



# Comprehensive Plan

**City of Orange City, Florida**

**2019**



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## List of Acronyms and Abbreviations

AMI	Area Median Income
BEBR	Bureau of Economic and Business Research
BMP	Best Management Practices
CDBG	Community Development Block Grant
CEMP	Comprehensive Emergency Management Plan
CG	Commercial General Future Land Use Designation
CIE	Capital Improvements Element
CIP	Five-Year Capital Improvements Program
CONE	Conservation Element
CPTED	Crime Prevention Through Environmental Design
CRA	Community Redevelopment Agency
CS	Conservation Future Land Use Designation
CSA	School Concurrency Service Areas
CUP	Consumptive Use Permit
DPA	Designated Planning Area
DU/AC	Dwelling Units Per Acre
DULA	Dense Urban Land Area
ECFRPC	East Central Florida Regional Planning Council
EPA	United States Environmental Protection Agency
FAC	Florida Administrative Code
FAR	Floor Area Ratio
FDEP	Florida Department of Environmental Protection
FDOT	Florida Department of Transportation
FEMA	Federal Emergency Management Agency
FLUM	Future Land Use Map
F.S.	Florida State Statutes
FFWCC	Florida Fish and Wildlife Conservation Commission
FY	Fiscal Year
GUIS	Public/Government and Institutional Future Land Use Designation
GPD	Gallons Per Day
HUD	United States Department of Housing and Urban Development
ICE	Intergovernmental Coordination Element
IH	Industrial Heavy Future Land Use Designation
IL	Industrial Light Future Land Use Designation
ITS	Intelligent Transportation Systems
JPA	Joint Planning Agreement
LDC	Land Development Code
LID	Low Impact Development
LOS	Level of Service
MGD	Million Gallons Per Day
MX	Mixed Use Future Land Use Designation
MXAC	Mixed Use Activity Center Future Land Use Designation
PSFE	Public Schools Facility Element

PSFPIA	Public School Facility Planning Interlocal Agreement
PSI	Pounds Per Square Inch
PUD	Planned Unit Development
RH	Residential High Future Land Use Designation
RL	Residential Low Future Land Use Designation
RM	Residential Medium Future Land Use Designation
ROSE	Recreation and Open Space Element
ROW	Right(s)-of-Way
SAIL	State Apartment Incentive Loan Program
SHIP	State Housing Initiative Program
SIS	Strategic Intermodal System
SJRWMD	Saint Johns River Water Management District
SR	State Road
TCEA	Transportation Concurrency Exception Area
TDM	Transportation Demand Management
TIA	Transportation Impact Analysis
TPO	River to Sea Transportation Planning Organization
US	United States
VGMC	Volusia Growth Management Commission
VOTRAN	Volusia County Public Transit System
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plan

## Introduction

The City of Orange City Comprehensive Plan articulates a vision of how Orange City will grow in ways that sustain its community values through the year 2035. It establishes the City's goals, objectives and policies to help guide public and private activities as they relate to future growth and where it should be located. The Plan also describes in a general way how the city will address the effects of growth on transportation and other city services and facilities. It is the basis for land development regulations and decisions (i.e. rezoning and conditional use permits); capital improvement programming (i.e. public projects such as roads, parks, and utilities); transportation and environmental and historical resource protection initiatives. Most importantly, it serves as the community's guide for future development and as its vision for what the city should look like in twenty years.

State law (The Community Planning Act, chapter 163, Part II F.S.) requires every local government in Florida to adopt a comprehensive plan, which includes elements regarding future land use; transportation mobility; housing; schools; sanitary sewer, solid waste, storm water, potable water and natural ground water aquifer recharge; conservation; recreation and open space and intergovernmental coordination. The Act also requires periodic evaluation and appraisal of the comprehensive plan as to whether plan amendments are necessary to reflect changes in state requirements since the last update.

In 1990, the City Council adopted its first Comprehensive Plan. The time, energy, and commitment of numerous individuals, interest groups, advisory boards, appointed planning commission and elected officials produced a comprehensive plan that gives direction to the City's growth and development. It serves as an important document in establishing growth policy for the City.

On June 14, 2011, the City Council adopted Ordinance No. 423-2010, which was the last evaluation and appraisal-based amendment to the comprehensive plan. In 2014, the City Council adopted Ordinance No. 516 to establish annexation criteria in the future land use element. No other text amendments have been made to the comprehensive plan since the last update.

This update ensures that Orange City's comprehensive plan provides principles, guidelines, standards and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the city that reflects our community commitment to implement this plan and its elements. These principles and strategies guide future decisions in a consistent manner and contain programs and activities to ensure that the plan is implemented. The plan provides meaningful and predictable standards for the use and development of land and provides meaningful guidelines for the content of more detailed land development and use regulations.

# Future Land Use Element

## INTRODUCTION

The City of Orange City seeks to maintain and enhance its small community identity and lifestyle and sustain its historical role as a regional commercial retail and service provider for southwest Volusia County. Because of its centralized location, availability of vacant land and accessibility via major thoroughfares between DeBary, Deltona and DeLand, Orange City has served as the commercial retail and service provider of southwest Volusia County. The adjacent cities of Deltona and DeBary have developed primarily as residential communities with the area's regional medical facilities and major retailers having located in Orange City.

The dynamic nature of the City's mixed-use area and mixed-use activity center is underscored by the population growth in the primary market area (the area within a six mile radius from the intersection of Harley Strickland Boulevard and Veterans Memorial Parkway) which increased from 68,410 people in 1990, to 94,067 in 2000, and to 110,882 in 2007. The Bureau of Economic and Business Research (BEBR) estimates the population of Orange City and the adjacent cities at 155,043 persons as of April 1, 2017, which is 30 percent of the total Volusia County's residents. This is a population increase of 11,498 persons in the last five years regardless of The Great Recession.

As a result of these development and population dynamics, the future land use planning issues currently related to Orange City's growth are focused on the Saxon Boulevard/I-4/Veterans Memorial Parkway mixed-use and mixed-use activity center areas and unincorporated areas within the City's designated planning area generally located west of I-4 and south of S.R. 472. The City believes that the mixed-use activity center and its surrounding area are one of the key elements of the City's long-range land use vision as a regional commercial and service provider for southwest Volusia County.

Appropriate densities, intensities and uses have been determined for the mixed-use and activity center areas, to promote a mix of light industry, office, commercial, medical, institutional and residential uses that will provide long-term economic sustainability for Orange City. Development design standards for the mixed-use area ensures compatibility of uses, harmonious design, enhancement of property values and a visually attractive community. Consideration is also given to economic stimulation in the area through the development of an expedited permitting process for major employment generators and coordination with the County in the provision of infrastructure.

### Land Use as a Function of Transportation

Compact, higher density development patterns shorten the distance people must travel to reach work, shopping, or other points of interest. As the City continues to urbanize, automotive trips can be reduced on area roadway facilities. This may seem counterintuitive but case studies have found that for each time a neighborhood doubles in compactness, the number of vehicular trips generally is reduced by 20% to 30%. One reason for this is

that a compact development pattern allows for area residents to walk or bicycle to destinations which they may not have been able to in a less compact environment. Additionally, more compact, higher density communities supply potential transit ridership that can support more frequent transit service and a greater variety of routes. Resulting in more transportation options, less time on the road, and reduced traffic congestion. At the same time, well-designed density and compact development can contribute to vibrant, economically healthy neighborhoods, and to centers that offer a variety of goods and services, social gathering places, recreation/entertainment opportunities and attractive character.

Mobility is enhanced when land use provides for increased density and intensity in nodes or centers, mixed-use development that permits residences within walking distance of commercial services and other attractions and allows for incentives for infill redevelopment along existing corridors. Site design of development has tended to focus on efficient vehicle circulation while neglecting pedestrian, bicycle and transit circulation. The City's 2011 Mobility Plan focuses on all users of the site to ensure that travel distances and times for pedestrian, bicycle or transit trips are considered throughout the entire process.

Land use enhancements can improve the overall air quality as well. When adding trips on already congested facilities through infill development, as compared to traditional "greenfield" development, greenhouse gas emissions are lowered by approximately 52% according to studies conducted by the EPA.

In 2014, the City adopted a Community Redevelopment Agency (CRA) plan to promote redevelopment activities along the US 17-92 corridor. A key principle will be the creation of a pedestrian-friendly environment where residents and visitors have a range of travel choices. Pedestrian and transit-oriented development is anticipated to emerge within the US 17-92 corridor as the City looks to update design elements to improve the building massing and form of the area.

The City of Orange City has focused most of the past twenty years on "greenfield" development and while there is still vacant acreage available, there is a need for infill and redevelopment in the City's core. This area is reflected along the US 17-92 corridor where redevelopment and infill development opportunities will accommodate additional population and employment growth in the future. Redevelopment typically proceeds at a slower rate than "greenfield" development, so the rate of overall development in this area of the City will be slower in this corridor than the eastern area of the City and along the Veterans Memorial Parkway.

Population continues to increase, albeit more slowly than the years of rapid development of the large tracts near Interstate-4. Redevelopment of small or odd-sized 'infill' parcels in urban areas, platted subdivisions in multiple ownership, and the revitalization of declining neighborhoods and transportation corridors such as US 17-92 will be the City's next challenge.

Infill development and redevelopment requires a plan that is flexible, and recognizes the complex nature of the needs. It requires sound policies and innovative programs that will enhance economic development, reverse decline and remove blight, while protecting adjacent uses through design standards. The City's redevelopment strategy will not only enhance economic development objectives but also mobility enhancements. Enabling infill development and redevelopment supports both the "Centers" and "Corridors" themes of the Central Florida Regional Growth Vision, as well as the principles of that Vision.

## **GOALS, OBJECTIVES AND POLICIES**

### **Goal 1**

Promote orderly growth and development.

#### **Objective 1.1**

The City shall promote orderly growth, development and redevelopment while minimizing adverse impacts and disruption associated with a variety of land uses in a manner that is consistent with the Comprehensive Plan's goals, objectives and policies and the City's Land Development Code (LDC).

##### **Policy 1.1.1**

Provide appropriate opportunities for commerce, employment and housing in the mixed-use area of the City consistent with the City's continuing role as a regional commercial and service provider for southwest Volusia County.

##### **Policy 1.1.2**

Encourage the development of compact and functional land use patterns.

