTY UTILITY EASEMENTS (V.U.E.) DESCRIBED AND SHOWN HEREON ARE HEREBY DEDICATED TO VOLUSIA COUNTY, FLORIDA. THE UTILITIES ARE TO BE OWNED AND MAINTAINED BY THE UTILITY PROVIDER. THE PURPOSE OF THE VOLUSIA COUNTY UTILITY EASEMENTS SHOWN ARE AS FOLLOWS: INSTALLATION AND MAINTENANCE OF, BUT NOT LIMITED TO, SANITARY SEWERS, WATER MAINS, POWER LINES, GAS LINES, TELEPHONE LINES, AND CABLEVISION LINES.
13. TRACT A-1 (PRIVATE ALLEYWAY) "COMMON AREA" SHOWN HEREON IS HEREBY DEDICATED TO AND MAINTAINED BY "THE DISTRICT" FOR THE PURPOSES OF SHARED ACCESS TO AND FROM PUBLIC STREETS AND RIGHTS-OF-WAY IN ACCORDANCE WITH "THE DECLARATION."
14. TRACTS FD-1, FD-2, FD-3, AND FD-4 (FUTURE DEVELOPMENT) AND TRACT FA-1 (FUTURE AMENITY) SHALL CONTINUE TO BE OWNED AND MAINTAINED BY HR RIVINGTON, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THEIR SUCCESSORS, AND ASSIGNS.
15. THERE IS HEREBY CREATED, GRANTED, AND RESERVED FOR THE BENEFIT OF THE CITY OF DEBARY, OTHER AUTHORITIES OF LAW, AND OTHER PUBLIC SERVICE AND EMERGENCY SERVICE PROVIDERS, A NON-EXCLUSIVE EASEMENT OVER, UNDER AND THROUGH TRACT A-1 AND ANY OTHER PRIVATELY OWNED INTERNAL ROADS, ALLEYS, PAVED AREAS, AND SIDEWALKS FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS ACCESS FOR THE PURPOSE OF PROVIDING PUBLIC AND EMERGENCY SERVICES TO THE COMMON AREA AND LOTS, INCLUDING BUT NOT LIMITED TO, POSTAL, FIRE PROTECTION, POLICE PROTECTION, EMERGENCY MEDICAL TRANSPORTATION, CODE ENFORCEMENT, SOLID WASTE AND RECYCLING, UTILITIES, AND OTHER PUBLIC AND EMERGENCY SERVICES.
16. A NON-EXCLUSIVE UTILITY EASEMENT IS HEREBY DEDICATED TO THE CITY OF DEBARY AND COUNTY OF VOLUSIA, FLORIDA UPON, UNDER, AND THROUGH TRACT A-1 FOR THE OPERATION, CONSTRUCTION, MAINTENANCE, AND REPAIR OF SANITARY SEWER AND WATER UTILITIES AND OTHER PUBLIC UTILITIES. THE CITY OF DEBARY AND VOLUSIA COUNTY SHALL ONLY BE RESPONSIBLE FOR THE OPERATION, MAINTENANCE, AND REPAIR OF UTILITIES IT ACCEPTS FOR MAINTENANCE OR CONSTRUCTS WITHIN SAID EASEMENT AREAS.
17. THE CITY OF DEBARY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ACCESS, MAINTAIN, REPAIR, REPLACE, AND OTHERWISE CARE FOR OR CAUSE TO BE CARED FOR, ANY AND ALL STORMWATER MANAGEMENT SYSTEMS AND FACILITIES, INCLUDING WITHOUT LIMITATION, THE RETENTION/DETENTION AREAS, PONDS, BERMS, CONTROL STRUCTURES, WEIRS, PIPES, DITCHES, SWALES, GUTTERS, INLETS, MANHOLES, OUTFALLS, UNDERDRAINS, AND OTHER IMPROVEMENTS AND AREAS NOT DEDICATED TO THE PUBLIC OF THE CITY, INCLUDING, WITHOUT LIMITATION, TRACT A-1 (PRIVATE ALLEYWAY) AND TRACTS P-1 AND P-2 (STORMWATER) AND THE IMPROVEMENTS THEREON, WHICH INCLUDES THE RIGHT OF REASONABLE INGRESS AND EGRESS OVER AND THROUGH PRIVATE ROADS, DRAINAGE TRACTS AND DRAINAGE EASEMENTS OF THE SUBDIVISION, AND THE RIGHT TO MAKE ALTERATIONS TO A ND UTILIZE THE STORMWATER MANAGEMENT SYSTEM AND FACILITIES DURING EMERGENCY CONDITIONS FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, IN THE EVENT ANY OR ALL OF THE SAID SYSTEMS, FACILITIES, IMPROVEMENTS, PROPERTIES, OR AREAS: (i) ARE NOT MAINTAINED, REPAIRED, OR REPLACED IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF DEBARY LAND DEVELOPMENT CODE, IN ACCORDANCE WITH GOOD ENGINEERING PRACTICES, OR IN CONFORMANCE WITH APPROVED PLANS AND SPECIFICATIONS, (ii) BECOME A NUISANCE OR THREAT TO PUBLIC HEALTH, SAFETY, OR WELFARE, OR (iii) IN THE EVENT THE CITY OF DEBARY EXERCISES ITS AFOREMENTIONED RIGHT; EACH OF THE LOT OWNERS OF THE SUBDIVISION ARE HEREBY ULTIMATELY RESPONSIBLE FOR PAYMENT OF THE COST OF MAINTENANCE, REPAIR, REPLACEMENT, AND CARE PROVIDED BY THE CITY OF DEBARY OR ITS CONTRACTORS AND AGENTS, PLUS ADMINISTRATIVE COSTS, ENGINEERING COSTS, AND ATTORNEYS' FEES AND COSTS INCURRED BY THE CITY OF DEBARY. THE CHARGES AGAINST THE LOT OWNERS OF THE SUBDIVISION FOR THE AFORESAID COSTS SHALL BE IN A PRO-RATA SHARE BASED ON A METHODOLOGY TO BE DETERMINED BY THE CITY TO BE EQUITABLE. IF SAID COSTS ARE NOT PAID WITHIN 20 DAYS OF INVOICING, THEN SAID COSTS SHALL CONSTITUTE A LIEN ON THE PROPERTY OF THE OWNERS WHICH FAIL TO PAY SUCH COSTS AND MAY BE ENFORCED, WITHOUT LIMITATION, BY FORECLOSURE, SPECIAL ASSESSMENT, MONETARY JUDGEMENT, OR AS MAY OTHERWISE BE PERMITTED BY LAW OR AN ACTION IN EQUITY. THIS RIGHT, AND THE CITY OF DEBARY'S EXERCISE OF SAID RIGHT, SHALL NOT IMPOSE ANY OBLIGATION ON THE CITY OF DEBARY TO MAINTAIN, REPAIR, REPLACE, OR OTHERWISE CARE FOR SAID STORMWATER MANAGEMENT SYSTEMS AND FACILITIES, INCLUDING WITH RESPECT TO ANY SYSTEMS, FACILITIES, OR IMPROVEMENTS PREVIOUSLY MAINTAINED, REPAIRED OR, REPLACED OR OTHERWISE CARED FOR BY THE CITY OF DEBARY, INCLUDING, WITHOUT LIMITATION, TRACT A-1 (PRIVATE ALLEYWAY) AND TRACTS P-1 AND P-2 (STORMWATER) AND THE IMPROVEMENTS THEREON.
18. THE PRESENT AND FUTURE OWNERS OF LOTS 1 THROUGH 137, INCLUSIVE, ARE SUBJECT TO NON AD VALOREM SPECIAL ASSESSMENTS BY "THE DISTRICT" IN ADDITION TO AD VALOREM TAXES IMPOSED BY OTHER ENTITIES SUCH AS THE SCHOOL DISTRICT, VOLUSIA COUNTY, CITY OF DEBARY, AND OTHER GOVERNMENTAL ENTITIES AND IN ADDITION TO "THE ASSOCIATION" ASSESSMENTS.
19. THE DEDICATOR/OWNER FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS HEREBY DISCLAIMS, RELEASEES AND QUIT CLAIMS TO THE CITY OF DEBARY ANY AND ALL RIGHTS, TITLE, AND INTERESTS THE DEDICATOR/OWNER MAY HAVE IN FORT FLORIDA ROAD AND BARWICK ROAD AND TO ANY GAPS AND GORES THAT MAY EXIST BETWEEN THE LANDS BEING SUBDIVIDED BY THIS PLAT AND FORT FLORIDA ROAD AND BARWICK ROAD WHETHER BEING INSIDE OR OUTSIDE THE BOUNDARIES OF THIS PLAT.
20. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF DEBARY, VOLUSIA COUNTY, AND THE PUBLIC. THE UTILITIES ARE TO BE OWNED AND MAINTAINED BY THE UTILITY PROVIDER. THE PURPOSE OF THE UTILITY EASEMENTS SHOWN ARE AS FOLLOWS: INSTALLATION AND MAINTENANCE OF, BUT NOT LIMITED TO, SANITARY SEWERS, WATER MAINS, POWER LINES, GAS LINES, TELEPHONE LINES, AND CABLEVISION LINES.
21. THE TRAIL EASEMENT SHOWN HEREON IS HEREBY DEDICATED TO THE CITY OF DEBARY AND THE PUBLIC, AND MAINTAINED BY THE CITY OF DEBARY.
22. THERE IS AN EASEMENT RESERVED FOR THE BENEFIT OF THE FOLLOWING LOTS OVER THE FOLLOWING TRACTS FOR OWNERSHIP AND MAINTENANCE OF THE INDIVIDUAL WATER AND RECLAIMED WATER SERVICES: LOTS 1 THROUGH 4, INCLUSIVE, OVER TRACT OS-2 (OPEN SPACE); LOTS 5 THROUGH 16, INCLUSIVE, OVER TRACT OS-2 (OPEN SPACE); LOTS 17 THROUGH 28, INCLUSIVE, OVER TRACT OS-4 (OPEN SPACE); LOTS 29 THROUGH 31, INCLUSIVE, OVER TRACT OS-3 (OPEN SPACE); AND LOTS 80 THROUGH 87, INCLUSIVE, OVER TRACT P-1 (PARK) AND TRACT FA-1 (FUTURE AMENITY).



KEY MAP

THE FOLLOWING EASEMENTS AFFECT THE SUBJECT PROPERTY BUT CANNOT BE SHOWN AND ARE BLANKET IN NATURE:

EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION RECORDED IN DEED BOOK 233, PG. 106, DEED BOOK 386, PG. 524, ORB. 21, PG. 201; AND SUPPLEMENTAL RECORDED IN ORB. 4162, PG. 50.

EASEMENT CONTAINED IN THE FINAL JUDGMENT RECORDED IN ORB. 224, PG. 610.

ORDINANCE NO. 01-16 RECORDED APRIL 19, 2016 IN ORB. 7242, PG. 3008.

NOTICE OF ESTABLISHMENT OF RIVINGTON COMMUNITY DEVELOPMENT DISTRICT RECORDED NOVEMBER 1, 2018 IN ORB. 7617, PG. 4390.

ORDINANCE NO. 11-18 RECORDED DECEMBER 17, 2018 IN ORB. 7634, PG. 2689, AND RERECORDED IN ORB. 7729, PG. 1566.

RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED NOVEMBER 7, 2019 IN ORB. 7770, PG. 2976.

ROAD MAINTENANCE DEVELOPER'S AGREEMENT RECORDED NOVEMBER 22, 2019 IN ORB. 7777, PG. 4803.

RIVINGTON PROPORTIONATE FAIR SHARE AND MOBILITY MITIGATION AGREEMENT RECORDED NOVEMBER 27, 2019 IN ORB. 7780, PG. 994.

MASTER UTILITY SERVICE AGREEMENT FOR RIVINGTON DEVELOPMENT RECORDED JANUARY 13, 2020 IN ORB. 7800, PG. 1613.

DECLARATION OF CONSENT TO JURISDICTION OF RIVINGTON COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSE SPECIAL ASSESSMENTS RECORDED FEBRUARY 14, 2020 IN ORB. 7815, PG. 1012.

NOTICE OF PUBLIC FINANCING RIVINGTON COMMUNITY DEVELOPMENT DISTRICT RECORDED FEBRUARY 14, 2020 IN ORB. 7815, PG. 1025.

COLLATERAL ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT AND CONTRACT RIGHTS RELATING TO THE RIVINGTON COMMUNITY DEVELOPMENT DISTRICT RECORDED FEBRUARY 14, 2020 IN ORB. 7815, PG. 1040.

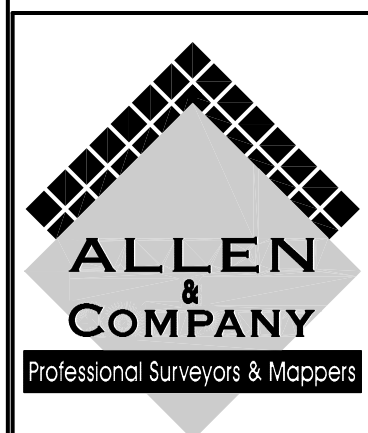
AGREEMENT BETWEEN RIVINGTON COMMUNITY DEVELOPMENT DISTRICT AND HR RIVINGTON, LLC, REGARDING THE TRUE-UP AND PAYMENT OF SERIES 2020 PROJECT ASSESSMENTS RECORDED FEBRUARY 14, 2020 IN ORB. 7815, PG. 1051.

**SHEET INDEX**

- SHEET 1 OF 14: LEGAL DESCRIPTION, DEDICATIONS, AND LEGEND
- SHEET 2 OF 14: SURVEYORS NOTES AND KEY SHEET
- SHEETS 2 - 3 OF 14: BOUNDARY INFORMATION AND TRACT GEOMETRY
- SHEETS 4 - 13 OF 14: LOT & TRACT GEOMETRY

**NOTICE:**

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



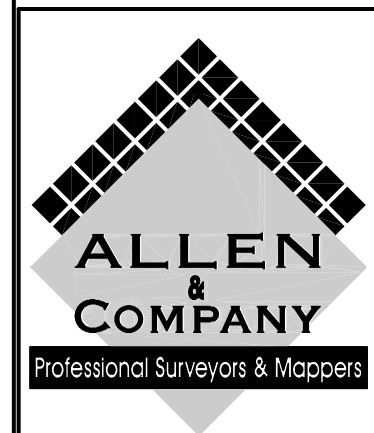
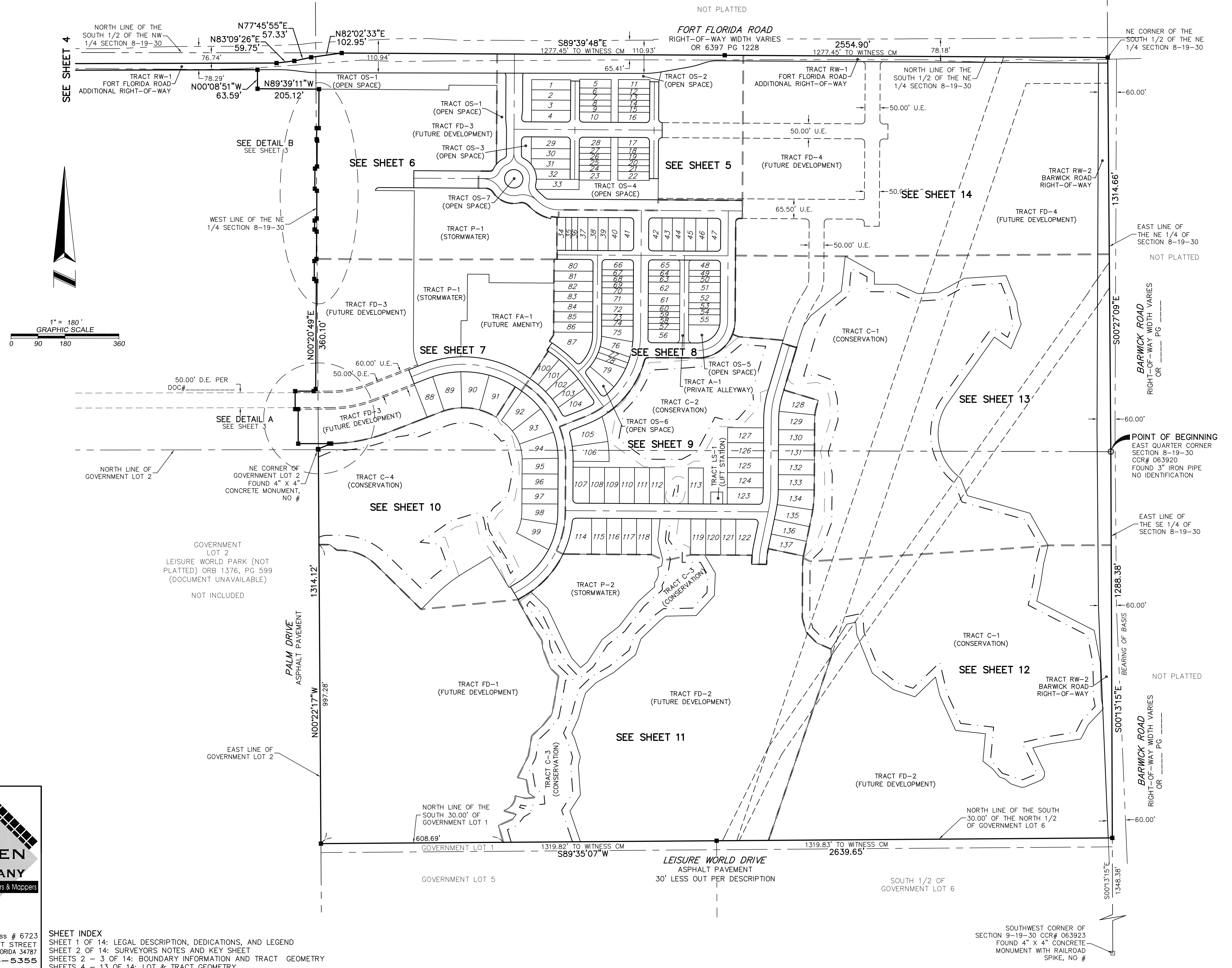
Licensed Business # 6723  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355



# RIVINGTON PHASE 1A

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

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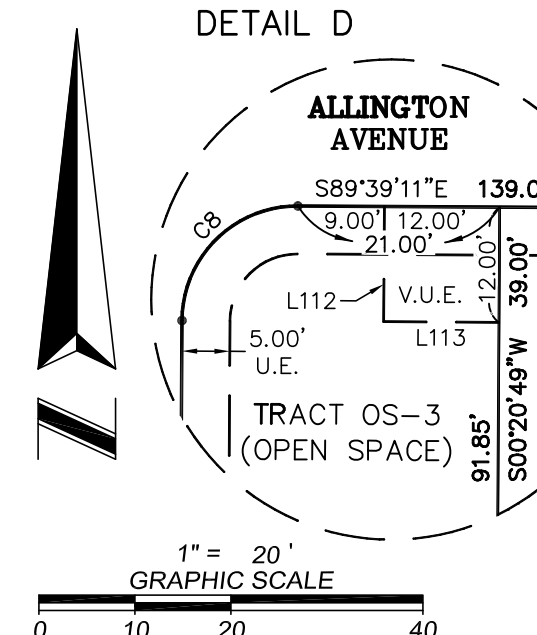
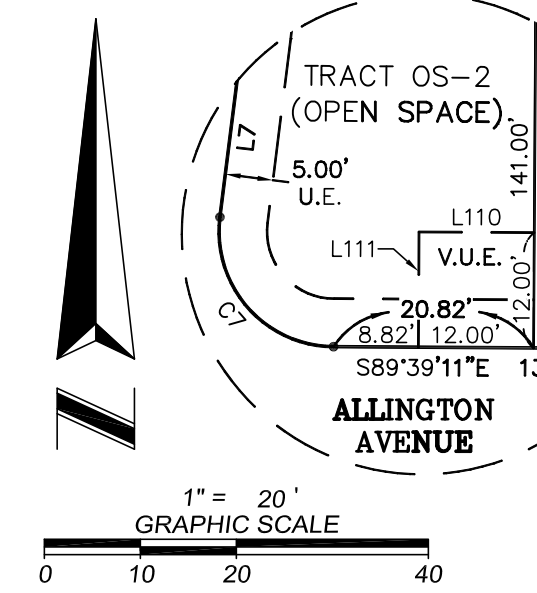
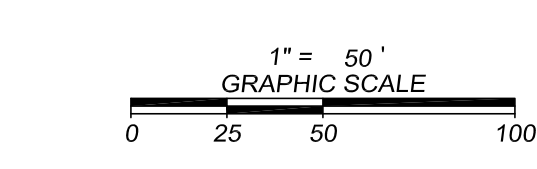
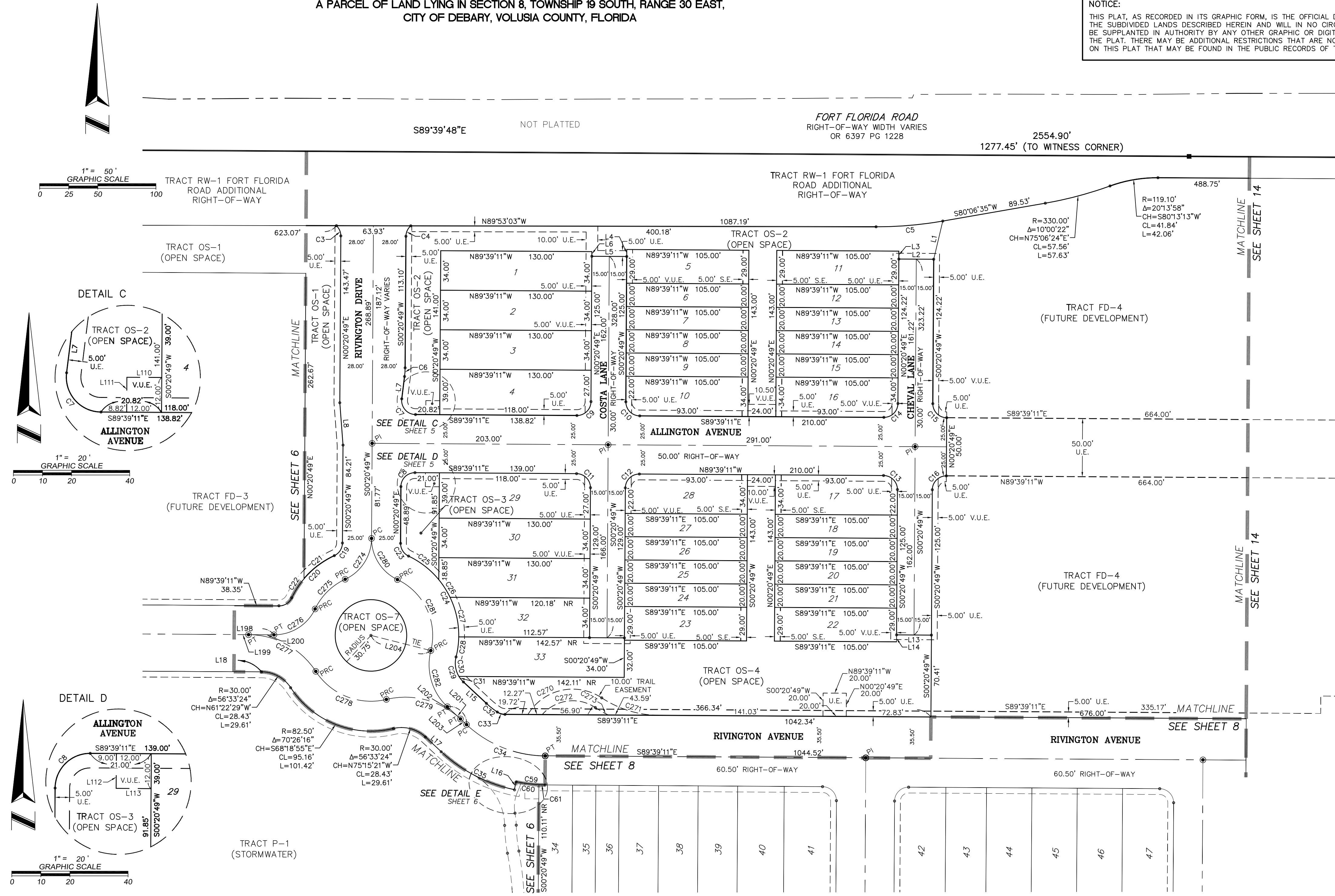
SOUTHWEST CORNER OF SECTION 9-19-30 CCR# 063923 FOUND 4" X 4" CONCRETE MONUMENT WITH RAILROAD SPIKE, NO #



# RIVINGTON PHASE 1A

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

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16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355

LINE	BEARING	LENGTH
L1	N13°22'30"E	33.77'
L2	N89°39'11"W	30.00'
L3	S00°20'49"W	6.78'
L4	N00°20'49"E	6.00'
L5	S89°39'11"E	30.00'
L6	S00°20'49"W	4.00'
L7	S07°09'08"W	19.36'
L8	N04°21'45"W	36.54'
L9	N89°39'11"W	30.00'
L10	S00°20'49"W	6.00'
L11	S46°58'39"E	27.06'
L12	S11°48'09"W	7.00'
L13	S46°58'39"E	18.61'

LINE	BEARING	LENGTH
L18	N89°39'11"W	239.46'
L19	N89°39'11"W	12.00'
L20	S00°20'49"W	12.00'
L21	N00°20'49"E	12.00'
L22	S89°39'11"E	12.00'
L23	S89°39'11"E	249.92'
L24	S89°39'11"E	12.39'
L25	S89°39'11"E	21.85'
L26	S89°39'11"E	12.39'
L27	S46°58'39"E	15.40'
L28	S46°58'39"E	7.22'
L29	N75°47'49"W	53.13'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C3	47°02'52"	9.85'	12.00'	N23°10'37"W	9.58'
C4	48°53'18"	10.24'	12.00'	S24°47'28"W	9.93'
C5	10°00'22"	57.63'	330.00'	N85°06'46"E	57.56'
C6	06°48'19"	7.48'	63.00'	N03°44'59"E	7.48'
C7	96°48'19"	20.27'	12.00'	S41°15'01"E	17.95'
C8	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C9	90°00'00"	18.85'	12.00'	N45°20'49"E	16.97'
C10	90°00'00"	18.85'	12.00'	S44°39'11"E	16.97'
C11	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C12	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C13	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C14	90°00'00"	18.85'	12.00'	N45°20'49"E	16.97'
C15	90°00'00"	18.85'	12.00'	S44°39'11"E	16.97'
C16	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C17	64°59'06"	13.61'	12.00'	N32°50'22"E	12.89'
C18	39°58'11"	52.67'	75.50'	S45°20'49"W	51.61'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C21	25°10'43"	33.18'	75.50'	S52°44'34"W	32.91'
C22	14°47'29"	19.49'	75.50'	S32°45'28"W	19.44'
C23	64°59'06"	13.61'	12.00'	S32°08'44"E	12.89'
C24	78°50'28"	103.89'	75.50'	N25°13'03"W	95.89'
C25	25°10'43"	33.18'	75.50'	N52°02'55"W	32.91'
C26	13°44'02"	18.10'	75.50'	N32°35'33"W	18.05'
C27	26°41'35"	35.17'	75.50'	N12°22'44"W	34.86'
C28	13°14'08"	17.44'	75.50'	N07°35'07"E	17.40'
C29	61°10'50"	23.49'	22.00'	S16°23'14"E	22.39'
C30	45°16'20"	17.38'	22.00'	S08°25'59"E	16.93'
C31	15°54'30"	6.11'	22.00'	S39°01'24"E	6.09'
C32	09°07'06"	11.94'	75.00'	S51°32'12"E	11.92'
C33	33°33'26"	7.03'	12.00'	S72°52'28"E	6.93'
C34	42°40'32"	74.48'	100.00'	S68°18'55"E	72.77'
C35	31°13'12"	71.93'	132.00'	S32°35'15"E	71.04'
C36	11°27'20"	24.99'	125.00'	S83°55'31"E	24.95'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C270	92°39'38"	72.78'	45.00'	S77°15'58"W	65.10'
C271	33°14'58"	52.23'	90.00'	S73°01'42"E	51.50'
C272	82°23'07"	50.33'	35.00'	S82°24'14"W	46.10'
C273	07°24'27"	12.93'	100.00'	S60°06'26"E	12.92'
C274	64°59'06"	44.15'	38.92'	N32°50'22"E	41.82'
C275	39°58'11"	37.06'	53.13'	S45°20'49"W	36.31'
C276	64°59'06"	44.15'	38.92'	N57°51'16"E	41.82'
C277	56°33'24"	68.62'	69.52'	N61°22'29"W	65.87'
C278	70°26'50"	69.61'	56.63'	S68°18'55"E	65.31'
C279	56°33'24"	68.62'	69.52'	N75°15'21"W	65.87'
C280	64°59'06"	44.15'	38.92'	S32°08'44"E	41.82'
C281	78°50'28"	73.10'	53.13'	N25°13'03"W	67.47'
C282	61°10'50"	52.80'	49.44'	S16°23'14"E	50.32'

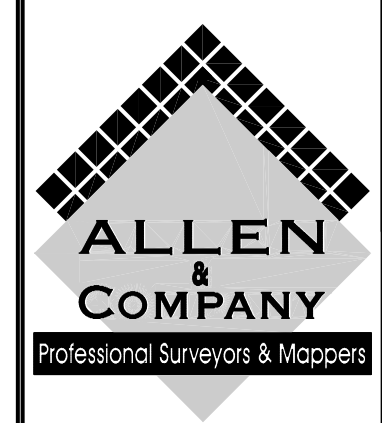
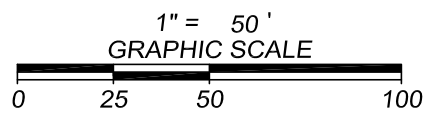
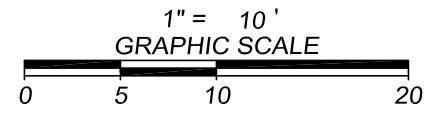
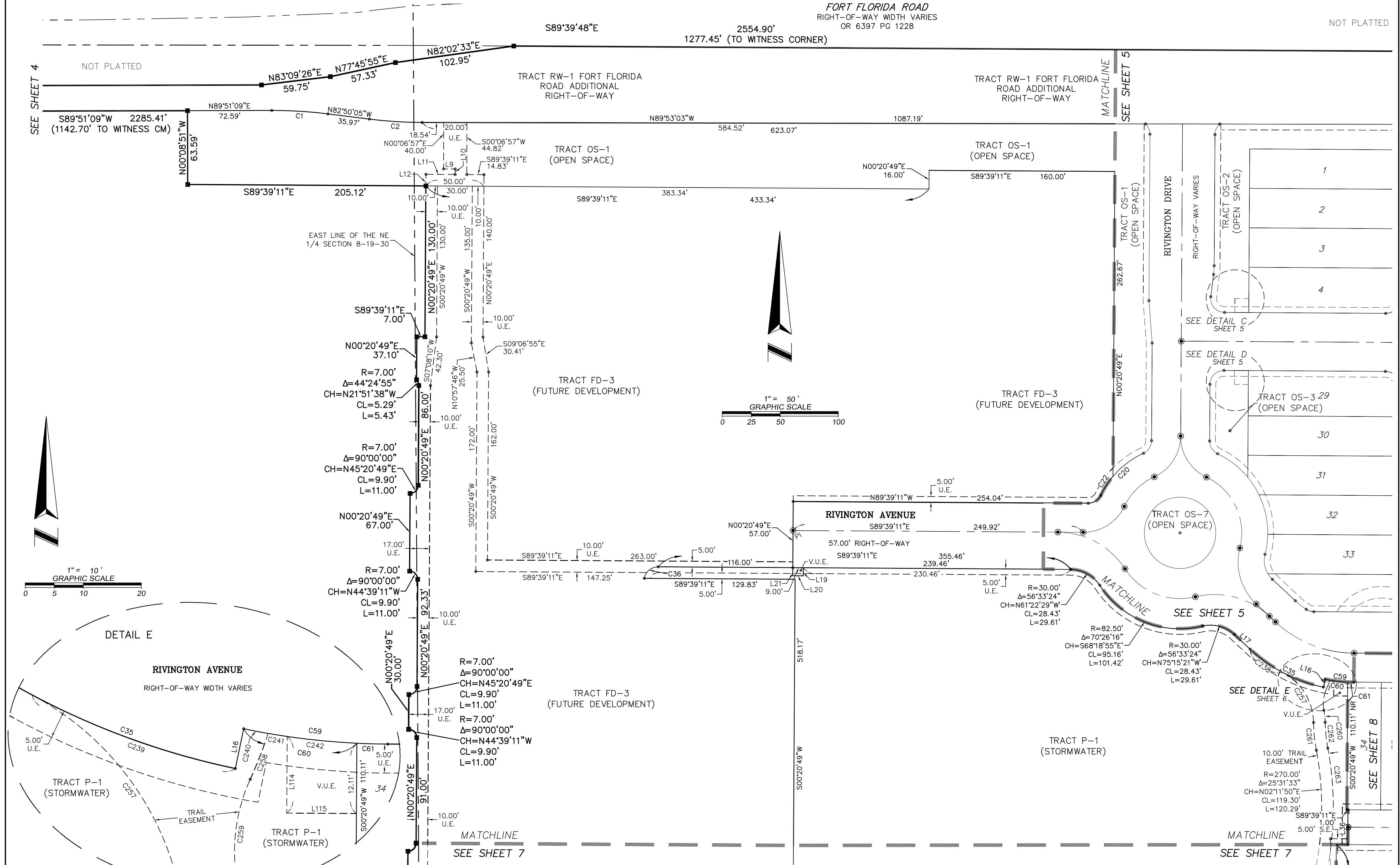
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CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

FORT FLORIDA ROAD  
RIGHT-OF-WAY WIDTH VARIES  
OR 6397 PG 1228

NOT PLATTED



Licensed Business # 6723  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355

**SHEET INDEX**  
SHEET 1 OF 14: LEGAL DESCRIPTION, DEDICATIONS, AND LEGEND  
SHEET 2 OF 14: SURVEYORS NOTES AND KEY SHEET  
SHEETS 2 - 3 OF 14: BOUNDARY INFORMATION AND TRACT GEOMETRY  
SHEETS 4 - 13 OF 14: LOT & TRACT GEOMETRY

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	07°18'46"	48.50'	380.00'	N86°29'28"W	48.47'
C2	07°02'58"	45.52'	370.00'	S86°21'34"E	45.49'
C22	14°47'29"	19.49'	75.50'	S32°45'28"W	19.44'
C35	31°13'12"	71.93'	132.00'	S62°35'15"E	71.04'
C36	80°24'21"	16.84'	12.00'	S50°08'39"W	15.49'
C59	11°27'20"	24.99'	125.00'	S83°55'31"E	24.95'
C60	09°01'03"	19.67'	125.00'	S82°42'22"E	19.65'
C61	02°26'17"	5.32'	125.00'	S88°26'02"E	5.32'
C238	15°00'21"	34.57'	132.00'	S54°28'49"E	34.47'
C239	16°12'51"	37.35'	132.00'	S70°05'25"E	37.23'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C240	01°57'58"	4.29'	125.00'	S79°10'50"E	4.29'
C241	01°31'34"	3.33'	125.00'	S80°55'36"E	3.33'
C242	05°31'31"	12.05'	125.00'	S84°27'08"E	12.05'
C257	60°55'41"	53.17'	50.00'	N31°31'09"W	50.70'
C258	06°29'04"	8.49'	75.00'	N21°16'56"E	8.48'
C259	35°30'38"	18.59'	30.00'	S06°46'09"W	18.30'
C260	09°55'52"	10.40'	60.00'	N06°01'15"W	10.39'
C261	09°30'37"	24.07'	145.00'	S05°48'37"E	24.04'
C262	09°30'37"	22.41'	135.00'	S05°48'37"E	22.38'
C263	25°31'33"	124.74'	280.00'	N02°11'50"E	123.71'

LINE	BEARING	LENGTH
L9	N89°53'03"W	10.00'
L10	S00°06'57"W	4.82'
L11	S89°39'11"E	25.17'
L12	N00°20'49"E	10.00'
L16	S11°48'09"W	7.00'
L17	S46°58'39"E	18.61'
L19	N00°20'49"E	7.00'
L20	S89°39'11"E	9.00'
L21	S00°20'49"W	7.00'
L36	S00°20'49"W	30.00'
L114	N00°20'49"E	13.21'
L115	N89°39'11"W	12.00'

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# RIVINGTON PHASE 1A

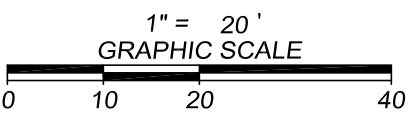
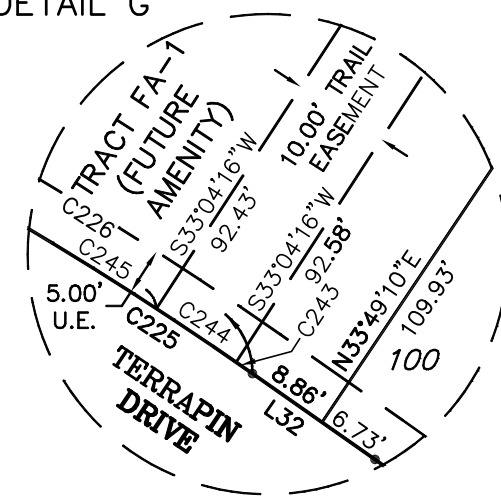
A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

SHEET 7 OF 14

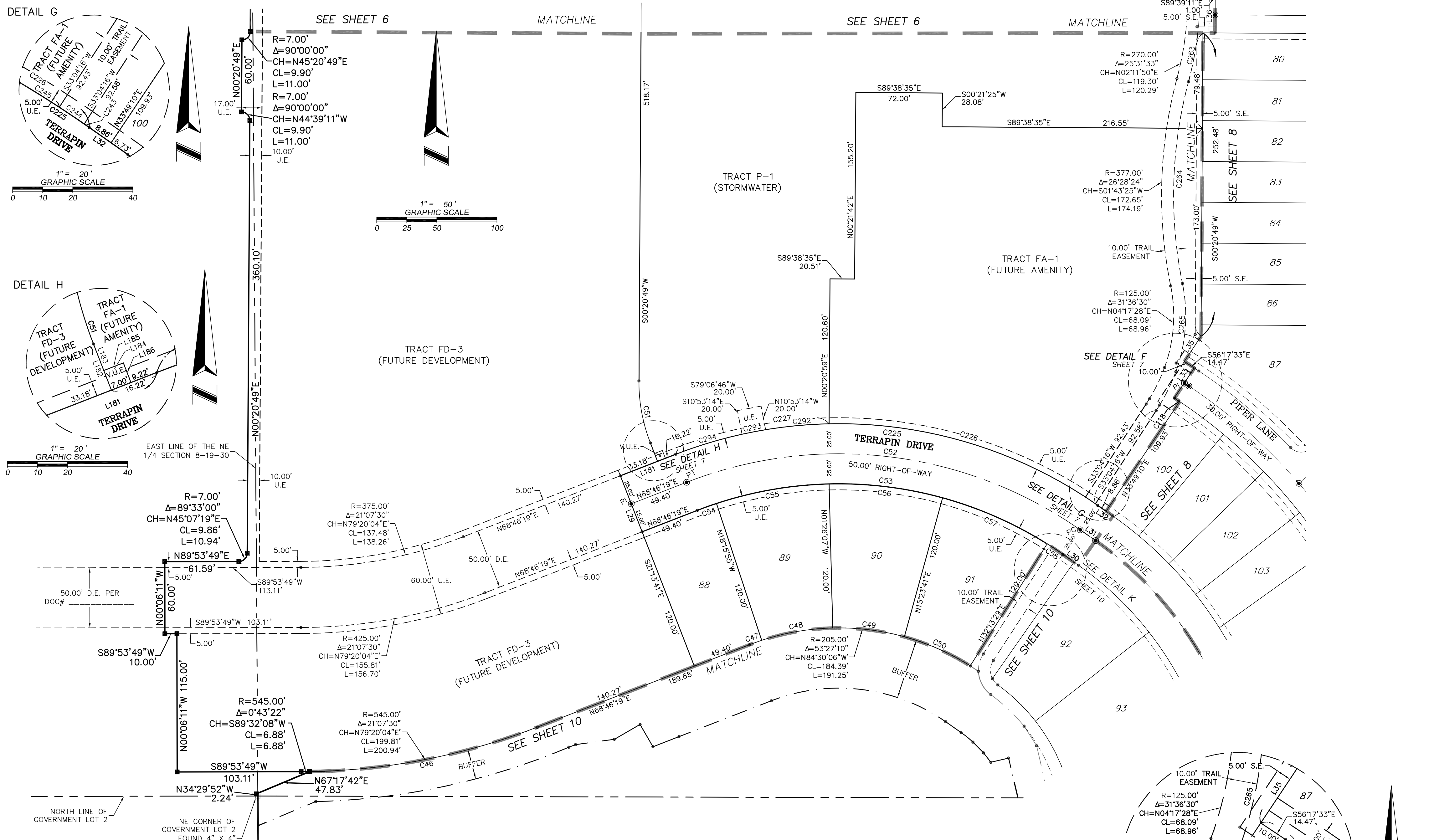
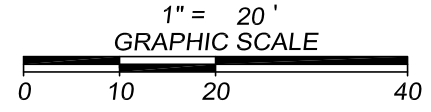
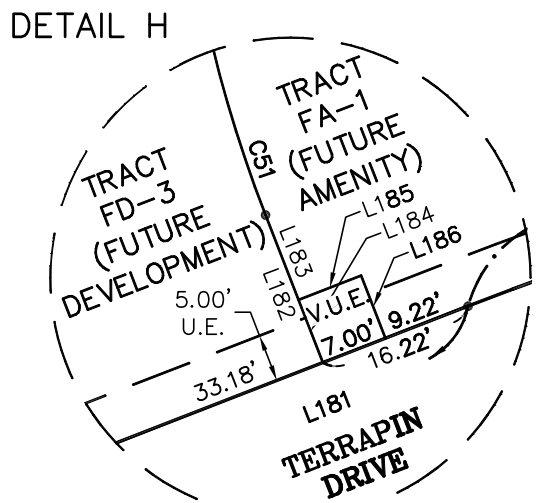
PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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DETAIL G



DETAIL H



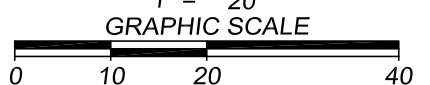
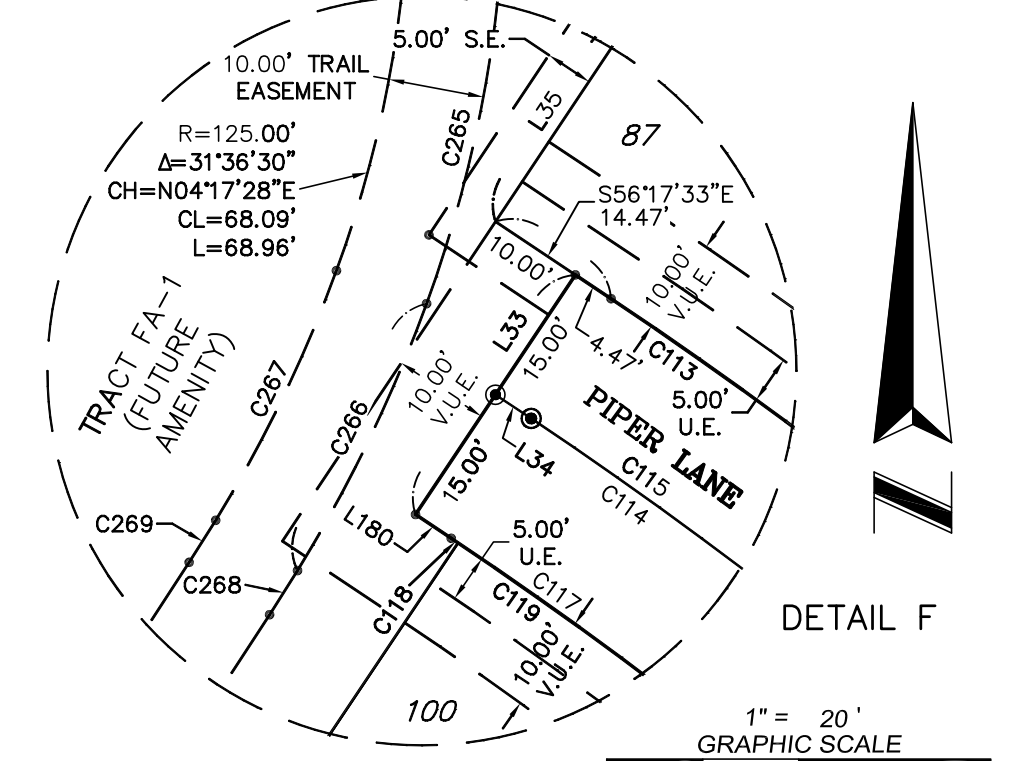
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(407) 654-5355