##### **Policy 1.1.3**

Coordinate provision of necessary public facilities and services to support development in a manner that is efficient, cost-effective, and conserves resources.

##### **Policy 1.1.4**

Encourage the location and phasing of growth within the mixed-use area in a manner that supports development of urban centers and manufacturing/industrial centers, makes use of existing and proposed public facility and service capacity, and is consistent with capital facility planning.

##### **Policy 1.1.5**

Identify urban growth areas sufficient in size and densities and intensities to accommodate the urban growth projected to occur in the Plan's 20 year time frame and to ensure sufficient urban area to prevent artificial increases in land values.

##### **Policy 1.1.6**

Ensure that urban growth areas and land use designations are compatible with each other.

#### Policy 1.1.7

Provide for safe and convenient on-site mobility that considers site access, vehicular and pedestrian circulation and parking. On-Site standards shall encourage a variety of transportation choices and be appropriate in scale and character to serve existing neighborhoods and surrounding area.

#### Policy 1.1.8

The City shall utilize appropriate innovative land development regulations which provide for adequate and appropriate lands for the location of land use types (residential, commercial, industrial, mixed-use, recreational, conservation, governmental and institutional) to support the anticipated population and to provide maximum compatibility with existing uses.

#### Policy 1.1.9

The City shall evaluate compatibility, transitional uses and buffers for public and institutional uses locating adjacent to existing and future residential neighborhoods.

#### Policy 1.1.10

All Plan amendment requests to the Future Land Use Map (FLUM) shall be evaluated to consider consistency with all Plan elements and impacts. In its review of each application, the Planning Commission and the City Council shall consider the following criteria:

- A. Whether it is consistent with all adopted elements of the comprehensive plan.
- B. Whether it discourages the proliferation of urban sprawl by incorporating a development pattern or urban form that achieves four or more of the following:
  1. Does not have an adverse impact on and protects natural resources and ecosystems.
  2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
  3. Promotes walkable and connected communities and provides for compact development and mix of uses at densities and intensities that will support a range of housing choices.
  4. Promotes conservation of water and energy.
  5. Preserves open space and natural lands and provides for public open space and recreational needs.
  6. Creates a balance of land uses based upon demands of residential population for the nonresidential needs of the area.
  7. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments.
- C. Whether it is compatible with abutting and nearby land uses, and can coexist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by another use.

- D. Whether in enhances or impedes provision of services for concurrency monitored facilities, which include: transportation; potable water; sanitary sewer; drainage; solid waste; and parks & recreation, and school planning in accordance with the Volusia County Charter and Interlocal Agreement between the City and school district.

### **Objective 1.2**

The City and the County shall promote orderly growth and development within the City's designated planning area (DPA). The DPA was created under the authority of Chapter 163 F.S. and adopted in the City's 1990 Comprehensive Plan. It was approved by both Florida Department of Community Affairs and Volusia Growth Management Commission when they made their respective determinations of compliance and consistency. In 1985, Orange City and DeLand approved resolutions that established the DPA's northern boundary. Additionally, the County has not objected to the establishment of the DPA in the City's Plan. The DPA is delineated on the Plan's Future Land Use Map.

#### **Policy 1.2.1**

The City and County agree that the DPA as shown on the Future Land Use Map shall be used as the City's future planning area and that the City is authorized to enter into a joint planning agreement (JPA) with the County.

#### **Policy 1.2.2**

The City and the County agree that County unincorporated area within the DPA generally located west of I-4 and south of S.R. 472 as delineated on the Future Land Use Map shall be used as the City's urban growth area and is generally appropriate for mixed-use type developments.

#### **Policy 1.2.3**

Since consistent and coordinated planning is essential within the City's DPA, Orange City will adopt, and incorporate by reference, the current (current as of the date of adoption of this Comprehensive Plan amendment) County Comprehensive Plan and land development regulations and all future amendments to said Plan and regulations as they apply to the City's DPA.

#### **Policy 1.2.4**

After the City adopts the County's Comprehensive Plan and land development regulations, the County authorizes Orange City to administer said Plan and regulations within the DPA until annexation occurs and the City amends its Comprehensive Plan for the annexed parcel. Until said actions occur, should the City regulations be more restrictive than the County's, then the City regulations shall be enforced.

#### **Policy 1.2.5**

All land within the City's DPA shall be subject to this Element's annexation Goal 9 and its objective and policies.

#### Policy 1.2.6

As required by the Intergovernmental Element, the City and County agree to enter into a JPA that will enable the City to plan and regulate development as specified by objective 1.2 and policies 1.2.1 through 1.2.4 of this Element.

### **Goal 2**

Discourage urban sprawl.

#### **Objective 2.1**

Orange City shall discourage urban sprawl as defined in state law to the maximum extent feasible.

##### Policy 2.1.1

The City shall promote compact developments within the City's urban service areas, encourage a functional mix of uses within the mixed-use areas and require the maximization of all public services for each development in the most cost effective manner possible.

##### Policy 2.1.2

Public facilities shall be provided and/or available to service new development at the adopted level of service standards as provided for in the City's LDC.

##### Policy 2.1.3

The City shall continue to update the system of development fees and mandatory dedications which shall enable the City to continue to provide services to new development at the adopted level of service standard.

##### Policy 2.1.4

The City shall provide, through capital improvements programming, coordination with the State, Volusia County, other appropriate entities and private development agreements, the necessary infrastructure capacity to facilitate development consistent with the Comprehensive Plan.

##### Policy 2.1.5

The City shall continue its present annexation policy of supporting controlled growth in a manner not in conflict with adjacent uses, and consistent with the City's ability to provide necessary infrastructure and services.

##### Policy 2.1.6

The City shall review land use and development proposals to ensure that there is an adequate water supply and water supply facilities to meet the water demands required by said proposals.

#### **Objective 2.2**

The City shall continue to implement criteria and procedures within the Comprehensive Plan and LDC, that:

- A. Promote orderly growth patterns;
- B. Protect the character of Orange City's "traditional/historic" and "emerging growth" areas; and
- C. Minimize inconsistent land uses.

#### Policy 2.2.1

The City shall regulate all future land use designations' on-site features affecting the quality and character of development, as required by the LDC, including but not limited to:

- A. Building placement: orientation; appearance; architecture; design detail including facades, materials and colors, roofs, windows and entryways; height and mass of buildings and other structures.
- B. Design, placement, number and size of signs.
- C. Regulation of areas subject to seasonal and periodic flooding and provides for drainage and storm water management.
- D. Protection of water wellfields and aquifer recharge areas.
- E. Design, type and extent of landscaping, buffers and open space.
- F. Protection of historic resources.
- G. Lighting, noise, and other environmental nuisances and pollutants.
- H. Protection of natural resources, wildlife and their habitats.
- I. Internal traffic flow.
- J. Vehicular ingress and egress, on-site parking and loading and unloading.
- K. Design, placement and size of walls and fences.

#### Policy 2.2.2

The City shall maintain and enforce guidelines and standards to regulate the frequency, location, and spacing of access drives to/from adjacent roads and streets consistent with the mobility goals of the facility.

#### Policy 2.2.3

The City shall maintain and enforce its LDC, guidelines and standards designed to maintain the integrity of closely situated or adjacent potentially incompatible land uses, including those with respect to:

- A. Transitional land uses as may be appropriate between those of widely different character, such as between single-family residential and commercial or industrial uses.
- B. Buffering devices such as berms, walls, and landscaped barriers.
- C. Retention of natural vegetative cover.

#### Policy 2.2.4

The City shall not issue development orders and permits unless the necessary public facilities and services to maintain the adopted level of service standards are available when either the impacts of development occur or are otherwise provided for as permitted by Florida Law, Florida Administrative Code or the City's LDC.

**Policy 2.2.5**

The City shall provide that development be compatible with, and complementary to, surrounding land uses and shall not negatively affect existing uses as required by the LDC.

**Policy 2.2.6**

Existing and future utilities and public facility services shall be provided in a manner consistent with the Capital Improvements Element of the City's Comprehensive Plan.

**Policy 2.2.7**

Require the necessary setbacks and buffers for residential development adjacent to future collector and arterial roadways, as required by the LDC, so as to minimize traffic impacts.

**Policy 2.2.8**

The City shall acquire or require sufficient right-of-way for all new roadway construction or roadway improvements to provide for location of utility lines within the right-of-way.

**Policy 2.2.9**

The City shall acquire or have dedicated adequate lands for community facilities, such as fire, police and recreation as established in this Comprehensive Plan.

**Goal 3**

Coordinate the siting of public schools with the School Board.

**Objective 3.1**

Public schools shall be allowed in all future land use designations and their corresponding zoning districts, consistent with both the policies as set forth in policy 3.1.5 of this Element and the following acreage thresholds:

- A. **Elementary Schools** – A minimum of four (4) acres for the first two hundred (200) students, plus one (1) acre for each additional one hundred (100) students.
- B. **Middle or Junior High Schools** – A minimum of five (5) acres for the first three hundred (300) students, plus one (1) acre for each additional one hundred (100) students.
- C. **Senior High Schools** – A minimum of seven (7) acres for the first three hundred (300) students, up to one thousand (1,000) students; thereafter, one (1) acre for each one hundred (100) students.

**Policy 3.1.1**

The future location of the neighborhood parks shall be coordinated with the Volusia County School Board when possible to reduce total land costs, share maintenance costs and to provide more efficient services.

**Policy 3.1.2**

The City shall coordinate with the School Board to establish criteria for new school sites in urban and urbanizing residential areas.

**Policy 3.1.3**

The City shall encourage the siting and co-location of public schools with other public facilities as permitted land uses.

**Policy 3.1.4**

The City shall coordinate with the School Board through the exchange of information with the School Board’s five-year facilities work program and the City’s Capital Improvement Program.

**Policy 3.1.5**

Allow public schools in all future land use designations and their corresponding zoning districts consistent with the following criteria:

- A. Adequate public facilities and services are, or will be, available concurrent to support the proposed public school.
- B. They should generally be located away from industrial uses, interstate roads, railroads, and other facilities that might adversely impact the schools due to noise, vibration, odors, dust, toxic materials, traffic conditions, and/or other substantial hazards.
- C. There are no significant environmental constraints that would preclude development of a public school facility on the site.
- D. The proposed site shall accommodate the required parking and circulation of vehicles on site, as well as the surrounding areas.
- E. Public school development shall comply with all applicable land development regulations.
- F. All public schools within the residential, office transitional and mixed-use future land use designations and their corresponding zoning districts shall be subject to City’s planned unit development rezoning process.