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LINE	BEARING	LENGTH
L29	S21°13'41"E	50.00'
L30	S54°59'42"E	15.58'
L31	S54°59'42"E	15.58'
L32	S54°59'42"E	15.58'
L33	N33°42'27"E	30.00'
L34	S56°17'33"E	4.47'
L35	S33°42'27"W	25.06'
L180	S56°17'33"E	4.47'
L181	N68°46'19"E	49.40'
L182	S21°13'41"E	16.48'
L183	S21°13'41"E	9.48'
L184	S21°13'41"E	7.00'
L185	N68°46'19"E	7.00'
L186	S21°13'41"E	7.00'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C46	20°24'08"	194.07'	545.00'	N78°58'23"E	193.04'
C47	02°57'46"	10.60'	205.00'	S70°15'12"W	10.60'
C48	16°49'48"	60.22'	205.00'	S80°08'59"W	60.00'
C49	16°49'48"	60.22'	205.00'	N83°01'13"W	60.00'
C50	16°49'48"	60.22'	205.00'	N66°11'25"W	60.00'
C51	21°34'30"	52.72'	140.00'	S10°26'26"E	52.41'
C52	56°13'59"	343.51'	350.00'	N83°06'42"W	329.89'
C53	56°13'59"	318.97'	325.00'	N83°06'42"W	306.32'
C54	02°57'46"	16.81'	325.00'	S70°15'12"W	16.80'
C55	16°49'48"	95.46'	325.00'	S80°08'59"W	95.12'
C56	16°49'48"	95.46'	325.00'	N83°01'13"W	95.12'
C57	16°49'48"	95.46'	325.00'	N66°11'25"W	95.12'
C58	02°46'49"	15.77'	325.00'	N56°23'07"W	15.77'
C113	12°18'12"	99.85'	465.00'	N50°08'27"W	99.66'
C114	20°41'38"	162.53'	450.00'	N45°56'44"W	161.65'
C115	15°36'30"	122.59'	450.00'	N48°29'18"W	122.21'
C117	20°41'38"	157.11'	435.00'	N45°56'44"W	156.26'

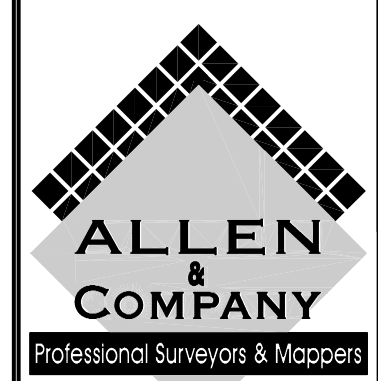
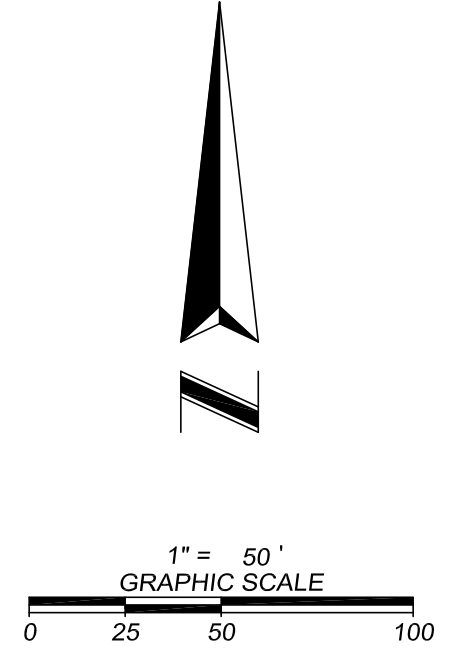
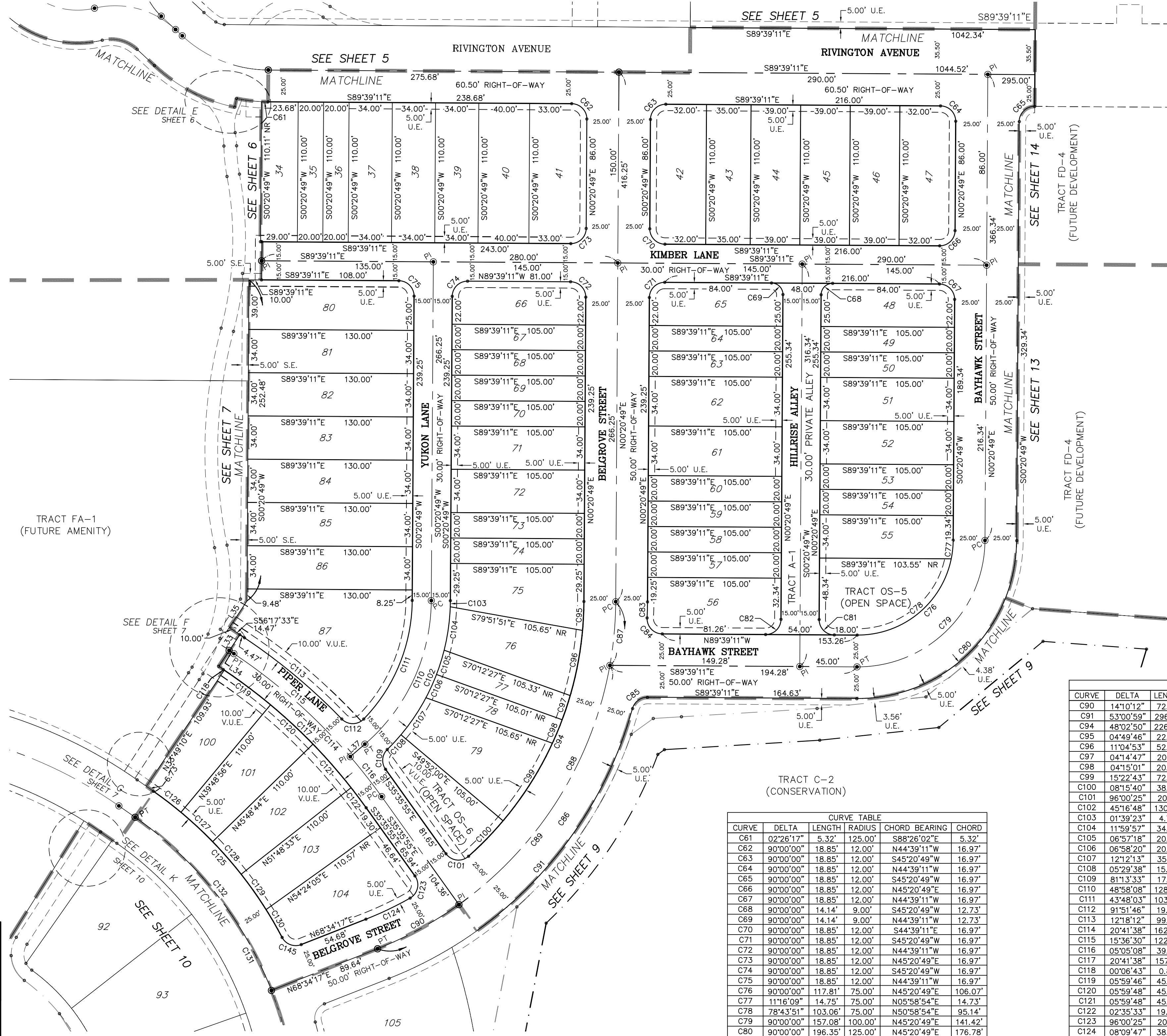
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C118	00°06'43"	0.85'	435.00'	N56°14'12"W	0.85'
C119	05°59'46"	45.52'	435.00'	N53°10'57"W	45.50'
C225	56°13'59"	368.04'	375.00'	N83°06'42"W	353.45'
C226	36°15'15"	237.28'	375.00'	N73°07'19"W	233.34'
C227	19°58'44"	130.76'	375.00'	S78°45'41"W	130.10'
C243	00°19'01"	2.07'	375.00'	N55°09'12"W	2.07'
C244	01°31'41"	10.00'	375.00'	N56°04'33"W	10.00'
C245	34°24'33"	225.21'	375.00'	N74°02'40"W	221.84'
C263	25°31'33"	124.74'	280.00'	N02°11'50"E	123.71'
C264	26°28'24"	169.57'	367.00'	S01°43'25"W	168.07'
C265	31°36'30"	74.48'	135.00'	N04°17'28"E	73.53'
C266	11°25'56"	30.93'	155.00'	N25°48'40"E	30.88'
C267	11°25'56"	28.93'	145.00'	N25°48'40"E	28.88'
C268	01°32'38"	5.44'	202.00'	N32°17'57"E	5.44'
C269	01°32'38"	5.17'	192.00'	N32°17'57"E	5.17'
C292	08°06'36"	53.08'	375.00'	S84°41'45"W	53.04'
C293	03°03'22"	20.00'	375.00'	S79°06'46"W	20.00'
C294	08°48'46"	57.68'	375.00'	S73°10'42"W	57.62'



# RIVINGTON PHASE 1A

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

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LINE	BEARING	LENGTH
L33	N33°42'27"E	30.00'
L34	S56°17'33"E	4.47'
L35	S33°42'27"W	25.06'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C61	02°26'17"	5.32'	125.00'	S88°26'02"E	5.32'
C62	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C63	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C64	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C65	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C66	90°00'00"	18.85'	12.00'	N45°20'49"E	16.97'
C67	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C68	90°00'00"	14.14'	9.00'	S45°20'49"W	12.73'
C69	90°00'00"	14.14'	9.00'	N44°39'11"W	12.73'
C70	90°00'00"	18.85'	12.00'	S44°39'11"E	16.97'
C71	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C72	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C73	90°00'00"	18.85'	12.00'	N45°20'49"E	16.97'
C74	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C75	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C76	90°00'00"	117.81'	75.00'	N45°20'49"E	106.07'
C77	11°16'09"	14.75'	75.00'	N05°58'54"E	14.73'
C78	78°43'51"	103.06'	75.00'	N50°58'54"E	95.14'
C79	90°00'00"	157.08'	100.00'	N45°20'49"E	141.42'
C80	90°00'00"	196.35'	125.00'	N45°20'49"E	176.78'
C81	90°00'00"	18.85'	12.00'	S44°39'11"E	16.97'
C82	90°00'00"	18.85'	12.00'	N45°20'49"E	16.97'
C83	02°15'36"	12.62'	320.00'	N01°28'37"E	12.62'
C84	92°15'36"	19.32'	12.00'	S43°31'23"E	17.30'
C85	74°47'31"	15.66'	12.00'	S52°57'04"W	14.58'
C86	68°13'28"	351.27'	295.00'	N34°27'33"E	330.88'
C87	09°46'35"	50.34'	295.00'	N05°14'07"E	50.27'
C88	54°03'16"	278.31'	295.00'	N27°22'27"E	268.10'
C89	58°26'53"	300.93'	295.00'	N39°20'51"E	288.05'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C90	14°10'12"	72.96'	295.00'	N61°29'11"E	72.77'
C91	53°00'59"	296.10'	320.00'	N42°03'48"E	285.65'
C94	48°02'50"	226.42'	270.00'	N24°22'14"E	219.84'
C95	04°49'46"	22.76'	270.00'	N02°45'42"E	22.75'
C96	11°04'53"	52.22'	270.00'	N10°43'02"E	52.14'
C97	04°14'47"	20.01'	270.00'	N18°22'52"E	20.01'
C98	04°15'01"	20.03'	270.00'	N22°37'46"E	20.02'
C99	15°22'43"	72.47'	270.00'	N32°26'38"E	72.25'
C100	08°15'40"	38.93'	270.00'	N44°15'50"E	38.90'
C101	96°00'25"	20.11'	12.00'	S83°36'08"E	17.84'
C102	45°16'48"	130.40'	165.00'	N22°59'13"E	127.03'
C103	01°39'23"	4.77'	165.00'	N01°10'31"E	4.77'
C104	11°59'57"	34.55'	165.00'	N08°00'11"E	34.49'
C105	06°57'18"	20.03'	165.00'	N17°28'48"E	20.02'
C106	06°58'20"	20.08'	165.00'	N24°26'37"E	20.07'
C107	12°12'13"	35.14'	165.00'	N34°01'53"E	35.08'
C108	05°29'38"	15.82'	165.00'	N42°52'49"E	15.82'
C109	81°13'33"	17.01'	12.00'	S05°00'51"W	15.62'
C110	48°58'08"	128.20'	150.00'	N24°49'53"E	124.33'
C111	43°48'03"	103.20'	135.00'	N22°14'51"E	100.71'
C112	91°51'46"	19.24'	12.00'	S89°55'14"E	17.24'
C113	12°18'12"	99.85'	465.00'	N50°08'27"W	99.66'
C114	20°41'38"	162.53'	450.00'	N45°56'44"W	161.65'
C115	15°36'30"	122.59'	450.00'	N48°29'18"W	122.21'
C116	05°05'08"	39.94'	450.00'	N38°08'29"W	39.93'
C117	20°41'38"	157.11'	435.00'	N45°56'44"W	156.26'
C118	00°06'43"	0.85'	435.00'	N56°14'12"W	0.85'
C119	05°59'46"	45.52'	435.00'	N51°01'57"W	45.50'
C120	05°59'48"	45.53'	435.00'	N47°11'10"W	45.51'
C121	05°59'48"	45.53'	435.00'	N41°11'22"W	45.51'
C122	02°35'33"	19.68'	435.00'	N36°53'41"W	19.68'
C123	96°00'25"	20.11'	12.00'	N12°24'18"E	17.84'
C124	08°09'47"	38.47'	270.00'	N64°29'24"E	38.43'
C125	27°15'47"	154.65'	325.00'	N41°21'48"W	153.19'
C126	04°48'38"	27.29'	325.00'	N52°35'23"W	27.28'
C127	05°59'48"	34.02'	325.00'	N47°11'10"W	34.00'
C128	05°59'48"	34.02'	325.00'	N41°11'22"W	34.00'
C129	05°59'48"	34.02'	325.00'	N35°11'33"W	34.00'
C130	04°27'44"	25.31'	325.00'	N29°57'47"W	25.31'
C131	55°20'31"	289.77'	300.00'	N27°19'26"W	278.64'
C132	33°33'59"	175.75'	300.00'	N38°12'42"W	173.25'
C145	83°41'48"	17.53'	12.00'	S69°34'49"E	16.01'

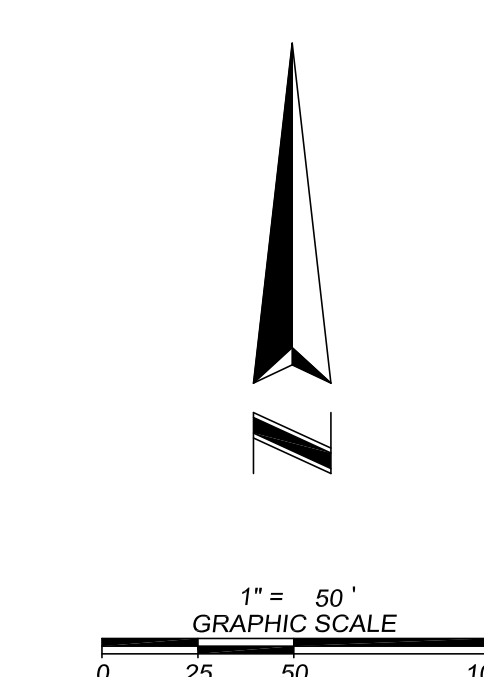
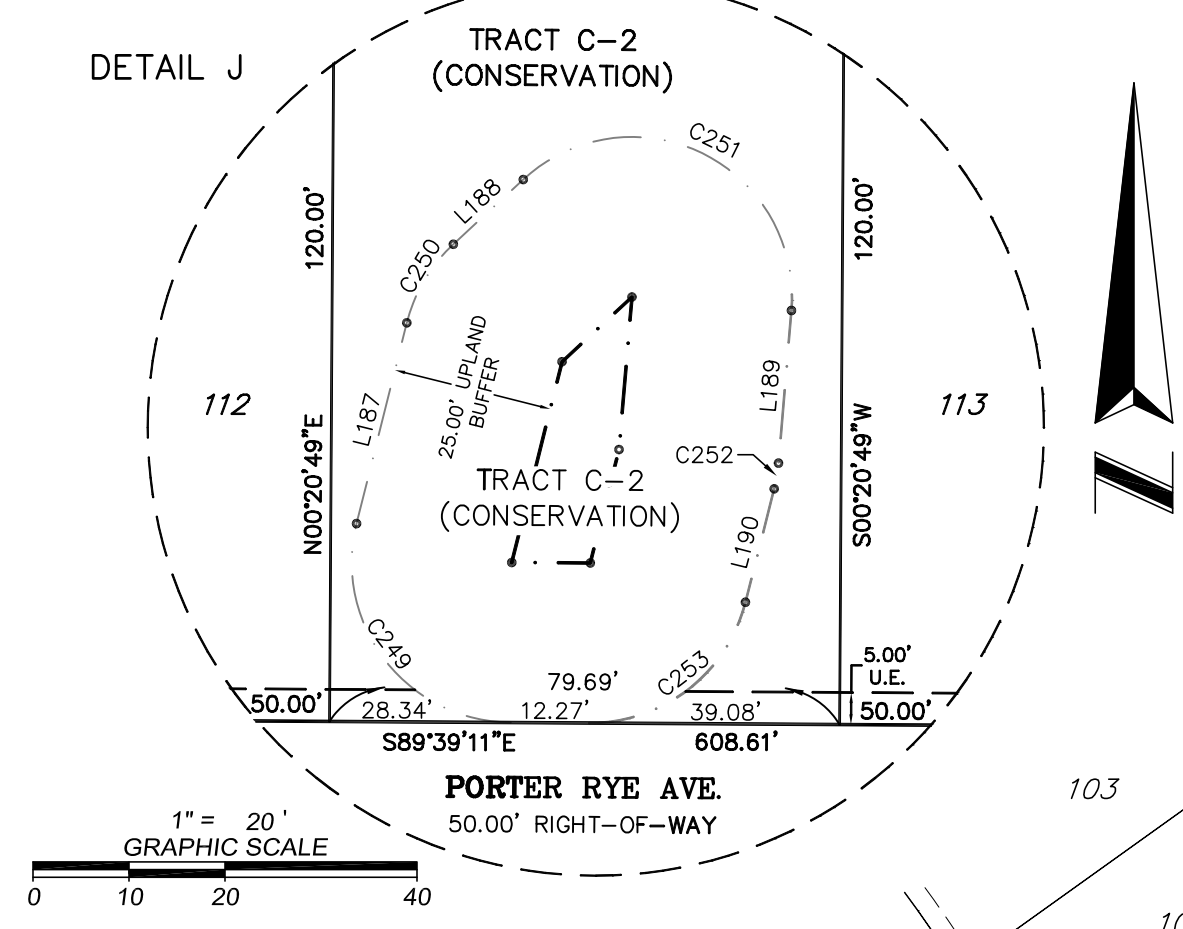
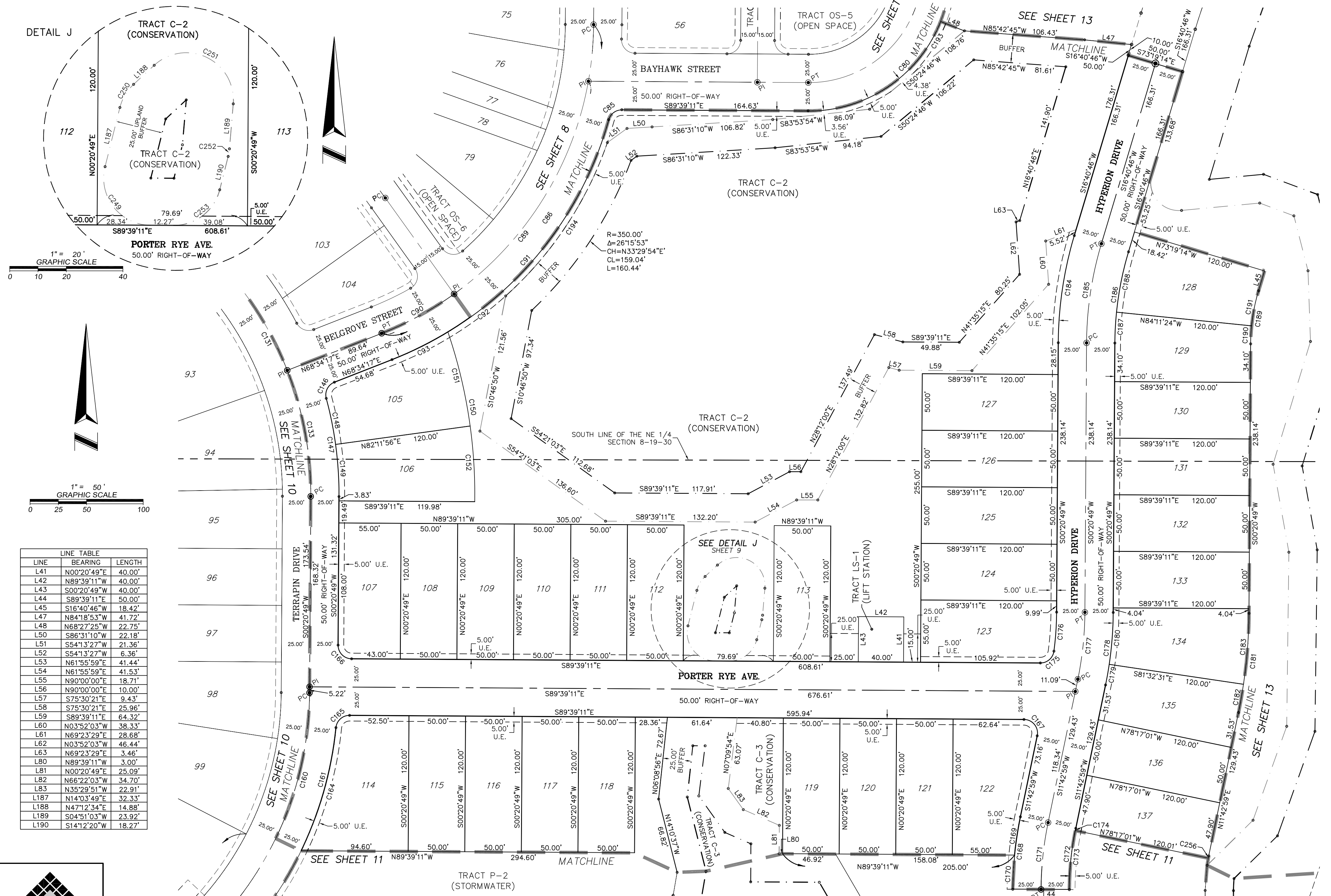


# RIVINGTON PHASE 1A

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CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA



LINE	BEARING	LENGTH
L41	N00°20'49"E	40.00'
L42	N89°39'11"W	40.00'
L43	S00°20'49"W	40.00'
L44	S89°39'11"E	50.00'
L45	S16°40'46"W	18.42'
L47	N84°18'53"W	41.72'
L48	N68°27'25"W	22.75'
L50	S86°31'10"W	22.18'
L51	S54°13'27"W	21.36'
L52	S54°13'27"W	6.36'
L53	N61°55'59"E	41.44'
L54	N61°55'59"E	41.53'
L55	N90°00'00"E	18.71'
L56	N90°00'00"E	10.00'
L57	S75°30'21"E	9.43'
L58	S75°30'21"E	25.96'
L59	S89°39'11"E	9.43'
L60	N03°52'03"W	38.33'
L61	N69°23'29"E	28.68'
L62	N03°52'03"W	46.44'
L63	N69°23'29"E	3.46'
L80	N89°39'11"W	3.00'
L81	N00°20'49"E	25.09'
L82	N66°22'03"W	34.70'
L83	N35°29'51"W	22.91'
L187	N14°03'49"E	32.33'
L188	N47°12'34"E	14.88'
L189	S04°51'03"W	23.92'
L190	S14°12'20"W	18.27'



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CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C80	90°00'00"	196.35'	125.00'	N45°20'49"E	176.78'
C85	74°47'31"	15.66'	12.00'	S52°57'04"W	14.58'
C86	68°13'28"	351.27'	295.00'	N34°27'33"E	330.88'
C89	58°26'53"	300.93'	295.00'	N39°20'51"E	288.05'
C90	14°10'12"	72.96'	295.00'	N61°29'11"E	72.77'
C91	53°00'59"	296.10'	320.00'	N42°03'48"E	285.65'
C92	43°08'14"	240.92'	320.00'	N37°07'25"E	235.27'
C93	09°52'45"	55.18'	320.00'	N63°37'55"E	55.11'
C131	55°20'31"	289.77'	300.00'	N27°19'26"W	278.64'
C133	21°46'32"	114.02'	300.00'	N10°32'27"W	113.33'
C146	83°41'48"	17.53'	12.00'	S26°43'23"W	16.01'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C147	15°28'20"	87.76'	325.00'	N07°23'21"W	87.50'
C148	07°19'27"	41.54'	325.00'	N11°27'47"W	41.52'
C149	08°08'53"	46.22'	325.00'	N03°43'37"W	46.18'
C150	19°39'43"	152.71'	445.00'	N08°59'27"W	151.96'
C151	11°10'14"	85.59'	445.00'	N13°18'41"W	85.46'
C152	08°38'28"	67.11'	445.00'	N03°28'50"W	67.05'
C160	58°39'23"	307.12'	300.00'	N29°40'31"E	293.89'
C161	53°14'42"	302.02'	300.00'	N32°22'52"E	291.27'
C164	20°03'44"	113.80'	325.00'	N15°47'23"E	113.22'
C165	84°35'19"	17.72'	12.00'	S48°03'10"W	16.15'
C166	90°00'00"	18.85'	12.00'	S44°39'11"E	16.97'
C167	10°12'21"	21.23'	12.00'	N38°58'06"W	18.57'
C168	11°22'10"	64.49'	325.00'	S06°01'54"W	64.39'
C169	06°02'45"	34.29'	325.00'	S08°41'37"W	34.28'
C170	05°19'25"	30.20'	325.00'	S03°00'32"W	30.19'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C171	11°22'10"	59.53'	300.00'	S06°01'54"W	59.43'
C172	11°22'10"	54.57'	275.00'	S06°01'54"W	54.48'
C173	10°55'58"	52.47'	275.00'	S05°48'48"W	52.39'
C174	00°26'12"	2.10'	275.00'	S11°29'53"W	2.10'
C175	82°42'20"	17.34'	12.00'	N48°57'10"E	15.87'
C176	07°12'40"	34.61'	275.00'	N03°57'10"E	34.59'
C177	11°22'10"	59.53'	300.00'	N06°01'54"E	59.43'
C178	11°22'10"	64.49'	325.00'	N06°01'54"E	64.39'
C179	03°15'31"	18.48'	325.00'	N10°05'14"E	18.48'
C180	08°06'39"	46.01'	325.00'	N04°24'09"E	45.97'
C181	11°22'10"	88.30'	445.00'	N06°01'54"E	88.16'
C182	03°15'31"	25.31'	445.00'	N10°05'14"E	25.30'
C183	08°06'39"	63.00'	445.00'	N04°24'09"E	62.94'
C184	16°19'57"	96.06'	337.00'	S08°30'48"W	95.74'

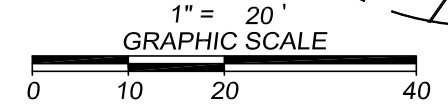
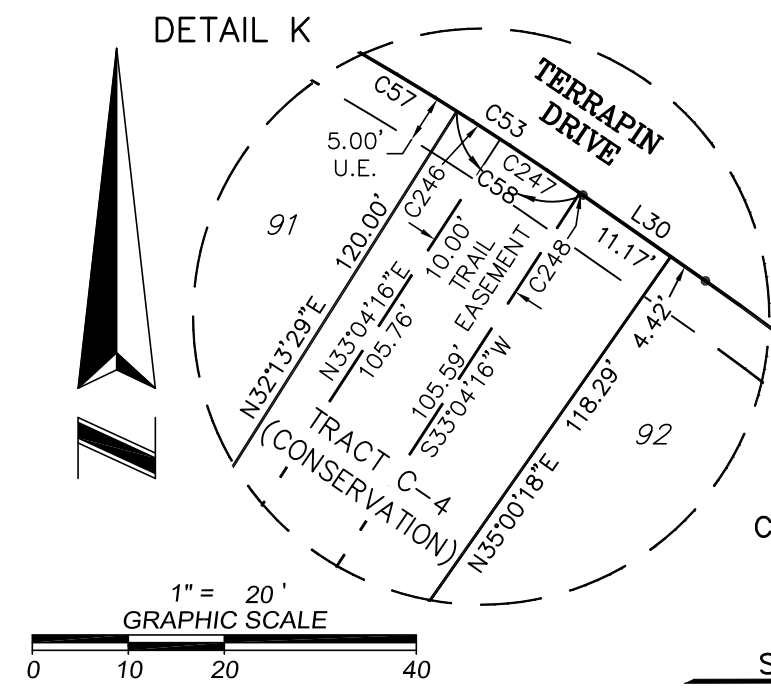
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C185	16°19'57"	88.94'	312.00'	S08°30'48"W	88.64'
C186	16°19'57"	81.81'	287.00'	S08°30'48"W	81.53'
C187	05°27'47"	27.37'	287.00'	S03°04'43"W	27.35'
C188	10°52'10"	54.45'	287.00'	S11°14'41"W	54.36'
C189	16°19'57"	47.60'	167.00'	S08°30'48"W	47.44'
C190	05°27'47"	15.92'	167.00'	S03°04'43"W	15.92'
C191	10°52'10"	31.68'	167.00'	S11°14'41"W	31.63'
C193	68°48'14"	150.11'	125.00'	N55°56'42"E	141.25'
C194	28°59'09"	164.42'	325.00'	N33°32'24"E	162.67'
C249	103°42'59"	45.25'	25.00'	S03°47'41"E	39.32'
C250	33°08'45"	14.46'	25.00'	S03°38'11"W	14.26'
C251	137°38'30"	60.06'	25.00'	N63°58'12"W	46.62'
C252	09°21'17"	4.08'	25.00'	N09°31'42"E	4.08'
C253	76°08'29"	33.22'	25.00'	N52°16'35"E	30.83'
C256	00°46'30"	2.10'	155.00'	S11°19'44"W	2.10'

# RIVINGTON PHASE 1A

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

**NOTICE:**

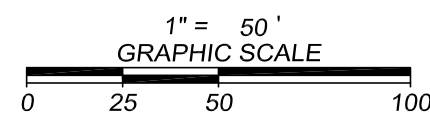
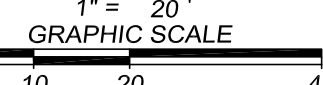
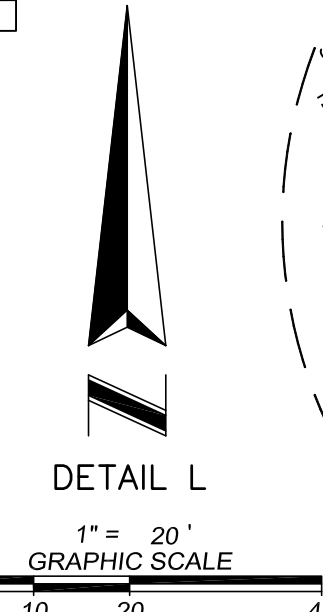
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LINE	BEARING	LENGTH
L24	S68°46'19"W	5.89'
L25	S82°14'44"W	32.64'
L26	S59°56'56"W	24.67'
L27	N30°03'04"W	21.43'
L28	S68°46'21"W	23.26'
L30	S54°59'42"E	15.58'
L31	S54°59'42"E	15.58'
L38	S59°00'13"W	34.34'
L39	S30°59'47"E	50.00'
L40	S59°00'13"W	28.76'
L107	N00°20'49"E	17.62'
L108	S32°56'19"E	53.46'
L109	N32°56'19"W	53.46'
L148	S32°33'01"E	19.40'
L149	N54°59'42"W	15.58'
L150	N44°37'06"W	12.66'
L151	N37°42'02"W	9.78'
L152	S76°50'46"W	15.19'
L153	S00°20'49"W	39.98'
L154	S34°04'25"W	26.40'
L155	S44°20'47"W	45.73'
L156	S12°37'26"E	28.09'
L157	N34°04'25"E	40.70'
L158	N12°37'26"W	43.19'
L159	N32°09'20"W	61.10'
L160	N31°13'21"W	46.94'
L161	N25°23'50"W	48.47'
L162	N44°20'47"E	9.67'
L163	S23°07'14"E	56.63'
L164	S32°58'54"E	44.99'
L165	S32°43'08"E	64.34'
L166	S11°42'30"E	43.26'
L167	S55°57'42"E	27.68'
L168	N32°58'54"W	42.89'
L169	N11°42'30"W	37.73'
L170	N55°57'42"W	5.62'
L171	S83°55'22"E	13.49'
L172	N44°45'28"E	14.16'
L173	N44°45'28"E	56.41'
L175	S89°33'31"E	9.25'
L176	S90°03'24"W	31.22'
L177	S90°00'00"W	35.67'
L178	S89°10'08"E	6.38'
L179	N90°00'00"W	2.43'
L194	S44°20'47"W	18.86'
L195	S81°15'52"W	12.24'
L196	S53°36'00"W	34.47'
L197	S37°30'28"W	10.14'
L212	N46°47'09"W	20.00'
L213	N43°12'51"E	20.00'
L214	S46°47'09"E	20.00'

NE CORNER OF GOVERNMENT LOT 2 FOUND 4" X 4" CONCRETE MONUMENT, NO #

EAST LINE OF GOVERNMENT LOT 2  
EAST LINE OF THE NE 1/4 SECTION 8-19-30



CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C46	20°24'08"	194.07'	545.00'	N78°58'23"E	193.04'
C58	02°46'49"	15.77'	325.00'	N56°23'07"W	15.77'
C131	55°20'31"	289.77'	300.00'	N27°19'26"W	278.64'
C134	55°20'31"	265.62'	275.00'	N27°19'26"W	255.42'
C135	16°55'40"	81.25'	275.00'	N46°31'52"W	80.95'
C136	18°33'49"	89.10'	275.00'	N28°47'07"W	88.71'
C137	18°33'49"	89.10'	275.00'	N101°31'18"W	88.71'
C138	01°17'13"	6.18'	275.00'	N00°17'47"W	6.18'
C139	26°56'49"	7.05'	15.00'	S40°39'02"E	6.99'
C140	54°28'16"	147.36'	155.00'	N26°53'19"W	141.87'
C141	16°03'25"	43.44'	155.00'	N46°05'44"W	43.30'
C142	18°33'49"	50.22'	155.00'	N46°05'44"W	50.00'
C143	18°33'49"	50.22'	155.00'	N101°31'18"W	50.00'
C144	01°17'13"	3.48'	155.00'	N00°17'47"W	3.48'
C153	27°04'39"	73.25'	155.00'	N13°53'09"E	72.57'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C154	08°30'50"	23.03'	155.00'	N04°36'14"E	23.01'
C155	18°33'49"	50.22'	155.00'	N18°08'34"E	50.00'
C156	58°39'23"	281.53'	275.00'	N29°40'31"E	269.40'
C157	08°30'50"	40.86'	275.00'	N04°36'14"E	40.83'
C158	18°33'49"	89.10'	275.00'	N18°08'34"E	88.71'
C159	31°34'44"	151.57'	275.00'	N43°12'51"E	149.66'
C160	58°39'23"	302.12'	300.00'	N29°40'31"E	293.89'
C161	53°14'42"	307.02'	325.00'	N32°22'52"E	291.27'
C162	03°38'57"	20.70'	325.00'	N57°10'44"E	20.70'
C163	29°32'01"	167.52'	325.00'	N40°35'15"E	165.68'
C210	02°15'58"	8.11'	205.00'	N56°38'32"W	8.11'
C211	50°27'37"	22.76'	25.84'	S27°58'42"E	22.03'
C212	15°04'12"	38.14'	145.00'	N46°35'21"W	38.03'
C213	08°52'07"	12.68'	81.90'	N51°07'27"W	12.66'
C214	22°08'00"	19.31'	50.00'	N33°16'46"E	19.20'
C215	02°34'47"	24.54'	545.00'	S57°42'49"W	24.54'
C216	11°52'13"	112.91'	545.00'	S50°29'20"W	112.71'
C217	28°12'29"	24.39'	49.54'	S75°35'25"W	24.14'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C229	34°54'13"	15.23'	25.00'	S15°37'10"W	15.00'
C230	60°14'55"	15.77'	15.00'	S02°56'49"W	15.06'
C231	39°24'04"	99.71'	145.00'	N19°21'13"W	97.76'
C232	34°11'35"	86.53'	145.00'	N17°26'37"E	85.25'
C233	07°06'56"	19.25'	155.00'	N30°58'56"E	19.24'
C234	67°28'43"	17.67'	15.00'	S00°48'03"W	16.66'
C235	67°28'43"	29.44'	25.00'	S00°48'03"W	27.77'
C236	77°17'06"	80.93'	60.00'	N05°42'14"E	74.94'
C237	55°09'05"	48.13'	50.00'	N05°21'46"W	46.29'
C246	00°56'57"	5.38'	325.00'	N57°18'03"W	5.38'
C247	01°45'48"	10.00'	325.00'	N55°56'41"W	10.00'
C248	00°04'05"	0.39'	325.00'	N55°01'44"W	0.39'
C254	14°57'37"	3.92'	15.00'	S36°51'59"W	3.91'
C255	43°54'10"	19.16'	25.00'	S22°23'42"W	18.69'
C283	03°30'42"	2.45'	40.00'	S16°51'23"E	2.45'
C295	13°42'20"	65.78'	275.00'	N34°16'38"E	65.63'
C296	04°10'04"	20.00'	275.00'	N43°12'51"E	20.00'
C297	13°42'20"	65.78'	275.00'	N52°09'03"E	65.63'

Licensed Business # 6723  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355

**SHEET INDEX**  
SHEET 1 OF 14: LEGAL DESCRIPTION, DEDICATIONS, AND LEGEND  
SHEET 2 OF 14: SURVEY

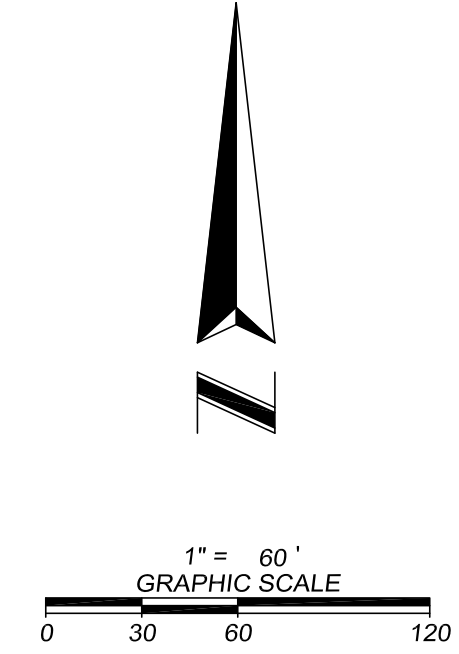
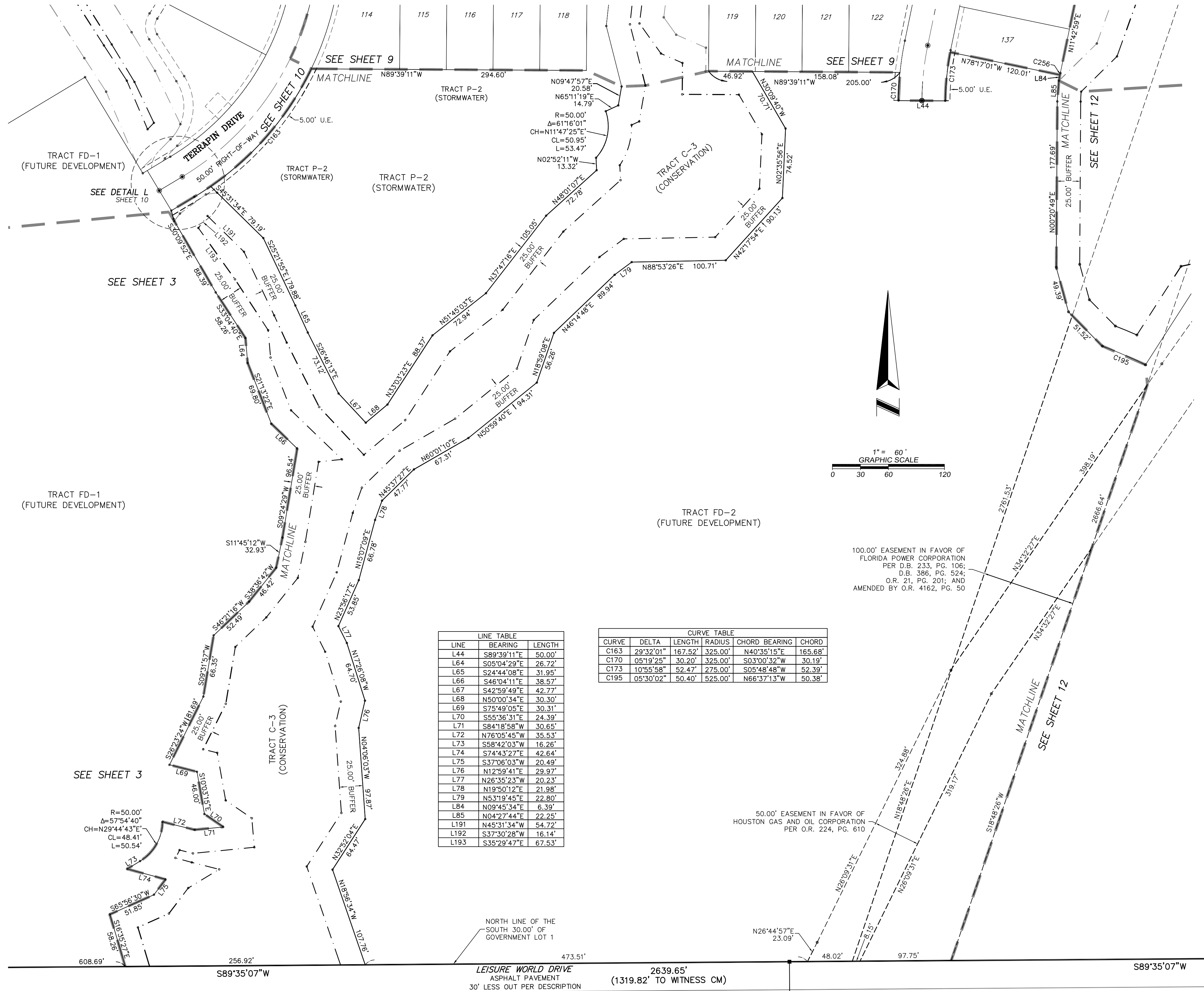