**Goal 4**

Provide for a range of residential land uses and densities.

**Objective 4.1**

Ensure that sufficient land is available to meet residential demands throughout the planning period by monitoring population and other socioeconomic trends and adjusting residential land use allocations through appropriate Comprehensive Plan and LDC amendments.

**Policy 4.1.1**

Residential development shall be consistent with the Future Land Use Map residential designations and their corresponding densities as specified in Table 2-1.

**TABLE 2-1  
RESIDENTIAL DENSITY**

<b>Future Land Use Designation</b>	<b>Density – Dwelling Units per Gross Acre (du/ac)</b>
Residential Low	up to 4 du/ac
Residential Medium	up to 8 du/ac

Residential High	up to 12 du/ac
Residential developments within the mixed-use future land use designations shall be consistent with percentages and densities in Table 2-2 and 2-3	

#### Policy 4.1.3

The City shall review all residential developments to ensure that said developments comply with the LDC requirement to be served by public sewer and water systems, except where it can be demonstrated that on-site water supply services and/or sewage disposal services meet existing county and state standards and said on-site services are permitted by the applicable County and/or State agencies.

#### Policy 4.1.4

Medium and high-density residential developments shall be located on or have access to arterial or collector roads as identified in the Transportation Element.

#### Policy 4.1.5

Residential developments shall be consistent with the LDC for the design, maintenance, permitting, landscaping, densities and access requirements.

#### Policy 4.1.6

The City shall protect residential neighborhoods from encroachment by incompatible land uses. The type of protection may include landscape buffers, land use buffers or preventing the location of a particular land use (i.e. multi-family, commercial or industrial) near a single family residential area. The intensity of the multi-family, commercial or industrial use shall be the major determining factor in the type of protection used.

### Goal 5

Promote an efficient pattern of non-polluting commercial, office and industrial land uses that will promote employment.

#### Objective 5.1

Allocate sufficient land area to accommodate a mixture of land uses that promote employment.

#### Policy 5.1.1

Designate the following types of non-residential future land use areas and establish guidelines and standards within the LDC, as to the type, character and scale of development permitted in these designated non-residential areas:

**Commercial General** – It is the intent of the commercial general (CG) future land use designation to include a large variety of retail, commercial, financial, professional service, industrial, multi-family and related uses; planned commercial centers and community and regional serving shopping centers. Commercial general uses other than multi-family shall not exceed a FAR of 0.25. Multi-family uses shall not exceed a density of 12 units per acre and shall be approved as a conditional use to insure consistency with the Comprehensive Plan and compliance with all applicable provisions of the City's LDC.

**Mixed-Use** – It is the intent of the mixed-use (MX) future land use designation to plan for a flexible, innovative mix of land uses that provide a variety of activities to the public. MX allows a mix of light industrial, office, commercial, residential and institutional uses proximate to one another, or even within the same building. Determination of appropriate land use types, densities and intensities shall be based upon compatibility with adjacent and surrounding projects; need for transition between projects and ability to maintain established levels of service and mobility standards adopted in the Comprehensive Plan. MX shall be allowed only in areas where utilities and transportation system capabilities are adequate to support the uses. Only areas that are designated as MX on the Future Land Use Map and unincorporated areas within the City’s DPA generally located west of I-4 and south of S.R. 472 as delineated on the Future Land Use Map shall be considered appropriate for MX developments. Projects located within the areas designated as MX shall be reviewed, approved and rezoned to/and developed as planned unit developments that comply with all applicable requirements of the City’s LDC,. Land uses within the MX future land use designation shall comply with the percentages and densities/intensities specified in Table 2-2.

**TABLE 2-2  
MIXED-USE LAND USE PERCENTAGES  
AND DENSITY/INTENSITY**

<b>Land Uses</b>	<b>Minimum Percentage<sup>1</sup></b>	<b>Maximum Percentage<sup>1</sup></b>	<b>Maximum Density/Intensity</b>
Single Family Residential	20.0	50.0	2.0 to 5.0 dwelling units per acre (du/ac)
Multi-Family Residential	20.0	50.0	5.0 to 18.0 dwelling units per acre (du/ac)
Commercial, Industrial and Office	35.0	65.0	0.50 floor area ratio (FAR)
Institutional/Civic Use	15.0	45.0	0.35 FAR

<sup>1</sup>Mixed-use percentages apply to the entire mixed-use area.

**Mixed-Use Activity Center** – It is the intent of the mixed-use activity center (MXAC) future land use designation to plan for and create a town center that will become the identifying focus of the City’s mixed-use area. The MXAC includes community wide and/or regional commercial activities intended to serve the commercial retail and service needs of the projected southwest Volusia County regional population within Orange City’s primary market area as described in the Introduction section of this Element. Planned, integrated development is required to promote synergy between the commercial uses and different allowable land uses that may include multi-family residential, office, light industrial, institutional and civic. Therefore, projects located within the areas designated as MXAC shall be developed as planned unit developments that comply with all applicable requirements of the City’s LDC.

Additionally, the MXAC promotes efficiency of the transportation and mobility system by consolidating trips, accommodating all users and discouraging unabated sprawl of commercial activities. Ingress and egress to the MXAC as well as a safe and efficient internal vehicle/pedestrian transportation system shall be planned in a comprehensive manner in order to facilitate efficient vehicle and pedestrian movement. The mixed-use guidelines shall be used where applicable and to the maximum extent feasible. Land uses within the MXAC future land use designation may consist of a mix of uses and shall comply with the percentages and density/intensity specified in Table 2-3.

**TABLE 2-3  
MIXED-USE ACTIVITY CENTER LAND USE  
PERCENTAGES AND DENSITY/INTENSITY**

<b>Land Uses</b>	<b>Minimum Percentage<sup>1</sup></b>	<b>Maximum Percentage<sup>1</sup></b>	<b>Maximum Density/Intensity</b>
Multi-Family Residential	0.0	35.0	5.0 to 40.0 dwelling units/acre
Commercial, Office and Light Industrial	35.0	100.0	3.0 floor area ratio (FAR) without structured parking, 6.0 FAR with structured parking.
Institutional/Civic Use	0.0	30.0	0.50 FAR

<sup>1</sup>Mixed-use percentages apply to the entire mixed-use activity center area.

#### Policy 5.1.2

The following guidelines should be utilized in creating the urban development pattern within the MX and mixed-use activity center (MXAC) areas. These guidelines are neither intended to be rigid requirements nor prescribe what will occur at specific locations, but serve as tools to be used by the City in partnership with landowners, land planners, architects and developers to guide the mixed-use area design pattern.

- A. Accommodate a minimum population that will support economically viable neighborhoods with shopping, work place and leisure areas.
- B. Minimum residential densities should promote goods and services within walking distance of most residents while at the same time guaranteeing local business owners a local consumer market.
- C. Create an internal balance of housing, retail, jobs and services with a diverse mix of commercial, office, light industrial, institutional, recreation-al, entertainment, open space and residential uses. In response to the market place, the mixed-use area may not contain every type of use indicated, but it should contain a residential component and commercial areas primarily of retail uses, office areas and public spaces.
- D. Provide identifiable commercial areas that provide a positive pedestrian shopping experience. The ground floor uses should be retail, restaurants, personal services, business services and entertainment. Above ground floor uses may be office and if

the market conditions are appropriate, residences above ground floor uses should be encouraged.

- E. The commercial areas should have the highest level of site design and architecture.
- F. The commercial areas should have one primary main shopping street with attractive walkways and a continuous street front experience to maximize the pedestrian environment and afford opportunities for increased retailing. Anchor tenants should be located at the periphery of the main shopping street to encourage the movement of shoppers by the smaller shops.
- G. The commercial areas should be designed to incorporate a square, plaza or similar area as a gathering place for residents and shoppers, both day and evenings. The area should be a major focal element and include places for strolling, sitting, music concerts, art shows and other promotional or cultural and holiday events.
- H. The office areas should be located near the commercial areas as part of an integrated street pattern. If an architectural theme is established for the commercial areas, office architecture should follow the same architectural theme.
- I. The residential areas may include residences above ground floor shops and residential neighborhoods surrounding the commercial and office areas.
- J. Design a hierarchy of interconnected streets for different traffic characteristics that balances the needs of all users; promotes efficient movement for all modes of transportation, including pedestrians, bicyclists and transit where appropriate; disperses vehicle traffic; connects streets with one another and is terminated by other streets. Special consideration should be given to street layout to minimize through traffic and the potential for inappropriate vehicle speeds.
- K. Short blocks are encouraged with square dimensions but rectangular blocks may be acceptable to create interesting opportunities for small plazas, parks and interesting buildings or to respond to environmental conditions.
- L. The streetscape should consist of sidewalks and amenities such as street trees and street furniture. Pedestrian friendly activities should be encouraged by providing wide and attractive sidewalks on both sides of the street, on-street parking, and an appealing streetscape.
- M. Provide convenient and adequate parking for businesses and residents while minimizing its visual impacts. A master shared parking plan should be prepared that deals with employee parking, short and long term patron parking, errand parking and service parking.
- N. Building design should maintain a high level of architectural interest through the use of building massing, building placement, materials and features, which creates pedestrian scaled street frontages. Doorways, windows, and other openings in the façade of a building should be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
- O. Provide for a variety of public open space areas in the form of parks, accessible squares and plazas, open space facilities and pedestrian amenities that can be used by residents and visitors on a daily basis.
- P. Neighborhood parks should be provided, to the maximum extent feasible, and be internally located and surrounded by streets with residences facing the park.
- Q. Encourage the provision of a variety of building sites for cultural facilities, assembly halls and community meeting places, places of worship, day care, and the like, that

occupy prominent places in the area and are planned in coordination with public open spaces.

Policy 5.1.3

Require non-residential general future land use designated areas to be located along arterial or collector roads as identified in the Transportation Element.

Policy 5.1.4

The size, location and function of shopping centers should directly relate to the population and market area they serve.

Policy 5.1.5

Commercial development shall use landscaped buffers, visual screens and setbacks, as required in the LDC when adjacent to residential uses.