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# RIVINGTON PHASE 1A

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

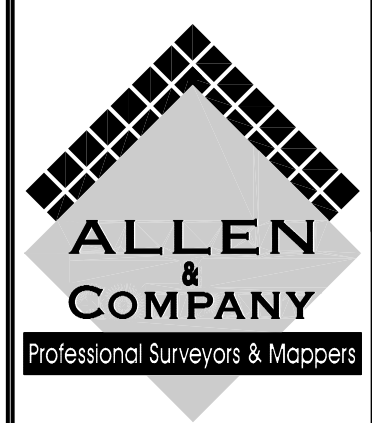


LINE	BEARING	LENGTH
L44	S89°39'11"E	50.00'
L64	S05°04'29"E	26.72'
L65	S24°44'08"E	31.95'
L66	S46°04'11"E	38.57'
L67	S42°59'49"E	42.77'
L68	N50°00'34"E	30.30'
L69	S75°49'05"E	30.31'
L70	S55°36'31"E	24.39'
L71	S84°18'58"W	30.65'
L72	N76°05'45"W	35.53'
L73	S58°42'03"W	16.26'
L74	S74°43'27"E	42.64'
L75	S37°06'03"W	20.49'
L76	N12°59'41"E	29.97'
L77	N26°35'23"W	20.23'
L78	N19°50'12"E	21.98'
L79	N53°19'45"E	22.80'
L84	N09°45'34"E	6.39'
L85	N04°27'44"E	22.25'
L191	N45°31'34"W	54.72'
L192	S37°30'28"W	16.14'
L193	S35°29'47"E	67.53'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C163	29°32'01"	167.52'	325.00'	N40°35'15"E	165.68'
C170	05°19'25"	30.20'	325.00'	S03°00'32"W	30.19'
C173	10°55'58"	52.47'	275.00'	S05°48'48"W	52.39'
C195	05°30'02"	50.40'	525.00'	N66°37'13"W	50.38'

100.00' EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION PER D.B. 233, PG. 106; D.B. 386, PG. 524; O.R. 21, PG. 201; AND AMENDED BY O.R. 4162, PG. 50

50.00' EASEMENT IN FAVOR OF HOUSTON GAS AND OIL CORPORATION PER O.R. 224, PG. 610



Licensed Business # 6723  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
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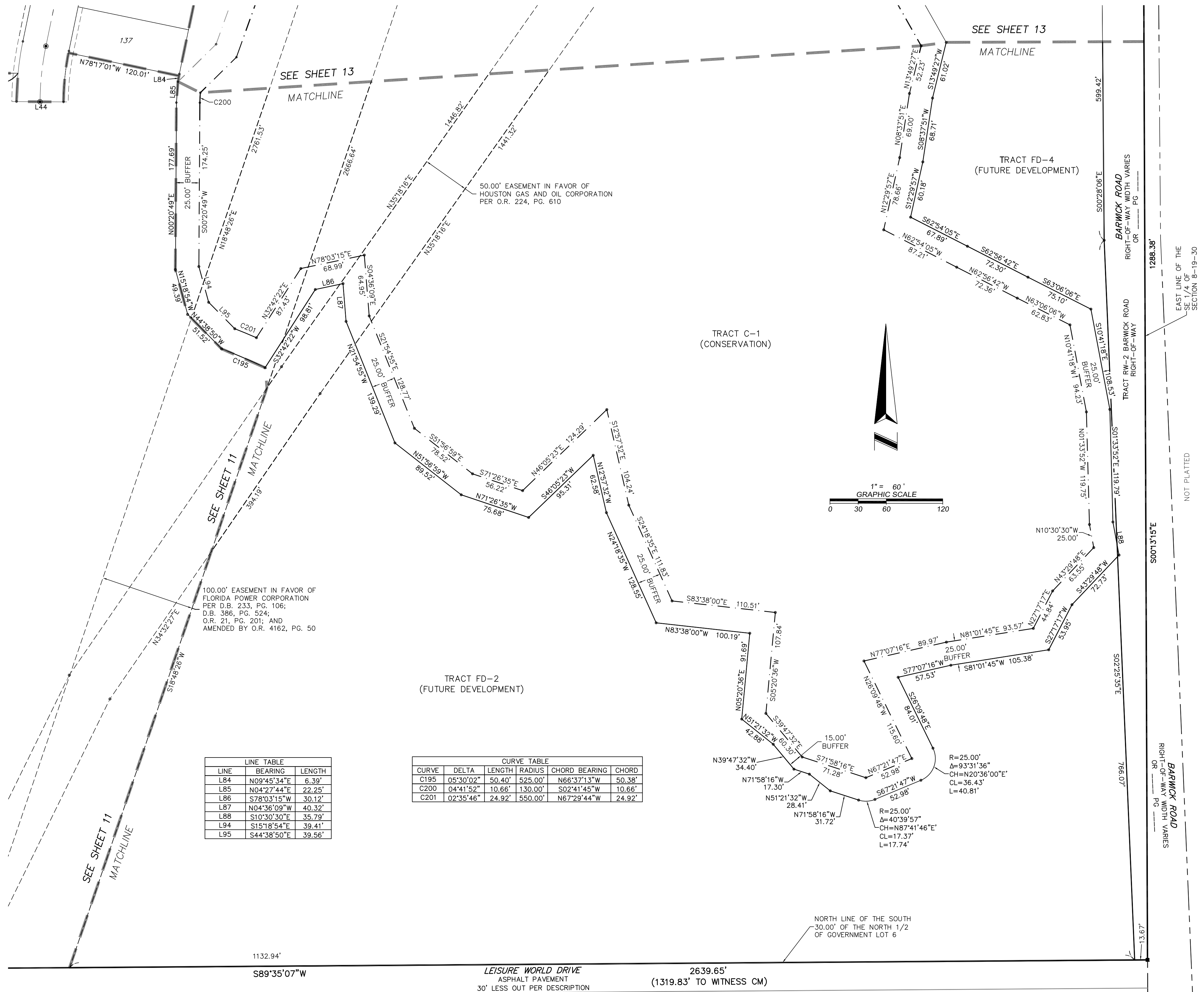
**SHEET INDEX**  
SHEET 1 OF 14: LEGAL DESCRIPTION, DEDICATIONS, AND LEGEND  
SHEET 2 OF 14: SURVEYORS NOTES AND KEY SHEET  
SHEETS 2 - 3 OF 14: BOUNDARY INFORMATION AND TRACT GEOMETRY  
SHEETS 4 - 13 OF 14: LOT & TRACT GEOMETRY

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# RIVINGTON PHASE 1A

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CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

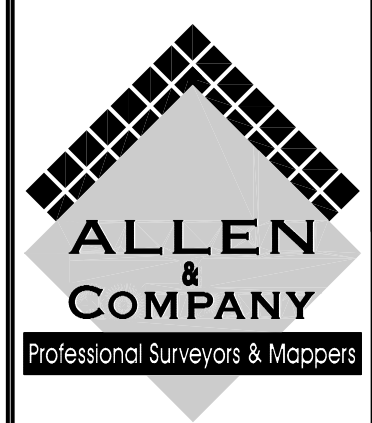


**LINE TABLE**

LINE	BEARING	LENGTH
L84	N09°45'34"E	6.39'
L85	N04°27'44"E	22.25'
L86	S78°03'15"W	30.12'
L87	N04°36'09"W	40.32'
L88	S10°30'30"E	35.79'
L94	S15°18'54"E	39.41'
L95	S44°38'50"E	39.56'

**CURVE TABLE**

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C195	05°30'02"	50.40'	525.00'	N66°37'13"W	50.38'
C200	04°41'52"	10.66'	130.00'	S02°41'45"W	10.66'
C201	02°35'46"	24.92'	550.00'	N67°29'44"W	24.92'



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NOT PLATTED

RIGHT-OF-WAY WIDTH VARIES OR PG. \_\_\_\_\_

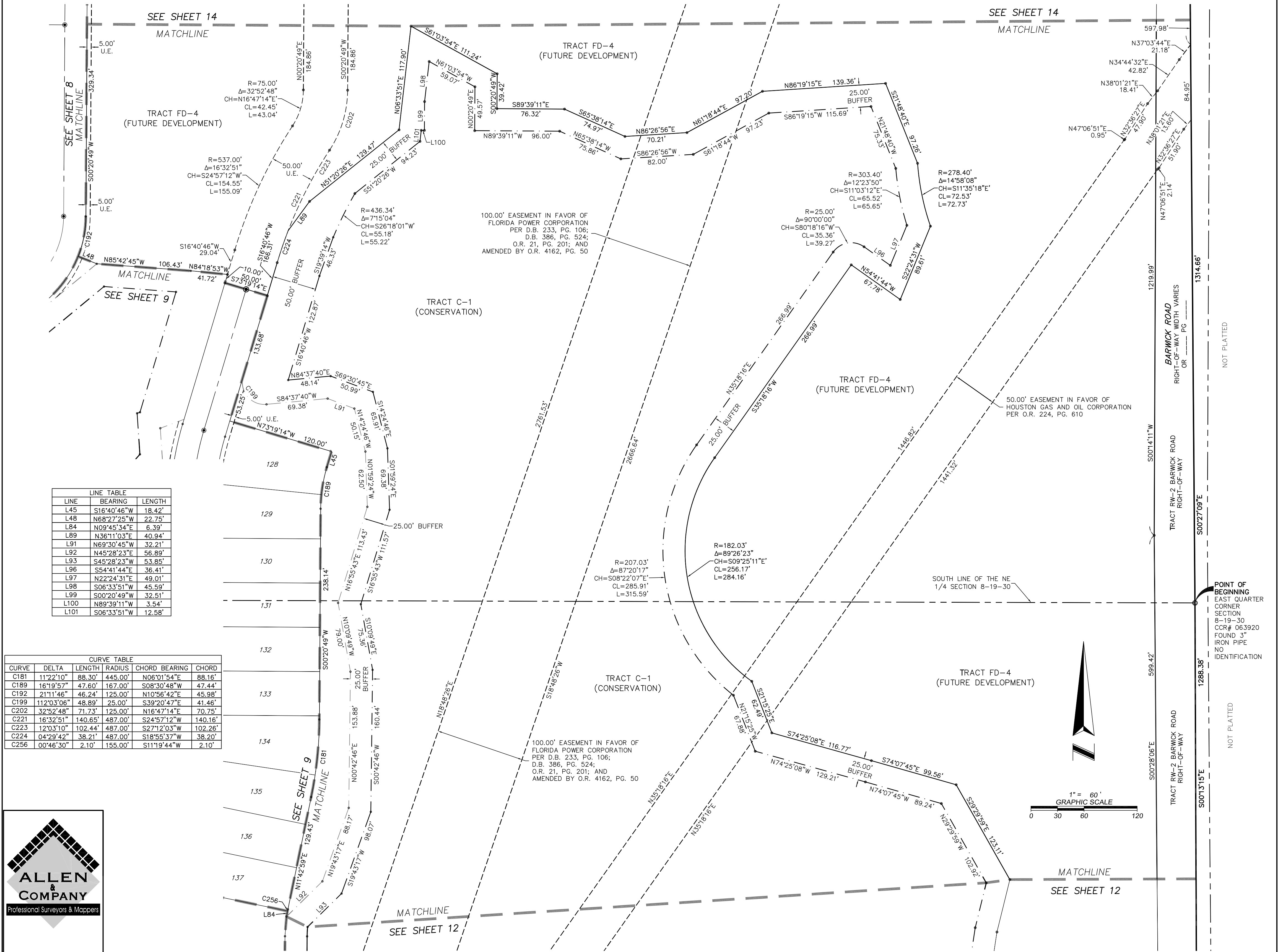
RIGHT-OF-WAY WIDTH VARIES OR PG. \_\_\_\_\_

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CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

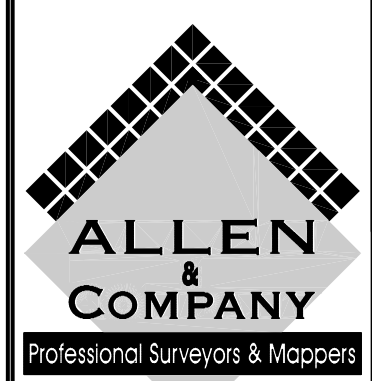


**LINE TABLE**

LINE	BEARING	LENGTH
L45	S16°40'46"W	18.42'
L48	N68°27'25"W	22.75'
L84	N09°45'34"E	6.39'
L89	N36°11'03"E	40.94'
L91	N69°30'45"W	32.21'
L92	N45°28'23"E	56.89'
L93	S45°28'23"W	53.85'
L96	S54°41'44"E	36.41'
L97	N22°24'31"E	49.01'
L98	S06°33'51"W	45.59'
L99	S00°20'49"W	32.51'
L100	N89°39'11"W	3.54'
L101	S06°33'51"W	12.58'

**CURVE TABLE**

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C181	11°22'10"	88.30'	445.00'	N06°01'54"E	88.16'
C189	16°19'57"	47.60'	167.00'	S08°30'48"W	47.44'
C192	21°11'46"	46.24'	125.00'	N10°56'42"E	45.98'
C199	112°03'06"	48.89'	25.00'	S39°20'47"E	41.46'
C202	32°52'48"	71.73'	125.00'	N16°47'14"E	70.75'
C221	16°32'51"	140.65'	487.00'	S24°57'12"W	140.16'
C223	12°03'10"	102.44'	487.00'	S27°12'03"W	102.26'
C224	04°29'42"	38.21'	487.00'	S18°55'37"W	38.20'
C256	00°46'30"	2.10'	155.00'	S11°19'44"W	2.10'



Licensed Business # 6723  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
(407) 654-5355

**SHEET INDEX**  
SHEET 1 OF 14: LEGAL DESCRIPTION, DEDICATIONS, AND LEGEND  
SHEET 2 OF 14: SURVEYORS NOTES AND KEY SHEET  
SHEETS 2 - 3 OF 14: BOUNDARY INFORMATION AND TRACT GEOMETRY  
SHEETS 4 - 13 OF 14: LOT & TRACT GEOMETRY

NOT PLATTED

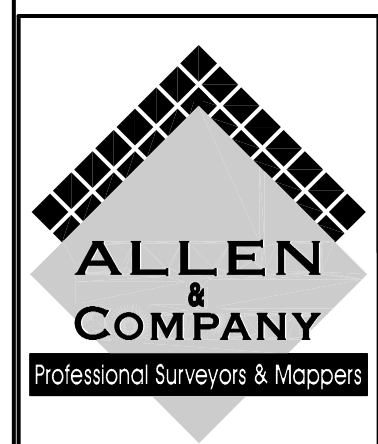
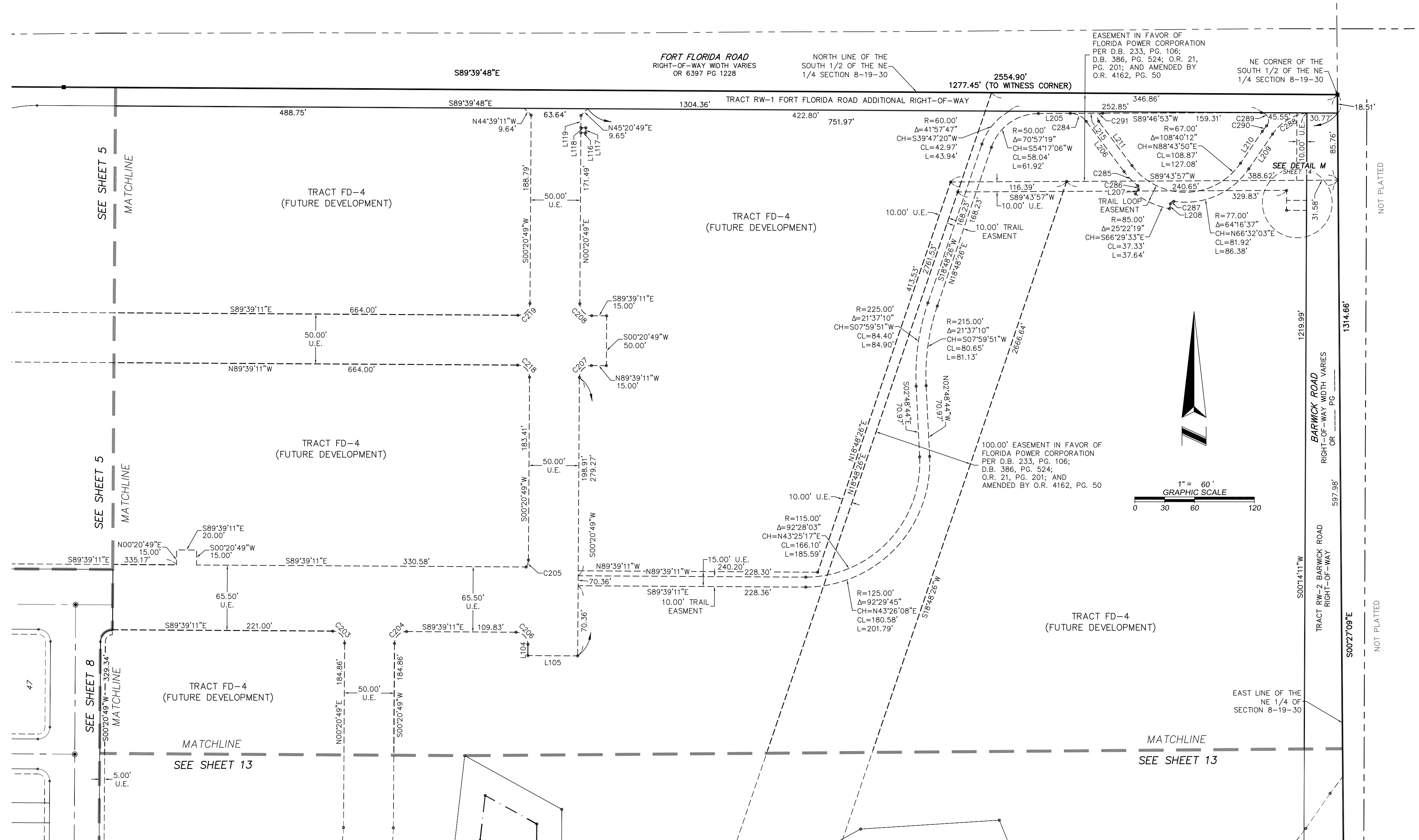
NOT PLATTED

POINT OF BEGINNING  
EAST QUARTER  
CORNER  
SECTION  
8-19-30  
CCR# 063920  
FOUND 3"  
IRON PIPE  
NO  
IDENTIFICATION

# RIVINGTON PHASE 1A

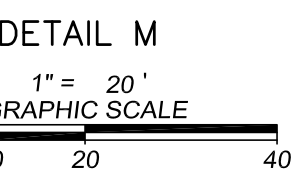
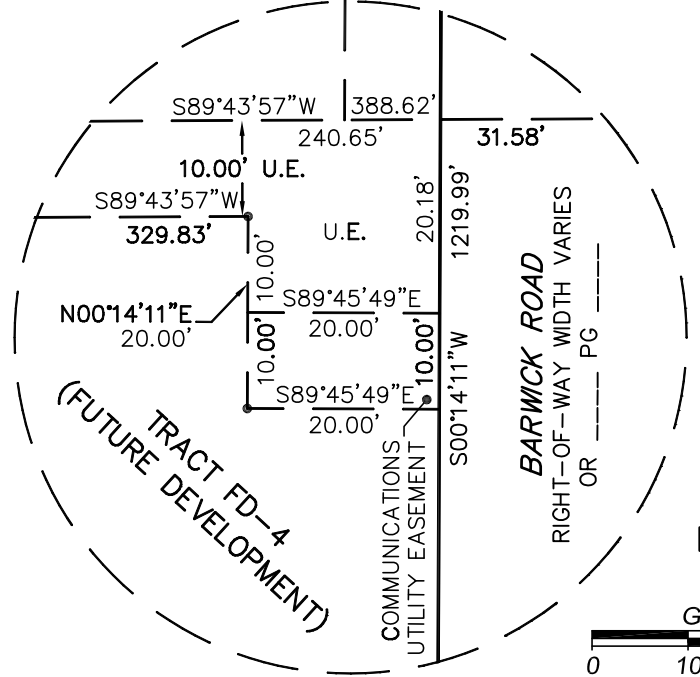
A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 30 EAST,  
CITY OF DEBARY, VOLUSIA COUNTY, FLORIDA

**NOTICE:**  
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



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LINE	BEARING	LENGTH
L104	S00°20'49"W	11.36'
L105	S89°39'11"E	50.00'
L116	N89°39'11"W	5.00'
L117	S00°20'49"W	5.00'
L118	S89°39'11"E	5.00'
L119	N00°20'49"E	12.30'
L205	N89°45'45"E	31.98'
L206	S36°56'03"E	63.04'
L207	S36°11'37"W	5.06'
L208	N10°49'18"E	5.06'
L209	N34°23'44"E	42.25'
L210	N34°23'44"E	38.75'
L211	S36°56'03"E	55.67'
L215	N89°45'45"E	32.47'

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C203	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C204	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C205	35°41'07"	7.47'	12.00'	N18°11'23"E	7.35'
C206	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C207	90°00'00"	18.85'	12.00'	S45°20'49"W	16.97'
C208	90°00'00"	18.85'	12.00'	S44°39'11"E	16.97'
C218	90°00'00"	18.85'	12.00'	N44°39'11"W	16.97'
C219	90°00'00"	18.85'	12.00'	N45°20'49"E	16.97'
C284	53°18'11"	18.61'	20.00'	N63°35'09"W	17.94'
C285	14°43'23"	19.79'	77.00'	S44°17'45"E	19.73'
C286	87°51'03"	4.60'	3.00'	N07°43'55"W	4.16'
C287	87°51'03"	4.60'	3.00'	S54°44'49"W	4.16'
C288	48°06'17"	41.65'	49.61'	S58°21'17"W	40.44'
C289	124°38'36"	17.40'	8.00'	N21°22'06"W	14.17'
C290	06°33'28"	6.98'	61.00'	S37°40'28"W	6.98'
C291	126°41'49"	11.06'	5.00'	S26°24'51"W	8.94'





**City Council Meeting  
City of DeBary  
AGENDA ITEM**

<b>Subject:</b> Ordinance 06-2020 TOD Regulating Plan	<b>Attachments:</b> <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Supporting Documents/ Contracts <input type="checkbox"/> Other
<b>From:</b> Matt Boerger, Growth Management	
<b>Meeting Hearing Date</b> September 2, 2020	

**REQUEST**

Staff is requesting consideration by City Council of Ordinance 06-2020, revising sections of the TOD Regulating Plan addressing mixed use requirements, main street development criteria, architectural design principles, cohesive development requirements, permitted uses and other miscellaneous revisions within the Transit Oriented Development (TOD) Overlay District.

**PURPOSE**

The City needs to enhance the development standards for the TOD area to ensure that the area develops in a quality, cohesive development pattern consistent with the adopted vision, and does not result in a single-use multifamily district.

**CONSIDERATIONS**

On February 19, 2020, the City enacted a moratorium on single-use multifamily developments within the Transit Oriented Development area. This was in response to a current trend for development in our area focused on single-use, multi-family apartment complexes. Most of the contact staff was having from potential developers was for apartments only, posing a long-term threat to the loss of commercial and office development opportunities. Single use developers are more prevalent, and therefore more likely to consume available property within the TOD first. However, mixed-use developers, while less frequent, do exist and may be a more appropriate fit for this area. While higher densities around the train station is conducive to transit oriented development best practices, if left unchecked, the community could end up with a majority of apartment complexes and little else development types such as office and retail. This is counter to transit oriented development best practices and doesn't achieve the mixed-use village center style development that the community had envisioned in 2014 during the Visioning Session.

While previous plans, development requirements and entitlements were meant to accommodate transit oriented development, and ensure a higher quality of development, it does not address today's economy resulting in rapid development expansion. Therefore, the City of DeBary implemented a moratorium on multifamily development within the TOD in order to allow time to make revisions to the TOD Regulating Plan.

During the moratorium, City Staff has established additional proposed standards and requirements relating to commercial and multi-use components for multifamily development and redevelopment and enhanced standards and requirements for multi-family developments that will improve aesthetics, increase property values, decrease road trips required and reduce traffic congestion, make multifamily projects more desirable to commercial and non-commercial tenants, increase walkability and pedestrian traffic, protect against blight and decay, and otherwise fit the City's vision for multifamily development within the area.

The revisions to the TOD Regulating Plan include the following:

- Amending the designations within the TOD Boundary from Core, Outside Code, and Transitional Area, to just Core and Outside Core. The Transitional Area will be merged with the Outside Core.
- Adding a main street category and development criteria.
- Tweaks to the potential incentives by adding the impact fees as a bargaining option and waiving application fees. (Any incentives package would be required to go to City Council as part of a Development Agreement package for approval).
- Adding mixed use requirements for multifamily residential developments on properties of a certain size or for properties fronting the designated main street area or US 17-92.
- Tweaks to the permitted uses matrix.
- Adding a continuation of development pattern requirements to ensure that there is a cohesive and consistent pattern of development.
- Clarifying and correcting some minor inconsistencies with the code such as minimum parking standards and green infrastructure requirements.
- Added Design Principles to provide guidance for new developments.

The proposed revisions are attached to this agenda report, and a summary of the changes will be further outlined during a presentation by Staff.

### **COST/FUNDING**

No additional cost is proposed.

### **RECOMMENDATION**

Staff recommends approval of the first reading of Ordinance 06-2020.

### **IMPLEMENTATION**

A second reading for final adoption will be necessary.

**ATTACHMENTS**

Ordinance 06-2020

Exhibit A: TOD Regulating Plan

Exhibit B: Design Principles

**ORDINANCE NO. 06-2020**

**AN ORDINANCE OF THE CITY OF DEBARY, FLORIDA, AMENDING CHAPTER 5, ARTICLE VI OF THE DEBARY LAND DEVELOPMENT CODE GOVERNING THE SOUTHEAST MIXED-USE AREA/TRANSIT ORIENTED DEVELOPMENT OVERLAY DISTRICT STANDARDS; AMENDING AND ADDING PROVISIONS GOVERNING OR RELATED TO THE CITY'S TOD REGULATING PLAN, LAND USE AND BUILDING DENSITY, ADMINISTRATIVE PROCEDURES, MIXED USE REQUIREMENTS, PERMITTED AND PROHIBITED USES, ROADWAYS, STREETSAPES, PARKING, DEVELOPMENT STANDARDS, LANDSCAPING, GREEN INFRASTRUCTURE, TREE PRESERVATION, DEFINITIONS, AND OTHER REQUIREMENTS AND STANDARDS GOVERNING LAND USES WITHIN THE SOUTHEAST MIXED-USE AREA/TRANSIT ORIENTED DEVELOPMENT OVERLAY DISTRICT; ADOPTING ADDITIONAL DESIGN PRINCIPLES; TERMINATING MORATORIUM IMPOSED BY ORDINANCE NO. 02-20; PROVIDING FOR CODIFICATION & CORRECTIONS, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of DeBary hereby amends Chapter 5, Article VI of the DeBary Land Development Code and adopts additional design principles as provided herein.

**IT IS HEREBY ORDAINED BY THE CITY OF DEBARY AS FOLLOWS:**

**SECTION 1. Recitals.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**SECTION 2. Amendment of Land Development Code.** Chapter 5, Article VI of the City Land Development Code is hereby amended as provided in the attached **Exhibit "A"** (words that are stricken out are deletions; words that are underlined are additions):

**SECTION 3. Additional Design Principles.** The City hereby adopts the design principles provided in the attached **Exhibit "B,"** which shall govern development within the Southeast Mixed-Use Area/Transit Oriented Development Overlay District. In the event of a conflict between the design principles provided in **Exhibit "B"** and any provision of the Land Development Code, the Land Development Code shall control to the extent of the conflict.

**SECTION 4. Termination of Moratorium.** The moratorium imposed by Section 2 of Ordinance No. 02-20 is hereby terminated as of the effective date of this Ordinance.

**SECTION 5. Codification & Corrections.** Section 2 of this Ordinance shall be incorporated into the DeBary Land Development Code. Any section, paragraph number, letter and/or any heading of this Ordinance or any of the attached **Exhibits** may be changed or modified as necessary to



effectuate the foregoing. Grammatical, typographical, formatting, illustration labeling and numbering, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or the Land Development Code may be freely made.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 7. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

**SECTION 8. Effective date.** This Ordinance shall become effective immediately upon adoption by the City Council of the City of Debarry, Florida.

**FIRST READING:** \_\_\_\_\_, 2020

**SECOND READING:** \_\_\_\_\_, 2020

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020, by the City Council of the City of Debarry, Florida.

CITY COUNCIL  
CITY OF DEBARY

\_\_\_\_\_  
Karen Chasez, Mayor/Commissioner

ATTEST:

\_\_\_\_\_  
Annette Hatch, City Clerk

## EXHIBIT A

### CHAPTER 5, ARTICLE VI. SOUTHEAST MIXED-USE AREA/TRANSIT ORIENTED DEVELOPMENT (SEMUA/TOD) OVERLAY DISTRICT STANDARDS

#### Sec. 5-130. Regulating Plan

(a) **Background.** The Florida Department of Transportation in cooperation with the federal government and local officials from the City of Orlando as well as Orange, Osceola, Seminole and Volusia Counties is implementing are managing a commuter rail transit service, named SunRail, linking DeLand Volusia County to on the north with downtown Orlando and Poinciana on Osceola County to the South. SunRail will run 61 miles with 17 stations along the existing CSX railroad. Phase 1 of SunRail is 31 miles and will connect To date, DeBary/Ft. Florida Road is connected to Sand Lake Road in Orange County to Poinciana in Osceola County. Phase 1 includes the construction of a rail station near the intersection of Fort Florida Road and US Hwy. 17-92 (Fort Florida Station) in DeBary. The SunRail station plans call for has a park and ride lot with a bus drop off area for the DeBary station. The DeBary station is near some of Central Florida's most scenic parks and significant cultural resources, and is easily accessible to Interstate 4. SunRail, commuter rail service will be available in the City beginning in 2013.

Commuter rail improves transportation options for DeBary residents, many of whom work in the Orlando area to the south, as well as potentially creating economic development opportunities through a concentrated mix of uses to include retail commercial, office, institutional, civic uses and medium and high density residential development.

In response to commuter rail service in DeBary, the City Council adopted the City's Evaluation-Based Amendments, which includes a Transit Oriented Development (TOD) Overlay District as well as a TOD Master Plan. Transit Oriented Development is the functional integration of land use and transit. It is a land use planning concept that promotes a mix of residential, commercial, office and public uses, all within a comfortable walking distance to maximize access to public transportation, and incorporates features to encourage transit ridership.

(b) **Purpose.** To establish the regulatory framework in order to implement the TOD Overlay District and Master Plan adopted by the City's Comprehensive Plan through the adoption creation of a regulating plan that will create result in the desired built environment built form of the Vision. This regulating plan promotes compact land use patterns that support placemaking, energy efficiency, environmental sensitivity and multi-modal transportation options as well as require street design that creates public space that is safe and welcoming for pedestrians. The general purposes of this document are to:

- (1) Encourage transit use
- (2) Increase housing opportunities
- (3) To provide standards to ensure a high quality appearance
- (4) Provide a functional mix of land uses
- (5) Promote energy efficient land use patterns
- (6) Promote walking and bicycling.

(c) **General Applicability.** No premises shall hereafter be used or occupied and no principal building, accessory structure or sign shall be hereafter erected, constructed, moved or altered except in conformity with these regulations.

(7)(1) The transit-oriented development overlay district is within the Southeast Mixed Use Area (SEMUA/TOD) as depicted on the City's Future Land Use Map and as described in Sec. 5-130 (e) - TOD Boundaries of this regulating plan.

(2) Reserved.

(3) This article applies to all those properties that develop under the TOD Overlay District. Such properties shall comply with the City of DeBary Comprehensive Plan Specifically Future Land Use Policy 5.406 (a) (5) and this regulating plan.

(4) The guiding principles standards and requirements put forth by this regulating plan (Chapter 5, Article VI) shall supersede the standards and requirements presently specified in the Land Development Code unless not addressed herein. Failure of this regulating plan to address a particular condition or term of restriction shall not relieve an applicant of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions.

(5) Agricultural Exemption - All land with an underlying agricultural zoning designation shall have the right to utilize the property for agricultural purposes until such time that the property owner chooses to develop under these overlay criteria.

~~(8)~~(6) This article was created with images and figures as important visual aids to enhance understanding and comprehension of plan-making and development, however, in the event there is a conflict or inconsistency between the text of this document and any figure or illustration, the text shall prevail.

~~(9)~~(7) The regulations of this document are organized by development standards with sub—area requirements inter-dispersed through-out each category of development standards. The TOD Overlay District includes ~~threefour~~ (34) sub-areas. These areas are approximate distances to allow flexibility for desired development to be approved by the DRC. The City may extend these sub-areas if the developments meet the purpose of the TOD Overlay District.

- a. US Hwy. 17-92 TOD - Developments facing U.S. Hwy. 17-92 involving direct design treatments from back of curb to building.
- b. TOD Core - Properties within approximately ¼ mile of the DeBary Commuter Rail Station
- ~~c.~~ c. Outside TOD Core - Properties outside between approximately ¼ mile and ½ mile of the TOD Core DeBary Commuter Rail Station.
- ~~d.~~ Transitional Areas — Properties beyond approximately ½ mile of the DeBary Commuter Rail Station.

#### ~~(c)~~(d) **Administrative Procedures.**

- (1) A pre-application meeting shall be required prior to submitting any development proposal within the TOD Overlay District. The purpose of this meeting is to review the TOD Overlay District requirements and discuss any deviations from the strict application of the regulation that may be addressed with a Development Agreement approved by City Council. A conceptual plan for the propose project is required to have a pre-application meeting.
- (2) A Development Agreement with the City of DeBary is suggested, but not required. However, if a proposed development is going to utilize any bonuses or incentives or is going to deviate from the strict application of this regulating plan, a development agreement shall be required. If a development agreement is utilized by the developer, this agreement will specify any incentives, bonuses and waivers, as provided by the City of DeBary Land Development Code, that the developer may wish to employ in the design of the proposed site. The development agreement shall be created based on a standard form provided by the City. All incentives and bonuses shall be presented to City Staff for review and recommendation prior to the Development Agreement being presented to the City Council for approval. Appropriate incentives and bonuses may be approved by City Council on a project by project basis. Upon approval by the City Council, the developer of the proposed project will have a clear guide to the rules of development for the project.
- ~~(3)~~ (3) Those properties which develop under the TOD Overlay District shall not be required to rezone their property. It shall be administratively rezoned by Ordinance to TOD zoning concurrently with Subdivision Overall Development Plan approval or final site plan approval by City Council.
- ~~(3)~~ (4) If subdivision is necessary, it shall be in accordance with Chapter 4, Division 2, Subdivision Regulations, Sections 4-41 through 4-47. The Subdivision Overall Development Plan shall also be reviewed against this regulating plan for code compliance.
- (5) Platting of property within the TOD Overlay District shall also be in accordance with Chapter 2, Section 2-4 of the City's Land Development Code.
- (6) A final site plan shall be submitted in accordance with Division 3 Final Site Plan Approval Procedures and be reviewed by the Development Review Committee (DRC) against this regulating plan for code compliance in order to obtain a development order.
- (7) For mixed-use projects, the City shall calculate total allocation of land uses within the TOD Overlay District, based on the proposed mix of uses. Allocation of the proposed uses shall determine allocation of density and intensity (i.e., a commercial/office/residential mixed-use development on 1 acre, with 50 percent retail commercial, 25 percent office and 25 percent residential uses constructed uses would attribute ½ acre to retail commercial allocation, ¼ acre of office and ¼ acre of residential allocation to the overall allowance for the TOD Overlay District).
- (8) The Land Development Manager (LDM) shall have the authority to grant minor deviations from final site and subdivision plans where less than 10 percent of the development plan is impacted by proposed revisions from previously approved plans. Such revisions shall include, but not be limited to the following: setbacks, height, density/intensity, parking, buffers, open space and other site design dimensions. However, all deviations from the plan must meet the minimum criteria set within the Comprehensive Plan and Land Development Code, unless a waiver is sought through a Development Agreement and approved by City Council. Final site plans shall be updated to include all proposed revisions and be resubmitted to the City.

(9) Density – Sec 1-3 of the Land Development Code establishes the density calculation criteria within the TOD boundaries.

~~(8)~~

~~(d)~~(e) **Transit Oriented Development Boundaries.** The TOD Overlay District is comprised of approximately 261 acres and is located on the south side of Dirksen Road on the east and west sides of US Hwy. 17-92 running approximately 210 feet south of Buckley Drive.

See Figure 1: TOD Boundaries and TOD Illustrative Plan

Figure 1-TOD Overlay District Boundary Core & Outside

Figure 1-TOD Overlay District Boundary

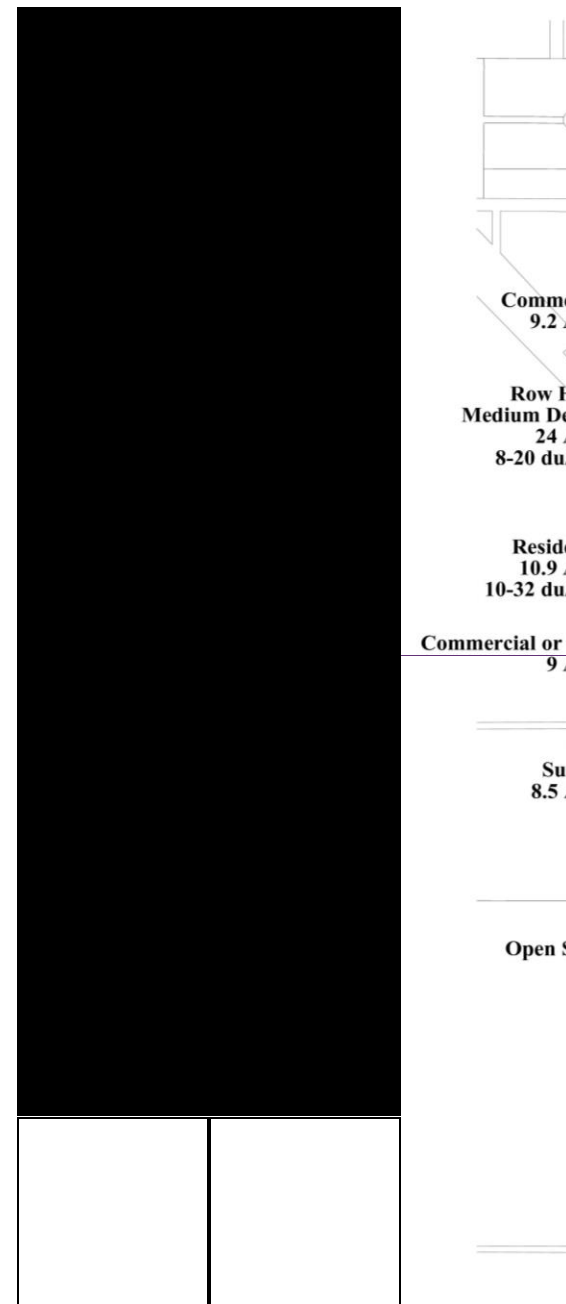


Figure 1-TOD Illustrative Plan









Multi-Family / Senior Housing

Town Center / Commercial / Retail


Medium Density Townhomes




Commercial / Retail




Medium Density Townhomes



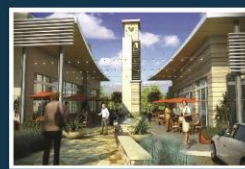
Town Center / Commercial / Retail




Multi-Family / Senior Housing




Commercial / Retail / Civic




Commercial / Retail / Civic




Civic Market



Commercial / Retail




Spring to Spring Trail / Bikeways



Agrihood

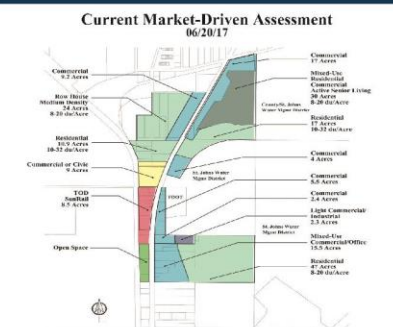
### Preliminary Illustrative Plan

Presented & Approved at the Commission Workshop 05/17/17



#### Current Market-Driven Assessment


06/20/17



#### City of DeBary

### TOD Preliminary Illustrative Plan

Presented & Approved at the Commission Workshop 05/17/17



The Preliminary Illustrative Plan shown is based on key principles and priorities of the City's Visioning Documents, TOD Overlay District and Market Study approved by the City Commission. The fundamental thinking behind the plan is based on a high-level assessment of current market drivers including analysis and dialogue with staff and commissioners, surrounding stakeholders, qualified capital equity debt sources, and qualified private developers. Its primary purpose is to illustrate market-driven use that aligns with the City's vision, brand and economic development goals and can attract targeted private sector candidates to invest and build the initial elements of the DeBary Station TOD. This initial high-level assessment does not warrant that the final development results will mirror the plan exactly as shown.

## City of DeBary

### TOD Preliminary Illustrative Plan

Presented & Approved at the Commission Workshop 05/17/17

#### Current Market-Driven Assessment

06/20/17



#### City of DeBary

### TOD Preliminary Illustrative Plan

Presented & Approved at the Commission Workshop 05/17/17



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~~(e)~~(f) **Incentives.** Incentives for developing within the TOD Overlay District include the elimination of the Planned Unit Development zoning requirement, higher densities, increased building heights, additional permitted land uses, and reduced parking ~~and stormwater management requirements~~. The City may also consider other incentives for development, including but not limited to economic incentives, expedited permitting, and development and infrastructure standards to enhance the physical and economic feasibility of transit-oriented and pedestrian-friendly development. Such incentives may include:

~~(1)~~ (1) A 25 percent discount on Final Site Plan Development Application Base Fees

~~Expedited Permit Reviews~~

~~(2)~~ (2) Modification of impact fees (such as, but not limited to ~~residential, thoroughfare, mobility, parks, and government buildings. road, and stormwater management by requesting fee reductions from Volusia County and other appropriate agencies~~)

~~(2)~~ (3) Public/private partnerships to provide infrastructure

~~(3)~~ (4) Modification of Building Permit Fees

~~(4)~~ (5) Establishment of a Community Development District or Special Assessment District

(6) Any other financing mechanism deemed appropriate

~~(f)~~(g) **Non-conforming uses.** All non-conforming properties, uses and structures previously developed under the TOD Overlay District that do not conform to this regulating plan shall be subject to Chapter 1 Section 1-12 Nonconforming lots, Structures and Uses of the City Land Development Code.

## **Sec. 5-131. Land Use and Building Density**

### **(a) Purpose and Intent.**

- (1) The TOD Overlay District is to improve quality of life by creating walkable and livable areas where people are able to reduce vehicle usage without sacrificing access to neighborhood and community amenities. This is accomplished by the following:
  - a. Encourage transit-supportive land uses, which generally have higher densities and intensity within the TOD Core, then stepping down in density, intensity and height to promote neighborhood compatibility.
  - b. Create opportunities for shorter, multi-purpose trips by encouraging a mix of uses within the TOD Overlay District.
  - c. Locate the highest level of activity and mix of uses within the TOD Core and along major streets.
  - d. Provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial services, and employment within close proximity to each other and to the DeBary

Commuter Rail Station.

e. These areas are approximate distances to allow flexibility for desired development to be approved by the DRC.

(2) The provisions of this section shall apply within the area identified on the Future Land Use Map as the "Southeast Mixed-Use Area/Transit Oriented Development Overlay District."

**(b) Compatible Land Uses.** Each of the properties within the TOD Overlay District maintains their current zoning designations until such time as they are developed or redeveloped. Then an administrative rezoning to PUD will be processed by the City. To further the intent and purpose of the TOD Overlay District, certain specific and incompatible uses shall be prohibited.

(1) Purpose and intent.

a. The purpose of the TOD Overlay District is to provide additional development restrictions and opportunities within the TOD area consistent with the adopted Comprehensive Plan. The plan provides for a compact, pedestrian and transit oriented multi-use and mixed-use development area of retail and service, to support the overall growth and development of the City. It is the intent of this section that adequate flexibility be provided to accommodate the purposes and style of development described in the Plan.

b. The provisions of this section shall apply within the area identified on the zoning map as the "TOD Overlay District."

c. Proposed developments are encouraged, to the greatest extent practicable, to be presented as an assemblage of smaller properties or parcels to achieve the greatest development potential and provide for more cohesive integration into the overall development framework within the TOD Overlay District.

d. Parcels that are located at transition lines between sub-areas of the TOD District Overlay may be allowed to reasonably continue the development densities and intensities from the more intense sub-area into the less intense sub-area, if it is necessary to complete a development project and if approved by City Council.

e. Mixed-Use development proposals shall be calculated toward the total allocation of land uses within the TOD Overlay District, based on the proposed mix of uses. Allocation of the proposed uses shall determine allocation (i.e., a commercial/office/residential mixed-use development on one (1) acre, with 50 percent retail commercial, 25 percent office and 25 percent residential uses constructed uses would attribute ½ acre to retail commercial allocation, ¼ acre of office and ¼ acre of residential allocation to the overall allowance for the TOD Overlay District).

(2) Mixed-use Requirements. The City's intent is to preserve its commercial development viability along US 17-92 frontages, and to ensure that the TOD is developed with a mixture of uses rather than just residential. Single-use, multifamily residential development projects are generally prohibited on properties five (5) acres or larger.

a. Multifamily residential development projects on properties from five (5) to fifteen (15) acres in size are required to provide a minimum of 5,000 square feet of commercial or office space.

b. Multifamily residential development projects on properties from sixteen (16) to twenty-five (25) acres in size are required to provide a minimum of 7,500 square feet of commercial or office space.

c. Multifamily residential development projects on properties larger than twenty-six (26) acres shall provide a minimum of 10,000 square feet of commercial or office space.

d. All multifamily residential development projects fronting US 17-92 shall maintain ground floor commercial and office space frontage with the exception of entrances into the multifamily residential development. Alternatives in design shall be considered by the Development Review Committee, with final approval by the City Manager or their designee, on a case-by-case basis.

e. No developments directly fronting Shell Road, within the TOD Core area (main street), shall be permitted to construct ground-floor residential developments. Commercial or office space shall be required on the ground floor with residential above unless a compelling case can be made by the developer for horizontal mixed use as an alternative and shall be considered by the Development Review Committee, with final approval by the City Manager or their designee, on a case-by-case basis.

The minimum mixed-use requirements for multifamily residential projects may be adjusted by the Development Review Committee, with final approval by the City Manager or their designee, on a case by case basis.

e. \_\_\_\_\_

f. All commercial and office space shall be provided to unrelated legal entities, including corporate offices, of the multifamily residential development legal entities of owners. (example: apartment leasing offices, gyms, clubhouses, or other recreation space shall not qualify to meet the mixed use requirements of this code section.

g. Properties along US 17-92 or Shell Road, subdivided into parcels smaller than five (5) acres, after the adoption of this code, shall not be permitted to develop single-use multifamily projects.

f. \_\_\_\_\_

(2)(3) Additional regulations are applicable to permitted and prohibited uses within the TOD Overlay District as specified in the following Comprehensive Land Use Table.

P (Permitted) -- (Prohibited)
-------------------------------

<b>Residential Uses</b>	<b>US Hwy. 17-92</b>	<b>TOD <u>CoreCore</u></b>	<b><u>Outside TOD Core</u></b>	<b>Additional Requirements</b>
Assisted/Congregate Living	--	<del>P</del>	<del>P</del>	
Condominium Residential	P	P	P	
Duplex Residential	--	--	P	
Group Residential	--	P	P	
Class A Home Occupation	P	P	P	In accordance with Chapter 3, Article III, Division 4, Section 3-127 of the City of DeBary Land Development Code.
Mobile Home Residential	--	--	∴	
Multifamily Residential	P**	P	P	<a href="#">Apartments allowed above retail/office uses.</a>
Single-Family Residential	--	--	P	
Townhouse Residential	P	P	P	
<b>Commercial Uses</b>	<b>US Hwy. 17-92</b>	<b>TOD <u>CoreCore</u></b>	<b><u>Outside TOD Core</u></b>	<b>Additional Requirements</b>
Art Gallery	P	P	P	
Arts Centers (Galleries, Schools & Workshops)	P	P	P	Includes art, dance, music, culinary, martial arts.
Auction House	--	--	∴	
Automobile Body Shops	--	--	∴	No outside storage of vehicles. All work areas are to be within enclosed building.
Automobile Driving Schools	--	--	∴	
Automobile Service Station	--	--	∴	
Automotive Detail/Washing	--	--	∴	Not allowed within 100 feet of corner. The use must meet all applicable design requirements in this document.
Automotive or Vehicular Sales	--	--	∴	Includes auto, motorcycle, boat and personal watercraft.
Automotive Rentals	--	--	∴	No outside storage of vehicles.
Automotive Repair Services	--	--	∴	No outside storage of vehicles. All work areas are to be within enclosed building.
Bakery / Confectioners / Deli	P	P	P	May include on site preparation of goods. Outside service is permitted.



Back Office Operation Center	--	--	<u>P</u>	
<u>Retail-oriented Bars, Pubs, Micro-breweries, And Lounges</u>	<b>P</b>	<b>P</b>	<u>P</u>	<u>Bars and Pubs limited to 5,000 gross square feet unless accessory to a restaurant of space as primary use. Micro-breweries limited to 10,000 gross square feet and must have retail provision. Outside service is permitted.</u>
Bed & Breakfast	<b>P</b>	<b>P</b>	<u>P</u>	
Bicycle Sales and Rentals	<b>P</b>	<b>P</b>	<u>P</u>	
Book and Stationery Stores	<b>P</b>	<b>P</b>	<u>P</u>	
Bowling Alleys	--	--	<u>--</u>	
Building Material Sales And Storage	--	--	<u>--</u>	
Call Center	--	--	<u>P</u>	
Campus Employment	--	--	<u>P</u>	
Customer Service Centers	--	--	<u>P</u>	
Catering Services		<u>PP-</u>	<u>P</u>	Limited to 5,000 gross square feet. May include on site preparation.
Civic Clubs	<b>P</b>	<b>P</b>	<u>P</u>	i.e., American Legion, Moose Lodge, Masonic Lodge, etc.
Coin-Operated Amusements	--	<b>P**</b>	<u>P</u>	Non-gambling related uses not greater than 2,500 gross square feet. ** Permitted as accessory to restaurant or bar.
Commercial Parking Garage	<u>P-</u>	<b>P</b>	<u>P</u>	<u>With City approved Architectural facades that match the "Architecture and Elements of Style" described in this document.</u>
<b>Commercial Uses</b>	<b>US Hwy. 17-92</b>	<b>TOD Core Core</b>	<b>Outside TOD Core</b>	<b>Additional Requirements</b>
Communication Towers	<u>--P</u>	<u>--P</u>	<u>--</u>	<u>Not exceeding maximum height over 70 feet in height above ground level. Encouraged to be placed on top of buildings or integrated into the buildings' architecture.</u>
Consumer Repair Services	--	--	<u>P</u>	
Contractor's Shop, Storage And Equipment Yard	--	--	<u>--</u>	
Convenience Store Without Fuel Dispensers	<b>P</b>	<b>P</b>	<u>P</u>	
Convenience Stores With Fuel Dispensers	--	--	<u>--</u>	

Dental Laboratories	--	--	<u>P</u>	
Employment Agencies	--	<b>P</b>	<u>P</u>	Excluding Day Labor Agencies.
Exercise Gym and Health Spas	<b>P</b>	<b>P</b>	<u>P</u>	
Financial Services	<b>P</b>	<b>P</b>	<u>P</u>	Drive-through windows only permitted along US Hwy. 17-92.
Funeral Homes With Crematory As An Accessory Use	--	--	<u>==</u>	
Funeral Services	--	--	<u>P</u>	
General Retail Sales	<b>P</b>	<b>P</b>	<u>P</u>	
General Retail Sales (Convenience)	<b>P</b>	<b>P</b>	<u>P</u>	Maximum size of 2,000 gross square feet. No fueling stations. No fueling stations except in Transitional Areas.
Hardware Stores	--	<u>P--</u>	<u>P**</u>	No outside storage or display. ** Limited to 5,000 gross square feet.
Hotel-Motel	<b>P</b>	<b>P</b>	<u>—P</u>	
Indoor Amusements / Arcade	--	<b>P</b>	<u>P</u>	Only as accessory to restaurants or bars, pubs or lounges.
Kennels	--	--	<u>—P</u>	A kennel use must be conducted entirely within an enclosed structure.
Liquor / Wine Sales	<u>P--</u>	<b>P</b>	<u>P</u>	Limited to 2,500 gross square feet. Outside service is permitted.
Off-Site Accessory Parking	--	<b>P</b>	<u>P</u>	Accessory to primary use off-site businesses.
Office (General)	<b>P</b>	<b>P</b>	<u>P</u>	
Office (Medical)	<b>P</b>	<b>P</b>	<u>P</u>	
<b><u>Commercial Uses</u></b>	<b><u>US Hwy. 17-92</u></b>	<b><u>TOD Core</u></b>	<b><u>Outside TOD Core</u></b>	<b><u>Additional Requirements</u></b>
Office (Professional)	<b>P</b>	<b>P</b>	<u>P</u>	
Pawn Shop Services	--	--	<u>==</u>	
Personal Care Services (Hair/Beauty Salons/Spas)	<b>P</b>	<b>P</b>	<u>P</u>	
Personal Dry Cleaning Services	<b>P</b>	<b>P</b>	<u>P</u>	Drop-off / pick-up only.
Personal Laundry Services	<b>P</b>	<b>P**</b>	<u>P</u>	No bulk laundry or cleaning plant, no diaper services or linen supply services allowed in TOD Overlay District. ** Drop-off/pick-up only.
Personal Storage/Mini-Warehouse	--	--	<u>==</u>	No outdoor storage.
Pest Exterminators	--	--	<u>==</u>	
Pet Grooming Services	--	--	<u>P</u>	Maximum size of 2,000 gross square feet. All services within enclosed structure.

Pharmacies	P	P	<u>P</u>	Drive-through windows only permitted along US Hwy. 17-92.
Plant Nursery (Retail)	--	--	<u>==</u>	
Plant Nursery (Wholesale / Retail)	--	--	<u>==</u>	
Printing And Publishing	--	P	<u>P</u>	Limited to 2,000 gross square feet within TOD Core, otherwise not greater than 5,000 gross square feet.
Radio And Television Broadcasting Stations	--	P	<u>P</u>	Limited to 5,000 gross square feet.
Restaurant (Bakery / Deli)	P	P	<u>P</u>	Maximum size of 5,000 gross square feet. Outside service is permitted.
Restaurant (Catering)	P	P	<u>P</u>	Maximum size of 5,000 gross square feet. Outside service is permitted.
Restaurant (Fast Food)	P	P	<u>P</u>	<del>Single Drive-through windows only permitted along US Hwy. 17-92.</del> Outside service is permitted. <u>Drive-through prohibited.</u>
Restaurant (General)	P	P	<u>P</u>	<del>Drive-through windows only permitted along US Hwy. 17-92.</del> Outside service is permitted. <u>Drive-through prohibited.</u>
Retail Repair Services	P	P	<u>P</u>	Repair services for personal clothing, jewelry or electronics.
Rug Cleaning Establishments	--	--	<u>==</u>	
Scrap And Salvage	--	--	<u>==</u>	
Special Event Entertainment	P	P	<u>P</u>	Special events permit required.
Theaters (Movie And Live)	P	P	<u>P</u>	<u>Theatres less than 5 screens.</u>
Veterinary Services	--	--	<u>P</u>	A veterinary services use must be conducted entirely within an enclosed structure. No outdoor kennels or runs.
<b>Civic Uses</b>	<b>US Hwy. 17-92</b>	<b>TOD Core</b>	<b><u>Outside TOD Core</u></b>	<b>Additional Requirements</b>
College and University Facilities	P	<del>--P</del>	<u>P</u>	
College and University Satellite Facilities	P	P	<u>==</u>	
Community <u>Center</u> /Recreation	P	P	<u>P</u>	
Common Open Space	P	P	<u>P</u>	
Convention Center	P	P	<u>P</u>	
Day Care Services	--	P	<u>P</u>	Limited to 5,000 gross square feet.
Government Postal Facilities	P	P	<u>P</u>	
Hospital Services (General)	--	--	<u>==</u>	

Museums	P	P	P	
Parks and Plazas	P	P	P	
Private Primary Educational Facilities	--	--	P	
Private Secondary Educational Facilities	--	--	P	
Public Primary Educational Facilities	--	--	--	
Public Secondary Educational Facilities	--	--	--	
Public Safety Services	P	P	P	Police, Fire, Ambulance, EMS.
Religious Assembly (Churches)	P	P	P	
Technical / Trade Schools	--	--	P	
Telecommunication Tower	--	--P	--	Limited to 70 feet maximum height from ground surface to pinnacle. Encouraged to be placed on top of buildings or integrated into the buildings' architecture.
Transportation Terminal	P	P	P	
Urgent Care Services	P	P	P	Limited to 5,000 gross square feet.

<b>P (Permitted) S (Special Exception) -- (Prohibited)</b>				
<b>Light Industrial Uses</b>	<b>US Hwy. 17-92</b>	<b>TOD Core</b>	<b>Outside TOD Core</b>	<b>Additional Requirements</b>
Bakeries.	--	P-	P	With a minimum 50% food retail provision excluding manufacturing and distribution.
Bottling and distribution plants.	--	--	IS	
Convenience stores without gasoline pumps.	--	--	--IS	
Sale (retail or wholesale) of products or parts manufactured or assembled on the premises.	--	--	IS	
Employment agencies offering day labor services and where workers congregate at the business location to receive daily assignments.	--	--	IS	
Essential utility services.	--	--	IS	
Flex-space	--	--	IS	
Industrial vocational training school.	--	--	IS	
Laundries and linen services.	--	--	IS	
Machinery and machine shops.	--	--	IS	
Manufacturing	--	--	IS	

Micro-breweries	<u>P-</u>	<u>P-</u>	<u>PS</u>	<u>Limited to 10,000 gross square feet and must have retail provision.</u>
Printing, publishing and engraving.	--	--	<u>S</u>	
Publicly owned parks and recreational areas.	<u>P-</u>	<u>P-</u>	<u>PS</u>	
Restaurants, Types A and B, when contained within the principal industrial structure.	--	--	<u>S</u>	
Sign and paint shop.	--	--	<u>S</u>	
Testing of materials, equipment and products.	--	--	<u>S</u>	

(4) Continuation of Development Pattern – The intent of the TOD regulating plan is to insure that development patterns are consistent throughout. New developments and development plans shall be consistent with developments and approved development plans within close proximity, that meet the intent of the TOD regulating plan. Newly proposed developments are required to hold a pre-application meeting with City Staff. During this meeting, the applicant should work with City Staff to determine whether the adjacent development patterns (existing or approved) should be implemented within the newly proposed development project. New development shall follow the TOD Design Principles (Exhibit B) to ensure consistency and compatibility. Additionally, New developments shall adopt the following existing components of approved development plans within close proximity.

- a. Existing block structure – Replicate the dimensions of the block size and layout.
- b. Existing road design – Replicate the road cross-section including right of way widths for similar classified roadways, paving textures, landscape, hardscape, and utility infrastructure
- c. Existing building articulation – Replicate the building articulation on street frontage design elements, both horizontal and vertical, that help create a streetscape of consistent interest. Building materials, special ground-floor design treatments, façade modulation, corner treatments, building setbacks for upper stories, and façade elements such as transparency, building entries, and other architectural details help define the public and shall be consistent across different developments projects.
- d. Existing way-finding signage - including street signs oriented for pedestrians, bicycles, and automobiles.
- e. Existing street lights – design shall follow the closes available street lamps and poles.
- f. Existing architectural patterns – While architectural design for each project may be somewhat specific to that project, it should not conflict or disrupt the existing approved developments in close proximity. New development shall follow the TOD Development Principles for architectural design.
- g. Existing building scale – new developments shall take into consideration the existing scale of adjacent buildings, either approved, or already built.
- h. Stormwater infrastructure – new developments shall evaluate the existing stormwater infrastructure of adjacent approved or developed projects and determine with City Staff, how to best complement and or safely expand the system.
- i. Public space/open space – new developments shall evaluate the existing stormwater public spaces and open space and replicate this format or improve upon it. This may be done by expanding upon existing spaces adjacent to the project, or repeating logical patterns into the new project that already exist in close proximity.
- j. Transportation – transit infrastructure, such as bus or autonomous vehicle stop shelters, bike racks, and micro mobility zones, shall be replicated in similar design.

**(e) Density/Intensity.**

**(d)(c)**

- (1) TOD Core - Minimum 10 du/acre; Maximum 32 du/acre
  - (2) Outside TOD Core/~~Transitional Area~~ - Minimum 8 du/acre; Maximum 20 du/acre
- 
- (3) Intensity – Minimum 0.4, Maximum 2.0 FAR
  - (4) Parcel assemblage of at least 1 acre is required for residential mixed-use developments, 2 acres is recommended for residential mixed-use developments in order to meet minimum residential densities.
  - (5) Residential densities below these minimums may be permitted for sites with physical constraints. This shall be determined on a case-by-case basis through DRC during the development review process.

**Sec. 5-132. Circulation, Connection and Streetscape Standards**

**(a) Purpose and Intent.**

- (1) Ensure that site design promotes efficient pedestrian and vehicle circulation patterns.

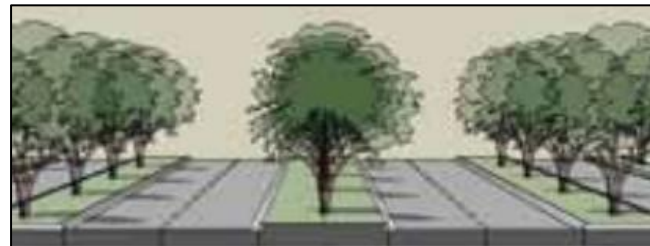
(4)

- (2) Ensure the creation of a high-quality street and sidewalk environment that is supportive of pedestrian and transit mobility and that is appropriate to the roadway context.
- (3) Provide a convenient, safe, and pleasant pedestrian system appropriate for people of all ages and abilities.
- (4) Ensure that trees, sidewalks, and buildings – three of the major elements that make up a streetscape – are arranged in a manner that supports the creation of a safe, human-scaled, and well-defined roadway environment.
- (5) Ensure that there are multiple travel route options for all transportation modes in and around the TOD Overlay District.
- (6) Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the pedestrian environment, and that does not create a barrier between the pedestrian environment and the buildings.
- (7) Ensure that sites are developed in a manner that supports and encourages connectivity for all modes of travel and that new and existing development, pedestrian and bicycle paths, and open spaces complement and link to one another.

— (8) Connectivity to other areas outside the TOD Overlay District.

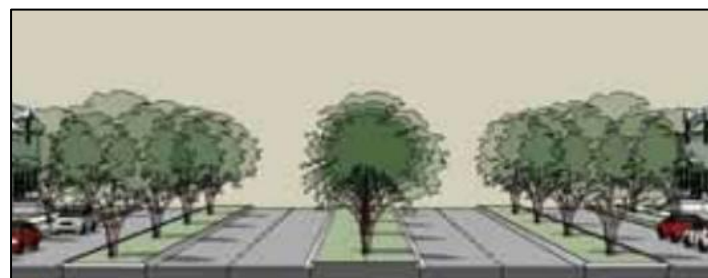
**(b) Roadway Types.**

- (1) The following types of roadways are to ensure a cohesive development pattern along the streets, and to create safe, pleasant and convenient walking environments.
  - a. US Hwy. 17-92 – This is a primary state roadway that traverses the center of the TOD Overlay District and carries the highest level of vehicular traffic and transit to the internal mixed use developments and being most appropriate for non- residential development. A landscaped boulevard can be created along the medians to enhance the pedestrian environment.



Boulevard  
 (Source: City of Panama City Beach, 2010)

- b. TOD Corridore Streets – These streets will be primary interior roadways of mixed-use developments to support a sufficient population density and mix of uses connecting to US Hwy. 17-92 and the Debarry Commuter Rail Station. These streets will carry vehicular, transit and pedestrian flow and being most appropriate for non- residential and mixed-use developments. A median landscaped boulevard and avenue can be provided to accentuate the entry drive and primary streets with interconnecting alleyways for activities “behind the scene”, such as parking, loading areas, trash collection, utility location, etc.



Boulevard

Avenue

(Source: City of Panama City Beach, 2010)

- c. Pedestrian Priority Streets – These streets serve as primary pedestrian routes Outside TOD Core leading directly to the TOD Core, connecting to neighborhoods, trails, parks and other public facilities, and being most appropriate for neighborhood commercial, and multi-family and single-family residential developments. A landscaped avenue, road and parkway can be provided with interconnecting alleyways for activities “behind the scene”, such as parking, loading areas, trash collection, utility location, etc.



Avenue



Road



Parkway



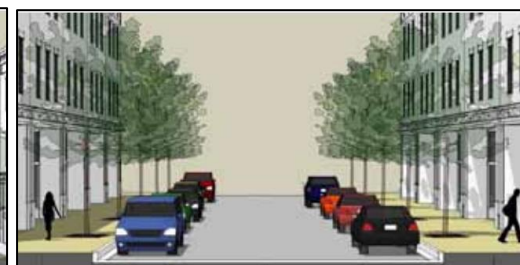
Parkway

(Source: City of Panama City Beach, 2010)

- d. Local Streets – These streets serve as secondary routes ~~within the Transitional Area~~ making up the rest of the street network, while pedestrian accommodation is still prioritized and being most appropriate for commercial and business park developments. A landscaped avenue and roadway can be provided with interconnecting alleyways for activities “behind the scene”, such as parking, loading areas, trash collection, utility location, etc.



Avenue



Road

(Source: City of Panama City Beach, 2010)



e. Main Street – This is the area generally known as Shell Road from Benson Junction Road at the north to Ft. Florida Road at the South and transects through the TOD Core and Outside Core designations. Main street will run parallel to US 17-92 and will intersect with lateral Local Streets that connect the main street with US 17-92. The intent of this corridor is to serve as the City’s main street, which shall primarily consist of ground-floor commercial amenities such as restaurant and retail with office and residential located above. It shall serve as the local commercial corridor that is accessible at the pedestrian scale. Main street shall also be collocated with a central park and stormwater pond. This street shall be designed as a “living street” where vehicles, bicycles and pedestrians equally share the space. This corridor may serve as a central gathering space for main street festivals and could be closed to vehicular traffic during special events. (insert images of woonerf-style main street)

**(c) Streetscape.**

(1) The following streetscape standards specify the typical configuration of the roadway types: US Hwy. 17-92, TOD Corridore Streets, Pedestrian Priority Streets and -Local Streets.

~~a.~~ a. US Hwy. 17-92.

1. The streetscape shall include the following:

- i. Street tree/furniture zone shall be the width of the existing unpaved right- of-way, which includes the existing sidewalk width.
- ii. Required 20-foot multi-use buffer [see Sec. 5-133 (b) (4) e.]. An additional 10-foot wide utility easement may be required by Volusia County along the east side of US Hwy. 17-92. If the utility easement is necessary, a 30- foot multi-use buffer shall be required.
- iii. Placement of street trees/planting strips, street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, bus shelters, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility may be permitted within the street tree/ furniture zone, utility easement (where applicable) and multi-use buffer. If any of these items are removed or damaged due to maintenance of the utilities within an easement, they must be replaced.
- iv. Meandering multi-use trail clear zone should be a minimum width of ~~8-to~~ 12 feet, which may extend into the street tree/furniture zone and utility easement (where applicable) no more than 50% from the edge of the multi-use buffer/utility easement and 50% the width of the development site, unless otherwise approved as part of the site plan review process.
- v. The street trees should be planted at an average spacing not greater than 50 feet on center. If landscaping within the utility easement is removed for any work/construction, the landscaping must be replaced with similar plant materials and size specifications.

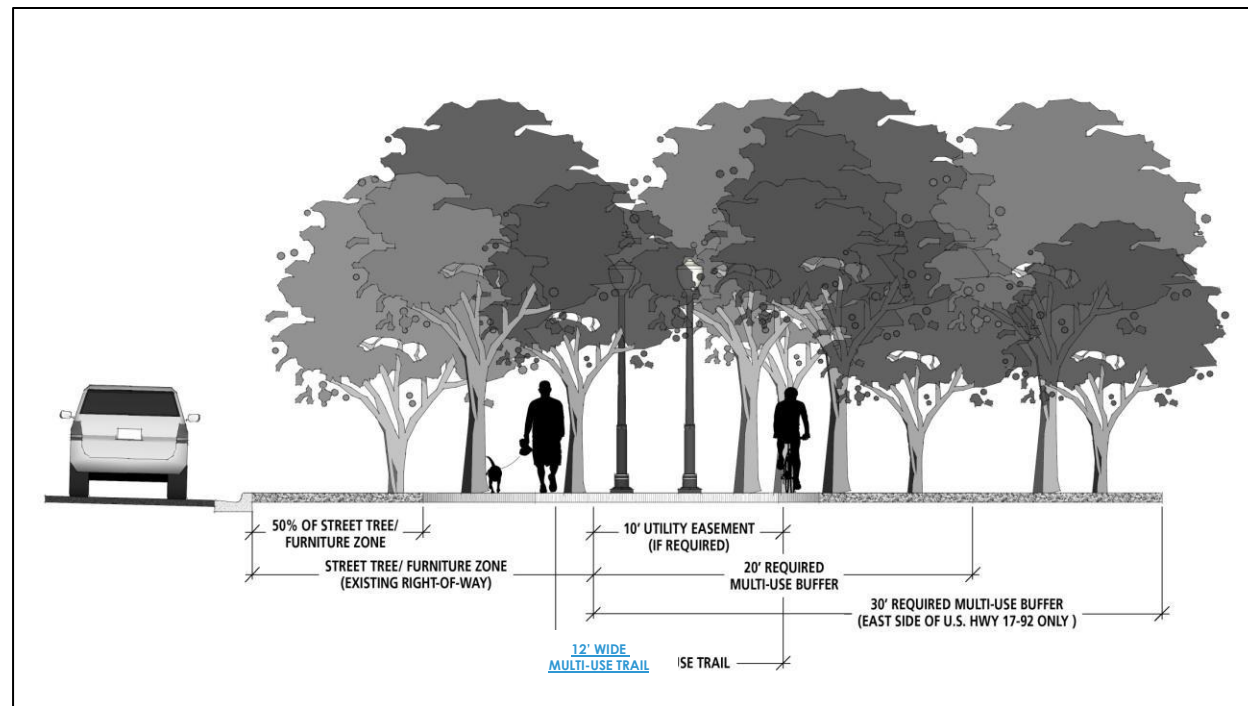
2. All utility lines shall be underground for all new construction from the building to the property line. Utility lines within the right-of-way shall be placed -underground.

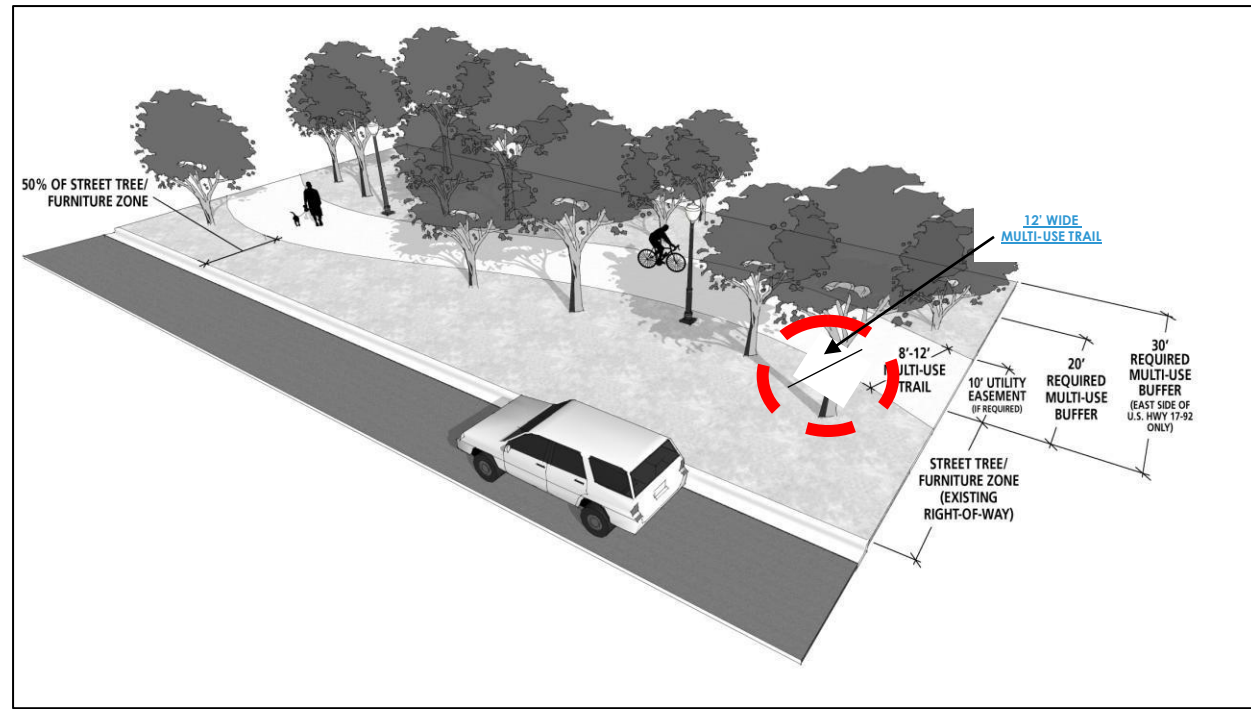
3. Where existing electric utilities remain overhead, the centerline of street trees shall be located within a 10-foot radius of the energized conductor, unless otherwise approved by the DRC.

4. The DRC may approve a payment of money into the City sidewalk improvement trust fund as specified in Chapter 4, Article II, Division 1, Section 4-26 of the LDC. The City shall establish a US Hwy. 17-92 TOD sub-fund to construct the sidewalk along US Hwy. 17-92. The City shall also adopt a sidewalk master plan to identify circulation, phasing and design criteria for US Hwy. 17-92.



Figure 2: US Hwy. 17-92 Streetscape[cs1]





b. TOD Corridore Streets.

1. Sidewalk should be a minimum width of 14 feet from back of curb, unless otherwise approved as part of the site plan review process. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a sidewalk clear zone.
  - i. The street tree/furniture zone shall have a minimum width of 6 feet (from back of curb) and shall be continuous and located adjacent to the curb.
  - ii. The street tree/furniture zone should be planted with street trees at an average spacing not greater than 40 feet on center.
  - iii. The street tree/furniture zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
  - iv. The sidewalk clear zone should be a minimum width of 8 feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA Standards. The ~~sidewalk clear~~sidewalk clear zone shall be unobstructed by any permanent or nonpermanent element.
2. The minimum sidewalk requirement should apply regardless of the available right-of-way, unless otherwise approved as part of the site plan review process.
3. Where required, the sidewalk shall extend onto private property with a sidewalk easement provided.

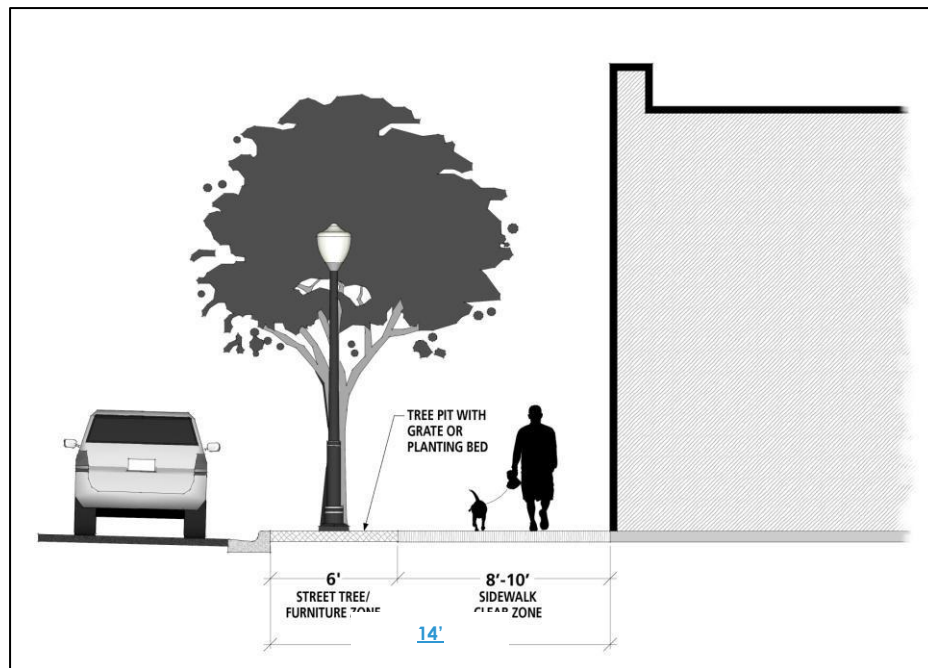


Figure 3: TOD Corridor Streetscape



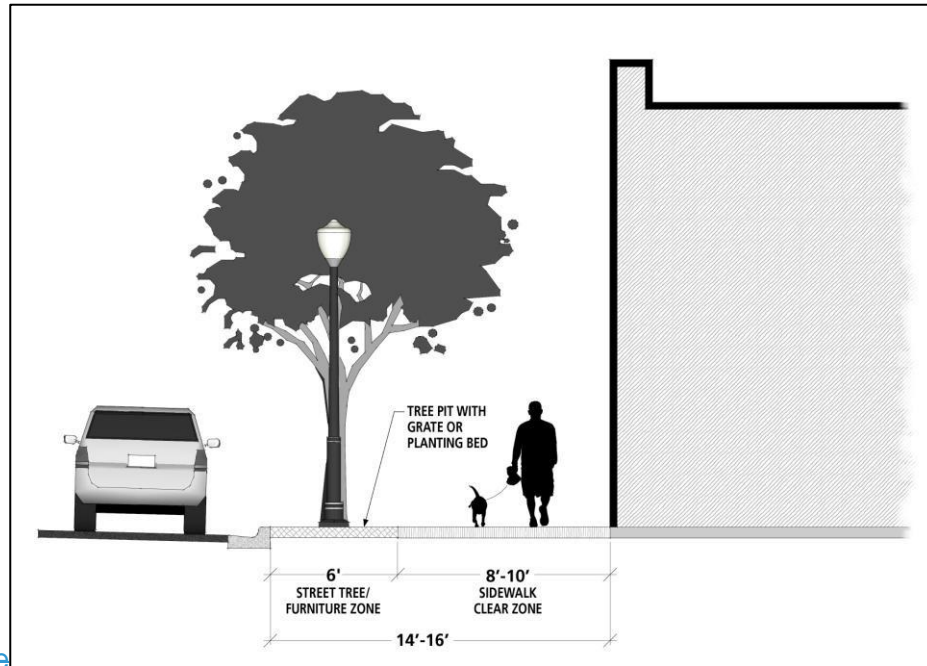
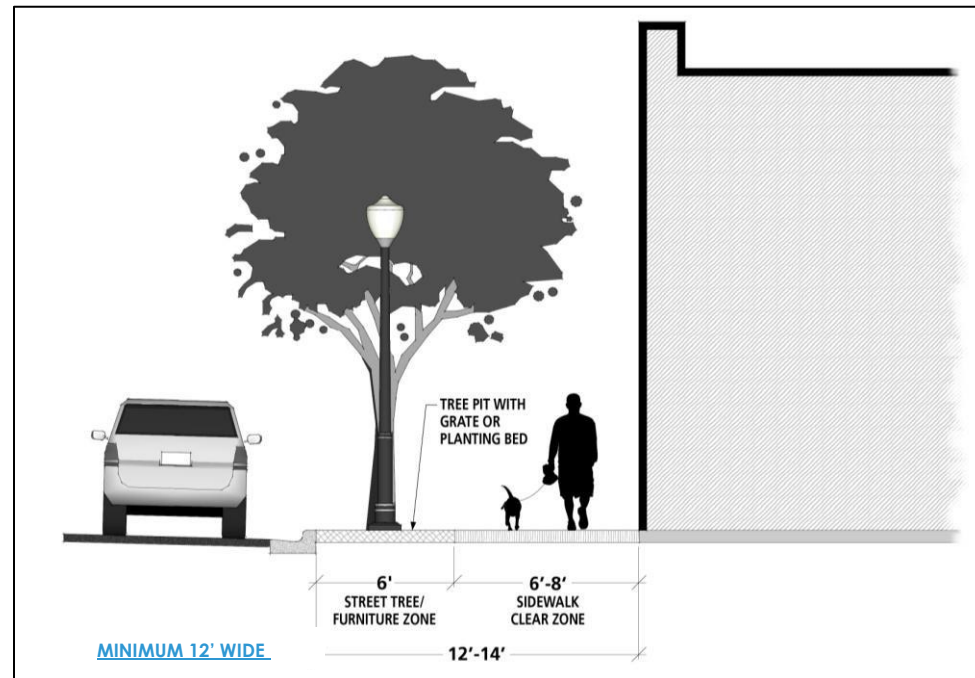


Figure 3: TOD Core Streetscape

c. Pedestrian Priority Streets.

1. Sidewalk should be a minimum width of 14 feet in width from back of curb, unless otherwise approved as part of the site plan review process. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a sidewalk clear zone.
  - i. The street tree/furniture zone shall have a minimum width of ~~8~~6 feet (from back of curb) and shall be continuous and located adjacent to the curb.
  - ii. The street tree/furniture zone should be planted with street trees at an average spacing not greater than 40 feet on center.
  - iii. The street tree/furniture zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
  - iv. The sidewalk clear zone should be a ~~minimum~~ width of ~~6 to~~ 8 feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA Standards. The sidewalk clear zone shall be unobstructed by any permanent or nonpermanent element.
2. The minimum sidewalk requirement should apply regardless of the available right-of-way, unless otherwise approved as part of the site plan review process.
3. Where required, the sidewalk shall extend onto private property with a sidewalk easement provided.

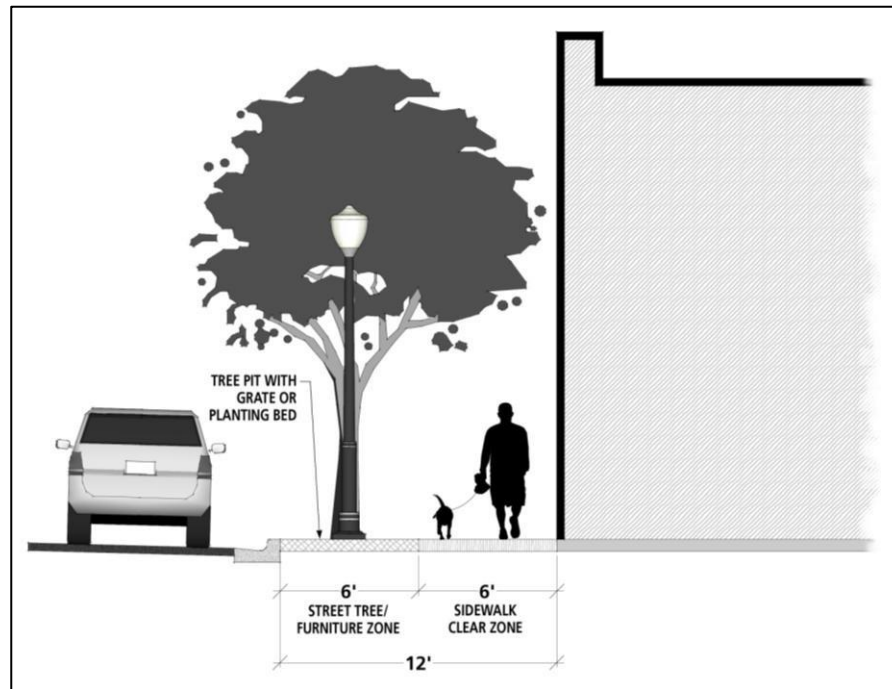
Figure 4: Pedestrian Priority Streetscape



d. Local Streets.

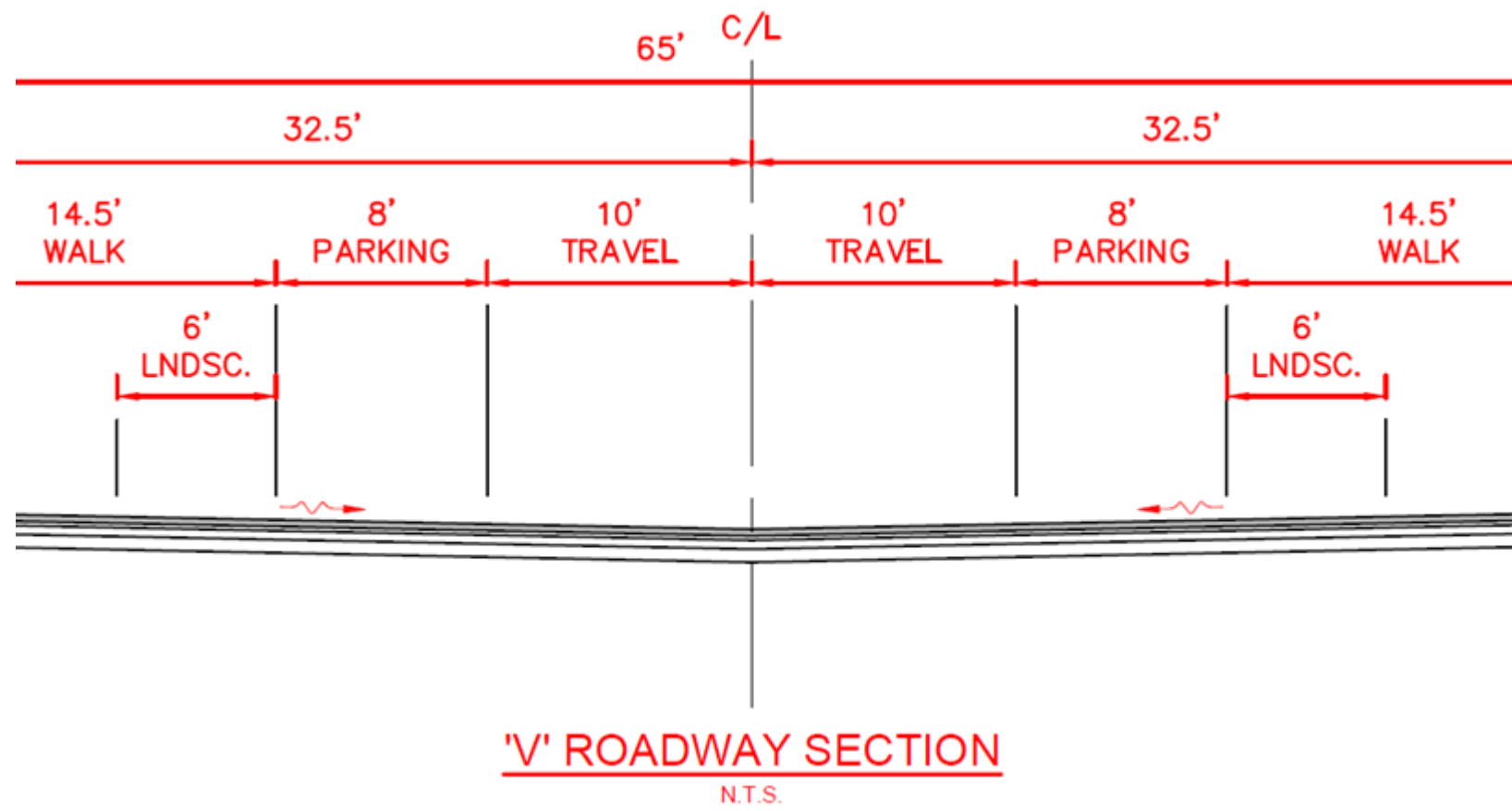
1. Sidewalk shall be a minimum width of 12 feet in width, unless otherwise approved as part of the site plan review process. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a sidewalk clear zone.
  - i. The street tree/furniture zone shall have a minimum width of 6 feet (from back of curb) and shall be continuous and located adjacent to the curb.
  - ii. The street tree/furniture zone should be planted with street trees at an average spacing not greater than 50 feet on center.
  - iii. The street tree/furniture zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
  - iv. The sidewalk clear zone shall be a minimum width of 6 feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA Standards. The sidewalk clear zone shall be unobstructed by any permanent or nonpermanent element.
2. The minimum sidewalk requirement shall apply regardless of the available right-of-way, unless otherwise approved as part of the site plan review process.
3. Where required, the sidewalk shall extend onto private property with a sidewalk easement provided.