Policy 5.1.6

In accordance with its historical and continuing role as a regional commercial retail and service provider for southwest Volusia County, and in order to meet regional growth demands, Orange City shall:

- A. Continue to encourage mixed-use development within areas that are designated as mixed-use on the Future Land Use Map and unincorporated areas within the City's DPA generally located west of I-4 and south of S.R. 472 as delineated on the Future Land use Map; and
- B. Provide for the development of a mixed-use activity center.

Policy 5.1.7

The City shall promote developments that qualify as major employment generators.

Policy 5.1.8

The City shall use an expedited permitting process to facilitate the attraction of businesses that qualify as major employment generators.

Policy 5.1.9

The LDC provides for more than one mixed-use zoning district. The mixed-use zoning districts shall encourage flexibility in land uses within the mixed-use future land use designation to include light industry, office, commercial, medical, residential, and institutional so as to allow developments (in whole or in aggregate) that will provide both employment and residential opportunities adjacent to each other.

Policy 5.1.10

The City shall require developments within the mixed-use and mixed-use activity center future land use designations to be approved as planned unit developments to ensure that all developments within said designations are designed to:

- A. Promote quality development;
- B. Provide for well landscaped, scenic development;

- C. Promote visual aesthetics through harmonious design and coordination of uses, structures, buildings, signage, lighting, parking, and the like;
- D. Provide traffic circulation patterns that enhance public safety, roadway capacity, and vehicular and non-vehicular movement functions; and
- E. Mitigate any adverse impacts on surrounding properties.

### **Objective 5.2**

Provide sufficient land to accommodate new industrial development.

#### Policy 5.2.1

Maintain guidelines and standards within the LDC, as to the type, character and intensity of development permitted in designated industrial areas. The following types of industrial land uses are established as part of this Plan:

**Industrial Limited** – The industrial limited (IL) future land use designation includes light manufacturing, light repair, processing, enclosed storage, and related uses of a non-objectionable nature that do not exceed a floor area ratio (FAR) of 0.30 within this designation. Industrial limited also includes other uses as specified in the LDC.

**Industrial Heavy** – The industrial heavy (IH) future land use designation includes major manufacturing, major repair, processing, open storage, and related uses which may exhibit objectionable characteristics that do not adversely affect the City, surrounding neighborhoods, environment, natural resources and wildlife. Heavy industrial uses within this designation shall not exceed a FAR of 0.30.

### **Objective 5.3**

Protect the City's natural water bodies and associated wetlands and buffers by establishing a conservation land use designation.

#### Policy 5.3.1

The Conservation (CS) land use designation includes areas designated for the purpose of protecting and minimizing the impacts to the City's natural water bodies and any associated wetlands and buffer zones. Development on property that includes a conservation land use designation should be directed to the upland areas, previously disturbed areas or the least environmentally sensitive areas of the property in order to prevent adverse environmental impacts on hydrology, water quality or endangered or threatened species.

The conservation areas displayed on the FLUM are intended to show a generalized location for the wetland and wetland buffer area. The actual boundaries will be determined with a wetland jurisdictional boundary survey and then adjusted accordingly to comply with all applicable City, regional, state and federal regulations. The only development permitted shall be: 1) residential land uses at a density of not more than one dwelling unit per 20 gross acres: 2) preservation/conservation activities or recreational uses such as hiking, jogging, and bicycle trails, canoe launches, picnic areas, exercise stations, non-boat fishing facilities and essential public services: and 3) other passive, low intensity activities subject to applicable policies contained in this Comprehensive Plan and the City's LDC's wetland

protection standards which are consistent with Section 50-201 through 50-214 of the Volusia County Land Development Code (LDC), Chapter 50, Article III. In addition, all development within wetlands shall comply with the City's wetland mitigation requirements or applicable Florida Statutes and administrative rules if more stringent than the City's.

#### **Objective 5.4**

Allocate sufficient land area to accommodate public/governmental and institutional uses.

##### **Policy 5.4.1**

The Public/Government and Institutional (GUIS) land use designation includes all government-owned property and buildings; government sponsored enterprises, public parks, open spaces and recreation facilities and institutional uses that are limited to public and private schools, churches and cemeteries. These institutional uses may also be allowed in industrial and commercial areas and in residential areas where no negative impacts will be felt by adjacent residents. Intensity is described in the LDC including zoning districts, lot coverage, yard requirements, height and buffer requirements.

#### **Goal 6**

Future development shall be designed and located in a manner that protects the City's natural and historic resources.

#### **Objective 6.1**

Future developments shall be reviewed for compatibility with the LDC, requirements for natural resource protection.

##### **Policy 6.1.1**

The location, development and significance of topography, vegetation, wildlife habitat, flood hazard, the 100-year flood area and soils for a particular site shall be provided during the planned unit development rezoning process and development review process.

##### **Policy 6.1.2**

Development occurring in conservation areas shall maintain a 25 foot minimum setback to protect and minimize the adverse impacts of development in accordance with the Comprehensive Plan's Conservation Element and the LDC, wetland protection standards which are consistent with Section 50-201 through 50-214 of the Volusia County Land Development Code (LDC), Chapter 50, Article III.

##### **Policy 6.1.3**

Industrial locations and proposed uses shall be consistent with the Conservation Element of the City's Comprehensive Plan.

#### **Objective 6.2**

The City shall protect the existing condition of the natural and historic resources from additional degradation by development as required by the LDC.

#### Policy 6.2.1

Orange City shall continue to enforce standards in its LDC, which ensure the protection of Floridian aquifer recharge areas.

#### Policy 6.2.2

Extraction of natural resources shall be permitted only where compatible with existing and proposed land uses and if such excavation meets sound conservation practices.

#### Policy 6.2.3

The environmental functions performed by wetlands shall be protected in all phases of land development occurring in or around areas so designated in accordance with the LDC's, wetland protection standards which are consistent with Section 50-201 through 50-214 of the Volusia County Land Development Code (LDC), Chapter 50, Article III.

#### Policy 6.2.4

Septic tanks and drainfields shall be sited to protect environmentally sensitive areas from the discharge of improperly treated effluent.

#### Policy 6.2.5

The City shall continue to enforce the provisions of the LDC that regulate development in the flood hazard area.

#### Policy 6.2.6

The City shall protect potable water wells with development standards to be applied to any wellfield protection zones, which the City may designate to protect any future public potable water wellfields from contamination, and implement them through the City's LDC,. These standards will, at a minimum:

- A. Regulate the use, handling, production and storage of regulated substances;
- B. Prohibit new underground fuel and other hazardous chemicals within these areas;
- C. Require existing facilities to demonstrate that adequate technology is being employed on-site to isolate the facility from the water supply; and
- D. Require that future wellfield protection zones, which are relatively undeveloped, will be planned for low density and intensity land uses.

#### Policy 6.2.7

The City's LDC, shall designate a protection area of 1,000 feet radius from each public potable water well as the wellfield protection zone. The first 300-foot radius closest to the well shall be a zone of exclusion, where no development activities shall be permitted except that relates with water supply provision. Within the remainder of the zone of protection, land uses shall be regulated to prohibit the following:

- A. Landfills;
- B. Activities that require the storage, use of transportation of restricted substances listed in the Resource Conservation and Recovery Act's or the Environmental Protection Agency's hazardous wastes lists (including, but not limited to, landfills, gasoline stations, petroleum storage, and pesticide storage and handling);
- C. Feedlots and other commercial animal facilities;
- D. Wastewater treatment plants and their ancillary facilities;

- E. Mines; and
- F. Excavation of burrow pits, waterways, or drainage facilities which intersect the water table.

#### Policy 6.2.8

The City's LDC, has been amended to include Section 50-271 through 50-286 of the Volusia County Land Development Code (LDC), Chapter 50, Article III, standards at a minimum, and establish the following:

- A. The zone of contribution for all public potable water supply wells delineated on the United States Geological Survey topographic quad sheets;
- B. Regulations which prohibit potentially high risk uses from the established zones of influence such as, but not limited to, manufacturing and storage of hazardous waste and individual land uses;
- C. Monitoring programs and procedures to mitigate adverse impacts, if detected, for existing high risk land uses;
- D. Land use and development regulations, including open space and impervious surface requirements, which protect the function and natural drainage features and natural groundwater aquifer recharge area; and
- E. The location of drainage wells, delineated on USGS topographic quad sheets, maintained by users that could have adverse impacts on groundwater.

#### Policy 6.2.9

The City's LDC shall require that the City, through cooperative efforts with Volusia County and applicable state and regional agencies, ensure that all development proposals do not adversely impact environmentally sensitive lands within the City. The City's LDC, shall address protection standards for the lands. The criteria for identifying environmentally sensitive lands shall evaluate, at a minimum, the following:

- A. Endangered or threatened wildlife habitat.
- B. Threatened or endangered vegetative species.
- C. Hydric soils.
- D. 100-year flood zones.

#### Policy 6.2.10

The City's Code of Ordinances was amended in 2017, to include historic preservation regulations that provide for the following:

- A. The regulations provide protection for the resources listed on the National Register of Historic Places, the Florida master Site File, the Local Register of Historic Places, and those to be discovered in the future.
- B. The regulations outline standards for identification and evaluation of historic resources.
- C. The regulations establish procedures for the review of all development and redevelopment proposals, including those for infrastructure for the impact upon designated historic resources.
- D. Provide appropriate protection for significant historic resources.

**Goal 7**

Promote the retention of open space in the urban environment and the conservation of significant natural resources.

**Objective 7.1**

Reserve open spaces in accordance with standards and criteria established in the LDC, and the Recreation and Open Space Element.

**Policy 7.1.1**

The City's LDC, shall establish standards and criteria for the reservation and maintenance of open spaces in subdivisions and developments exceeding minimum size thresholds, including conditions and procedures for public dedication and the establishment of homeowner's associations consistent with the Recreation and Open Space Element and Conservation Element.

**Goal 8**

Maintain and enhance the small community character and lifestyle of the historic areas of Orange City as indicated in Map 2-3, supporting and promoting those areas based on their historic foundations.

**Objective 8.1**

Protect and maintain the historic area with appropriate future land use designations and land development regulations.

**Policy 8.1.1**

The City shall encourage a redevelopment plan to enhance the pedestrian environment and promote small town shopping, parking, recreation, in a walkable mix of neighborhood residential, professional, service, office and retail businesses.