Figure 5: Local Streetscape

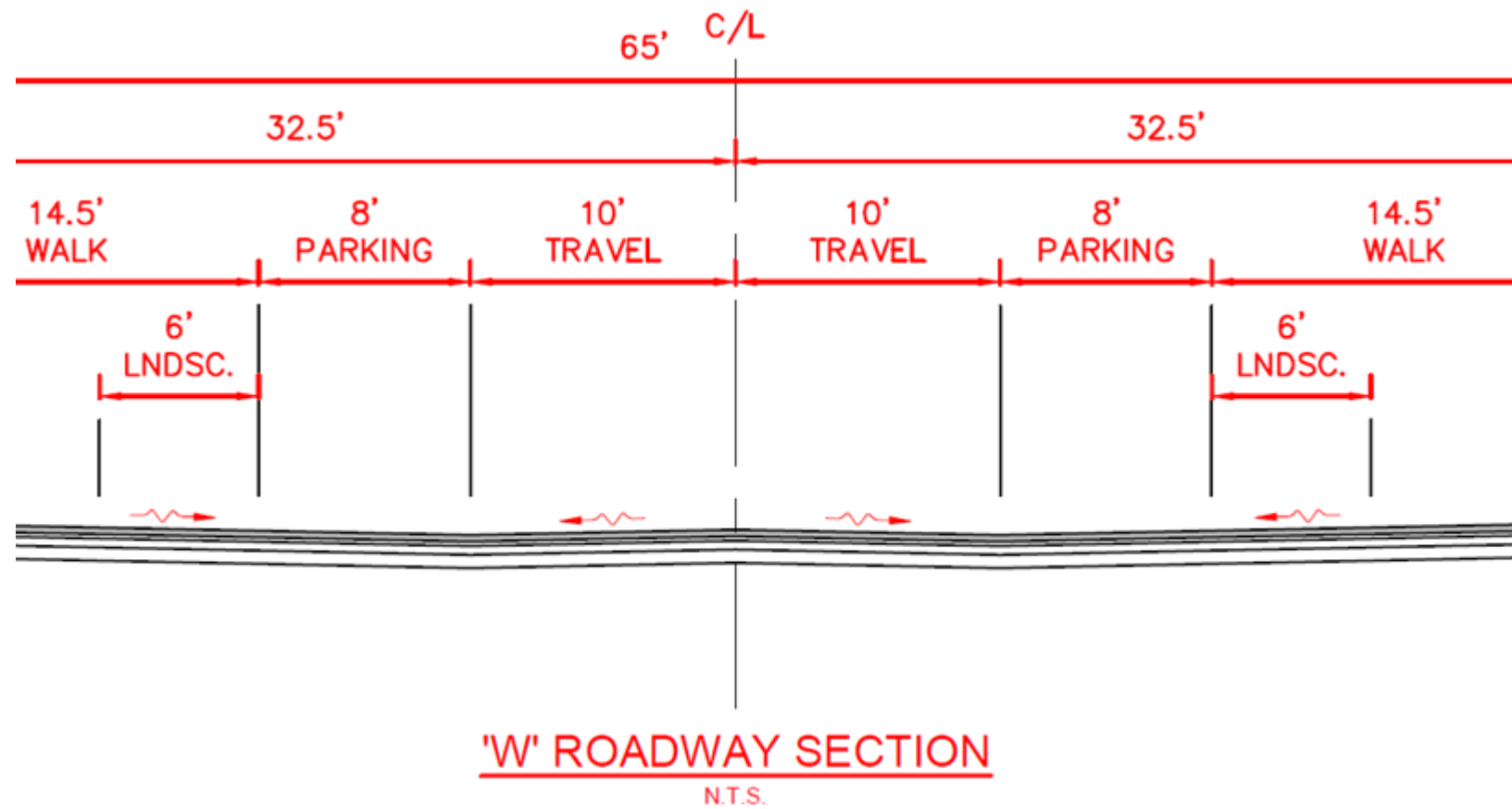


e. Main Street

1. The main street cross-section shall be designed as an inverted "V" crown, or "W" with most surfaces in the entire right of way being at a single grade from building façade to building façade (or edge of open space).
2. The main street right-of-way shall be a minimum of 65 feet wide. Developments fronting the the proposed main street area may be required to dedicate adequate right-of-way to meet the 65 foot width requirement.
3. The travel lane shall be 10 feet wide
4. On-street parking shall be provided and is to be a minimum 8 feet in width.
5. Sidewalks shall be a minimum width of 14 feet from edge of on-street parking to building facade.
6. Street tree/furniture zone may be included within the 14 foot sidewalk area, and shall have a minimum width of 6 feet from edge of vehicular travel lane to sidewalk clear zone. Landscape zones shall be intermittent.
7. The street tree/furniture zone should be planted with street trees at an average spacing not greater than 40 feet on center.
8. The street tree/furniture zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
9. The sidewalk clear zone should be a minimum width of 8 feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA Standards. The sidewalk clear zone shall be unobstructed by any permanent.
10. The minimum sidewalk requirement should apply regardless of the available right-of-way, unless otherwise approved as part of the site plan review process.
11. Where required, the sidewalk shall extend onto private property with a sidewalk easement provided.
12. A ribbon curb shall be used as the centerline and edge of pavement at travel lanes.
13. Maintstreet paving surfaces shall utilize brick pavers.
14. The roadway spaces may be differentiated for automobiles and pedestrians by varying textures and colors of the surface area, and can be separated into safe zones by bollards, landscape islands, parked cars, light posts and other hardscapes.
15. The sharp deflection in meandering streetscapes as well as landscape and hardscape obstacles slow traffic down to safe speeds so bicycle and pedestrians can all share the same space.



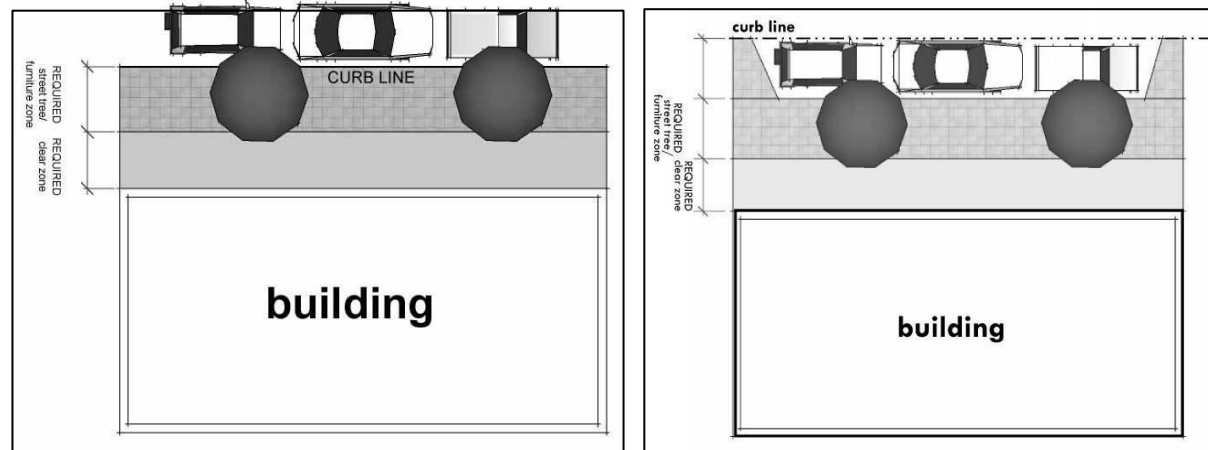




**(d) On-Street Parking.**

- (1) On-street parking is encouraged-required to serve retail, office, and residential parking needs. It is especially important in areas where there are active edge designations to support ground floor businesses and to serve as a buffer for pedestrian activity from the streets.
- (2) On-street parking is required on TOD Corridore Streets, Pedestrian Priority Streets, and Local Streets, and Main Street, and located on the same side of the street as the use.
- (3) The parking stall shall be a minimum 22 feet in length and 9-8-8 feet in width. The design may be accommodated adjacent to the curb line, or travel lane, or by providing parking inside the curb line.
- (4) The streetscape provisions under Sec. 5-132(c) shall continue to apply to on-street parking with both a clear zone and street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces.
- (5) On-street parking spaces may be counted toward the total number of parking spaces.

Figure 6: On-Street Parking



(e) Connection and Circulation.

(1) All projects that are adding a street(s) must provide a Project Circulation Plan as part of the site plan review process.

~~(2)~~ The Project Circulation Plan shall identify the roadway types: US Hwy. 17-92, ~~TOD Core~~ TOD Corridor Streets, Pedestrian Priority Streets and Local Streets.

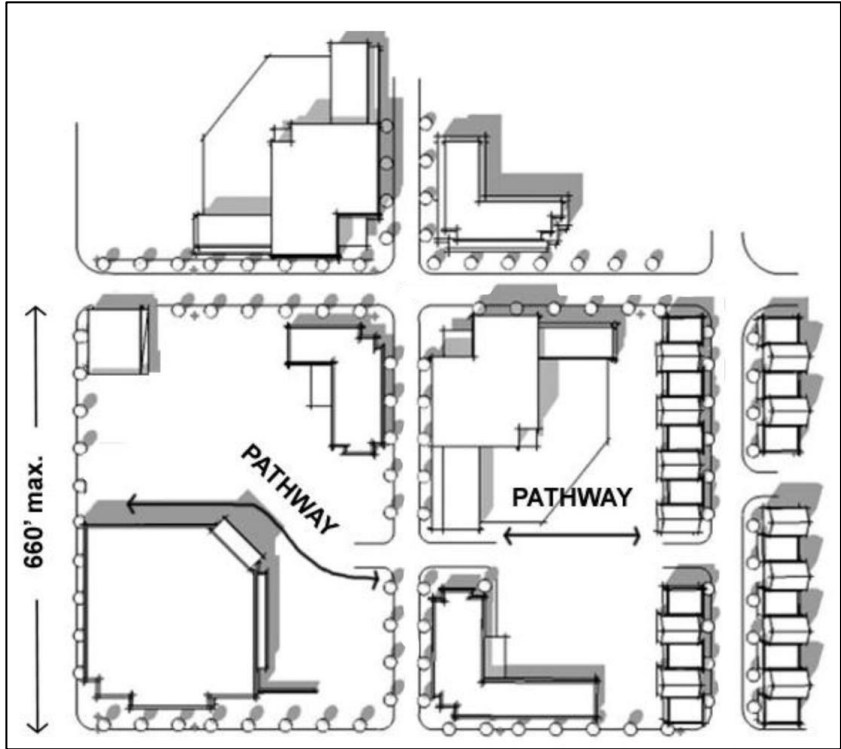
(2)

- a. The Project Circulation Plan shall demonstrate: How the on-site circulation system will be integrated with surrounding streets, bicycle facilities, trails, existing or future development, etc.
- b. That the street and pathway system will contribute to safe and convenient pedestrian connections between primary destinations (i.e., DeBary Commuter Rail Station, mixed-use, commercial, non-commercial, parks, etc.) and surrounding residential neighborhoods and destinations.
- c. How traffic calming methods have been incorporated into the design of- new streets.

(3)     A site shall be generally divided into internal blocks with connecting streets that are interconnected with grid-like transportation system on the site. The block size shall be the following:

- a. TOD Core and Outside TOD Core – Maximum 2.8 acres (300 feet x 400 feet) with intersecting alleyways accessed from the grid pattern streets for parking, loading and service ways.
- ~~b. Transitional Areas – Maximum 8.5 acres (560 feet x 660 feet) with pedestrian pathway provided as a mid-block route to connect to public streets and/or other existing or planned pedestrian routes through the site or adjacent to the site. Intersecting alleyways may be provided for parking, loading and service ways.~~

Figure 7: Mid-Block Pathway



(Source: City of Austin, 2009)

- (4) Curb cuts for vehicular connections:
  - a. ~~TOD-Core~~TOD Corridor Streets and Pedestrian Priority Streets shall not occur more frequently than every 200 feet.
  - b. US Hwy. 17-92 and Local Streets shall not occur more frequently than every 300 feet.



**Sec. 5-133. Site Development Standards**

(a) Purpose and Intent.

(1) Ensure that buildings relate appropriately to the surrounding area, create a cohesive visual identity and attractive street scene, and frame the pedestrian environment.

~~(2) Encourage equitable distribution of affordable housing and mixed income communities around the DeBary Commuter Rail Station through the use of development incentives within the TOD Core and Outside TOD Core areas.~~

~~(3)~~(2) Ensure that buildings relate appropriately to their roadway context, allowing for easy pedestrian access to buildings and providing well-defined edges to the roadway environment.

~~(4)~~(3) Ensure that building entryways are convenient and easily accessible from the pedestrian circulation system.

~~(5)~~(4) Provide opportunities to enhance the roadway and pedestrian environment, such as outdoor dining, porches, patios, and landscape features.

~~(6)~~(5) Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the pedestrian environment.

~~(7)~~ Provide adequate, secure, and convenient bicycle parking to meet the needs of the users of a development and to encourage cycling activity.

~~(6)~~

—

~~(8)~~ Ensure that utilities and mechanical equipment are obscured and are not prominent features of a development that negatively impact the visual experience.

~~(9)~~(7)

~~(10)~~

~~(11)~~(8) Ensure that exterior lighting creates a safe night-time atmosphere and encourages activity in the evening, but does not overwhelm the environment and intrude onto adjacent properties.

~~(12)~~(9) Provide both private and public open space amenities to residents, workers and visitors of the TOD Overlay District.

(b) General Development Standards.

(1) Lot Requirements

Land Uses	Minimum Lot Area (sq. ft.)	Minimum Lot Width (ft. front - 29 bldg. line)	Maximum Impervious Surface <sup>1</sup> (%)
Single-Family Residential	None	None	75
Multi-Family (1 to 2 units)	None	None	75
Multi-Family (3 to 4 units)	None	None	75
Multi-Family (5+ units)	None	None	75
Non-Residential Mixed-Use with maximum 2 live/work units	11,000	None	85
Residential Mixed-Use	43,560 <sup>2</sup>	None	85
Commercial/ Office/Hotel	5,000	None	80

**Notes:**

<sup>1</sup> Impervious surface includes all buildings, pavements and other impervious surfaces.

<sup>2</sup> Refer to Sec. 5-131 (d) (4) for recommended parcel size to meet minimum residential densities.

(2) Setbacks and Building Heights.

(2)

Land Uses	Maximum Setbacks from Property Lines (in feet)				Maximum Building Height (in number of stories <sup>4</sup> )
	Front	Side	Side Adjacent to Street	Rear	
<b>US Hwy. 17-92</b>					
Commercial/Office	75 <sup>1</sup>	10	5 -TOD-Core 15 - Outside TOD-Core & Transitional	10	5
<b>TOD Core</b>					
Mixed-Use/Hotel	6 <sup>2</sup>	0	5 <sup>2</sup>	10	5
Commercial/Office	6 <sup>2</sup>	5	5 <sup>2</sup>	10	5
<b>Outside TOD Core</b>					
Mixed-Use/Hotel	10 <sup>2</sup>	15 – Adjacent to residential 10 – Adjacent to all other uses	15 <sup>2</sup>	15 – Adjacent to residential 10 – Adjacent to all other uses	5
Commercial/Office	10 <sup>2</sup>	20 – Adjacent to residential 10 – Adjacent to all other uses	15 <sup>2</sup>	20 – Adjacent to residential 10 – Adjacent to all other uses	4
Single-Family Residential	25	20 <sup>3</sup>	20	20	4
Multi-Family (1 to 2 units)	20	5	15	25	4
Multi-Family (3 to 4 units)	25	5	15	25	5
Multi-Family (5+ units)	25	5	15	25	5
<b>Transitional Area</b>					
Mixed-Use	15 <sup>2</sup>	25 – Adjacent to residential 10 – Adjacent to all other uses	15 <sup>2</sup>	25 – Adjacent to residential 10 – Adjacent to all other uses	-5
Commercial/Office	35 <sup>2</sup>	10	25 <sup>2</sup>	50	-4
Single-Family Residential	30	20 <sup>3</sup>	20	20	-4
Multi-Family (1 to 2 units)	25	5	15	25	-4
Multi-Family (3 to 4 units)	25	5	15	25	-5
Multi-Family (5+ units)	25	5	15	25	-5

**Notes:** <sup>1</sup> Includes landscape/multi-use buffer, one-90 degree or angle parking bay, two-way travel lane and walkway.

<sup>2</sup> Opportunity for a storefront zone to allow for seating areas, planters/planting areas, bicycle racks, temporary sale/display of merchandise, moveable sandwich boards, postal/freight collection boxes, public art, etc.

<sup>3</sup> Minimum of eight feet on any one side.

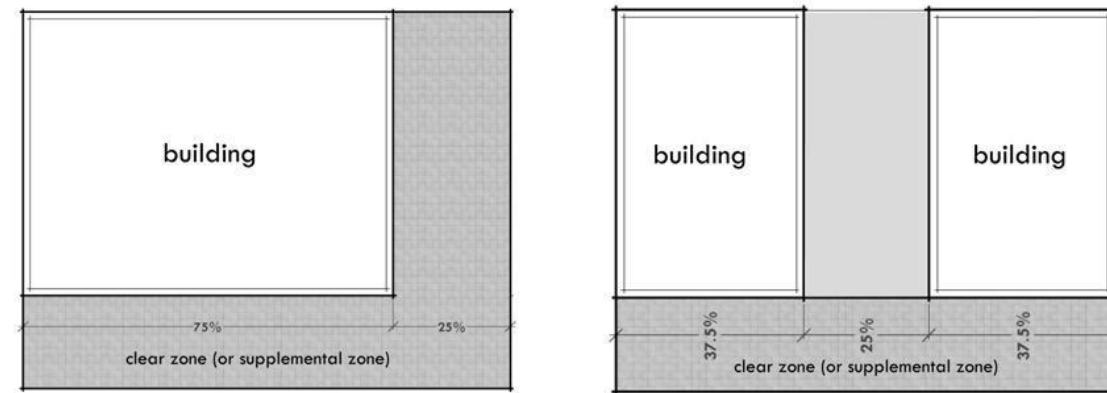
<sup>4</sup> Four stories shall not exceed 50 feet in height; five stories shall not exceed 60 feet in height as defined in Sec 5-134 Building Height.

(3) Building Placement

- a. A minimum percentage of the net frontage length of the property along a site's principal street must consist of continuous building façade built up to the property line or sidewalk clear zone. This will allow the opportunity to -create outdoor spaces. Single-family homes shall be exempt from this requirement but must be rear-loaded.

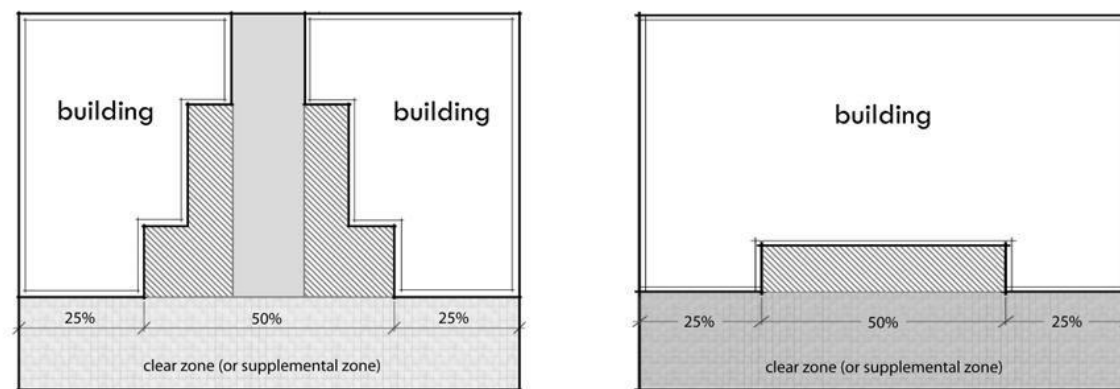
	US Hwy. 17-92	TOD Corrido	Pedestrian Priority Streets	Local Streets
Net Frontage [CS2] (Minimum)	075	75	5060	4060

Figure 8: 75 Percent Net Frontage Building Lengths



(Source: City of Austin, 2009)

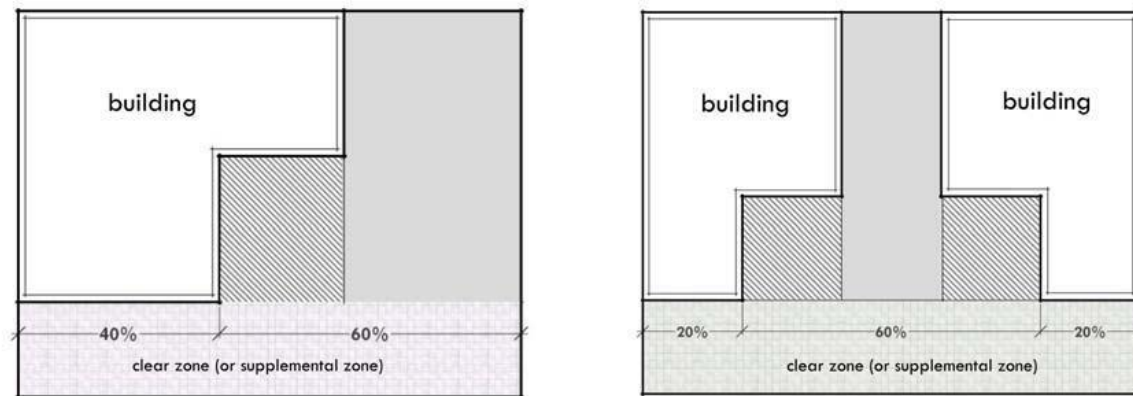
Figure 9: 50 Percent Net Frontage Building Lengths



(Source: City of Austin, 2009)



Figure 10: 40 Percent GrossNet Frontage Building

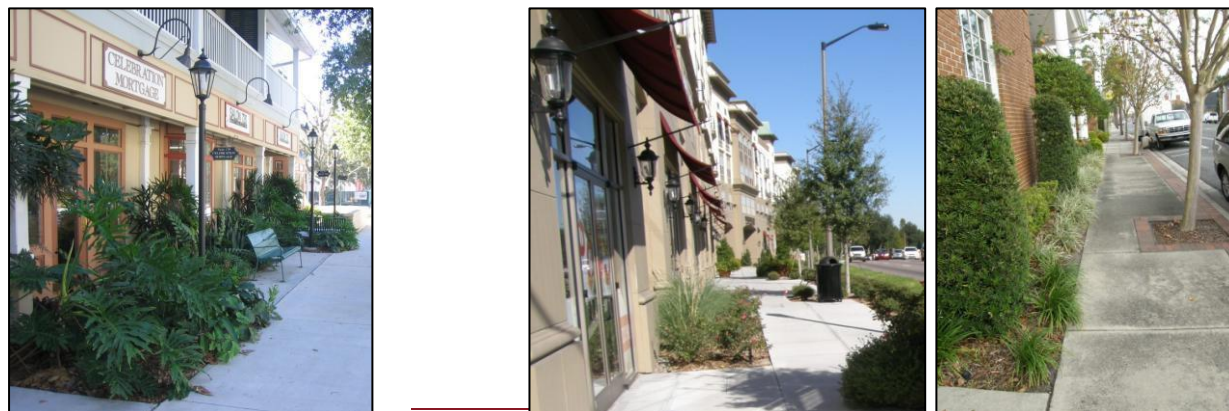


(Source: City of Austin, 2009)

(4) Landscaping.

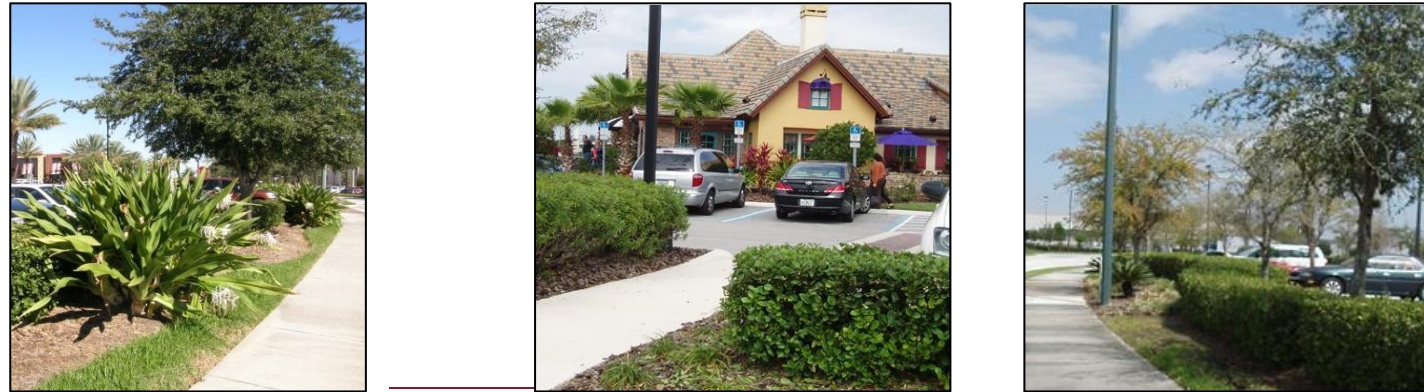
- a. All landscaping shall use “Florida-Friendly” plants and guiding principles.
- b. All landscaping shall be irrigated and may be installed with moisture sensors beneath the root systems to properly gauge the watering requirements (i.e., Irrrometer).
- c. The plant materials and sizes shall comply with Sec. 5-9. Plant Selection of the LDC.
- d. Minimum 6-foot wide planting strips or planters shall be permitted along the building wall to accentuate the entranceway and building façade.
- d.e. All tree plantings shall require a root barrier or other system that achieves the same intent as a root barrier.

Figure 11: Landscaping in Front of Building



- e.f. Landscape/multi-use buffer shall be provided along the street front of US Hwy. 17- 92 with a minimum depth of 20 feet. The buffer shall contain one canopy tree or two understory trees for each 40 linear feet of buffer with a continuous 30 to 36 inch screen shrubs and at least 50 percent of the area shall be groundcover. Decorative pedestrian lights may be permitted in the buffer.

Figure 12: Landscaping along US Hwy. 17-92



f.g. Vehicular Use Areas.

1. A minimum buffer width of 10 feet shall be required on the perimeter of vehicular use areas, except for the street fronts along US Hwy. 17-92 [see requirements specified in Sec. 5-133 (b) (3) e.].
2. The buffer shall contain the following:
  - i. Minimum 1 canopy tree for each 35 linear feet of buffer
  - ii. Minimum 1 understory tree for each 50 linear feet of buffer
  - iii. Continuous 30 to 36-inch high screen shrubs
3. A 3-foot high wall compatible with the architecture of the building may be used with a maximum 3-foot wide landscape strip in front of the wall consisting of the following:
  - i. Minimum 1 understory tree for each 50 linear feet of streetwall and/or
  - ii. Minimum 50 percent of the area shall be groundcover



4. Planting areas within vehicular use areas shall equal not less than 20 percent of the gross area devoted to vehicular use. The perimeter landscaping shall not count toward meeting the required interior landscaping.
5. Interior planting areas may be located in tree islands, at the end of parking bays, or between rows of parking spaces. There shall be not more than 10 contiguous parking spaces between planting areas. Such planting areas shall be landscaped with a canopy or understory tree and may be landscaped with other materials. Trees and other landscaping planted in the planter island areas shall be credited toward the landscaping requirements of the vehicular use area. Planting areas may also be located within driveway medians, provided the median is a minimum of 10 feet wide.
6. Interior planting areas may be located to effectively accommodate stormwater runoff, as well as to provide shade in large expanses of paved areas.
7. Individual planting areas shall be not less than 400 square feet for medium and large trees. Individual planting areas for all other trees shall not be less than 180 square feet.
8. A continuous curb or other means of protection shall be provided to prevent injury to vegetation within the planting areas.
9. One shrub shall be installed for each 50 square feet of planting area.
10. 1 square foot of groundcover shall be installed for each 5 square feet of planting area. At the owner's option, grassed areas may be substituted for up to 50 percent of the square footage of groundcover required.
11. A fractional tree or shrub shall be rounded up to the next highest whole number.

g-h. Tree Preservation

1. All development shall comply with Chapter 5, Article IV Tree Preservation of the City of DeBary Land Development Code, with the exception of Section 5- 88 of Article IV, which requires 15 percent of the overall development site to be set aside for tree preservation.
2. Within the TOD Overlay District, the requirements of Sec. 5-88 are replaced with a minimum of 2.5 percent of the overall development site to be provided for tree preservation within the ~~TOD Core~~TOD Core and 7.5 percent of the overall development site to be provided for tree preservation outside of the ~~TOD Core~~TOD Core. These set asides for tree preservation shall be calculated toward the 5 percent and 15 percent public/open space requirement for the ~~TOD Core~~TOD Core and Outside ~~TOD Core~~TOD Core areas respectively. Alternative tree preservation and open space requirements may be considered by the Development Review Committee during the site plan approval process on a case by case basis when other site enhancements of the development plan are demonstrated.

h-i. Industrial Land Use Buffering

1. All new development shall provide a 30 foot landscape buffer with a masonry wall along industrial zoned frontages that are not incorporated into the TOD Overlay District. ~~Screening shall be accomplished by preserving native vegetation whenever possible.~~ Buffering requirements shall conform with Industrial/Commercial criteria outlined in the Land Development Code.
2. ~~Parcels zoned industrial at the time that this code is adopted shall be exempt from buffering requirements.~~

~~2.~~

(5) Stormwater Facilities

- a. For application for a standard development, the following additional performance standards shall be used in the design of the project:
  1. *Closed basin criteria.* See Section 4-184.2.a
  2. *Retention standards.* 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, unless the intent of this recharge provision will be met through detention of the difference between said volumes, in which case said volume difference may be released over not less than a 24-hour nor greater than a 72-hour period of time. However, the design standards for wet retention areas, when approved by the City Development Engineer, shall prevail. This requirement may be waived by the City Development Engineer for sites consisting predominately of poorly drained soils having permanently and naturally impaired recharge potentials. In addition, the cumulative impact of the outflow hydrograph on downstream flow shall



be considered. Runoff rates and volumes resulting from the project, in excess of existing amounts, shall be accommodated on site. Off-site retention may be permitted if, in the opinion of the City Development Engineer, the recharge requirements of this division are met.

- b. To the greatest extent practicable Green Infrastructure principles shall be employed in the site design to reduce stormwater impacts prior to collection and treatment. (i.e., pervious / semi-pervious pavement, rainwater collection and reuse, etc.)
- c. The City's intent is that a centralized master stormwater system be created within the TOD Overlay District. The City will seek to create public-private partnerships to achieve these goals. The City may negotiate with a development project to incorporate a master retention element into the design, in return allowing additional development incentives as provided for within the Article.
- d. Within the TOD Overlay District, stormwater management facilities shall be designed to allow for conversion to a centralized master stormwater utility.
- e. If a centralized master stormwater pond is not developed within the TOD Core, the stormwater management systems for developments along US Hwy. 17-92 shall be located within the rear yard setbacks, unless they include a water feature and/or passive park or approved by the DRC upon hardship determination.

(6) Green Infrastructure.

- a. The purpose is to 1) reduce the negative impact of development on the natural environment, 2) reduce development costs related to construction and the provision of utilities, and 3) manage stormwater in a way that mimics natural stormwater management.
- b. The following standards shall apply to the TOD Core and Outside TOD Core (except for single-family, duplex and townhouse developments).
  - 1. Minimum 20 percent within TOD Core and 10 percent Outside the TOD Core of the required Water Quality Volume (WQV) must be treated on-site using Green Infrastructure facilities. To meet the WQV treatment requirement, such facilities may include, but are not limited to the following:
    - ~~i.~~ Tree preservation and using drought-tolerant landscaping.
    - ~~ii.~~ Reduce impervious surface area by using permeable paving materials.
    - ~~iii.~~ Green vegetated roofs.
    - ~~iv.~~ Roof rainwater collection.
    - ~~v.~~ Bioretention or infiltration.
  - 2. In cases where site specific circumstances limit the ability to treat the WQV on-site using Green Infrastructure, the City may allow fee-in-lieu payments. Payment shall be based on an engineer's opinion of cost to install the required WQV on the subject site.
  - 3. A developer or group of developers may propose a regional water quality structure that treats the stormwater from at least 10 acres of previously untreated offsite land.

3-c. Tree preservation using drought-tolerant landscaping shall also be provided where feasible. If this cannot be provided, a viable justification shall be provided to the DRC for consideration.

Figure 14: Green Infrastructure<sub>[CS3]</sub>





Porous Asphalt



Porous Concrete Pavers

(7) Private/Public Common Open Space and Pedestrian Amenities.

- a. These standards shall apply to all development sites larger than 2 acres.
- b. All new developments and redevelopments shall devote a minimum of 5 percent (TOD Core); 10 percent (Outside the TOD Core); ~~and 20 percent (Transitional Areas)~~ of the gross site area to one or more of the following types of common open space or pedestrian amenities:
  1. A natural and undisturbed private common open space, for use of the residents, employees, and visitors to the development. Developments with primarily residential uses are encouraged to comply with this requirement.
  2. A landscape area with a minimum depth and width of 10 feet and a minimum total area of 200 square feet. The area shall include pedestrian amenities to support these places as gathering areas.
  3. A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of 10 feet and a minimum total area of 300 square feet. The area shall include pedestrian amenities to support these places as gathering areas.
  4. A combination of the above-listed amenities.
  5. In cases of provable hardship, the DRC may approve a payment of money into a trust fund allocated towards parks and recreational facilities in lieu of construction of private/public common open spaces and pedestrian amenities. The payment shall be equal to the “Just Value” of the area required for the private/public common open space and pedestrian amenities based on the previous year’s “Just Value” from the Volusia County property appraiser.
  6. Provable hardship shall comply with the variance criteria pursuant to Chapter 1, Section 1-8 Variances of the City of DeBary Land Development Code.
- c. To the maximum extent feasible, where significant natural and scenic resource assets exist on a property, the developer shall give priority to their preservation as private common open space.
- d. Lands within the following areas shall not be counted towards private common open space or pedestrian amenities, unless approved by the DRC.
  1. Private yards;
  2. Public or private streets or rights of way;
  3. Parking areas and driveways for dwellings;

4. Water quality and stormwater detention ponds; and
  5. A required street tree/furniture zone.
- e. Land set aside for private/public common open space or pedestrian amenities shall meet the following design criteria:
1. Common open space areas shall be located so as to be readily accessible and useable by residents or visitors in various locations of the development, unless the lands are sensitive natural resources and access should be restricted.
  2. The lands shall be compact and contiguous unless the land shall be used as a continuation of an existing trail, or specific topographic features require a different configuration. An example of such topographic features would be the provision of a trail or private open area along a riparian corridor.
  3. Where private/public common open space areas, trails, parks, or other public spaces exist adjacent to the tract to be subdivided or developed, the private common open space or pedestrian amenity shall, to the maximum extent feasible, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.
- f. All common open space or pedestrian amenity areas shall be maintained by the owners of the development.

Figure 15: Common Open Space



~~(4)~~(8) Transitional Areas/Compatibility.

~~g~~.a. Building Transitions.

1. Façade and height transitions between buildings are key elements in creating and maintaining an attractive streetscape. Height and scale of new development and redevelopment shall be compatible with that of surrounding development. In order to accomplish appropriate facade transitions, and to maximize City streetscape aesthetics, the following transitional techniques shall be applied to new development and redevelopment when within 600 feet of an existing building.
  - i. Buildings shall be designed to provide transitional elements and architectural features (architectural style, scale, design details, construction materials and the like) that are architecturally compatible with adjacent structures. Buildings that are twice the height, or greater, than an adjacent structure shall also provide transitional elements and features that provide for transitional blending of heights.
  - ii. The pattern of placement, proportions and materials of windows and doors shall be harmonious with surrounding structures.
  - iii. The ratio of wall surface to openings and the ratio of width and height of windows and doors shall be consistent and compatible with surrounding structures.
  - iv. The above-noted requirements may be waived where the City-Council determines that City aesthetics would be enhanced by a change in the pattern of development that has been previously established by adjacent structures. In such a case, the City-Council shall determine the appropriate style and exterior materials for the new development or redevelopment.



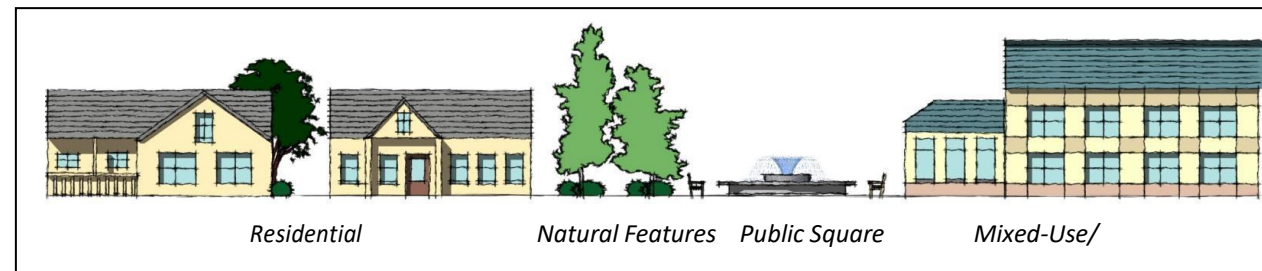
Figure 16: Building Transitions



a.b. Green/Open Space Transitions.

2. 1. Public spaces and natural features can be used to provide a seamless buffer/transition from varying development activities and intensities, and maintaining an attractive streetscape, such as the following:
  - i. Green spaces, courts, squares, parks, plazas, and similar spaces that can also function as community gathering places; or
  - ii. Natural features including natural differences in topography (not retaining walls), water bodies, existing stands of trees and similar features.

Figure 17: Green/Open Space Transitions



b.c. Intensity Transitions:

3. 1. Site the less-intensive uses as transitions to lower-intensity, adjacent uses (i.e., neighborhood stores, bed & breakfast inns, community facilities, etc).

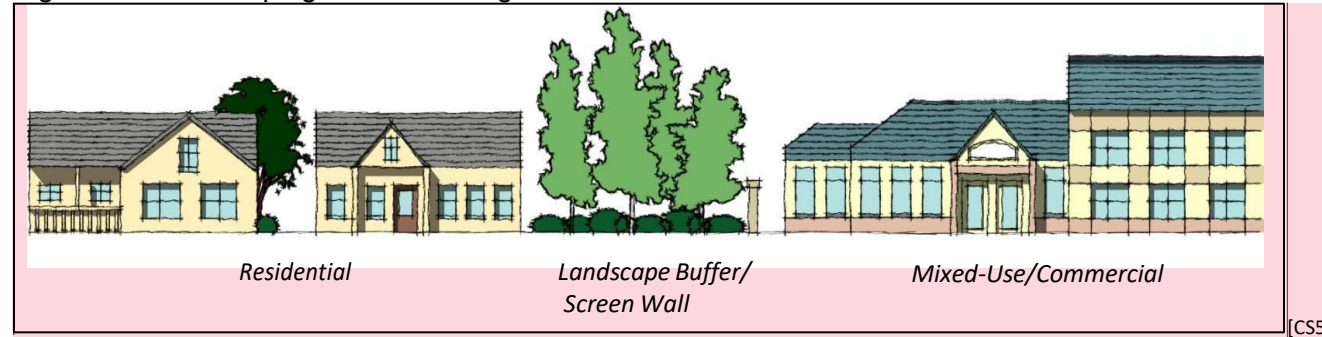
Figure 18: Intensity Transitions



~~(g)~~d. Landscaping and Screening Transitions.

4. 1. Use landscape buffering and supplemental fences and walls.

Figure 19: Landscaping and Screening Transitions



~~(h)~~9. Off-Street Parking.

~~(i)~~a. Parking Requirements.

~~5.1.~~ Maximum parking requirements for residential development shall supersede the minimum parking requirements for duplex and multifamily as outlined in Sec 3-129 of the Land Development Code. A minimum of 0.5 parking spaces per residential unit shall apply within the TOD Overlay District.

Land Uses	Parking Spaces Required (Maximum)*	
	TOD Core	Outside TOD Core
Multi-Family Residential	1.5 parking space per multi-family unit, plus one guest space per 10 units	2 parking space per multi-family unit, plus one guest space per 8 units
Residential Mixed-Use (includes residential parking)	1 parking space per 1,000 gross floor area	1 parking space per 800 gross floor area
Commercial/Retail	1 parking space per 350 gross floor area	1 parking space per 325 gross floor area
Restaurant	1 parking space per 250 gross floor area	1 parking space per 200 gross floor area
Office	1 parking space per 350 gross floor area	1 parking space per 300 gross floor area

Note: \* Refer to Section 3-129 of the LDC for handicapped parking requirements.

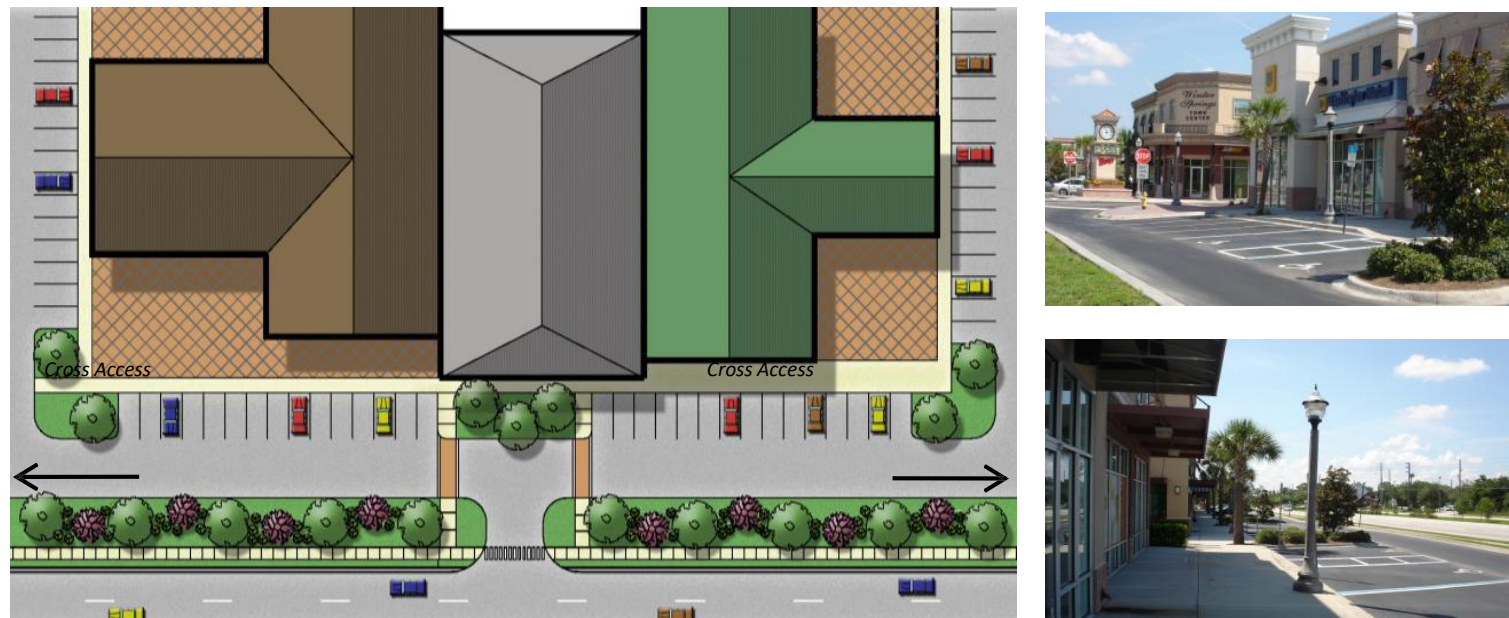
~~(i)~~b. Additional parking criteria. The minimum off-street parking requirement may be reduced as follows:

6. By 1 space for each on-street parking space located adjacent to the site.
7. By up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the LDC.

- 8. ~~By 10 spaces for every car/van pooling vehicle provided in a program that complies with the requirements prescribed by the DRG.~~
- 9. ~~By 1 space for each shower facility with three or more lockers provided for employees in a nonresidential building.~~
- 10. ~~By 1 space for each fully enclosed and lockable bicycle parking space.~~
- 11. ~~By up to 10 percent if parking spaces are leased or sold separately from occupied spaces.~~
- 12. ~~By 1 space for every 3 electric car parking spaces. Electric car parking spaces shall be measured at least 7.5 feet in width by 18 feet in length with a recharge outlet and shall be identified or designated through the use of signage or pavement markings.~~
- 13. ~~Motorcycle and scooter parking may substitute for up to 5 automobile spaces or 5 percent of the required parking spaces, whichever is less. For every 4 motorcycle parking spaces provided, the automobile parking requirement may be reduced by 1 space. Motorcycle and scooter parking spaces shall measure at least 4 feet in width by 8 feet in length and shall be identified or designated through the use of signage or pavement markings.~~
- 14.1. In no case may the maximum off-street parking requirements for a project be increased by more than 50 percent and shall receive approval by the LDM.
- 15.2. On-street parking spaces may be counted toward the maximum number of parking spaces.

~~(H)c.~~ Off-street parking along US Hwy. 17-92 may be located in the front, side, and rear yards subject to parking lot landscaping and setback requirements. Maximum 1 - 90 degree or angle parking bay and a two-way travel lane along the street front and street side. ~~Not more than 50 percent of required parking may be located between the front façade and the street on which the building fronts.~~

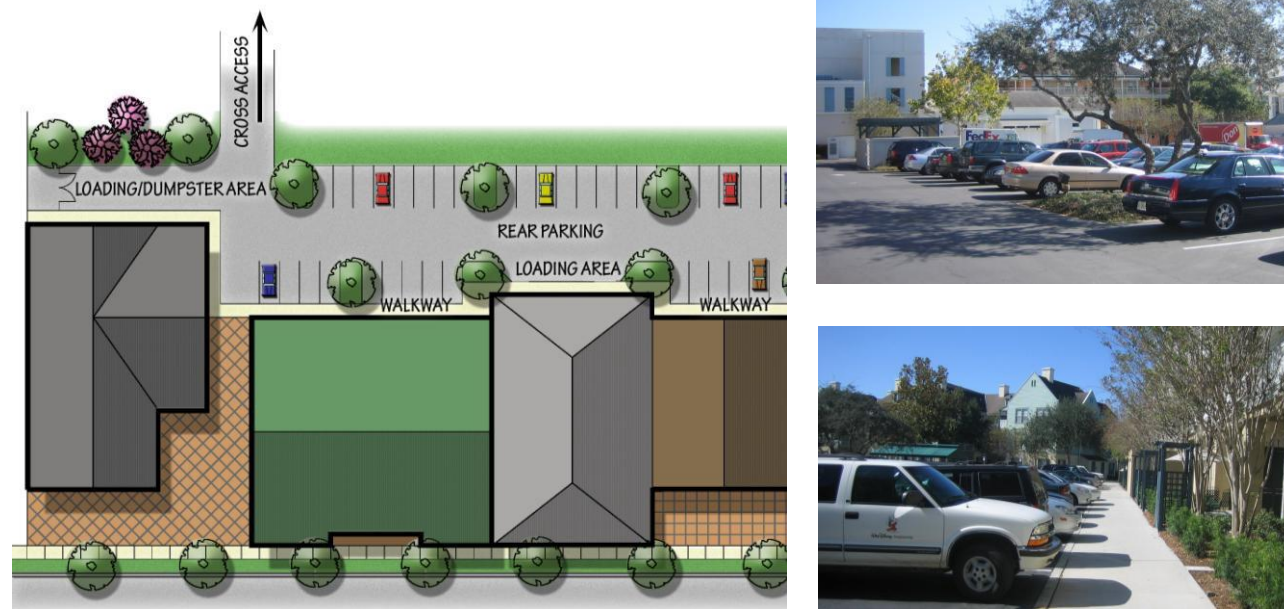
Figure 20: Off-Street Parking along US Hwy. 17-92 <sup>(cs6)</sup> ~~(delete images for off-street parking that don't match new code)~~





(4)d. Off-street parking shall be located in the rear yard along TOD Core Streets, Pedestrian Priority Streets and Local Streets, and shall not exceed one acre in size. Where feasible, ingress and egress from parking shall be from side streets or alleyways.

Figure 21: Off-Street Parking along TOD Corridor Streets, Pedestrian Priority Streets and Local Streets



(m)e. Shared parking is strongly encouraged. On lots serving more than one use, the total number of spaces required may be reduced, provided that the applicant submits credible evidence to the satisfaction of the DRC that the peak parking demand of the uses do not coincide, and that the accumulated parking demand at any one time shall not exceed the total capacity of the facility. Such evidence must take into account the parking demand of residents, employees, customers, visitors, and any other users of the lot. It must also take into account parking demand on both weekends and weekdays, and both during the daytime and overnight.

(n)f. Surface parking lots shall provide minimum 6-foot wide pedestrian walkways and connections to building entrance(s) or to the sidewalk system.

(o)g. Parking Structure

16.1. Parking structures fronting a public street or public space shall be masked by a liner building a minimum of 30 feet deep.

17.2. The first 30 feet of depth of the liner building shall be occupied by office, residential or other non-parking commercial uses.

3. Liner buildings shall be at least 2 stories.

4. Liner buildings may be detached from or incorporated into parking structures.

5. When a liner building is not possible due to unusually shallow lot depth or unique topographical features, provide a landscaped seating area between the structure and the street.

6. The parking structure/liner buildings shall be designed to have similar façade treatments with respect to building materials and articulations to complement the architectural theme of the development.

Figure 22: Parking Structures



Parking structure behind liner building



Liner building incorporated into parking structure



Urban Land Institute example-retail liner building in front of parking structure

~~(h)~~h. Bicycle Parking.

~~18-1.~~ 18-1. Bicycle racks shall be provided on site at a ratio of 1 space for every 15 automobile parking spaces.

~~19-2.~~ 19-2. Bicycle parking shall not obstruct the sidewalk clear zone and shall be located in a well lighted, secure and visible location:

- i. Within 50 feet of building entryways; or
- ii. At employee entrances; or
- iii. Within a building, or
- iv. In a covered motor vehicle parking area.

~~20-3.~~ 20-3. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or a secure stationary rack, which support the frame so the bicycle cannot easily be pushed or fall to one side.

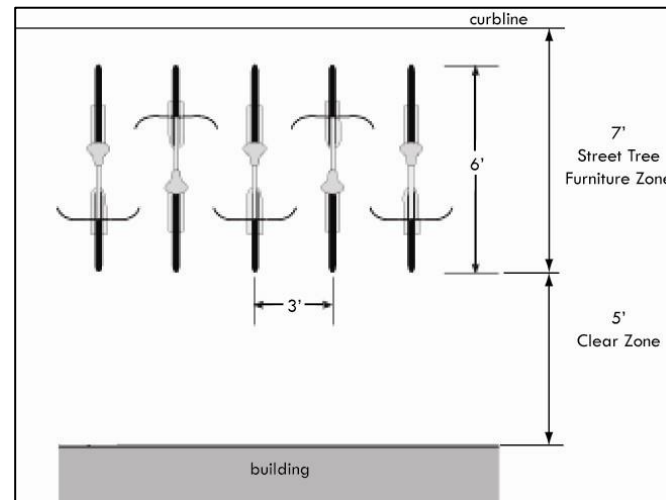
~~21-4.~~ 21-4. Racks that require a user-supplied lock should accommodate locking the frame and both wheels using either a cable or U-shaped lock.

~~22-5.~~ 22-5. Bicycle parking spaces shall be at least 6 feet long and 3 feet wide, and overhead clearance in covered spaces shall be a minimum of 7 feet.

23.6. A 5-foot aisle for bicycle maneuvering, which may be provided with the required sidewalk clear zone, shall be provided and maintained beside or between each row of bicycle parking.

24.7. Bicycle racks or lockers shall be securely anchored.

Figure 23: Bicycle Parking Design



(Source: City of Austin, 2009)

~~(g)~~ (10) Loading/Delivery Docks.

~~(f)~~

a. Each loading space shall be at least 12 feet wide by 35 feet long.

~~(s)~~ b. Loading and service dock areas shall be integrated into the building design; or located to the rear or sides of a building, away from the main building entrance, or related high visibility areas.

~~(t)~~ c. No loading docks shall be located between a building and a residential development unless there is a minimum 60 feet setback between the loading dock and the residential development and that the setback includes a landscape buffer and masonry wall.

~~a-~~

~~(u)~~ d. Loading spaces, their access drives and maneuvering areas shall be located and designed so that their use does not impede the normal use of parking spaces and access drives.

~~b-~~

~~(v)~~ e. Loading and service docks shall be screened by the following:

25.1. Minimum 6 feet to a maximum 8 feet high masonry wall to be architecturally consistent with the style, colors, construction materials and finish of the building; and/or

26.2. Landscape consisting of a minimum 5 feet high evergreen hedge at least 4 feet in height when planted, to grow to 5 feet within 1 year; and minimum 8 feet high understory/ canopy trees.



Figure 24: Loading Areas



~~(w)~~(11) Exterior Lighting.

~~(x)~~a. An exterior building and site lighting master plan detailing areas and structures requiring illumination, lighting fixture styles, light source and light levels shall be included as part of site plan review.

~~(y)~~b. Lighting shall be of the metal halide type, or other lighting that is uniform in color and intensity.

~~(z)~~c. The following outdoor lighting applications shall be illuminated by fixtures that are both fully-shielded and full cut-off:

~~27-1.~~ Street and pedestrian lighting;

~~28-2.~~ Parking lots;

~~29-3.~~ Pathways;

~~30-4.~~ Recreational areas; and

~~31-5.~~ Product display area lighting. Figure 25: Outdoor Lighting

Figure 25: Outdoor Lighting



~~(aa)~~d. Building façade lighting may only be used to highlight specific architectural features such as principal entrances and towers.

~~(bb)~~e. Directional luminaries may be used to illuminate signs and flagpoles. Such luminaries shall be installed and aimed so that they illuminate only the specific object or area and do not shine directly onto neighboring properties, roadways, or distribute excessive light skyward.

~~(cc)~~f. Recessed lighting fixtures shall be required in order to conceal the actual source of the light so as to reduce glare and direct the light to specific areas while shielding other areas.

~~(dd)~~g. Backlighting of awnings/canopies is not permitted.

~~(ee)~~h. Pedestrian scale lighting fixtures no greater than 15 feet in height shall be provided along all sidewalks and walkways to provide ample lighting during nighttime hours.

~~(ff)~~i. Parking lot lighting shall be designed as follows:

1. Light poles shall be located only within landscaped strips, interior landscape islands, or terminal landscape islands. Light poles are not allowed in corridor buffers.
2. The maximum height of the light pole shall be 20 feet, including the base.
3. The minimum setback of the light source from the property line shall be a horizontal distance of 10 feet.

~~(gg)~~j. Neon lighting is not permitted.

~~(hh)~~k. Ground level light fixtures shall be of the burial vault type or shall be fully screened by landscaping materials.

~~(ii)~~(12) Screening of Equipment and Utilities.

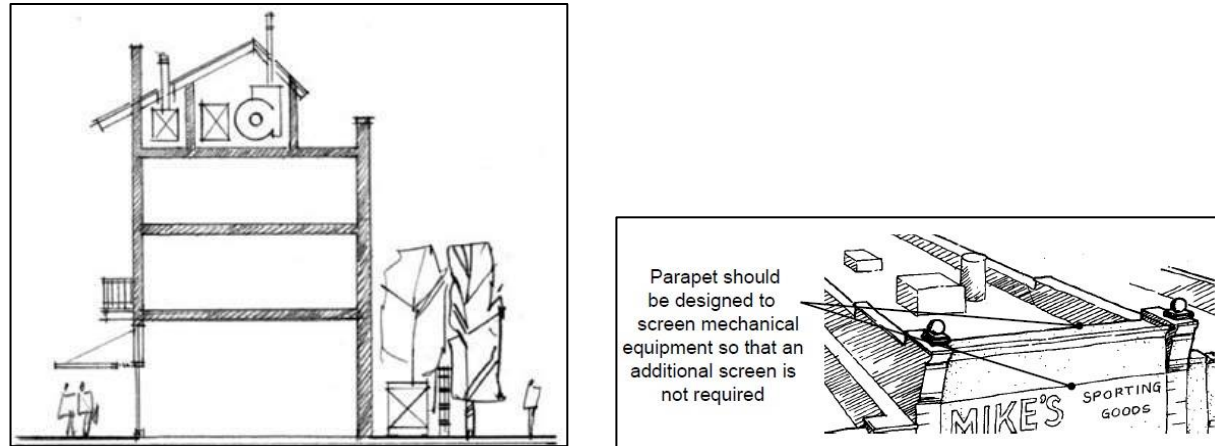
~~(jj)~~a. Mechanical equipment located on the ground, such as air conditioning and heating units, satellite dishes, irrigation pumps, utilities lift stations and the like shall be screened from public view. Screening shall, at a minimum, be at the same height as the equipment. Structural screening shall be architecturally integrated into the overall project design and shall be compatible, in terms of style, construction materials, colors, and finish, with the principal structure. Landscaping may be substituted for structural screening if plantings are compatible with the landscape plan for the project and are of such size and maturity as to be able to provide a fully opaque screen at time of planting.

Figure 26: Screening of Equipment/Utilities



~~(a)~~b. Equipment and appurtenances mounted on rooftops shall be kept to a minimum. All exposed rooftop mounted equipment and appurtenances shall be fully screened from view from any public right-of-way. All screening shall, at a minimum, be at the same height as the equipment and appurtenances. Screening shall be an integral part of the design of the building and shall be architecturally consistent with the style, colors, construction materials and finish of the building.

Figure 27: Screening of Rooftop Equipment



Source: City of Meridian Design Manual      Source: North Logan City Commercial Guidelines

**(k)(c)** Trash Containers

1. Trash containers shall be placed at the side or rear of the building and/or centrally located in the parking lot at least 20 feet from any public street/walkway, pedestrian and public spaces and building entrances.
2. Enclosures shall be unobtrusive and conveniently located for trash disposal by tenants and collection by service vehicles.
3. Enclosures shall be located away from adjacent residential uses to minimize nuisances to neighboring properties.
4. Trash enclosures shall consist of a maximum 7-foot high wall with similar finishes, materials, and details as the primary buildings within the project. A decorative door shall also be provided.

Figure 28: Screening of Trash Containers



**(e)(13)** Signage.

- (e)a.** Except as specifically listed below, all other signage and sign standards must comply with Sec. 5, Article II Sign Regulations of the LDC, as amended. If there are discrepancies, the greater restriction shall apply.
- (e)b.** Signs within the TOD Core and Outside the TOD Core shall comply with the following standards:



**4.1. Wall (Building) Signs.**

- i. Commercial uses (retail, office and restaurant): One sign per tenant space; area to be calculated at 0.5 square feet per linear foot of public street frontage with a maximum of 30 square feet.
- ii. Second floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 0.25 square feet per linear foot of second floor frontage along that public street.
- iii. Live-Work and Home occupations: One sign limited to an area of 8 square feet maximum.
- iv. May encroach a maximum of 12 inches on to a sidewalk while maintaining a vertical clearance of 8 feet from the finished sidewalk.
- v. Wall signs should not obscure windows, grille work, piers, pilasters, and ornamental features. Typically, wall signs should be centered on horizontal surfaces (i.e., over a storefront opening).
- vi. Wall signs may be internally or externally lit. Cutoff fixtures shall be angled toward the face of the wall sign and shall complement the design of the building through style, material and color.

Figure 29: Wall Signs



**4.2. Window Signs.**

- iv.i. Limited to 30 percent of the window area
- v.ii. The following shall be exempt from this limitation:
  - Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs.
  - Mannequins and storefront displays of merchandise sold. Figure 30: Window Signs

Figure 30: Window Signs



2.3. Blade Signs.

vi-i. Shall be permitted for all commercial uses only (retail, restaurant, and office).

vii-ii. Maximum 4 square feet per sign face.

viii-iii. May encroach a maximum of 3 feet over a public sidewalk/R-O-W.

iv. Blade signs may be attached to the building or hung under the soffit of an arcade or under a canopy/awning while maintaining a vertical clearance of 8 feet from the finished sidewalk.

(2)(14)

(3)  
(4)  
(5)

Figure 31: Blade Signs



(a) 4. Awning Signs.

i. The character height shall not exceed 2/3 of the height of the face (vertical or near vertical part) of the awning.

ii. When possible, signs shall be horizontally and vertically centered on the face of the awning.

Figure 32: Awning Signs



3. 5. Canopy Signs.

- iii.i. The placement of this type of sign shall be limited to the canopy face length.
- iv.ii. No sign shall project beyond the perimeter of the canopy.
- v.iii. The sign shall not exceed one square foot per lineal foot of canopy face length.

Figure 33: Canopy Signs



4.6. Menu Board Signs.

- vi.i. One menu board shall be allowed per street address.
- vii.ii. Menu boards shall not exceed 8 square feet in size and shall be positioned so as to be adjacent to the restaurant or business listed on the board and information on the board shall advertise exclusively the goods and services of the business and be placed in a manner which is clearly visible to pedestrian traffic.
- viii.iii. Said menu boards shall not be placed in the City's right-of-way.
- ix.iv. All standing menu signs shall be removed at the end of each business day.
- x.v. All wall menu signs shall be securely anchored to wall.

- xi.
- xii.
- xiii.
- xiv.
- xv.
- xvi.
- xvii.
- xviii.



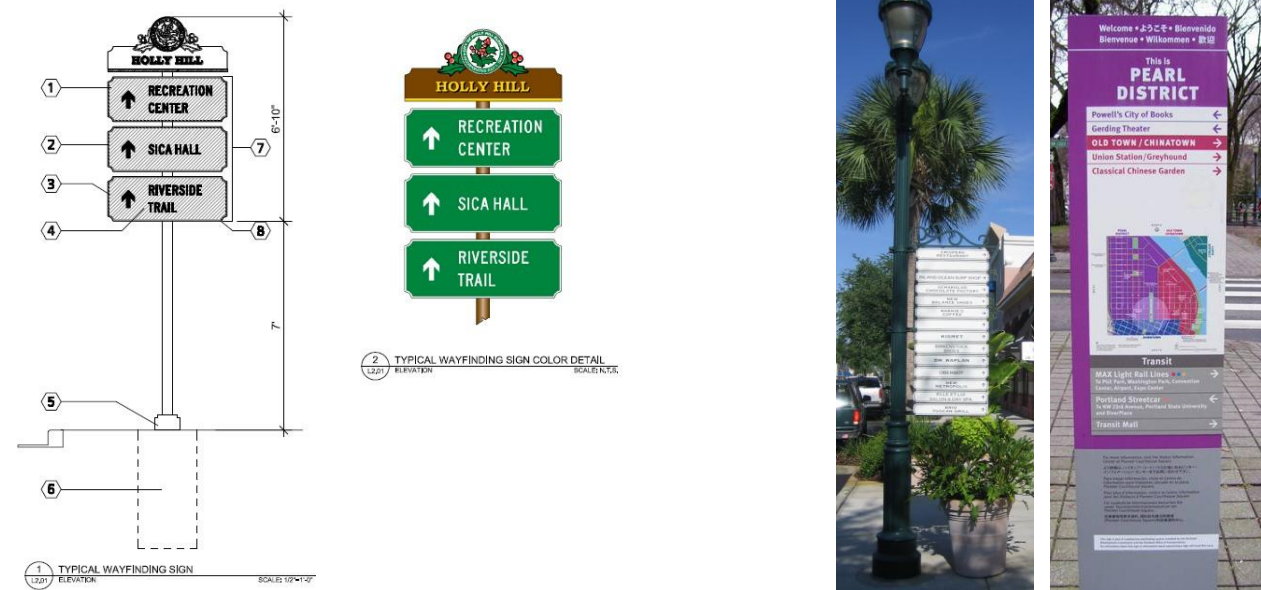
xx. Figure 34: Menu Board Signs



5.7. Wayfinding Signs.

- xxi. i. All public way-finding signs along State, County and City roads shall comply with the Federal Highway Administration, Manual on Uniform Traffic Control Devices (MUTCD) and all other local permitting agencies (FDOT and Volusia County).
- xxii. ii. Internal development wayfinding signs may provide location maps, directions, general information and special notices to add liveliness of the development. The signs shall be designed to match the site architecture and be integrated into the layout of pedestrian circulation areas. The maximum size shall be 8 square feet mounted on pedestrian light poles or individual decorative poles.

Figure 35: Wayfinding Signs



State Roadway Sign

Internal Development Sign

~~(2)~~ (14) Transit Facilities.

~~e.~~ a. Bus Stops

1. Bus stop needs and design shall be coordinated with VOTRAN.
2. In addition to VOTRAN requirements individual site plans shall consider the following:
  - i. Bus stops shall be evaluated for need every 660 feet from the final design site of the DeBary Commuter Rail Station.
  - ~~ii.~~
  - ii. ~~B~~Bus stops may be accommodated via provision of additional property either on street adjacent to the right-of-way or via dedicated area within a off-street parking area.
  - ~~iii.~~
  - iii. Bus stops shall incorporate a shelter area of no less than 24 square feet including seating.
  - ~~iv.~~
  - iv. ~~—~~Bus Stops shall comply with any architectural standards as established by the City of DeBary.
  - ~~v.~~
  - v. Bus Stops within the TOD Core Area shall include provision for secure bicycle parking in accordance with Sec. 5-133 (b) (9) h.

~~v.~~

~~(3)~~(15) Drive-through Facilities

~~d.a.~~ a. Drive-through~~st~~through, walk-up windows, and ATMs accessory to banks, restaurants, and retail sales and service shall only be permitted along US Hwy. 17-92 provided that:

- ~~3.1.~~ Drive-through windows shall not be located between the front façade of the principal structure and the street.
- ~~4.2.~~ Sight visibility shall be designed so as to not interfere with the circulation of pedestrian or vehicular traffic on the site itself, and on the adjoining streets, alleys or sidewalks.
- ~~5.3.~~ Drive-through lanes and vehicle stacking areas adjacent to public streets or sidewalks shall be separated from such streets or sidewalks by railings or hedges at least thirty-six inches (36") in height.
- ~~6.4.~~ Drive through, ATMs and walk-up elements should be architecturally integrated into the building, rather than appearing to be applied or "stuck on" to the building.
- ~~7.5.~~ Drive-through displays, ordering areas, walk-up windows, ATMs and parking canopies shall not serve as the singularly dominant feature on the site or as a sign or an attention getting device.
- ~~8.6.~~ Entries and/or exits to drive-through facilities shall be a minimum of one hundred feet from any intersection as measured from the edge of the drive closest to the intersection to the property line at the intersection. Shorter distances from road intersections may be approved if the DRC determines that public safety and/or the efficiency of traffic circulation are not being compromised.
- ~~9.7.~~ Drive-through stacking lanes shall be a minimum of one hundred feet from any single-family residential parcel.
- ~~10.8.~~ All service areas, restrooms and ground mounted equipment associated with the drive through shall be screened from public view.
- ~~11.9.~~ Landscaping shall screen drive-through aisles from the public right-of-way and adjacent uses and shall be used to minimize the visual impacts of reader board signs and directional signs.

Figure 36: Drive-Through Facilities



#### Sec. 5-134. Building Design Standards

(a) Purpose and Intent.

- (1) Ensure that buildings foster the creation of a human-scale environment.
- (2) Ensure that trees or man-made shading devices are used alongside roadways and connecting roadside sidewalks to businesses to encourage pedestrian activity by providing a sheltered and comfortable walking environment.
- (3) Ensure that buildings provide an interesting and engaging visual experience at the pedestrian level.
- (4) Ensure that the design and construction of ground floor building space near transit, at visible intersections, and along key streets that lead to transit, accommodates for active pedestrian-oriented uses even though these types of uses may not be supported by current market conditions.

(b) Building Entrances.

- (1) Primary customer and/or resident entrances shall face the principal street and connect directly to the sidewalk clear zone along the principal street. Supplemental customer and/or resident entrances are encouraged on any other building frontage.
- (2) Building entrances shall be provided for each separate ground floor commercial tenant space along the elevation facing the principal street.
- (3) Entryways shall be differentiated from the remainder of the facade through at a minimum, the use of color, change in materials, application of architectural features (arches, columns, colonnades, etc.), setbacks, offsets, level changes, and the like.
- (4) Entryway design shall incorporate landscaping, landscape planters or wing walls with landscaped areas.
- (5) Entryway areas shall be provided with structural or vegetative shading features and benches or other seating components.
- (6) The first floor of all multi-story structures within the TOD Core shall be a minimum of 14 feet in height.

(c) Window Glazing.

(1) Glazing provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street, promotes reusability, and provides a human-scale element on building facades.

(2) All mixed use development, non-residential development, and development along the principal street shall satisfy the following:

(2)(d)

Percentage of Window Glazing (Minimum Wall Area)	US Hwy. 17-92	TOD Core	Outside TOD Core	Transitional Areas
Ground Floor (between 2 and 10 feet)	40	80	65	40
Upper Floors	15	35	25	15

(3) (3) Development containing only residential units shall satisfy the following:

Percentage of Window Glazing (Minimum Wall Area)	Single-Family/Duplex	Multi-Family
Ground Floor (between 2 and 10 feet)	15	20
Upper Floors	10	20

(4) The window glazing shall be clear or lightly tinted ~~glass, low-e glass.~~

Figure 37: Window Glazing



(Source: City of Austin, 2009)

(d) (d) Building Façade Articulation.

(1) To provide visual interest and create community character and pedestrian scale, a building shall comply with the following façade articulation requirements.

- a. A single building mass with more than one tenant shall be varied by height and width so that it appears to be divided into distinct massing elements and architectural details can be viewed from a pedestrian scale.
- b. Buildings shall be designed and built in tri-partite architecture so that they have a distinct base, middle, and top.

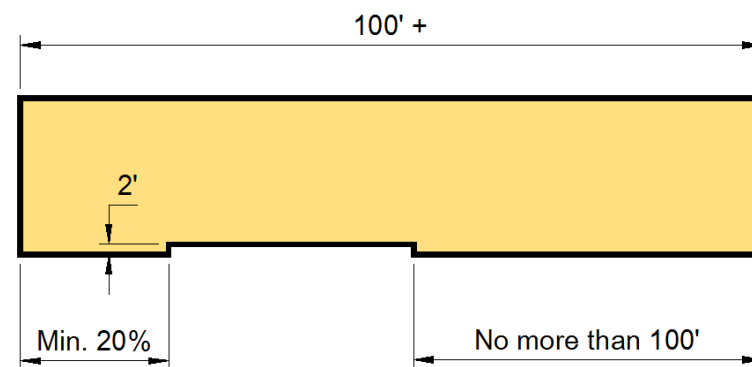
Figure 38: Architectural Elements



(Source: City of North Richmond Hills, 2009)

- c. No uninterrupted length of any façade shall exceed 100 horizontal feet.
- d. Facades greater than 100 horizontal feet shall incorporate wall plane projections or recesses having a depth of at least 2 feet and extending at least 20 percent of the length of the facade.

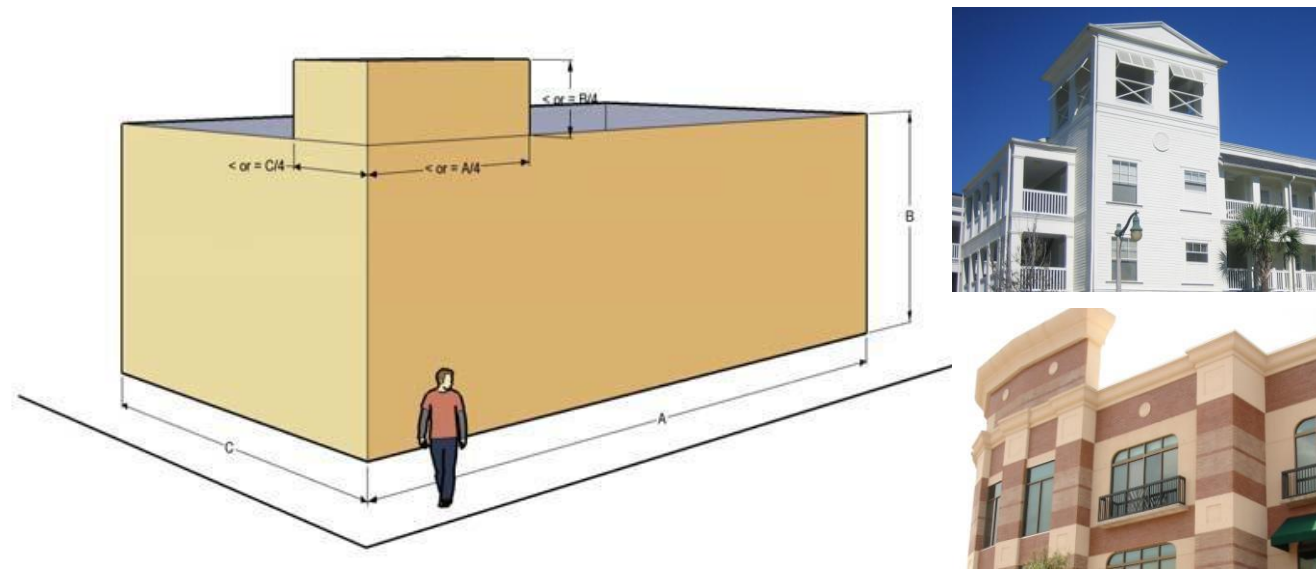
Figure 39: Building Articulation





- e. Building facades shall include a repeating pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.
  - i. Color change
  - ii. Texture change
  - iii. Material module change
  - iv. Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.
- f. At intersections, buildings located on corner lots shall utilize architectural embellishments to emphasize street intersections as points of interest in the TOD Overlay District. Maximum building heights shall be permitted to exceed by 25 percent for approximately 25 percent of the building frontage along each street façade.

Figure 40: Architectural Embellishments at Intersections



(Source: City of North Richmond Hills, 2009)

(e) Exterior Materials and Colors.

- (1) Exterior building materials and colors contribute significantly to the visual impact of a building on a community, which, in turn, individually and collectively reflect upon the visual character and quality of a community. In order to project an image of high quality City aesthetics, building materials and colors shall conform to the following requirements:
  - a. All buildings shall be faced with materials that exhibit a durable, high quality appearance.



- b. Materials shall be of a low maintenance type, retaining a consistent, clean appearance.
- c. Generally accepted exterior facing materials shall relate to the mass of the structure based on square footage as follows:
  1. For all structures, the following materials shall be acceptable on all facades that are or will be exposed to the general public:
    - i. Brick
    - ii. Exposed aggregate
    - iii. Stone
    - iv. Cellulose fiber-reinforced cement building boards
    - v. Stucco, if used, shall be flat finish, "knocked-down," or sand finish
    - vi. E.I.F.S. (exterior insulation and finish system) Figure 41: Exterior Materials

Figure 41: Exterior Materials



Stone and textured stucco      Brick and siding      Various bricks      Textured stucco with E.I.F.S.



Stone and textured stucco      Brick and siding      Various bricks      Textured stucco with E.I.F.S.

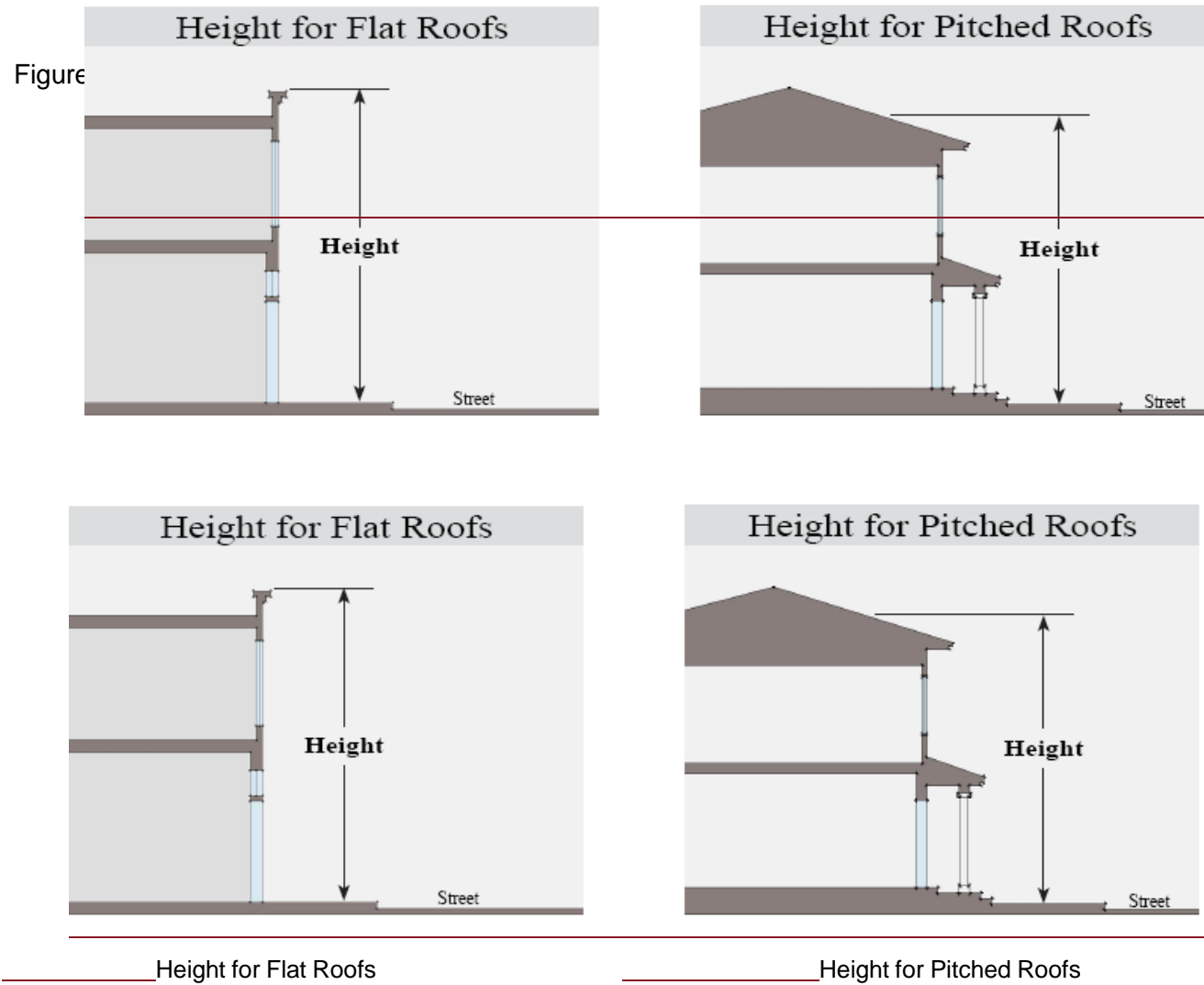
2. Two wall materials may be combined on any facade, up to four walls, horizontally. The visually heavier facade material must be below and can cover the first third of the overall wall height only.
3. Exterior colors shall not be specifically limited, but shall be consistent with earth tones, warm tones and muted hues. The selection of pastels shall be limited to those colors having a minimum white content of 90 percent. Other colors, excluding fluorescents, may be permitted as accent colors, not to exceed 20 percent of the surface area of any one elevation.
4. The requirement for earth tones and pastels shall not apply to colors commonly found in natural materials such as brick or stone, unless such material has been artificially colored in a manner which would

be contrary to the intent of these regulations.

5. A color or color scheme which is directly inherent to a unique recognized architectural style or exterior artwork, but not otherwise in compliance with this section, may be permitted through the development plan approval process.
6. Approval for change of exterior design required. Any exterior change of any nonresidential structure or multifamily structure shall require review and approval by the DRC. Such changes shall include, but not be limited to, colors, materials, roof finishes and signage. The purpose of such approval shall be to ensure that any exterior change is consistent with the intent and requirements of this article.
7. Building materials and colors shall be consistent around the entire building.
8. Exposed metal building sidings shall not be permitted.

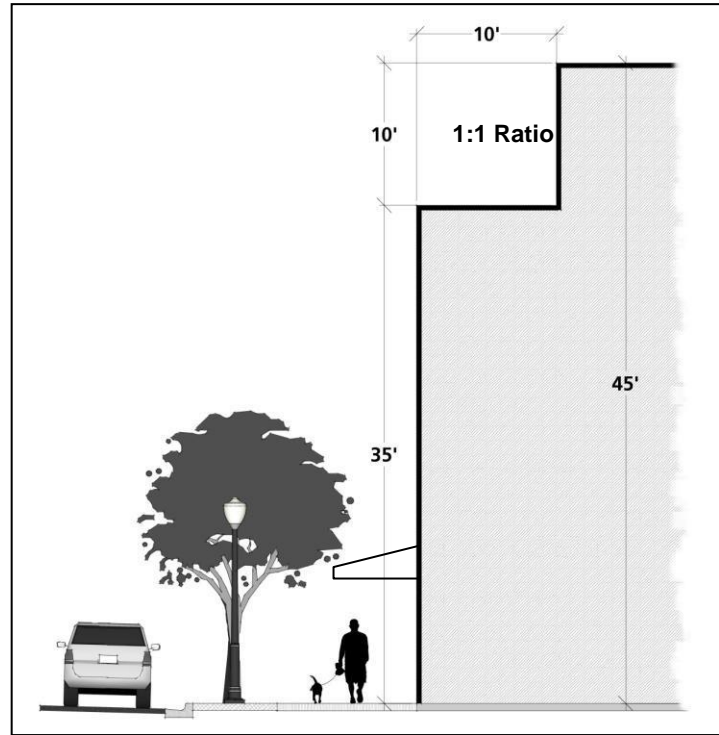
(f) Building Height.

(1) Vertical distance measured from the finished grade, along the front of the structure, to the highest point of a flat roof or to the average distance between eaves and ridge for gable, hip and gambrel roofs.



(2) The maximum building height shall be in accordance to Sec. 5-133 (b) (2) Setbacks and Building Heights.<sup>[CS7]</sup>

Figure 43: Building Height Variation

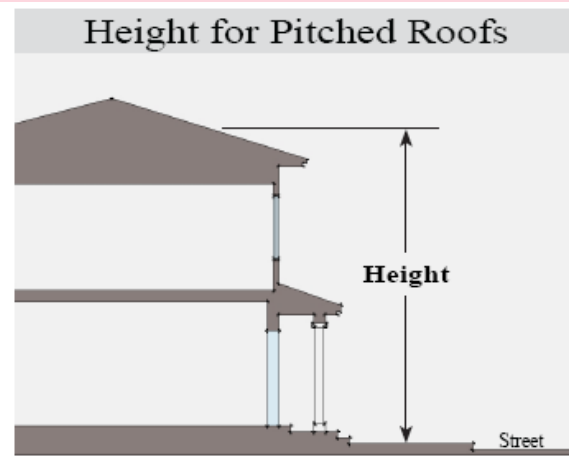
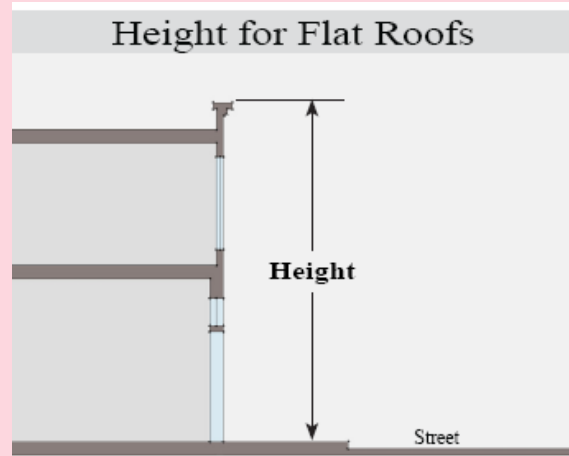


(g) Roof Design and Materials.

- (1) Roof features shall be in scale with the building mass and complement the character of the structure, adjacent developments and neighborhoods. Roofs shall be constructed of durable, high quality materials in order to enhance the appearance and attractiveness of the community. Roofs shall incorporate the design elements and materials listed below:
  - a. The design of roof structures shall be flat with a parapet wall, hip roof, or gable roof. The parapet wall and cornice may extend a maximum of 42 inches above the maximum height of the building or 60 inches if required to enclose rooftop equipment and include decorative brackets. Parapet edges or slopes may use concrete tiles or terra cotta. If the roof surface is visible, hipped or gabled, the material shall be metal standing seam or "V" crimp metal, shingle or tile.
  - b. Roofs shall be designed to be of such height, bulk and mass so as to appear structural even when the design is nonstructural.



Parapet roof

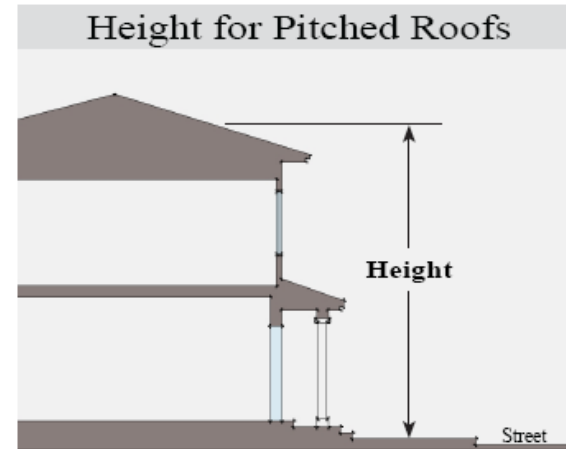
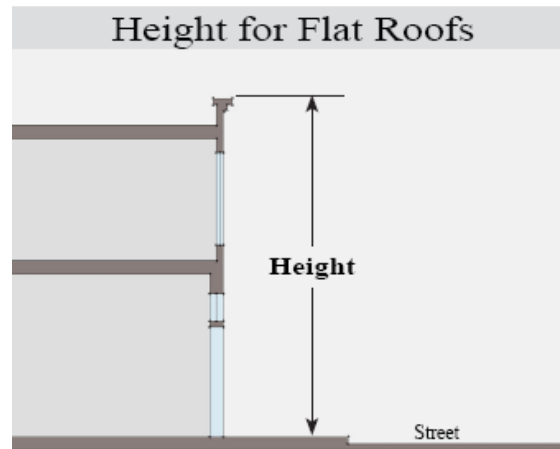






Parapet roof

Figure 44: Roof Structures



Gable roof

[CS8]

(h) Fences and Walls.

(1) Design and construction quality of fences and non-building walls are important visual reflections of community character and quality. In order to promote quality site aesthetics, fence and wall design and construction shall comply with the following requirements:

- a. Metal picket fencing located between the building and the street right-of-way shall not exceed 3 feet in height. Metal picket fencing may be installed on top of a knee wall in proportionate scale (i.e., 1/3 or 1/2), not to exceed a total height of 3 feet. May be used to delineate outdoor patios/eating areas.
- b. Walls located along the street front exceed 3 feet in height to prevent potential hiding places and to provide natural surveillance of "eyes on the street."
- c. Metal picket fencing and opaque walls along the side and rear yards shall not exceed 6 feet in height. Metal picket fencing may be installed on top of a knee wall in proportionate scale (i.e., 1/3 or 1/2), not to exceed a total height of 6 feet.
- d. Fences and walls located along the street shall be set back at least 3 feet from the property line.
- e. Fences and walls greater than 30 feet in length shall have columns, pilasters or offsets at least every 30 feet.
- f. Chain link and vinyl fencing is not permitted, unless screened from view from public rights-of-way, parking lots, and adjacent properties. If foliage is used for screening, the foliage must screen the fence from view within 720 days of installation of the fence. Wood fencing shall not be permitted under any circumstances.