**Policy 8.1.2**

Maintain guidelines and standards within the LDC to the type, character and intensity of development permitted in the historic area. Historical residential and/or nonresidential building area that existed prior to adoption of this comprehensive plan is exempt from the maximum density and FAR requirements of the Future Land Use Element. The following future land use designation is established as part of the plan:

**Office Transitional (OT).** Office Transitional designation is intended to preserve the character of older residential areas, which are susceptible to deterioration and encroachment due to the proximity of general commercial development. It is intended to provide a buffer between areas of high and low intensity use, especially between low-density residential areas and commercial corridors, and is intended to provide for an appropriate mix of uses along thoroughfare roadways as a means to keep intensive commercial uses at major intersections. Appropriate transitional uses are allowed as a means to maintain the economic viability of buildings and properties in the historic area by providing for alternative uses, which are compatible with the existing residential character.

This designation promotes a mix of residential, tourism, recreational, professional/general office, medical/dental offices, personal service uses (hair salons or spas), and neighborhood-scale retail and restaurant uses. Conversion of historic structures to live-work units is encouraged. Mixed-use development shall be designed to be pleasing, livable, interesting places that are pedestrian-oriented to maximize internal trip capture.

Maximum residential density shall not exceed eight (8) dwelling units per acre if located on a County or City thoroughfare, or four (4) dwelling units per acre if located on a local road. Maximum floor area ratio (FAR) for nonresidential uses shall not exceed 0.25.

#### Policy 8.1.3

The City shall continue to explore strategies for maintaining the vitality of revitalizing older areas of the City.

#### Policy 8.1.4

The City shall evaluate the viability of establishing architectural review requirements and regulations for application within the traditional historic district.

#### Policy 8.1.5

The City shall protect its historic areas from incompatible uses through zoning, comprehensive planning and other appropriate regulatory mechanisms.

### **Goal 9**

To annex all land within the City's designated planning area (DPA) as expeditiously as possible.

#### **Objective 9.1**

The City and County shall encourage and actively pursue the annexation of all unincorporated areas within the City's DPA.

##### Policy 9.1.1

The County recognizes that the unincorporated area within the City's DPA will be annexed as parcels become contiguous to the City or areas are eligible for annexation pursuant to Florida law.

##### Policy 9.1.2

The City and County agree to extend public utilities and services to landowners within the DPA in accordance with the City/County water and sewer interlocal agreement.

##### Policy 9.1.3

Because it is the City's intent to annex all unincorporated land areas within its DPA, the City and County agree to insure that land within Volusia County's jurisdiction that is also within Orange City's DPA, shall be subject to this Element's Objective 1.2 and its related policies.

## Policy 9.1.4

The City and County will support consistent and compatible land uses for annexed properties within the Designated Planning Area and agree that **Table 2-4, County-to-City Future Land Use Correlation Table**, below, represents a reasonable correlation between the existing future land use designations in the unincorporated areas of Volusia County and the future land use designations in the urbanized areas of Orange City.

**Table 2-4  
County-to-City Future Land Use Correlation Table**

<b>Volusia County Future Land Use Designation</b>	<b>Orange City Future Land Use Designation</b>
Urban Low Intensity (ULI)	Residential Low (RL)
Urban Medium Intensity (UMI)	Residential Medium (RM)
Urban High Intensity (UHI)	Residential High (RH)
Recreation (Rec) Public/Semi Public (P)	Public/Government and Institutional (GUIS)
Commercial (C)	Commercial General (CG)
Industrial (I)	Industrial Limited (IL)
Water (W)	Waterbodies (W)
SWAC Commerce and SWAC Community	Mixed Use (MX) or Mixed Use Activity Center

## Policy 9.1.5

Upon annexation, land annexed into the City will be given an appropriate and compatible land use designation in one of the following ways:

1. If at the time of annexation, the City determines that the existing Volusia County Future Land Use Map designation is the most appropriate designation for the property, and will achieve the City's planning objectives for the area, the property will be given the Orange City Future Land Use Map designation as indicated in Table 2-4, County-to-City Land Use Correlation Table. The cumulative annexation amendments will be depicted on the Future Land Use Map once per year through adoption of Future Land Use Element, Map 2-2, as provided for in Chapter 163 of the Florida Statutes.
2. If at the time of annexation the existing Volusia County Future Land Use Map designation is not included in Table 2-4, the property will be given a City Future Land Use Map designation in accordance with the land use map amendment process as defined by Chapter 163 of the Florida Statutes, as well as applicable City and County codes and policies.

3. If at the time of annexation, the City or the Property Owner determine that the existing Volusia County Future Land Use Map designation is not the most appropriate designation for the property, the property will be given a City future land use designation in accordance with the land use map amendment process as defined by Chapter 163 of the Florida Statutes, as well as applicable City and County codes and policies.

#### Policy 9.1.6

Annexation of existing substantially developed areas within the DPA will be offered in a manner and on terms and conditions which respect existing lifestyles and densities. The City will expect these areas to be brought to City standards only where necessary to protect the health and safety of the residents of the subject area or of the City. The County, which now has jurisdiction over these areas, shall be a supportive partner with the City in annexation efforts of substantially developed areas within the DPA.

### **Goal 10**

The City shall encourage infill and redevelopment to maintain and enhance neighborhood viability, discourage urban sprawl, prevent strip development and support the Central Florida Regional Growth Vision, How Shall We Grow.

#### **Objective 10.1**

The City shall encourage infill and redevelopment opportunities and revise the Land Development Code as needed, to encourage infill development and redevelopment.

#### Policy 10.1.1

Support the established 2014 Community Redevelopment Area (CRA) along the US 17-92 corridor and facilitate development, while maintaining compatibility with adjacent development. Standards shall be established to address, but not be limited to: building façades, pedestrian, bicycle and vehicular access, stormwater management, energy efficient land use patterns, flexible open space requirements and innovative buffering alternatives setback standards, criteria for use when lot shape or size introduces limitations and building heights. The City shall require a binding site plan to ensure compatibility.

#### Policy 10.1.2

Proposed infill or redevelopment projects with constrained site area but urban intensities of development, shall implement the meaningful and predictable criteria contained in the definition of 'Urban Open Space' within the definitions and in this Policy as follows:

#### Urban Open Space

Defined in two ways:

- (1) Functional open space areas located within urban developments that are connected and not isolated; that contain features to support pedestrian use of a development, (such as shade trees, shaded pedestrian and bicycle paths, decorative paving on pedestrian ways that are grade-separated from roadways, sculpture gardens, plazas with seating and interactive fountains); and that serve to connect structures within the mixed use, multi-use or high intensity development to each other and to outside mobility features that may be

exterior to a development, such pedestrian features such as sidewalks, trails and transit facilities. Urban open space also includes: natural preserve areas intended primarily to preserve environmental features that can be observed via elevated walkways but are not intended for recreational use; and open green areas containing native vegetation and serving as part of onsite stormwater retention facilities.

(2) Open space areas that serve a portion of a mixed use or high density/high intensity development, and are intended as amenities primarily for that portion of the development. Examples include features such as green roofs/rooftop gardens; rooftop swimming pools and spas; green areas within the interior of a building (such as a plant conservatory) and passive recreational areas, outdoor eating areas and outdoor exercise areas reserved for residents and/or employees of a particular building or portion of a development.

Where infill or redevelopment projects with significant size constraints are proposed adjacent to existing residential neighborhoods, special buffering design standards shall be implemented, including, but not limited to the list below, and shall be contained within the Land Development Code (LDC) to ensure compatibility with surrounding uses. These design standards shall provide for increased landscaping and fence or wall requirements in exchange for smaller buffer/yard widths. The additional design features provide for compatibility standards to be applied in such situations may include, but are not limited to:

- Low intensity lighting, directed away from residential properties
- Architectural designs resembling, or compatible with, residential uses
- Limited hours of operation
- Restrictions on doors or windows on building sides facing residential uses
- Ratio of building setback to height of not less than 1:1.

Redevelopment design standards shall also address additional concerns as follows:

- A. Where feasible, redevelopment projects shall incorporate water conservation measures that reduce water consumption, including but not limited to use of Florida native vegetation, reuse water, drip irrigation, etc.
- B. Through special design principles such as Crime Prevention Through Environmental Design (CPTED), development sites, including buildings, landscaping, and overall layout, shall be arranged to reduce opportunities for crime by creating public spaces observable by multiple 'sets of eyes', channeling activity to areas in public view, and fostering a sense of community.
- C. Developments shall be designed to be transit-ready, whether current service is available or not. Internal mobility corridors shall be designed as complete streets. Vehicular entry to a development via connections to arterial roads shall be held to a minimum. Developments along major transit corridors shall provide external transit shelters and sidewalks that link to internal pedestrian and bicycle paths within the development. Cross access points to neighboring developments, including pedestrian and bicycle access, shall be provided wherever possible.

- D. All developments shall include areas set aside for landscaping, open space, preservation of existing Florida friendly trees and vegetation, wetlands, passive recreation for residents and/or employees, and other amenities that create a sense of place, naturally sequester carbon dioxide and reduce the heat island effect. Related amenities that are encouraged include green roofs, green walls, indoor planting areas, and outdoor Florida friendly vegetated planting beds.
- E. In addition to features that create an attractive, inviting place to live, shop, work and play, the development shall incorporate design features that reduce the threat of crime. These features include choices in lighting, fencing, landscaping, building design and site design that avoid creating dark hidden areas, and the location of pathways and public gathering places within view of a building's interior. These features work together to build a sense of community and ownership that discourages criminal activity and fosters a safe environment for the legitimate users of a site to live, work, shop and play.
- F. Parking in redevelopment areas and in areas designed for transit oriented design may be provided through the use of shared parking, valet parking, on-street parking, or remote parking where applicable. A parking study shall be prepared by a qualified design professional to support parking reductions and shall be made a part of a developer's agreement.
- G. The City Engineer may accept "green infrastructure" for stormwater credits in site plans including Low Impact Development (LID) standards, permeable paving materials, green roofs, roof rainwater collection and infiltration to reduce development costs related to construction and to manage stormwater in a way that mimics natural stormwater management.

# Transportation Element

## INTRODUCTION

The City of Orange City seeks to develop, improve and maintain a system of arterial and collector roads and local streets necessary to provide access and efficient traffic service to community residents and businesses and to help guide future development. The arterial and collector roads in Orange City serve heavy volumes of non-local traffic and their improvement and maintenance is considered to be largely the responsibility of state and county governments. The City will do its part to protect the integrity of the arterial and collector road system by regulating roadside development, encouraging the use of frontage roads where practicable, and promoting other modes of transportation.