Figures 45: Fences and Walls



Metal picket fencing delineating outdoor seating areas



Walls along the street front



Metal picket fencing alongside/rear yards



Opaque walls alongside/rear yards[cs9]

## **Sec. 5-135. Definitions**

~~**Building Height** – Vertical distance measured from the finished grade, along the front of the structure, to the highest point of a flat roof or to the average distance between eaves and ridge for gable, hip and gambrel roofs.~~

~~**Civic Buildings** – For purposes of this TOD regulating plan, civic building shall consist of: College or University Facilities, Community Recreation (Public), Cultural Services, Local Utility Services, Parks and Recreation Services, Postal Services, Public Educations Facilities and Transportation Terminals.~~

~~**Florida Friendly Landscaping** – Describes landscaping practices, which includes nine guiding principles that help to preserve Florida's natural resources and protect the environment — [www.swfwmd.state.fl.us/yards/](http://www.swfwmd.state.fl.us/yards/) or [www.floridayards.org/](http://www.floridayards.org/)~~

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~~**Fully-Shielded Light Fixture** – A lighting fixture constructed in such a manner that the light source is not visible when viewed from the side and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.~~

~~**Glazing** – The panes or sheets of glass or other non-glass material made to be set in frames, as in windows or doors.~~

~~**Gross Floor Area** – The area within the perimeter of the outside walls of a building as measured from the inside surface of the exterior walls, with no deduction for hallways, stairs, closets, thickness of walls, columns, or other interior features.~~

~~**Hardscape** – Paving surface of walkways/sidewalks usually consisting of poured concrete, concrete pavers and/or brick.~~

~~**Impervious Surface** – Percentage of the lot that may be covered by impervious materials, including buildings, pavement and other surfaces that are not permeable to water. It is calculated by dividing the total area of all impervious surfaces by the total lot area.~~

~~**Internal Block** – One or more lots, tracts, or parcels of land bounded by streets, railroads, or subdivision boundary lines.~~

~~**Intermodal Facilities** – A place where interface occurs between transportation systems including transit connections, choices and coordination of various modes. Such facilities shall include, but are not limited to intercity bus connections, transit shelters, greenways/pedestrianways, bicycle lanes, multimodal centers, kiss & ride drop-offs, park & ride lots, etc.~~

~~**Joint Use Driveway** – A driveway connecting two or more contiguous sites to the public/private street systems.~~

~~**LDC** – City of DeBary Land Development Code~~

~~**Light Fixture** – The complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a light fixture.~~

~~**Liner Building** – A liner building is a specialized building, parallel to the street, which is designed to conceal an area such as a parking lot or loading dock. Liner buildings may include commercial, office or residential uses.~~

~~**Live/Work** – allow professionals, entrepreneurs, artists and others to occupy joint living and work quarters.~~

~~**Lot Coverage** – Percentage of the lot that may be covered by a building and is calculated by dividing the total of building footprint area by the total lot area. Do not include parking or other paved surfaces.~~

~~**Mixed Use Building** – A building containing more than one type of use. This may include, but is not limited to, a combination of residential, commercial, light manufacturing, office, and/or civic land uses.~~

~~**Opaque Wall** – A wall that is not see-through, non-transparent.~~

~~**Outside TOD Core** – Properties between approximately ¼ mile and ½ mile of the DeBary Commuter Rail Station.~~

~~**Overlay District** – An overlay district can serve as an opt-in, incentive based district that overlays but does not supersede existing zoning or land use districts.~~

~~**Pedestrian-Oriented Business or Use** – A business or use which is commonly accessed by pedestrians from the street sidewalk and has a high customer use rate.~~

~~**Principal Building** – A building in which is conducted the principal use of the lot on which it is located.~~

~~**Principal Entrance** – The place of ingress and egress most frequently used by the public.~~

~~**Principal Street** – In this Document, the principal street of a lot or site is the street with the highest priority/level of transit service that is adjacent to the lot or site. Street priorities are as follows:~~

- ~~• US Hwy. 17-92~~
- ~~• TOD Core Streets~~
- ~~• Pedestrian Priority Streets~~
- ~~• Local Streets~~

~~**Shaded Sidewalk** – For the purposes of this regulating plan shall be either a sidewalk with street trees at 30-foot intervals or a sidewalk covered with weather-protection materials such as awnings.~~

~~**Sidewalk** – Pedestrian pathway that includes the street tree/furniture and sidewalk clear zone.~~

~~**Sidewalk Clear Zone** – That portion of the sidewalk that is maintained free of any obstructions to allow for the passage of pedestrians~~

~~**Storefront Zone** – Portion of the front yard setback to allow for seating areas, planters/planting areas, bicycle racks, temporary sale/display of merchandise, moveable sandwich boards, postal/freight collection boxes, public art, etc.~~

~~**Story** – That portion of a building, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story.~~

~~**Streetscape** – Term used to describe the natural and built fabric of the street.~~

~~**Street Tree/Furniture Zone** – That portion of the sidewalk located between the curb line and the sidewalk clear in which the following elements may be located.~~

- ~~• Street trees/grates, planting strips, raised planters~~
- ~~• Street light standards~~
- ~~• Street signs/pedestrian wayfinding signs~~
- ~~• Transit stops~~
- ~~• Postal/freight collection boxes~~
- ~~• Parking meters~~
- ~~• Utility boxes/public phones/fire protection~~
- ~~• Seating~~
- ~~• Trash receptacles~~
- ~~• Bicycle racks~~

~~**TOD Core** – Properties within approximately ¼ mile of the DeBary Commuter Rail Station.~~

~~**Transit Oriented Development** – Land use planning concept that promotes mix of residential, commercial, office and public uses, all within a comfortable walking distance to maximize access to public transportation, and incorporates features to encourage transit ridership. Examples of transit-supportive land uses include, but are not limited to the following: apartments; live-work units; townhouses; single-family houses; affordable housing; lodging; retail stores; restaurants; banks; private offices/professional businesses; government offices; medical centers; high schools and post-secondary institutions; child-care centers; libraries; recreational and cultural facilities; theatres; public spaces; and other facilities.~~

~~**Transitional Area** – Properties beyond approximately ½ mile of the DeBary Commuter Rail Station.~~

**Access Easement** – That portion of a lot or parcel used for ingress or egress to an abutting lot or parcel and shown on a recorded plan by declaration. In no case shall a street or right-of-way be construed to mean an easement.

**Architectural Embellishments** – Ornamentation, adornment with decorative elements, i.e., towers, turrets and rosettes.

**Awning Signs** – A structure supported entirely from exterior wall of a building and composed of non-rigid materials (except for the supporting framework) upon which a sign is indelibly drawn, painted, applied or printed.

**Balustrade** – An entire railing system – as along the edge of a balcony – including a top rail and its balusters and sometimes a bottom rail.

**Bargeboard** – An intricate carved or molded ornamental board attached as trim to hide and protect the overhanging exposed edge eaves of a gable roof.

**Basis of Design** – A specific product or building component that is specified as a minimum basis of comparison based upon performance, aesthetics, design or other features.

**Bay** – A part of a structure, as a building, that is marked off by vertical elements A bay window; a recess or opening in a wall; an extension of a building-wing.

**Board and Batten Siding** – Vertical siding made up of alternating wide and thin boards where the thin boards cover the joints between the wide boards.

**Building Configuration** – The form of a building, based on its massing, private frontage, and height.

**Building Function** – The uses accommodated by a building and its lot. Functions are categorized as Restricted, Limited or Open, according to the intensity of the use.



**Building Height** - Vertical distance measured from the finished grade, along the front of the structure, to the highest point of a flat roof or to the average distance between eaves and ridge for gable, hip and gambrel roofs.

**Bracket** – A projection from a vertical surface providing support under cornices, balconies, window frames, etc. (Sometimes used to describe a metal fastener.)

**Buffer** – A designated area between two uses deemed incompatible with each other, or along the perimeter of a natural feature to be protected from an incompatible use, or along the perimeter of that use, which will absorb or otherwise preclude such incompatibility by some combination of construction design, vegetation plantings, fences and/or maintenance practices which shall be permanently maintained.

**Capital** – The head or crowning feature of a column or pilaster.

**Canopy Sign** – Sign panels or individual letters attached to the face of the canopy. Free standing letters that rest upon a canopy's upper edge; or panels that are applied to the face of the canopy.

**Civic Buildings** - For purposes of this TOD regulating plan, civic building shall consist of: College or University Facilities, Community Recreation (Public), Cultural Services, Local Utility Services, Parks and Recreation Services, Postal Services, Public Educations Facilities and Transportation Terminals.

**Civic Space** – An outdoor area dedicated for public use.

**Cladding** – Exterior surface material of a building.

**Classical Orders** – The design of systems of columns and cornices derived from ancient Roman and Greek precedents as defined by Vitruvius and modified through the ages by Italian, French and English architects.

**Classical Proportions** – A series of ratios developed over the course of centuries and believed to result in pleasing proportions for buildings and building elements. Based on Greek and Roman principles, various systems for classical proportions were developed and modified through the centuries.

**Colonnade** – A roofed structure supported by columns.

**Commercial** – The term collectively defining workspace, office and retail functions.

**Connectivity** – The ability for pedestrians to flow between developments; the relationship of different building functions; the relationship of buildings to site amenities.

**Context** – Surroundings made up of the particular combination of elements that create specific habitat.

**Corbel** – A decorative formation supporting a projection, such as a cornice, shallow bay or a structural element.

**Cornice** – An ornamental molding at the meeting of the roof and wall; usually consists of bed molding, soffit, fascia and crown molding.

**Corridor** – A lineal geographic system incorporating transportation and/or greenway trajectories.

**CPTED (Crime Prevention Through Environmental Design)** – Built environment implementations of CPTED seek to dissuade offenders from committing crimes by manipulating the built environment in which those crimes proceed from or occur. The three most common built environment strategies are natural surveillance, natural access control and natural territorial reinforcement. CPTED relies upon changes to the physical environment that will cause an offender to make certain behavioral decisions.

**Density** – The number of dwelling units within a standard measure of land area, usually given as units per acre.

**Dormers** – A structure projecting from a sloping roof usually housing a window or ventilating louver.

**Façade** – Any important face of a building, usually the principal front with the main entrance.

**Fascia Sign** – The flat, outside sign placed on a building cornice in a vertical position.

**Finial** – A relatively small, usually foliated ornament terminating the peak of a spire or pinnacle.

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**Glazing** - The panes or sheets of glass or other non-glass material made to be set in frames, as in windows or doors.

**Green** – A naturalistic, open space that is small and civic in nature and is surrounded by buildings. Greens feature informal planting, often around a sunny central lawn.

**Green Building** – The practice of increasing the efficiency with which buildings and their sites use and harvest energy, water and materials through better siting, design, construction, operation, maintenance and removal, therefore reducing building impacts on human health and the environment.

**Gross Floor Area** - The area within the perimeter of the outside walls of a building as measured from the inside surface of the exterior walls, with no deduction for hallways, stairs, closets, thickness of walls, columns, or other interior features.

**Hardscape** - Paving surface of walkways/sidewalks usually consisting of poured concrete, concrete pavers and/or brick.

**Impervious Surface** - Percentage of the lot that may be covered by impervious materials, including buildings, pavement and other surfaces that are not permeable to water. It is calculated by dividing the total area of all impervious surfaces by the total lot area.

**Internal Block** - One or more lots, tracts, or parcels of land bounded by streets, railroads, or subdivision boundary lines.

**Intermodal Facilities** - A place where interface occurs between transportation systems including transit connections, choices and coordination of various modes. Such facilities shall include, but are not limited to intercity bus connections, transit shelters, greenways/pedestrianways, bicycle lanes, multimodal centers, kiss & ride drop-offs, park & ride lots, etc.

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**Live/Work** - allow professionals, entrepreneurs, artists and others to occupy joint living and work quarters.

**Lot Coverage** – Percentage of the lot that may be covered by a building and is calculated by dividing the total of building footprint area by the total lot area. Do not include parking or other paved surfaces.

**Mixed Use Building** - Multiple functions within the same building through superimposition or adjacency, or in multiple buildings within the same area by adjacency. This may include, but is not limited to, a combination of residential, commercial, light manufacturing, office, and/or civic land uses.

**Opaque Wall** - A wall that is not see-through, non-transparent.

**Outside TOD Core** - Properties between approximately ¼ mile and ½ mile of the DeBary Commuter Rail Station.

**Overlay District** - An overlay district can serve as an opt-in, incentive based district that overlays but does not supersede existing zoning or land use districts.

**Parapet** – A low guarding wall at any point of sudden drop, as at the edge of a terrace, roof, balcony, etc.

**Pedestrian-Oriented Business or Use** - A business or use which is commonly accessed by pedestrians from the street sidewalk and has a high customer use rate.

**Portico** – A walkway or porch with a roof supported by columns, often at the entrance of a building.

**Public Space** – The area between the curb of the vehicular lanes and the Frontage Line. Elements of the Public Frontage include the type of curb, walk, planter, street tree and streetlight

**Principal Building** - A building in which is conducted the principal use of the lot on which it is located.

**Principal Entrance** - The place of ingress and egress most frequently used by the public.

**Principal Street** - In this Document, the principal street of a lot or site is the street with the highest priority/level of transit service that is adjacent to the lot or site. Street priorities are as follows:

- US Hwy. 17-92
- TOD Core Streets
- Pedestrian Priority Streets
- Local Streets

**Shaded Sidewalk** - For the purposes of this regulating plan shall be either a sidewalk with street trees at 30-foot intervals or a sidewalk covered with weather-protection materials such as awnings.

**Sidewalk** - Pedestrian pathway that includes the street tree/furniture and sidewalk clear zone.

**Sidewalk Clear Zone** - That portion of the sidewalk that is maintained free of any obstructions to allow for the passage of pedestrians

**Storefront Zone** - Portion of the front yard setback to allow for seating areas, planters/planting areas, bicycle racks, temporary sale/display of merchandise, moveable sandwich boards, postal/freight collection boxes, public art, etc.

**Story** - That portion of a building, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story.

**Stepback** – Portions of the building that are set back from the façade face in order to reduce the visual massing and height from the street.

**Story** – A habitable level within a building.

**Streetscape** – The urban element that establishes the major part of the public realm. The streetscape is composed of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.) and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

**Streetscreen** – A freestanding wall built along the frontage line, or coplanar with the facade, often for the purpose of masking a parking lot from the thoroughfare. Streetscreens shall have openings no larger than is necessary to allow automobile and pedestrian access. In addition, all streetscreens over [4 feet] high should be [30%] permeable or articulated to avoid blank walls.

**Street Tree/Furniture Zone** - That portion of the sidewalk located between the curb line and the sidewalk clear in which the following elements may be located.

- Street trees/grates, planting strips, raised planters
- Street light standards
- Street signs/pedestrian wayfinding signs
- Transit stops
- Postal/freight collection boxes
- Parking meters
- Utility boxes/public phones/fire protection
- Seating
- Trash receptacles
- Bicycle racks

**Terminus Vista** – A location at the axial conclusion of a thoroughfare.

**Terra-Cotta** – A hard, fired clay, reddish-brown in color when unglazed, used for architectural facings and ornaments, tile units and pottery.

**TOD Core** - Properties within approximately ¼ mile of the DeBary Commuter Rail Station.

**Transit Oriented Development** - Land use planning concept that promotes mix of residential, commercial, office and public uses, all within a comfortable walking distance to maximize access to public transportation, and incorporates features to encourage transit ridership. Examples of transit-supportive land uses include, but are not limited to the following: apartments; live-work units; townhouses; single-family houses; ~~affordable housing~~; lodging; retail stores; restaurants; banks; private offices/professional businesses; government offices; medical centers; high schools and post-secondary institutions; child-care centers; libraries; recreational and cultural facilities; theatres; public spaces; and other facilities.

**Town Home** – A single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line.

**Transition Line** – A horizontal line spanning the full width of a facade, expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

**Water Table** – A horizontal exterior ledge on a wall, pier, buttress, etc. This forms the first expression line of the façade.

**Notes:** Definitions in this book were taken from The Smart Code and The Dictionary of Architecture and Construction.

Copyright 1975 McGraw-Hill, Inc.

ISBN 0-07-026819-3

**Other References:**

The Florida Building Code

Crime Prevention Through Environmental Design (CPTED)

For terms not defined here, please refer to the references described above.

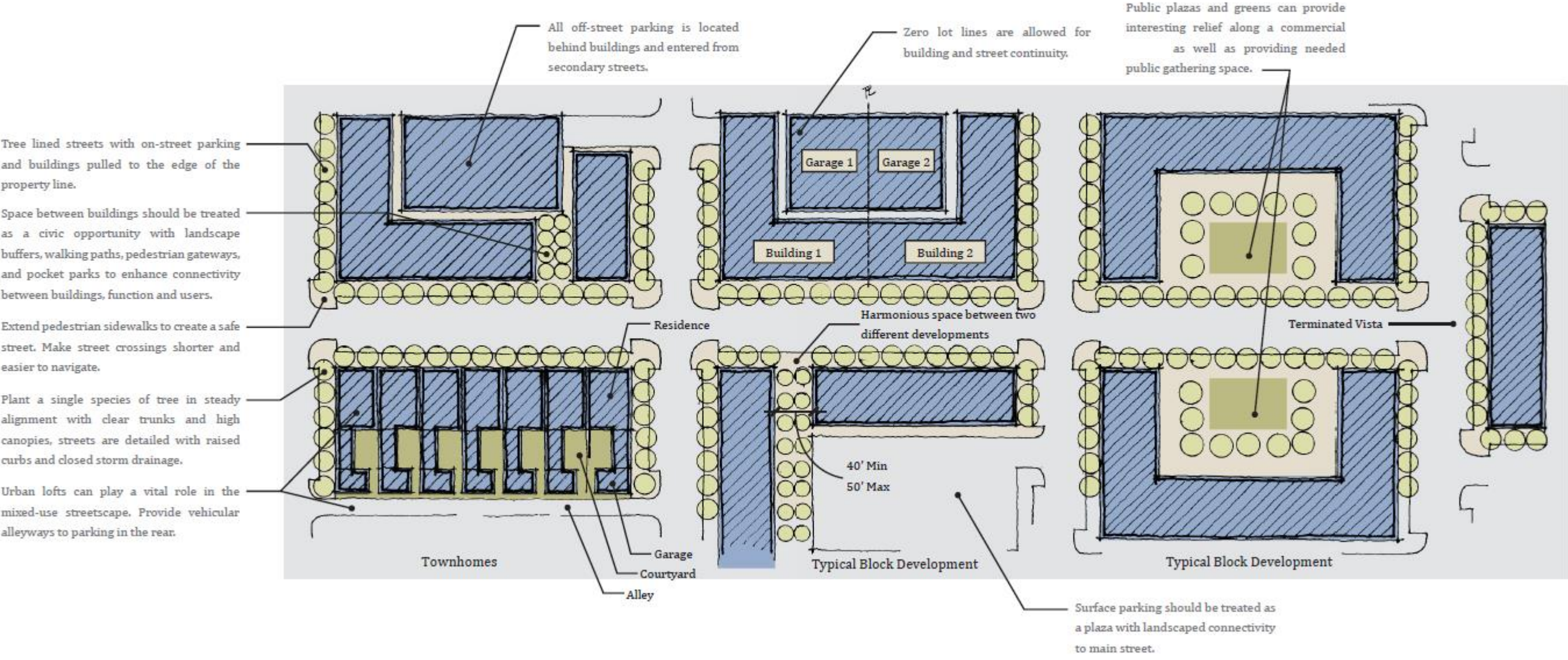




# Exhibit "B"

## DEBARY TOD DESIGN PRINCIPLES

### TYPICAL DEVELOPMENT DIAGRAM

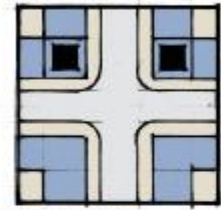






## GATEWAY TYPES

**GATEWAYS** can be used to celebrate, define and mark space. Gateways should be used at key locations and important intersections to create a strong visual identity for the DeBary TOD Gateway elements such as towers may encroach into the established setback and be higher than the maximum allowed height of the building. These diagrams can be built elements or landscaping.



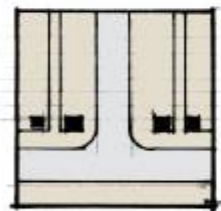
Positive Space

Positive space can be large towers of a building or two large trees marking an entry.



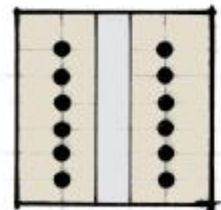
Negative Space

Negative space can be achieved by elements as large as a vehicle roundabout with surrounding buildings or as small as a fountain with hedges around.



Threshold

Pedestrian gateways are also important to provide a sense of hierarchy to the space.



Rhythm

A gateway can be a rhythmic planting of trees or pylons.



Framed Space

The definition of both the functional (roundabout) and the romantic artistry (the architecture).





## Parks/Open Spaces

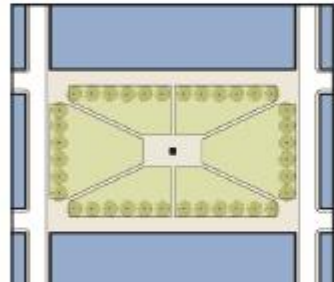
**Park** A natural preserve available for unstructured recreation. A park may be independent of surrounding building frontages. Its landscape shall consist of paths and trails, meadows, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.



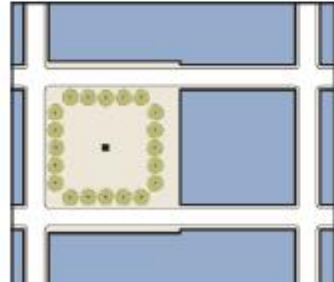
**Green** An open space, available for unstructured recreation. A green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed.



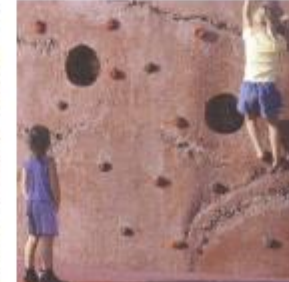
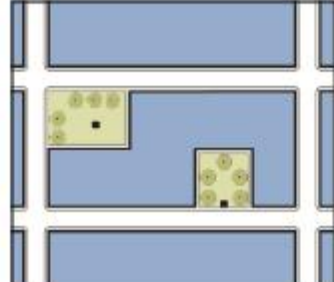
**Square** An open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares.



**Plaza** An open space, available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas shall be located at the intersection of important streets.



**Neighborhood Park** An open space designed and equipped for the recreation of children. A playground may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens.



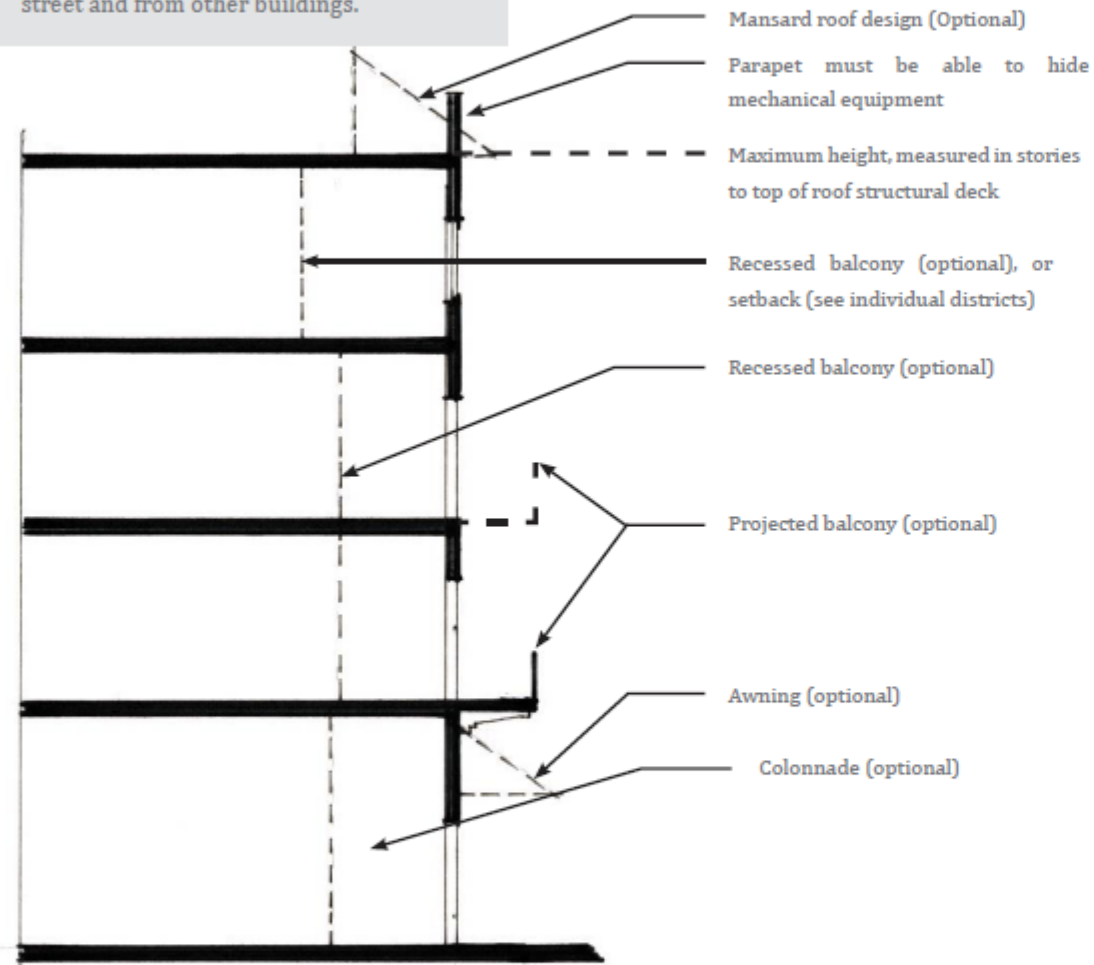
Text, Diagram Credit: Duany Plater-Zyberk & Co.



## Buildings/Street Sections

### TYPICAL BUILDING SECTION

NOTE: Parapets/mansards must screen all mechanical equipment, satellite dishes, telecommunication systems, etc. from the street and from other buildings.

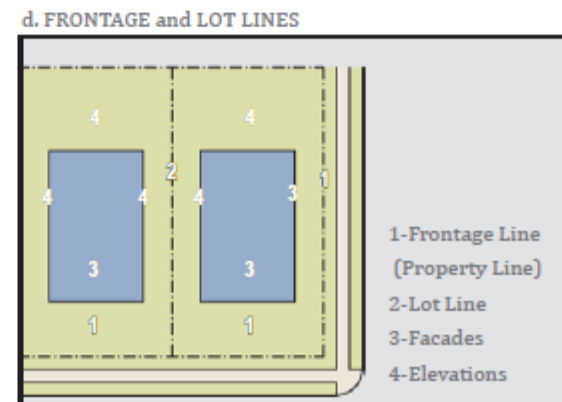
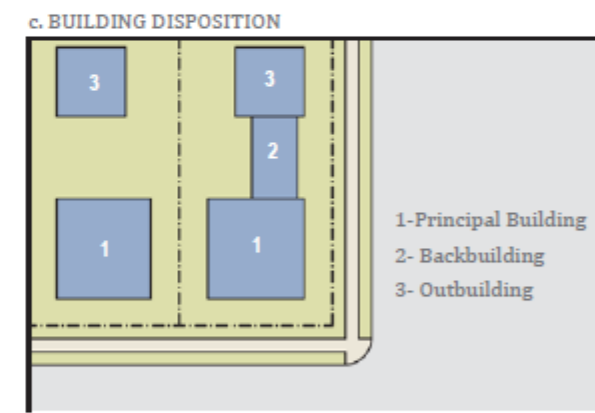
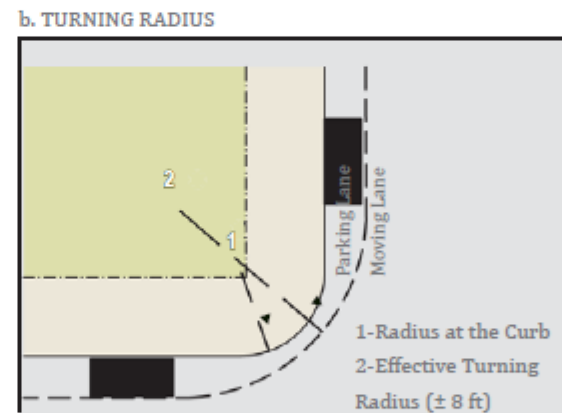
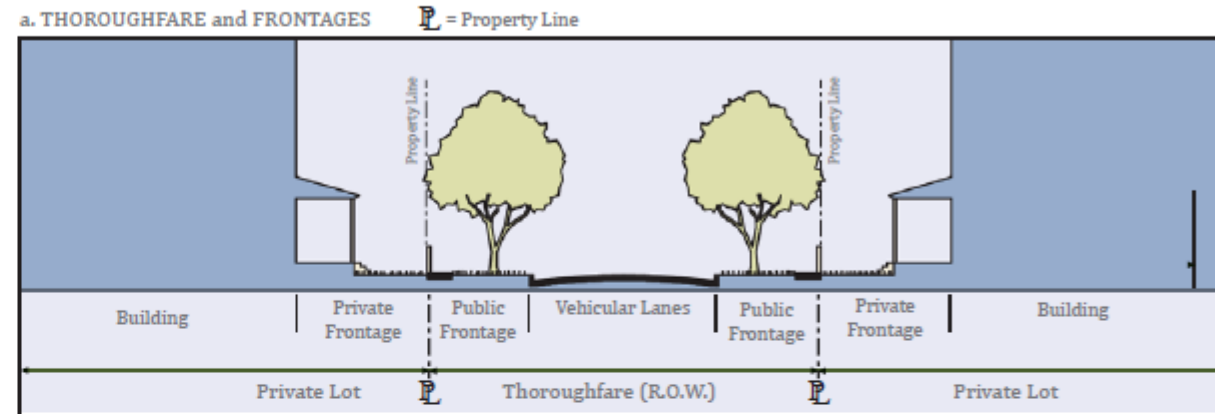


### TYPICAL BUILDING SECTION

The above shows a building in section with a combination of articulation, projections and fenestration to the façade. Windowless or an inappropriately small area of window will not be permitted in the public realm. The section is not promoting one solution over another unless otherwise noted. In all cases the section must be followed in terms of maximum building height, site placement, setbacks, setbacks and hiding the mechanical systems with roof, mansard or parapet.

### STREET SECTION AND PLANNING

Definitions Illustrated



These diagrams are general representations of planning principles and nomenclature. Designers should use these diagrams in conjunction with individual TOD requirements to provide proper site placement. However, individual sites and property lines vary throughout the TOD and the design intent is to provide a consistent vision by adjusting the values as required to achieve the desired street sections.

Credit: Dnany Plater-Zyberk and Co.





# Building Configurations and Public Frontages

## BUILDING CONFIGURATION

This table shows prescribed building heights for each TOD. The vertical extend of a building is measured by number of stories, not including a raised basement or an inhabited attic. Heights are measured from the average grade of the frontage line to the eave of a pitched roof or to the surface of a flat roof. The term “tower” within refers to an attached or detached addition to a building, not to an entire building. See specific TOD for specified height requirements.



## CHARACTERISTICS

- Great streets create walkable environments through the inclusion and integration of street trees, on-street parking, traffic calming devices and buildings that address the street with entries, windows, balconies, canopies and planters.
- Green spaces on the street provides a defensible environment for the safety of the pedestrian.
- Streets should be lined with mixed-use shopfront buildings that are positioned at the front of each lot.
- Colonnades, balconies, and awnings are encouraged.
- Balconies, planter boxes, awnings and canopies may extend beyond the property line.
- Stepbacks may be required above the third level to maintain a balance of street-to-building massing.
- Parapets and slope roofs may extend beyond the height limit.
- Towers and cupolas are encouraged in the composition and should be used to highlight and anchor street corners.
- Building fronts are required to provide shelter to pedestrians and relief and articulation to the facade by means of arcades, colonnades, awnings and balconies.
- Facades shall have a traditional base, middle, and top delineated through a change in material, texture, color and traditional expression lines.
- Street lighting shall provide safe lighting levels for the pedestrian and shall be located within 3 feet of the curb at intervals no greater than 50 feet.
- Street furniture shall be provided along the street and shall include benches, trash receptacles, signs and bollards.

## PUBLIC FRONTAGES

The Public Frontage is the area between the private lot line (property line) and the edge of the vehicular lanes.

	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE
<p><b>(SS) (AV) For Standard Streets or Avenues</b> This frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a narrow continuous planter. The landscaping consists of a single tree species aligned in a regularly spaced alley.</p>		
<p><b>(CS) (AV) For Commercial Streets or Avenues</b> This frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by a narrow continuous planter or separate tree wells with grates and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing.</p>		
<p><b>(BV) For Boulevards</b> This frontage consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planting areas, planters or individual tree wells. The landscaping consists of double rows of a single tree species aligned in a regularly spaced alley.</p>		

## Surface Water Retention

Stormwater retention areas should be treated as aesthetic, natural assets rather than mere infrastructure. Simulated natural shorelines, wet ponds with aerating fountains, and incorporation of ponds into park-like pedestrian areas that may include sidewalks, boardwalks or walkways are encouraged. They should never be viewed as a simple square pond to meet a need, and fences should be avoided where possible and should be of an open transparent design in metal painted black where required. Chain link metal fabric fencing shall not be permitted under any circumstances.





# Typical Pavers

## PAVER PATTERNS

Plaza



STYLE English Edge Full Range



Parallel Parking



STYLE English Edge Buff  
English Edge Ironspot



Crosswalk



STYLE English Edge Ironspot



Street



STYLE English Edge Autumn



### MANUFACTURER (Basis of Design)

Pine Hall Brick

2701 Shorefair Drive  
Winston Salem, NC 27116

1-800-334-8689  
www.pinehallbrick.com

## PAVER MATERIALS AND COLORS



English Edge Full Range



English Edge Ironspot



English Edge Buff



English Edge Autumn

## PAVER INFORMATION



Paving changes help to define a plaza or unique space from a typical sidewalk. Different colors and textures in earth tone ranges are encouraged to help create a sense of place.



New sidewalks and crosswalks should be constructed of high quality pavers, brick or stone. Design should be consistent along the same street.





# Street Furnishings

## PLANTERS



Robinson Iron



Haddonstone  
Clarence Urn

Pots and urns for planting come in a variety of shapes, sizes, and colors. The following are a few of the options that the City could use. Pots and urns should be Terra Cotta in color and groupings of three are encouraged with drip irrigation. Urns should be of a historical context. Made out of cast stone or architectural concrete.



DuMor 115 Planter



## MAILBOXES



QualArc Regency Collection  
Decorative Cluster Box Unit  
Budgetmailboxes.com  
Majesticmailboxes.com



QualArc Regency Collection  
Decorative Cluster Box Unit  
Budgetmailboxes.com  
Majesticmailboxes.com

## ACCESSORIES



DuMor 83 Bike Rack



Reliance Foundry  
R-7530-39  
Bollard



Fountain



# Landscaping Guidelines



**Cathedral Oak**  
(*Quercus virginiana* "Cathedral")  
12'-14' Height, 6'-7' Spread  
2.5"-3" Caliper  
(canopy)



**"Little Gem" Magnolia**  
(*Magnolia g.* "Little Gem")  
10' Height  
4'-5' Spread  
2" Caliper  
(understory)



**Parson's Juniper**  
(*Juniperus parsoni*)  
8" Height  
12" Spread  
24" o.c.  
(small)



**Shumard Oak**  
(*Quercus shumardii*)  
18'-20' Height  
8'-10' Spread  
4" Caliper  
(canopy)



**Japanese Privet**  
(*Ligustrum japonicum*)  
8' Height  
7' Spread  
Multi-Trunk, 3 minimum  
(understory)



**Japanese Privet Topiary**  
(*Eugenia*)  
6' Height  
(accent)



**Live Oak**  
(*Quercus virginiana*)  
18'-20' Height  
8'-10' Spread  
4" Caliper or Field Grown  
(canopy)



**Crape Myrtle**  
(*Lagerstromia indica*)  
10' Height  
5' Spread  
2" Caliper  
(understory)



**'Big Blue' Liriope**  
(*Liriope muscari 'Big Blue'*)  
12" Height, 4-6 bpp  
18" o.c.  
(small)



**Highrise Live Oak**  
(*Quercus virginiana 'QVTLA' highrise*)  
18'-20' Height, 8'-10' Spread  
4" Caliper or Field Grown  
(medium)



**Sandankwa Viburnum**  
(*Viburnum suspensum*)  
24" Height  
24" Spread  
3' o.c.  
(medium)



**Lorapetalum (or any cultivar)**  
(*Lorapetalum Chinese rubrum*)  
16" Height, 20" Spread  
30" o.c. (large and medium)



**Drake Elm**  
(*Ulmus parvifolia 'Drake'*)  
10'-12' Height  
5'-6' Spread  
2" Caliper  
(understory)



**Cardboard Palm**  
(*Zamia fururacea*)  
18" Height  
18" Spread  
(accent)



**White African Iris**  
(*Moraea iridioides*)  
18" o.c.  
(small)



**Allee Elm 'Elmer II'**  
(*Ulmus parvifolia 'Elmer II'*)  
12'-14' Height  
5'-6' Spread  
3" Caliper  
(medium)



**Plumbago**  
(*Plumbago Capensis*)  
18" Height  
18" Spread  
30" o.c.  
(shrub)



**Southern Yew**  
(*Podocarpus macrophyllus*)  
3' Height x 18" Spread  
24"-30" o.c.  
(large)



**Bald Cypress**  
(*Taxodium distichum*)  
12' Height  
6' Spread  
3.5"-4" Caliper  
(medium)



**Dwarf Buford Holly**  
(*Ilex cornuta 'Dwarf Buford'*)  
18" Height  
18" Spread  
24" o.c.  
(medium)



**Azalea**  
(*Rhododendron "Duc De Rohan"*)  
24" Height x 24" Spread  
3' o.c.  
(large and medium)



**Southern Magnolia**  
(*Magnolia grandiflora*)  
12'-14' Height  
5'-6' Spread  
3" Caliper  
(canopy)



**Dwarf Yaupon Holly**  
(*Ilex vomitoria 'Stokes Dwarf'*)  
18" Height  
18" Spread  
24" o.c.  
(small)



**Firecracker**  
(*Russelia Equisetiformis*)  
18" Height  
18" Spread  
24" o.c.  
(shrub)



**Nellie R. Stevens Holly**  
(*Ilex 'Nellie R. Stevens'*)  
10' Height  
6' Spread  
2" Caliper  
(medium)



**Ground Cover Jasmine**  
(*Trach. Jasmingides 'asiaticum' minima*)  
24" runners  
30" o.c.  
(vine)



**Sabal Palm**  
(*Sabal Palmetto*)  
8'-18' Clear Trunk  
Straight, no burn marks  
(palm)

## LANDSCAPE

The design of the landscape is as important to the success of "place" as the built environment or the streets that feed it. The landscape and the planting of a space should be a deliberate act.

\* Christopher Alexander-A Pattern Language



## LANDSCAPE GENERAL REQUIREMENTS

All shrub beds to be mulched to a minimum depth of 3 inches. Flower and ground cover beds shall be mulched as required to provide cover to the bare earth and to encourage propagation of ground cover.

All hedges along primary building street frontages to be installed at a minimum height of 24 inches and maintained at a maximum height of 42 inches. Hedges located along secondary (side and rear) building street frontages shall be maintained at a maximum height of 72 inches.

All exterior mechanical, electrical and plumbing equipment to be located at the rear half of the property or in another location that provides screening from public view. Screening from direct view shall be provided in all cases through the use of shrubs, hedges, permanent walls or a fence. Placement and Screening shall be reviewed by the City of DeBary Department of [Community Development](#).

Placement and appropriate screening of pad mounted and above grade utility equipment required to be accessible for service and use shall be coordinated between the building Owner, utility company and the City of DeBary [Community Development Department](#).

Off-street parking adjacent to a street to be discouraged but when necessary it shall be screened from view with a painted metal or wood picket fence and a minimum 5' buffer area with a planting height of no less than 42 inches tall 24 months after initial installation.

All parking next to an adjacent lot shall be screened by a landscape buffer that includes a continuous hedge at least 42 inches tall no more than 24 months after installation or a fence no less than 72 inches tall and 8 inches thick. Required landscape buffer shall be a minimum of 5-foot in width.

When multiple lots are interlinked through a cross access easement for combined parking these design standards call for the parking area to be separated from the building by a landscape buffer and shall be screened from street views by a 5-foot wide landscape buffer with a continuous hedge that is 42 inches in height no less than 24 months after installation.

NOTE: CALIPER MEASUREMENTS TAKEN FROM 1 FOOT ABOVE FINISHED DIRT.



## Inspiration Images







## Commercial/Mixed-Use

**TOP MATERIALS** Brick, Stucco, Glass Fiber Reinforced Concrete (GFRC), Hardi Board, Painted Metal, Copper, Tile, Simulated or Authentic Slate, Cast Stone.

**FORMS** Entablatures, Cupolas, Parapets of Various Heights, Gable Ends, Sloped Mansard Roof Features of Various Heights, Spires, Vents, Tile Medallions, Ornamental, Light Fixtures, Dormers, Towers and Turrets.

**Note:** No Exterior Insulation Finish System (EIFS) allowed  
Styrofoam shapes will be permitted as a backer only if 3-coat stucco is applied over the shapes.



**MIDDLE MATERIALS** The body of the building, window/door headers and sill can be: Brick, Stucco, Glass Fiber Reinforced Concrete (GFRC), Hardi Board, Wood and Metal, Tile, Cast Stone, and Architectural Precast Concrete.

**FORMS** Punched Window and Door Openings, Curtain Wall Windows with Spandrel Glass or Metal Panels (Ornate) Spanning Multiple Floors, Projecting and Recessed Balconies with Ornate FRC, Wood or Metal Details, Awnings, Tile Medallions, Ornamental Light Fixtures, Flower Boxes.

**Note:** No Exterior Insulation Finish System (EIFS) allowed  
Styrofoam shapes will be permitted as a backer only if 3-coat stucco is applied over the shapes.



**BASE MATERIALS** Granite, Marble, Limestone, Cast Stone, Brick, Stucco, Hardi Board, Canvas Awnings, Metal and Glass Marques, Windows, and Doors - Wood or Metal.

**FORMS** Water Table Recessed Porticos, Expression Lines at Floor-to-Floor Change (Cornice), Large Retail/Commercial Windows, Controlled Size and Type of Signage, Window and Door Headers and Sills, Awnings and Marques, Ornamental Light Fixtures, Flower Boxes.

**Note:** No Exterior Insulation Finish System (EIFS) allowed  
Styrofoam shapes will be permitted as a backer only if 3-coat stucco is applied over the shapes.





## Residential

**TOP MATERIALS** Brick, Stucco, Fiber Reinforced Concrete (FRC), Hardi Board, Painted Metal, Copper, Tile, Simulated or Authentic Slate, Architectural Grade Asphaltic Shingles, Cast Stone.

**FORMS** Entablatures, Cupolas, Parapets of Various Heights, Gable Ends, Sloped Mansard Roof Features of Various Heights, Spires, Vents, Tile Medallions, Ornamental, Light Fixtures, Dormers, Towers and Turrets.

**Note:** No Exterior Insulation Finish System (EIFS) allowed  
Styrofoam shapes will be permitted as a backer only if 3-coat stucco is applied over the shapes.



**MIDDLE MATERIALS** The body of the building and window/door headers and sill can be: Brick, Stucco, Glass Fiber Reinforced Concrete (GFRC), Hardi Board, Wood and Metal, Tile, Cast Stone, and Architectural Precast Concrete.

**FORMS** Punched Window and Door Openings, Projecting and Recessed Balconies with Ornate FRC, Wood or Metal Details, Canvas Awnings, Tile Medallions, Ornamental Light Fixtures, Flower Boxes, Shutters, Columns.

**Note:** No Exterior Insulation Finish System (EIFS) allowed  
Styrofoam shapes will be permitted as a backer only if 3-coat stucco is applied over the shapes.



**BASE MATERIALS** Granite, Marble, Limestone, Cast Stone, Brick, Stucco, Hardi Board, Canvas Awnings, Windows, and Doors - Wood or Metal. Storefront allowed in Artisan, Lyman districts.

**FORMS** Water Table Recessed Porticos, Expression Lines at Floor-to-Floor Change (Cornice), Window and Door Headers and Sills, Awnings, Ornamental Light Fixtures, Flower Boxes.

**Note:** No Exterior Insulation Finish System (EIFS) allowed  
Styrofoam shapes will be permitted as a backer only if 3-coat stucco is applied over the shapes.





## Landscape Style Italian Mediterranean

The essential element is contrast: contrasting hard, structured surfaces with soft, unstructured foliage and blooms. Envision tumbling vines atop high stone walls. Paved walkways next to climbing roses. Clipped hedges fronting tall, slender cypress trees.