## MOBILITY PLANNING

In accordance with subsection 163.3180(5)(a), Florida Statutes, where the Legislature found that the unintended result of concurrency requirements for transportation facilities often discouraged urban infill development and redevelopment, which conflicted with the goals and policies of the state comprehensive plan: the City of Orange City was designated as a Dense Urban Land Area (DULA) and a Transportation Concurrency Exception Area (TCEA).

In order to comply with the standards set forth, the mobility plan must demonstrate how strategies will support the purpose of the Transportation Concurrency Exception Area (such as enabling redevelopment and infill development, by preventing urban sprawl) and how mobility within the designated area will be provided. As stated in the Future Land Use Element, the City's Mobility Plan addresses urban design, appropriate land use mixes (including density and intensity) and network connectivity needed to promote urban infill, redevelopment/revitalization. Transportation facilities are multi-jurisdictional and the Plan ensures adequate means of on-going communication on mobility projects with neighboring jurisdictions and partners to achieve a unified approach to mobility management.

## A MULTIMODAL FOCUS

The transportation system of the City brings together people and goods, accommodates traffic passing through the City, and provides the mobility and accessibility that allows residents to participate in the community's social and economic activities. Historically, the City's transportation system has been dominated by a single transportation mode - the private automobile. Public transit has played a relatively minor role, and walking and biking played purely recreational roles. The City will progress from a residential and retail based community to a more economically self-sufficient community in the future. As this occurs a wider choice of transportation options will be needed to maintain economic and population growth.

The Comprehensive Plan establishes a transportation vision for the City of Orange City that includes a Mobility Plan which focuses the vision for the City on a full range of choices for all modes of transportation. The Mobility Plan looks for future connections to transit

including commuter rail, express bus, and as land use intensifies the potential for transit circulator services connecting to commuter rail.

This Comprehensive Plan focuses the City's efforts on continuing to develop an effective multi-modal transportation system. These Plans are consistent with the Regional Growth Vision, "How Shall We Grow?" that identified a regional vision based on land use patterns supported by multiple transportation. As the goals of the Plan are realized, employment opportunities will grow within the City, residents will travel shorter distances to work, mixed use redevelopment and continued population growth will increase residential densities within concentrated mixed use centers. Neighborhoods will strengthen and develop identities. These trends all lead from long distance vehicular trips from low-density suburbs to regional employment centers and toward shorter distance connections to local jobs and daily needs. As the City's economy, land use, and mobility needs transition and mature, the transportation system will transition to a more balanced multi-modal approach. The City in its core downtown area is fortunate to have a gridded road network that lends itself to traffic dispersal and a good bicycle and pedestrian environment. This foundation will be built upon as the city continues its development.

The City's transportation system must not only service the local needs of residents, but those visitors as well. The development of a balanced, integrated, and sustainable transportation system adds value to the community by providing alternative modes of moving people and goods, providing accessibility to markets, and providing economic returns. A concentration of transportation improvements in the urban area helps prevent urban sprawl, while the provision of open space and the protection of environmentally significant features in the increasingly dense urban area maintain the access to natural areas.

Mobility focuses on the needs of all users of the transportation network, and thus must contemplate all modes. The networks of users is made up of not just traditional modes, consisting of automotive, transit, bicycle and pedestrian, but also land use solutions that lower vehicle miles traveled. Additionally, the mobility plan looks at ways through design elements of facilities and through policies to encourage employers and residents to modify behaviors through Transportation Demand Management. Finally as infrastructure costs continue to increase and revenues decline maximizing the use of existing facilities through the use of technology and other controls is inherent in ensuring long term sustainability in the Plan.

## **Roadway System**

Arterial and collector roadways are assigned to the State, County and City systems as indicated in *Exhibit: Roadway Maintenance Responsibilities*. The remaining miles of local and unclassified roadways are assigned to the City Street System.

Arterial and collector roadways are typically four or more lanes wide and reflect the higher traffic volumes. Congestion on main arteries in the City such as Saxon Boulevard or US 17-92 at times causes traffic to be diverted to other arterial and collector roadways which, which in turn, become more congested.

## **Transit System**

Express bus service currently operates along Interstate 4, providing weekday roundtrip service between the Orange City Park and Ride and Downtown Orlando. In addition, Votran provides service in Orange City along Saxon Boulevard and US 17-92. There are four routes that currently provide service for routes along US 17-92 and Enterprise Road that connect to DeLand to the north and Deltona to the east.

The Florida Department of Transportation, in partnership with Seminole, Orange, Osceola and Volusia counties and the City of Orlando, has committed to a 61-mile commuter rail system known as SunRail that operates along the CSX rail corridor, just west of the City. The first phase (31 miles connecting DeBary and Orlando) was put into service in 2013. Ultimately, the Commuter Rail system will extend from DeLand in Volusia County to Poinciana in Osceola County. SunRail will provide an alternate for commuters in City of Orange City to US 17-92 and Interstate 4 to employment centers to the south in the Orlando metropolitan area. Future service in Orange City is not currently contemplated by the SunRail system, but it is a strategy of the mobility system as the City strives to enhance rail service in both the short range goals to provide access to the currently planned stations for both residents and activity center uses and to provide new service at a potential new midpoint station that could more directly enhance Orange City's mobility needs.

## **Bicycle and Pedestrian System**

In April 2018, the City Council adopted the Trails Master Plan and Corridor Feasibility Study. The plan focuses on providing linking bike trails, paved shoulders, bike paths, and sidewalks and filling in missing gaps throughout the City. New development abutting the planned trail network shall assist the city in implementing said plan.

Development along Saxon Boulevard and Harley Strickland Boulevard were initially designed in a way to accommodate vehicular trips first, and bicycle and pedestrian trips are not integrated into the site plans. This is a result of suburban style codes. As a result, Land Development Code (LDC) changes will be needed in order to more fully integrate multi-modal site plans.

As the City continues to grow, making connections that ensures that the City makes bicycle and pedestrian connections both for transportation and mobility not solely for recreation choices will become imperative. This is important to promote a healthy lifestyle and should be designed in a manner that maximizes the transportation system and is safe for all users.

## **Appropriate Transportation Facilities**

The City strives to provide an effective, convenient, and economically feasible transportation system. To assess progress toward this goal, the Comprehensive Plan has established specific measurable objectives, and the City's regulations, investments, and incentives are focused on attaining this goal.

In addition to conventional methods of measurement, the City will continue to employ a variety of techniques and procedures.

- The City will continue addressing traffic safety through accident analysis.
- The City will work with its partners on special area and corridor transportation studies in order to refine the data reported in the Plan and to evaluate alternative transportation improvements, such as the use of Intelligent Transportation Systems (ITS).
- The City will conduct detailed studies of specific roadway segments as needed as a means of evaluating the success of mobility strategies and transportation systems management options for improvement of roadway corridor usage.
- The City will implement through the Comprehensive Plan quality/level of service measures for transit service, pedestrian improvements and bicycle improvements. These quality standards are intended not as capacity targets that must be achieved in order to allow development to proceed, or as a basis for denying approval of a development that is otherwise consistent with the Comprehensive Plan. The quality/level of service measures provide the following: a set of guidelines for the City to use during facility and budget planning; a set of yardsticks to evaluate a degree of improvement in mobility, and a basis for determining the fair share of a development's contribution toward achieving mobility and reduction of greenhouse gases. The City will continue to evaluate these quality standards and strategies during annual budget review, and propose revisions where needed.

## **GOALS, OBJECTIVES AND POLICIES**

### **Goal 1**

A multi-modal transportation network that is safe, convenient, and efficient, and ensures that current and future land uses are served, shall be available to all residents and visitors of Orange City.

### **Objective 1.1**

The City shall establish and utilize mobility strategies and LOS standards for transportation. The overall Mobility Strategy transitions the City from an emphasis on a single mode of transportation, to a multi-modal system that enables residents, workers and visitors to access destinations via more than one mode of travel. LOS standards shall be set for the provision of a multi-modal transportation system (including pedestrian and bicycle facilities, fixed route mass transit, as well as the County Road System and State Highway System). These LOS standards will guide the City's capital and operating expenditures on mobility toward achieving the stated goal of mobility through implementation of the following policies.

#### **Policy 1.1.1**

State Law requires that planning for a local government Transportation Concurrency Exception Area (TCEA) must consider and mitigate possible impacts upon the State's Strategic Intermodal System (SIS), to ensure that operation of the SIS is not negatively affected. The mobility strategy for the City's TCEA emphasizes incentives to attract riders to multiple modes of travel other than the SIS system, including SunRail, the VOTRAN

routes that serve the TCEA, and pedestrian and bicycle paths. LOS have been defined for those modes to serve as guides in determining capital and operating expenses; annual evaluation of expenses will also provide an opportunity to determine if alternate modes are increasing in ridership. The City shall continue to coordinate its efforts with FDOT to ensure the optimal operation of both the mobility strategies and the SIS facilities.

<b>FDOT Roadway Classification</b>	<b>Acceptable LOS Standard</b>
Limited Access Highway (SIS)	D
Controlled Access Highway (SIS)	D
Roadways Adjacent to Exclusive Transit Facilities (SIS)	E
Other Multilane	E
Two-lane	E

Source: Rule 14-94.003, Florida Administrative Code

#### Policy 1.1.2

Florida Statutes require the inclusion of local roadway LOS standards within local comprehensive plans, even within a Transportation Concurrency Exception Area (TCEA), when roadway level of service is not the measure by which development is approved. The City shall establish the following peak hour LOS standards for County maintained roadways within the City for monitoring purposes, in order to identify areas where multi-modal improvements are needed, and not for development approvals based on roadway capacity. If the multimodal improvements needed require roadway improvements, the first emphasis shall be upon intersection improvements to improve safety and reduce conflicts between modes; signalization/Transportation Demand Management improvements (especially those providing transit and pedestrian priority signalization); bicycle facility improvements, and pedestrian crosswalk/median improvements.

<b>Functional Classification</b>	<b>Acceptable LOS Standard</b>
Arterial	E
Collector	E

Source: Volusia County Comprehensive Plan

#### Policy 1.1.3

The City shall coordinate with Volusia County, the Florida Department of Transportation (FDOT), the River to Sea Transportation Planning Organization (TPO), VOTRAN, and the East Central Florida Regional Planning Council (ECFRPC) regarding the implementation of the City's mobility plan.

#### Policy 1.1.4

The City shall coordinate with the FDOT, Volusia County, TPO and the ECFRPC to request that U.S.17/92 be designated as a constrained thoroughfare from Enterprise Road to Orange City's north city limits. Policy constraints primarily occur when decisions are made not to expand a road based on environmental, historical, archeological, aesthetic or social impact considerations.

### Policy 1.1.5

Florida Statutes require the inclusion of local roadway (LOS) standards within local comprehensive plans, even within a TCEA, when roadway LOS is not the measure by which development is approved. The City shall establish the following peak hour LOS standards for roadways within the City for monitoring purposes, in order to identify areas where multi-modal improvements are needed, and not for development approvals based on roadway capacity. If the multimodal improvements needed require roadway improvements, the first emphasis shall be upon intersection improvements to improve safety and reduce conflicts between modes; signalization/Transportation Demand Management (TDM) improvements (especially those providing transit and pedestrian priority signalization); bicycle facility improvements, and pedestrian crosswalk/median improvements.

### Functional Classification of Thoroughfare Roads in Orange City

Road	FDOT Classification	Volusia County Classification	County Accepted LOS
<b>State</b>			
Interstate-4	Principal Arterial	Limited Access Interstate	D
US 17-92	Principal Arterial	Arterial	D
SR 472	Principal Arterial	Arterial	D
<b>County</b>			
Enterprise Road	Minor Arterial	Arterial	E
CR 4139 (North Kentucky Ave)	Minor Arterial	Collector	E
Saxon Boulevard	Minor Arterial	Arterial	E
Enterprise Road	Minor Arterial	Arterial	E
West French Avenue (Blue Springs State Park to US 17-92)	Rural Major Collector	Collector	E
West French Avenue (from City Limits to US 17-92)	Urban Collector	Collector	E
Veterans Memorial Parkway	Minor Arterial	Arterial	E
West Rhode Island Avenue (from US 17-92 to Western Parkway)	Local	Arterial	E
<b>City</b>			
Leavitt Avenue	Local	City Collector	E

Wisconsin Avenue (from Volusia Avenue to Leavitt Avenue)	Local	City Collector	E
West Blue Springs Avenue (from Sparkman Avenue to US 17-92)	Local	City Collector	E
East Rhode Island Avenue (from Veterans Memorial to US 17-92)	Collector	City Arterial	E
Harley Strickland Boulevard	Local	City Collector	E
Sources = FDOT and Volusia County Comprehensive Plan			

#### Policy 1.1.6

The City shall coordinate and cooperate with Volusia County's efforts to monitor and evaluate safety, congestion and mobility on the countywide network of thoroughfare system corridors within Orange City.

#### Policy 1.1.7

The City shall utilize the Transportation Impact Analysis (TIA) Guidelines published by the TPO, and as may be amended from time to time, as the methodology used to analyze the impacts of developments on the city's transportation system.

#### Policy 1.1.8

Mobility LOS standards shall be used to achieve and maintain mobility, to reduce greenhouse gases, and to assist in determining a fair share that a development should contribute to the achievement of the overall mobility strategy. LOS standards are not intended to be used to deny approval of a development that is otherwise consistent with the goals of the City's Comprehensive Plan. The LOS standard for transit shall be "frequency of service" (headway). Future headway would be triggered as need arises, the basis for need is determined by boardings and alightings, capacity of transit vehicle, calls/demand for service and others.

VOTRAN Route	Existing Headway	Future Headway
Route 20	30	30
Route 21	120	100
Route 22	120	100
Route 23	60	30

#### Policy 1.1.9

The Pedestrian LOS standards shall be the presence of pedestrian path/sidewalk within ¼ mile of transit stops, within ¼ mile of mixed development/redevelopment land uses, and connecting abutting neighborhoods near parks and schools. Need shall be identified ensuring development review of projects that generate new transit and pedestrian trips.

Projects to address gaps shall be identified as part of capital improvements programming evaluation and during development review for new and redeveloping projects.

#### Policy 1.1.10

Annually, the City shall use ridership, revenue miles of service data reported by transit service providers and estimates of functional population within the transit service area to determine the degree of achievement of the City's mobility strategy to shift trips to multiple modes of transportation. Data will also be analyzed on ridership of bicyclists, possible impacts on the Strategic Intermodal System (SIS) and to determine the degree of reduction of greenhouse gases. Findings will be made as to the degree of achievement and the need, if any, to alter the LOS or to increase or alter the Capital Improvement Plan.

#### Policy 1.1.11

The City, in coordination with the County, the TPO, and the VGMC, may authorize refined methodologies and techniques to be used in the review and evaluation of development proposals for the determination of the ability of the County's mobility strategy to succeed within specified Mobility Areas, given the trips to be generated by the proposed development or redevelopment. Acceptable methodologies and techniques shall be approved consistent with the TPO published guidelines.

#### Policy 1.1.12

The City shall develop special area plans, as needed, for areas of special concern, in coordination with regional partners. The City through the adopted multi-modal transportation quality/level of service standards or alternative level of service standards methods of analyzing results shall recognize in special area plans the following:

- Improvements in overall operation of the roadway system outweigh localized deficiencies, and
- Improvements in the overall multi-modal mobility transportation system outweigh periodic congestion deficiencies on individual roadways in the roadway system, and
- Improvements in the overall urban environment (including reduction of vehicle miles travelled, greenhouse gas production, revitalization of declining areas and creation of vibrant, safe areas to live, work, shop and play) outweigh periodic congestion deficiencies in the roadway transportation system.
- These multimodal quality/level of service standards shall address accessibility for vehicular traffic, pedestrians, cyclists, transit and other modes, and shall be used as guidelines for public expenditure, to determine if mobility strategies are succeeding, and to determine possible fair share contributions for developments.

#### **Objective 1.2**

The City shall coordinate its mobility, land use planning and decision making on an ongoing basis with plans of Volusia County, the TPO, FDOT, other public agencies, and local governments having authority for planning, developing, and operating transportation systems and facilities in or affecting Orange City. Coordination shall include attendance at regularly scheduled meetings of the TPO and participation in Volusia County impact fee zone meetings and County and/or TPO road program workshops.

**Policy 1.2.1**

The Development Services Department shall review FDOT and County Five-Year Road Programs in order to update or modify this Transportation Element, if necessary.

**Policy 1.2.2**

The City shall review for compatibility with the Transportation Element, the traffic circulation plans and programs of the unincorporated county and neighboring municipalities as they are amended in the future.

**Policy 1.2.3**

The City shall continue to support Volusia County to accelerate construction of the proposed Western Parkway from SR 44 to Donald E. Smith Boulevard to relieve traffic demands on US 17-92.

**Policy 1.2.4**

The City shall continue to cooperate with VOTRAN in the provision and/or enhancement of efficient and effective public transit services that connect the City's residential and non-residential communities.

**Policy 1.2.5**

The City shall require future developments in the Mixed Use areas to plan for public transit facilities and amenities such as covered shelters, bus bays, and transit park-and-ride lots based upon the number of access points, type of access, and the overall size of the development.

**Policy 1.2.6**

The City shall coordinate and cooperate with the TPO in growth management efforts by providing available data related to roadway conditions, traffic counts, proposed improvements, building permits and the like.

**Objective 1.3**

The City shall continue to require rights-of-way dedications and cross-sectional improvements to abutting arterial and collector roadways as required by the LDC.

**Policy 1.3.1**

The City shall identify existing and future thoroughfares on the Future Land Use Map.

**Policy 1.3.2**

The City shall require that rights-of-way for new roadways comply with the minimum requirements of the Design Standards Manual, as follows:

**Arterial roads**

**150 foot right-of-way (ROW).** Additional ROW may be required as determined by the City Engineer, Volusia County and/or FDOT.

**Collector roads**

**60 foot to 100 foot ROW** with swale drainage. Actual ROW width depends on the road's average daily traffic and classification;

**60 foot to 90 foot ROW** with curb and gutter. Actual ROW width depends on the road's average daily traffic and classification.

**Local roads**

**60 foot to 70 foot ROW** with swale drainage. Actual ROW width depends on the road's average daily traffic and classification;

**50 foot to 60 foot ROW** with curb and gutter. Actual ROW width depends on the road's average daily traffic and classification.

## Policy 1.3.3

The City shall require the dedication of rights-of-way and provide for adequate setback of buildings and other structures sufficient to protect the integrity of arterial and collector roadways as specified in the LDC and Design Standards Manual.

## Policy 1.3.4

The City shall control the connections and access points of driveways as required by the LDC and Design Standards Manual.

**Objective 1.4**

The City shall, through its LDC, improve the appearance and safety of both existing and future roadways.

## Policy 1.4.1

The City shall enforce the LDC's, design criteria for landscaping and signs along new and existing roadways.

## Policy 1.4.2

The City shall eliminate or minimize roadway designs which lead to hazardous conditions by:

- A. Requiring the provision of adequate storage and weaving area;
- B. Limiting direct access from driveways and local roads onto high-speed traffic lanes;
- C. Minimizing conflicts between roadway and pedestrian or rail traffic; and
- D. Providing adequate capacity for emergency evacuation.

## Policy 1.4.3

All facilities shall be designed to high standards of visual quality including, but not limited to, strict sign control, buffering, landscaping and lighting as required by the LDC

## Policy 1.4.5

The City shall protect the character of neighborhoods through the use of design standards on roadways in a context sensitive manner to ensure protection of neighborhood character. A context sensitive facility considers abutting land uses as well as engineering requirements in determining roadway features such as lighting, sidewalks, bicycle lanes, and drainage.

**Policy 1.4.5**

The City shall follow these design standards:

- A. Arterials and collectors shall be designed holistically as “Complete Streets”, considering the pavement, bikeways, crosswalks, sidewalks, curb cuts, curbs and gutters (or other stormwater management system), lighting, signalization (including possible transit and pedestrian priority signalization), signage, transit stops if any, street trees that provide shade and landscape or other public open space areas.
- B. On-street parking will be encouraged for local streets and specified areas.
- C. Streets shall be designed wherever possible to accommodate a mix of travel modes including vehicles, bicycles, public transit and pedestrians, in support of the Central Florida Regional Growth Vision principle of providing a variety of transportation choices.
- D. Neighborhood streets shall be designed where safe and feasible to connect to adjacent activities, including public schools, parks, and neighborhood-serving businesses, with streets that do not encourage cut-through traffic.