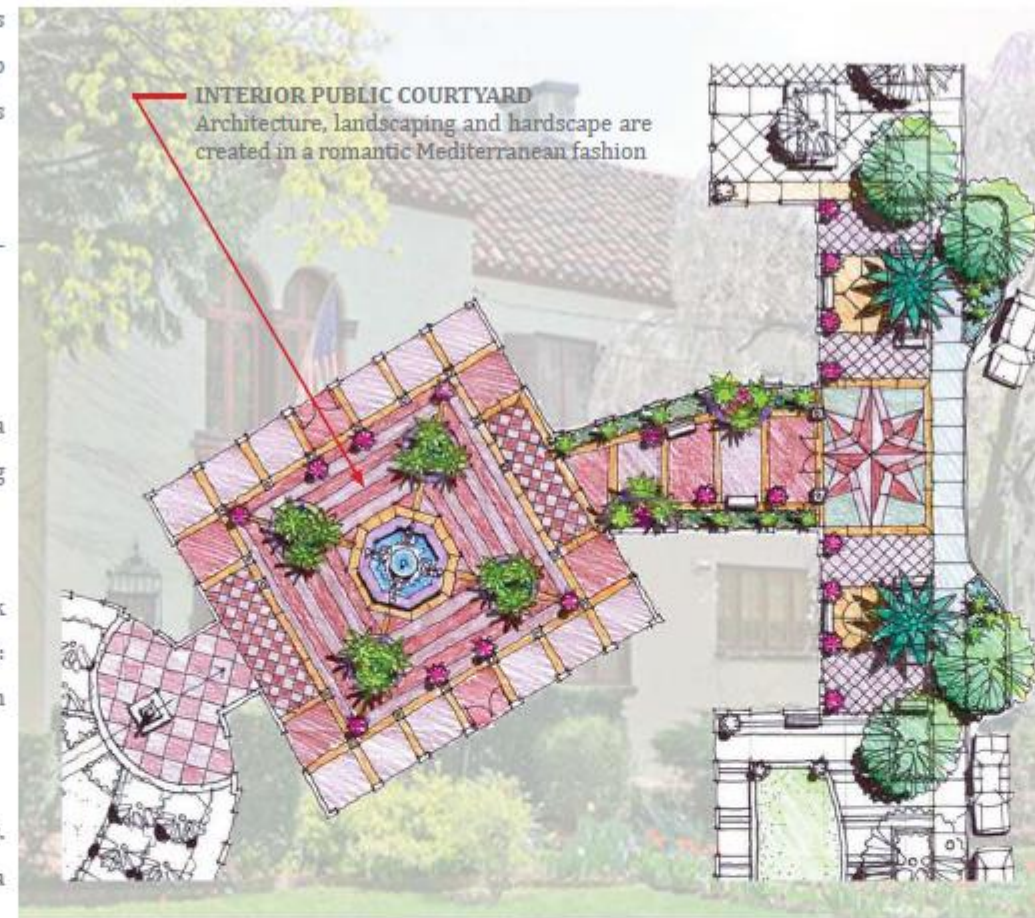
Twining vines and cascading climbers look fabulous in the Mediterranean-style garden. Try climbing roses and grapevines.

Tall, stately cypress trees are ubiquitous in the Mediterranean landscape. Stone makes for great "bones" in a garden, and it's essential in a Mediterranean-style garden. Paved walkways and stone walls also paving stones in your walkways.

Container plants look good pretty much everywhere; however, they look particularly lovely in Mediterranean-style gardens. Preferred pot type: terracotta. Very budget-friendly, indeed. Many of the typical Mediterranean plants are suitable for the semi-tropical climate of Central Florida.

Create a focal point with one large or clusters at odd numbered planters. Paths that lead somewhere, some sort of focal point: a fountain, a pond, a mosaic, a small courtyard, a pergola, an arbor.

### Inspiration Images



Inground planters planters engaging the architecture



Fountain in courtyard



Planters and Landscaping throughout public spaces



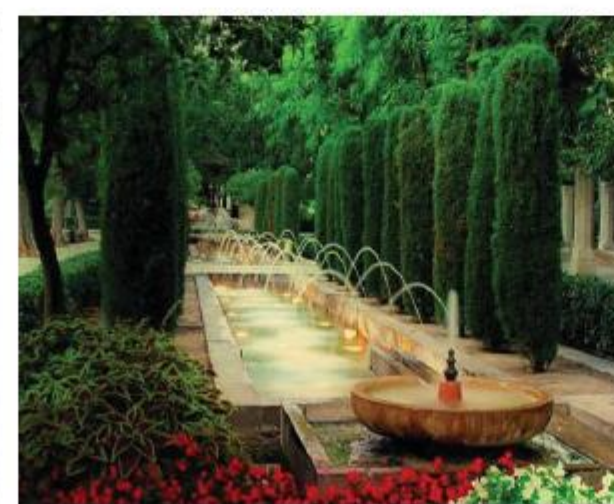
Public seating



Typical pots and planters  
Detail of surface textures



View of public courtyard



Inspirational architectural detailing at interior courtyard



Texture paths and walkways



## Architectural Style Florida Vernacular

Late in the 19th century, with the expansion of the railroad system across the United States, the railways made it possible for the delivery of all aspects of the industrial revolution to the smaller cities. Acquiring the commercial goods, technological advances and news of the latest artistic styles and trends became easy. This new era of quick and cheap transportation ushered in an architectural movement where home builders and owners alike transformed existing buildings, adding elements of Victorian or Gothic Vernacular simply by attaching these readily available mass-produced ornamental trim to their traditional folk houses.

### CHARACTERISTICS

- **PLAN** Regular, rectangular; irregular also common.
- **FOUNDATION** Piers, wood. Tabby or coquina, brick, concrete
- **HEIGHT** One to two and one-half stories, sometimes three
- **PRIMARY EXTERIOR MATERIAL** Horizontal wood siding; to form, wood shingles, board and batten
- **ROOF TYPE** Gable end, less common hip, pyramidal; false front on commercial buildings
- **ROOF MATERIAL** Wood shingles-19th century; metal-late 19th century
- **DETAILING** Simple; usually jig-sawn woodwork on porches, around eaves, corbelling on chimneys
- **WINDOWS** Double-hung, one over one, two over one or three over one

### ELEMENTS OF STYLE

1. Roof: metal or wood shingle
2. L-shaped or gable front plan, cornice brackets, details
3. Simpler details and basic, asymmetrical floor plans
4. Porches with spindle work detailing
5. Latticed base of skirt
6. Porches full width of the main mass often wrapping the sides
7. Brackets, kicker and rafter tails
8. Regularly spaced bays and symmetrical layout
9. Wide front windows and wide front steps
10. Raised seam metal roofs typical
11. Stucco, wood siding or hardie board
12. Wood, metal or metal-clad wood windows

### Inspiration Images



### Characteristics



### Elements of Style





## Architectural Style

### Colonial Revival

The Colonial Revival building is often a combination of various Colonial styles and contemporary elements. Generally the Revival style is a larger building than its Colonial counterpart and some of the individual elements are exaggerated with other parts of the building. Some Revival buildings, however, are executed with such historical accuracy that they are difficult to distinguish from original period buildings.

Initially inspired by the 1876 Philadelphia Centennial, architects studied colonial styles throughout New England, and it became a dominant style for domestic buildings nationwide 1910-1940s. English, Georgian and Adam styles were the backbone of revival ideas, with a secondary influence of Dutch Colonial.

#### CHARACTERISTICS

- **PLAN** Simple, straightforward symmetrical plans with side wings and porches added to make more complex shapes large porches and porticos
- **HEIGHT** One to four stories
- **PRIMARY EXTERIOR MATERIALS** Clapboard, red brick, scored stucco with hand struck joints
- **ROOF TYPE** Gable, often with dormers, gambrel, hipped
- **ROOF MATERIAL** Slates tiles, wood shingles, flat clay tiles, asphalt shingles
- **DETAILING** Orderly, symmetrical relationship between windows, doors, and building mass

#### ELEMENTS OF STYLE

1. Simplified versions of Classical details and columns
2. Low pitched roof
3. Cornice usually emphasized by decorative moldings, with dentils
4. Symmetrical arrayed windows (6 over 6, 9 over 9) with louvered shutters
5. Entry decorated with, sidelights, transoms, swans, fanlight, pediments supported by pilasters that may extend forward and be supported on columns so as form an entry porch, voussoirs
6. Punched openings

#### Inspiration Images



#### Characteristics



#### Elements of Style



Picket fence accentuating a formal entry

Traditional siding, punched-hung windows with lights

Gable ends and porch

Formal massing with traditional style



## Architectural Style Arts and Crafts

The Arts and Crafts Movement began primarily as a search for authentic and meaningful styles for the 19th century and as a reaction to the eclectic revival of historic styles of the Victorian era. Some of the protagonists of this movement turned entirely away from the use of machines and towards handcraft, which tended to concentrate their productions in the hands of sensitive but well-heeled patrons.

### CHARACTERISTICS

- **PLAN** Regular; rectangular
- **FOUNDATION** Brick pier, continuous brick, smooth or rusticated cast stone or stone base
- **HEIGHT** One to four stories
- **PRIMARY EXTERIOR MATERIAL** Horizontal wood siding; shingles less frequently, blown stucco, brick
- **ROOF TYPE** Gable main roof over gable porch roof; shed dormers frequent secondary roof type; less frequent secondary roof type; less frequent multiple gable, belvedere
- **ROOF MATERIAL** Slate, wood shingles, sheet metal, asphalt shingles
- **DETAILING** Simple; exposed structural elements (ridge beams, truss work, rafters, purlins); knee braces; battered porch piers; tapered chimneys

### ELEMENTS OF STYLE

1. Low-pitched, gabled roof
2. Wide overhang of eaves
3. Exposed rafters tails under eaves
4. Decorative brackets (knee braces or corbels)
5. Incised porch (beneath main roof)
6. Tapered or square columns supporting roof or porch
7. Hand-crafted stone, masonry or woodwork, often mixed materials
8. Bungalows can either be front-gabled (side-gabled or cross-gabled)

### Inspiration Images



### Characteristics



### Elements of Style



Typical porch



Stairs lead to porch



Colorful elements and details



Typical inviting entrance way



## Architectural Style

### Modern/Contemporary

The foundation of modern architecture is the liberation of artistic expression beyond the confines of traditional style. The primary philosophy is the simple natural and honest expression of the essence of the building systems and materials where the relationship between the internal and exterior environment are interrelated. A key tenant of Modern Architecture is that the building plan and its function are the driver of expression.

#### CHARACTERISTICS

- **PLAN** Expressive of function, free flowing space. The relationship of the interior to the exterior environment.
- **PRIMARY EXTERIOR MATERIAL** Primary exterior material, smooth wall surface, often stucco; smooth-faced stone and metal; polychromy, often with vivid colors
- **FORMS** Simplified and streamlined; geometric designs including zigzags, chevrons; towers and other vertical projections, presenting a vertical emphasis, abstract shapes and forms
- **MACHINED MATERIALS** Machined and often metallic construction materials for decorative features.

#### ELEMENTS OF STYLE

1. Horizontal orientation
2. Jewel tone colors
3. Corner windows
4. Glass block walls
5. Mirrored panels
6. Ribbon or band of windows with metal frames
7. Flat roof
8. Curved canopy
9. Smooth wall finish
10. Aluminum and stainless steel often are used for door and window trim, railings and balusters
11. Punched openings

### Inspiration Images



### Characteristics



### Elements of Style



Large glass openings



Clean walls



Cantilevered roof planes



Simple profiles



Formal entry



Formal entry



Large windows



Detail of glass







## City Council Meeting City of DeBary AGENDA ITEM

<b>Subject:</b> 175 Mill Grant Rd Variance	<b>Attachments:</b> <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Supporting Documents/ Contracts <input checked="" type="checkbox"/> Other
<b>From:</b> Matt Boerger, Growth Management	
<b>Meeting Hearing Date</b> September 2, 2020	

### REQUEST

Applicant, Gabriel Garrido, is requesting a variance of the B-9 Zoning designation requirement of a one acre minimum lot size.

### PURPOSE

The applicant needs a variance from the minimum required one-acre lot size in order to develop their property with an office building.

### CONSIDERATIONS

The Subject site is located in the northeast area of the City, at 175 Mill Grant Road, DeBary, FL. This is an undeveloped lot approximately 0.4 acres in size. The Future Land Use designation is Commercial/Retail. This classification provides for commercial retail and service uses and activities permitted in the Commercial Office classification. The Zoning designation is B-9, General Office. Sec 3-106(d)(1) requires that the minimum lot size be a minimum of one acre. The purpose and intent of the B-9 classification is to provide areas for general office use. It is intended that this classification apply to suitable properties which are situated in urban areas to provide a transitional area between residential development and more intensive land uses.

The Mill Grant Road area consists of mostly undeveloped lots on a cul-de-sac off of Summerhaven Drive. These lots were previously platted in 1983, prior to the City's incorporation, with lots under one acre in size, but have a B-9, General Office zoning designation today. The B-9 zoning designation is otherwise appropriate for this area as it acts as a transitional land use between the commercial frontage along Enterprise road, and the single family residential area further to the east. However, these lots were undersized for the B-9 zoning designation and cannot be developed as they are with the current zoning lot size requirement. Many of these lots are owned by different entities, and therefore cannot be combined to create a conforming lot size.

The only way for a property owner to develop property along the Mill Grant Road area, would be for them to acquire multiple parcels. Several attempts to develop these lots have been made but unfortunately unsuccessful because they are undersized.

The applicant did not create the issue but is attempting to make their lot developable in accordance with the existing future land use and zoning designations.

If the applicant is permitted a variance to the minimum lot size, it would still be feasible for them to meet the other zoning criteria such as building setbacks and lot coverage.

Criteria for approval of a variance - For the purpose of implementing this provision, the City Council, in making its determination whether there are practical difficulties or particular hardships, also shall take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence:

- a. The particular physical surroundings, shape, topographical conditions, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- b. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally, to other property within the vicinity.
- c. The purpose of the variance request is not based exclusively upon an economic hardship.
- d. The alleged difficulty or hardship has not been created by any act or failure to act by the person owning the property.
- e. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.
- f. The proposed variance will be consistent with the provisions of the Comprehensive Plan and the purposes of this Code. A variance shall meet any specific requirements identified in this Code and no variance shall be granted from these requirements.

Options for Conditions of Approval: In giving preliminary development approval involving a variance, the City Council may impose such conditions and restrictions as may be necessary to comply with the standards in this Code to reduce or minimize the injurious effects of such variance upon other property in the vicinity and so as to carry out the intent and purposes of this Code. Such conditions shall conform to the limitations set out in this Code and shall be enforceable as are any other provisions of this Code.

### **Findings of Fact**

- The application for this variance request has been reviewed by the Development Review Committee and was recommended for approval on July 21<sup>st</sup>, 2020.
- Mill Grant Road was platted in 1983 under Volusia County's supervision, this action created several lots that cannot comply with the B-9 Zoning requirement of a 1-acre minimum lot size.

- Only one parcel on Mill Grant Road has been developed as an American Legion Lodge.
- Many of the lots available cannot be developed under the B-9 Zoning.
- The proposed application meets the intent of Land Development Code, Sec 1-8 for a variance.

**COST/FUNDING**

N/A

**RECOMMENDATION**

Staff recommends approval of the variance from Land Development Code Sec 3-106(d)(1), to allow this lot to be developed under the 1 Acre minimum requirement.

**IMPLEMENTATION**

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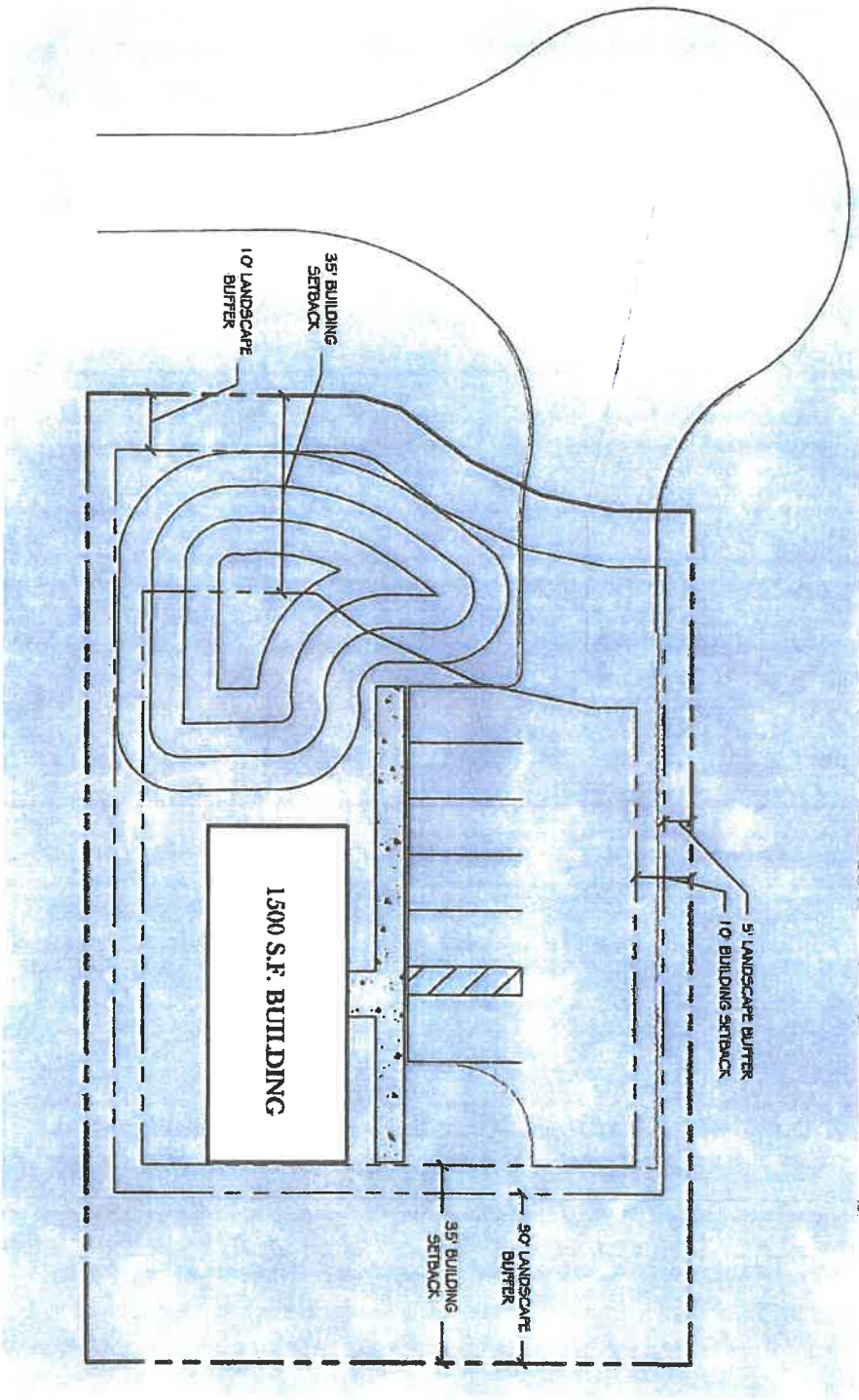
**ATTACHMENTS**

Conceptual site plans  
Survey



# 175 MILL GRANT ROAD PROPERTY

## CONCEPTUAL MASTER PLAN OPTION 1

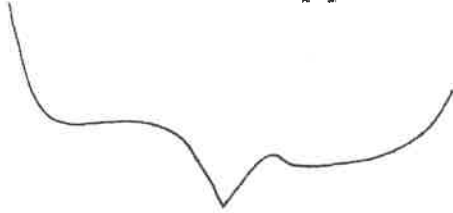
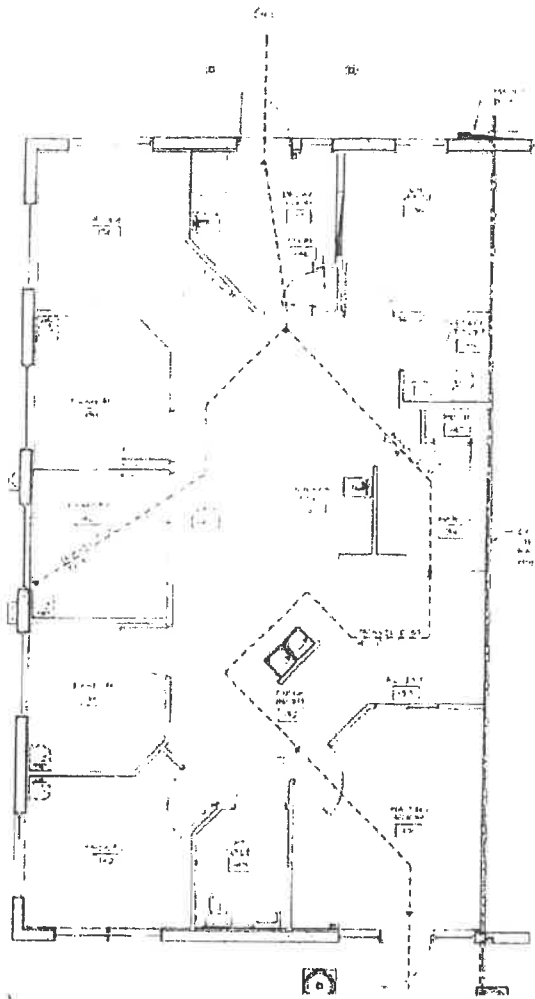


**DEVELOPMENT DATA**  
 SITE AREA .11 AC.  
 STORAGE/WATER 16%  
 PARKING (GEN. OFC) 6 SP. (1/250 S.F.)



**ZEV COHEN & ASSOCIATES, INC.**  
 3000 Huntington Blvd., Grand Beach, FL 33134  
 (305) 671-1400 FAX (305) 671-0300  
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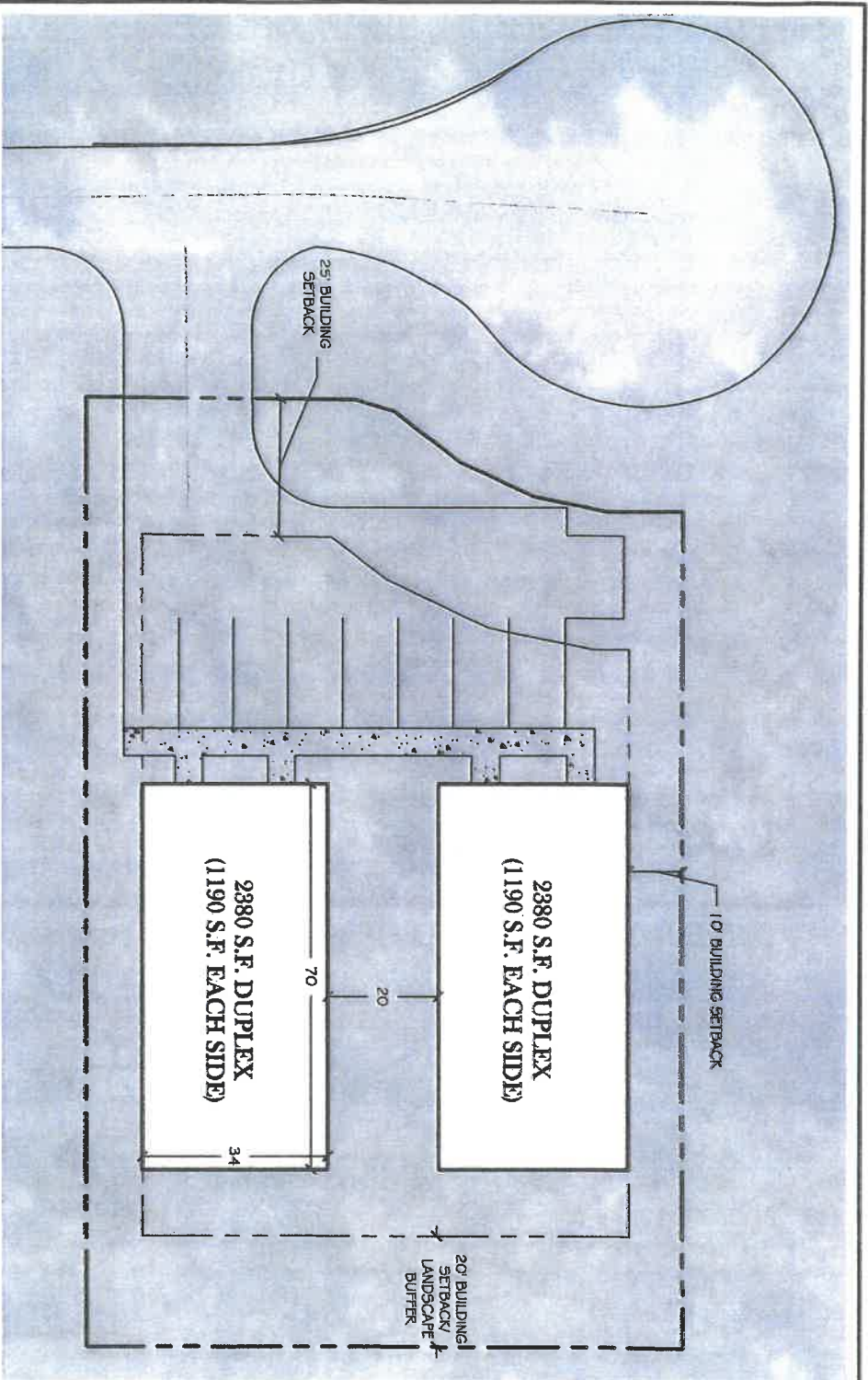


30



50





**DEVELOPMENT DATA**

SITE AREA	41 AC.
UNITS	4
PARKING	8 SPACES

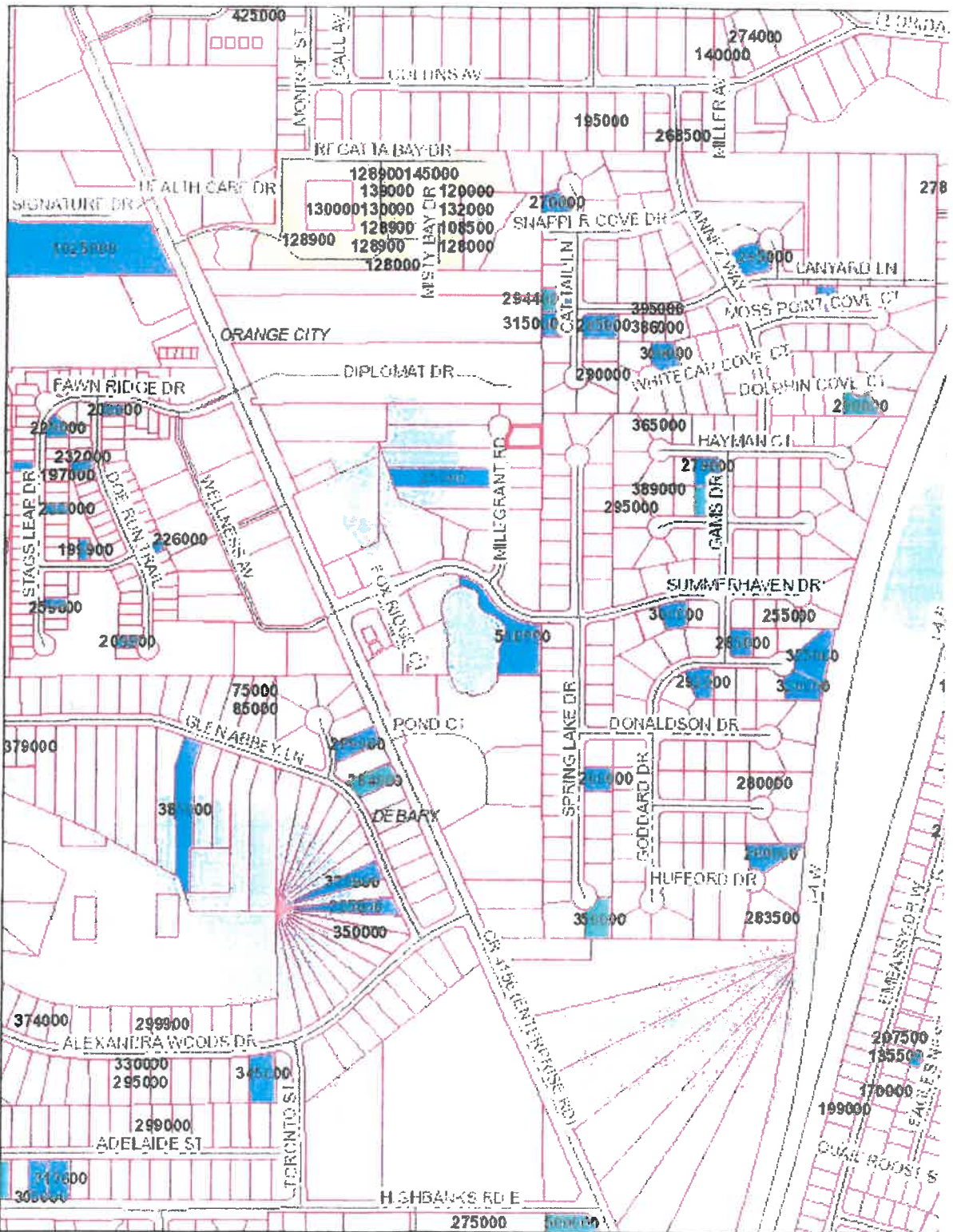
**175 MILL GRANT ROAD PROPERTY**  
**CONCEPTUAL MASTER PLAN OPTION 2**



**ZEV COHEN & ASSOCIATES, INC.**  
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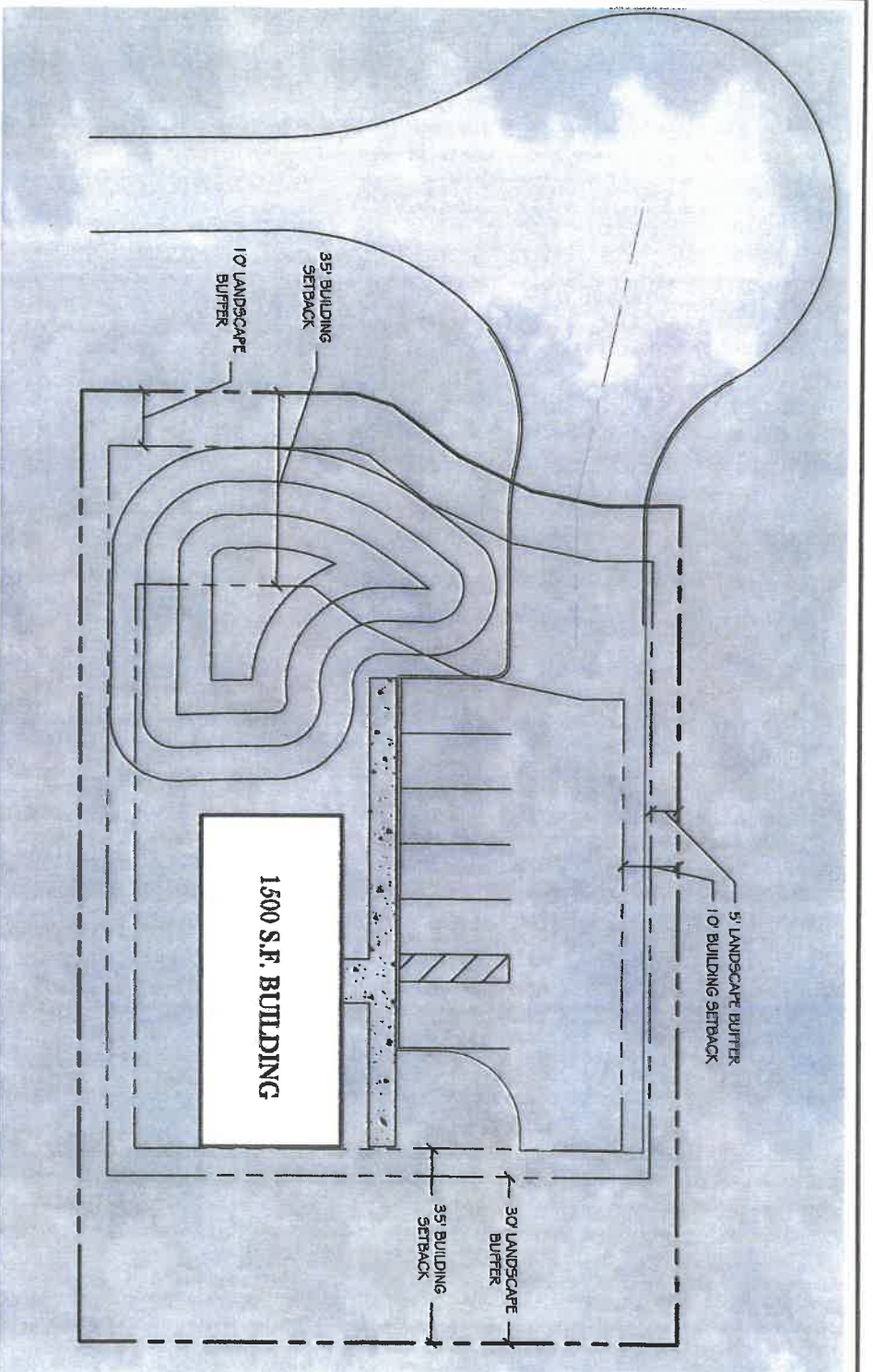
4624635175 MILL GRANT RD, DEBARY, 32713



Map 1 of 2

Area	Value
1	6.50
2	6.13
3	17.30

Area 1 of 2



**DEVELOPMENT DATA**  
 SITE AREA .41 A.C.  
 STORMWATER 1.6%  
 PARKING (GEN. OFC) 6 SP. (1,250 SF.)

**175 MILL GRANT ROAD PROPERTY**  
**CONCEPTUAL MASTER PLAN OPTION 1**

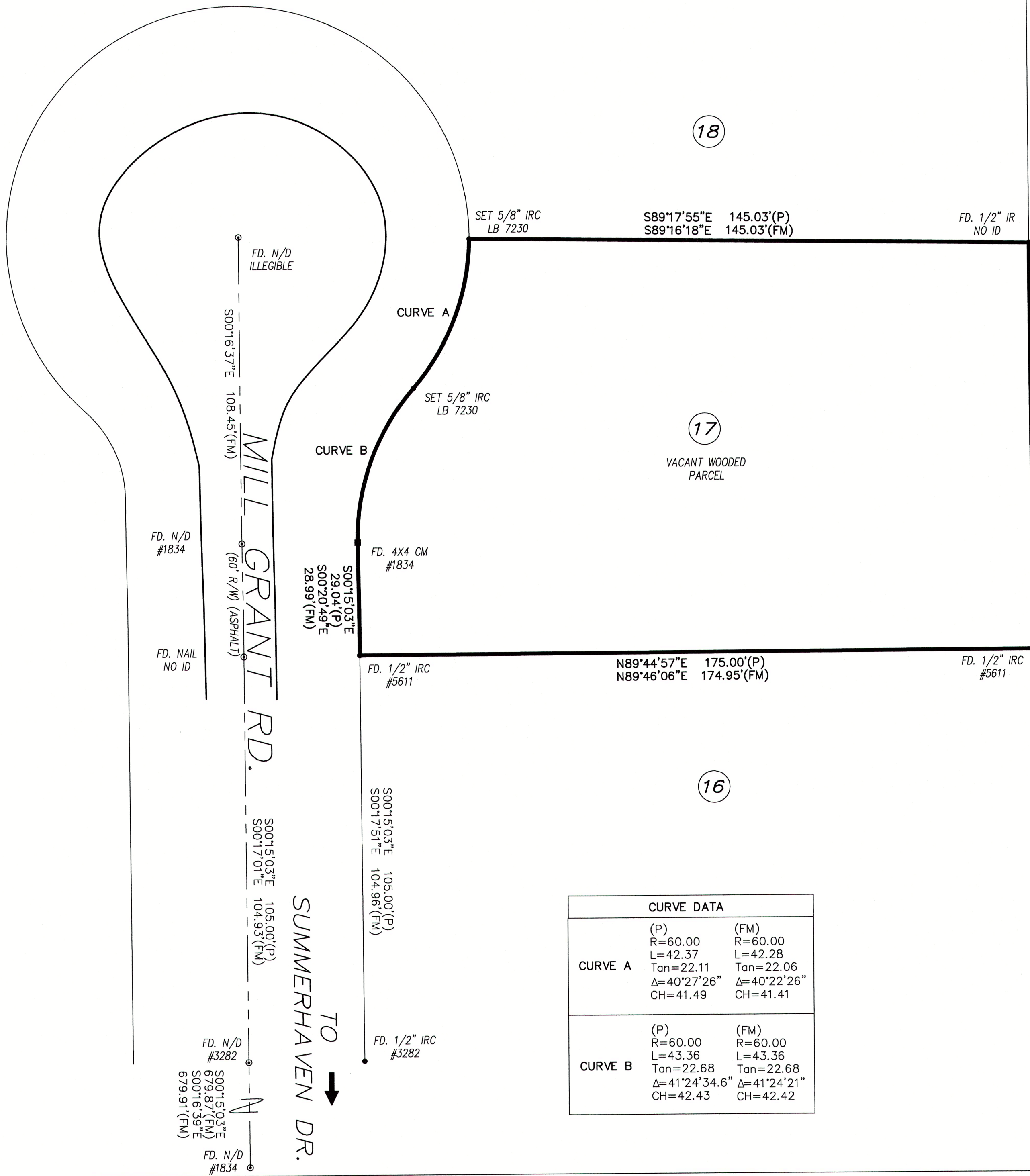


**ZEV COHEN & ASSOCIATES, INC.**  
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SECTION 26, TOWNSHIP 18 SOUTH, RANGE 30 EAST  
DEBARY  
VOLUSIA COUNTY, FLORIDA

FD. 4X4 CM  
#1834



18

17

16

SET 5/8" IRC LB 7230 S89°17'55"E 145.03'(P)  
S89°16'18"E 145.03'(FM)

FD. 1/2" IR NO ID

SET 5/8" IRC LB 7230

CURVE B

FD. 4X4 CM #1834

S00°15'03"E 29.04'(P)  
S00°20'49"E 28.99'(FM)

N89°44'57"E 175.00'(P)  
N89°46'06"E 174.95'(FM)

FD. 1/2" IRC #5611

FD. 1/2" IRC #5611

S00°15'03"E 105.00'(P)  
S00°17'51"E 104.96'(FM)

FD. 1/2" IRC #3282

S00°16'37"E 108.45'(FM)

FD. N/D #1834

FD. NAIL NO ID

S00°15'03"E 105.00'(P)  
S00°17'01"E 104.93'(FM)

FD. N/D #3282

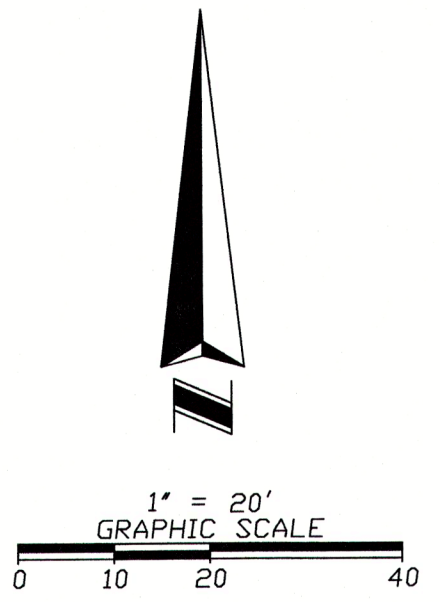
S00°15'03"E 679.87'(FM)  
S00°16'39"E 679.91'(FM)

FD. N/D #1834

CURVE DATA			
CURVE A	(P)	(FM)	
	R=60.00	R=60.00	
	L=42.37	L=42.28	
	Tan=22.11	Tan=22.06	
	Δ=40°27'26"	Δ=40°22'26"	
CH=41.49	CH=41.41		
CURVE B	(P)	(FM)	
	R=60.00	R=60.00	
	L=43.36	L=43.36	
	Tan=22.68	Tan=22.68	
	Δ=41°24'34.6"	Δ=41°24'21"	
CH=42.43	CH=42.42		

S00°15'03"E 70.54'(P)  
S00°21'01"E 70.54'(FM)

S00°15'03"E 105.00'(P)  
S00°21'28"E 104.93'(FM)



DESCRIPTION: (PER O.R. BOOK 7821, PG. 3222)

Lot 17, SUMMERHAVEN PHASE I, according to the plat thereof, recorded in Map Book 39, Page 41, of the Public Records of Volusia County, Florida.

NOTE:

THIS PLAT AND/OR SKETCH OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY. THIS SURVEY /SKETCH IS PREPARED WITHOUT BENEFIT OF ABSTRACT OR TITLE SEARCH UNLESS OTHERWISE NOTED. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES. THIS SURVEY DRAWING IS THE PROFESSIONAL OPINION OF THIS SURVEYOR AND MAPPER AND THE FIRM, WHICH WAS PREPARED UTILIZING THE BEST AVAILABLE INFORMATION AND AS SUCH DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE HELD LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED TO THE SURVEYOR, WHICH WAS USED AS A BASIS IN THE PREPARATION OF THIS SURVEY DRAWING.

NOTES:

- NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
- NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- NO UNDERGROUND IMPROVEMENTS OR INSTALLATIONS OR OTHER INTERIOR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN, AS PER THE REQUEST OF THE CLIENT.
- UNLESS NOTED, LEGAL DESCRIPTION FURNISHED BY CLIENT.
- FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE SEARCH, A TITLE SEARCH MAY REVEAL ADDITIONAL INFORMATION AFFECTING THE PARCEL AS SHOWN.
- WHERE APPLICABLE, MONUMENT DIAMETERS, ETC., AND/OR LS OR LB NUMBERS ARE SHOWN NEAR RESPECTIVE SYMBOL ABOVE, UNLESS SHOWN IN LEGEND.
- BEARINGS ASSUMED FROM PLAT, DEED, LEGAL DESCRIPTION.
- UNLESS SHOWN, ONLY THOSE VISIBLE FEATURES IN THE IMMEDIATE VICINITY OF THE ABOVE DESCRIBED PARCEL BOUNDARY HAVE BEEN LOCATED.
- SUBJECT PROPERTY LIES WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, CITY OF DEBARY COMMUNITY #120672, PANEL #12127C0620 K, DATED SEPTEMBER 29, 2017. THIS FLOOD INSURANCE RATE MAP IS NOT A SURVEY AND NO RESPONSIBILITY IS TAKEN FOR THE ACCURACY OF SAID MAP.

ABBREVIATIONS:			
A/C = AIR CONDITIONER	ELEV. = ELEVATION	N/W = NAIL AND WASHER	S = SOUTH
(C) = CALCULATED	F.F. = FINISHED FLOOR	O.R. = OFFICIAL RECORDS	S/T = SEPTIC TANK
CL = CENTERLINE	FD. = FOUND	O/H = OVERHANG	S.F. = SQUARE FEET
CLF = CHAIN LINK FENCE	(FM) = FIELD MEASURED	O/E = OVERHEAD ELECTRIC LINE	TYP. = TYPICAL
CONC. = CONCRETE	I.D. = IDENTIFICATION	PG. = PAGE	W = WEST
CSL = CONCRETE SLAB	IP = IRON PIPE	(P) = PLAT (MAP) DIMENSION	W/F = WOOD FENCE
CB = CONCRETE BLOCK	IR = IRON ROD	P/P = POWER POLE	W/M = WATER METER
CM = CONCRETE MONUMENT	IR&C = IRON ROD AND CAP	P.C. = POINT OF CURVATURE	Δ = DELTA ANGLE
(D) = DEED OR DESCRIPTION	LS = LICENSED SURVEYOR	L = LENGTH OF CURVE	L = RADIUS
D/U = DRAINAGE/UTILITY EASEMENT	LB = LICENSED SURVEY BUSINESS	F.F. = FINISHED FLOOR	T = TANGENT DISTANCE
E = EAST	N = NORTH	P.O.B. = POINT OF BEGINNING	C.B. = CHORD BEARING
E/P = EDGE OF PAVEMENT	N/D = NAIL AND DISK	P/L = PROPERTY LINE	CH. = CHORD DISTANCE
ESM'T. = EASEMENT		R/W = RIGHT-OF-WAY	

**EFIRD SURVEYING GROUP, INC.**

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WEBSITE: www.efirdsurveying.com

e-mail: larry@efirdsurveying.com

Certificate Of Authorization Licensed Business Number 7230

Boundary Survey		I HEREBY CERTIFY THIS SURVEY DRAWING TO BE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND COMPLY THEREWITH WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHARTER 5617, F.S.C. PURSUANT TO SECTION 472.022, FLORIDA STATUTES.	
Survey Date: 6/11/2020	Drawing Number: 20-0362	Scale: 1"=20'	Drawn By: JM
For: <b>G &amp; L LANDS AND HOMES, LLC</b>			
175 MILL GRANT RD., DEBARY		LARRY R. EFIRD, JR. Professional Surveyor & Mapper No. 5823	