**Objective 1.5**

The City shall control the number of connections and access points of driveways and roads to roadways as required by the LDC and Design Standards Manual.

**Policy 1.5.1**

The City shall provide safe, efficient and reasonable access to abutting properties while maintaining the traffic-carrying capacity appropriate for the roadway facility.

**Policy 1.5.2**

All site plans and subdivisions shall be reviewed, as required by the LDC and Design Standards Manual, to ensure that all access points are safe, efficient and reasonable. Residential land uses shall be required to minimize connections to collector and arterial roadways. Commercial developments shall have clearly identified points of egress and ingress and be located adjacent to arterials or collectors.

**Policy 1.5.3**

The City shall submit all development proposals that access a State or County thoroughfare to the appropriate agency for their review and approval of the access to said agency’s thoroughfare road.

**Objective 1.6**

The City shall regulate the on-site motorized and non-motorized vehicle parking and bicycle and pedestrian routes as required by the LDC and Design Standards Manual.

**Policy 1.6.1**

When feasible, bicycle and pedestrian routes shall be provided within neighborhoods as required by the LDC and Design Standards Manual.

**Policy 1.6.2**

The City shall require bicycle storage areas for shopping and recreational areas as specified by the LDC.

**Policy 1.6.3**

The City shall, through its development review process, require pedestrian and bicycle circulation and safety in relation to provisions for sidewalks, curb cuts, on-street parking, street cross-sections and relationships to adjacent uses.

**Policy 1.6.4**

The City shall require the installation of sidewalks in new developments as required by the LDC and Design Standards Manual. Additional sidewalks shall be permitted in existing developed areas when requested and funded by the abutting property owners.

**Policy 1.6.5:**

The City shall cooperate with Volusia County and the TPO's efforts to develop a countywide bicycle and pedestrian system.

**Policy 1.6.6**

The City shall continue to maintain and expand its network of bicycle lanes and pedestrian facilities with specific consideration of connectivity of residential areas to schools, parks, community centers, and key business areas.

**Objective 1.7**

Development approvals shall be reviewed for compliance with this Element's LOS standards set forth in Policies 1.1.1, 1.1.2, 1.1.5, 1.1.9, and the LDC.

**Policy 1.7.1**

The City shall require the developer of property that impacts constrained roadways to prepare a transportation impact analysis consistent with the most recent methodology contained in the TPO's Traffic Impact Analysis Guidelines.

**Policy 1.7.2**

The City shall monitor, in cooperation with Volusia County, the individual and cumulative impacts of proposed development on adopted LOS and allowable deviations thereto for arterial and collector roads.

**Policy 1.7.3**

The City shall cooperate with Volusia County and the FDOT in utilizing impact fees and other applicable funding sources to help accelerate and finance improvements to the local, county and state roads serving the City.

**Policy 1.7.4**

The City shall cooperate with Volusia County and the TPO in developing a methodology to track development in both the incorporated and unincorporated areas of Volusia County.

**Policy 1.7.5**

For any proposed development that would result in lower LOS than the adopted roadway standard, the developer may submit to Orange City for review an evaluation, at the expense of the developer, that provides evidence that the roadway is operating at an

acceptable peak hour LOS and that the proposed use would not lower the level of service below the acceptable standard.

#### Policy 1.7.6

The City shall require applicants for new development proposals that are adjacent to City and/or County Thoroughfare Roadway System roads slated for construction within the City's and/or County's Five-Year Road Program to dedicate the right-of-way necessary for future transportation system improvements at the time of development approval.

### **Objective 1.8**

The City shall develop and maintain a safe, convenient, and energy efficient multi-modal transportation system which will meet future as well as current transportation needs while reducing greenhouse gas emissions.

**Measure:** Number of single occupancy vehicle auto trips converted to transit trips as estimated by peak hour load factor.

**Measure:** Number of crashes along targeted corridors involving automobiles, pedestrians, and bicycles.

#### Policy 1.8.1

The City's police department shall investigate local high crash locations to identify potential methods of minimizing or eliminating future problems.

#### Policy 1.8.2

The City shall continue to support the construction of sidewalks and/or designated roadside bikeways in all land development and road improvement projects which shall include ample signage and pedestrian signalization provisions to designate and promote routes.

#### Policy 1.8.3

The City shall continue to require, through the LDC and Design Standards Manual, unobstructed sight lines and non-obtrusive landscape plantings along medians and at development driveway/street locations. Planting within and along roadway rights-of-way should emphasize the use of native vegetation.

#### Policy 1.8.4

The City shall continue to program and budget funds, within its Five-Year Schedule of Capital Improvements Program (CIP), for roadway maintenance of City maintained roads at least at the existing LOS.

#### Policy 1.8.5

Promote the use of alternative transportation modes, such as consideration to investigate Transportation Demand Management (TDM) programs and/or consider revisions to the City's Land Development Code to require enhanced alternative transportation infrastructure to support reduction in greenhouse gas emissions.

**Policy 1.8.6**

The City is designated as a Dense Urban Land Area (DULA) under Senate Bill 360, and is therefore a Transportation Concurrency Exception Area (TCEA).

**Policy 1.8.7**

Cooperate and coordinate with FDOT and Volusia County to study/implement alternative routes for Interstate 4 (SR 400) and US 17-92 (SR 15/SR 600).

**Policy 1.8.8**

Cooperate and coordinate with FDOT to develop strategies to maintain LOS along Interstate 4 (SR 400) and US 17-92 (SR 15/SR 600).

**Goal 2**

Promote energy conservation and encourage renewable energy resources and greenhouse gas reductions.

**Objective 2.1**

Future development should occur in the most energy efficient manner possible.

**Policy 2.1.1**

The majority of residential development should occur in the City's mixed-use area that encourages land use patterns and development plans that take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy efficient public transit systems, and permit building configurations that increase the efficiency of energy use.

**Policy 2.1.2**

Commercial services should be located within or adjacent to residential areas to limit the energy consumed by travel between residential and shopping areas.

**Policy 2.1.3**

New development and redevelopment should be energy efficient in design, siting and construction, and to the extent possible, incorporate green building practices.

**Policy 2.1.4**

The City should encourage new and existing residential and commercial developments to meet Florida Water Star standards.

**Objective 2.2**

Encourage conservation of present nonrenewable energy sources, and the use and development of alternative sources.

**Policy 2.2.1**

Coordinate with -local utility providers to educate the public about the need to conserve energy resources.

**Policy 2.2.2**

Encourage the investigation and utilization of alternative energy sources to be integrated into individual project designs.

**Policy 2.2.3**

In order to promote the wise and efficient use of energy, the city shall encourage utility providers to coordinate the provision of services with the Comprehensive Plan's energy conservation goals, objectives and policies.

**Objective 2.3**

Plans for the development of new transportation facilities and the improvement of existing facilities should be designed to achieve the most energy efficient system possible and incorporate greenhouse gas reduction strategies.

**Policy 2.3.1**

Promote the use of bicycle paths and footpaths to encourage non-motorized transit.

**Policy 2.3.2**

Mass transit and carpooling should be supported and encouraged.

**Policy 2.3.3**

Future land use and zoning should promote denser development near major arterials and collectors, especially within the mixed-use area, where mass transit lines can be run most efficiently.

**Policy 2.3.4**

The City shall coordinate with applicable Federal, State, regional and local agencies that express an interest in the development of area wide and regional transportation strategies to address the reduction in greenhouse gas emissions from the transportation sector.

**Policy 2.3.5**

Promote and encourage transit-supportive and mixed-use development as expressed in the Conservation Element's Goal 4 and its related objectives and policies.

**Goal 3**

Support the expansion of the SunRail commuter rail system in Orange City.

**Objective 3.1**

Support commuter rail through establishment of the SunRail station and implementation of future land use categories that allow mixed use and transit oriented design and development.

**Policy 3.1.1**

Encourage travel on the SunRail system.

### Policy 3.1.2

Encourage applications that are supportive of transit oriented design and that accommodate all modes that include but are not limited to the following:

- A. All projects that add to the mobility network must provide a circulation plan that identifies key mobility features as part of the site plan review process, mobility features should include external connections and accommodate all modes.
- B. Vehicular parking plans for all applications within ½ mile of an identified SunRail station that ensures that parking is accommodated in a manner that enhances the pedestrian environment.
- C. Ensure that trees, sidewalks, and buildings are arranged in a manner that supports the creation of a safe and well-defined mobility environment.
- D. To support a multi-modal environment, utility lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground or relocated to the rear of the site to the maximum extent practicable.
- E. Provide for complete street design that separates a designed area for the placement of street furniture including but not limited to seating, street lights, waste receptacles, fire hydrants, traffic signs, vending boxes, bus benches/shelters, bicycle racks, public utility equipment such as electric transformers and water meters, in a manner that does not obstruct pedestrian access or motorist visibility.

### Policy 3.1.3

The City shall continue to support the construction of the commuter rail approved by the Volusia County Council on July 31, 2007.

## **Housing Element**

### **INTRODUCTION**

The City of Orange City seeks to provide a range for the City's housing needs while maintaining its community identity and quality of life. While a variety of housing types and densities will be encouraged, the single-family homes and lower density developments will continue to be the dominant form of housing. Higher density housing will be located in areas near major roadways and services and the City's mixed-use areas.

This Section presents the goal statements for the City's housing activities and the objectives and policies necessary to accomplish this goal.

### **GOALS, OBJECTIVES AND POLICIES**

#### **Goal 1**

The provision of decent, safe and sanitary housing in suitable neighborhood environments at a range of costs and variety of types necessary to meet the needs of present and future residents of the City.

#### **Objective 1.1**

The City shall assist the private sector and other public and nonprofit agencies to provide the variety of housing types and price ranges that will meet the housing needs of the existing and future population of the City.

##### **Policy 1.1.1**

The City's Development Services Department shall provide information and technical assistance, and explore possible incentives to the private sector to maintain a housing production capacity sufficient to meet demand. These actions could include improvement in the permitting process such as special considerations for affordable housing.

##### **Policy 1.1.2**

The City shall rely upon the Shimberg Center for Housing Studies and the Bureau of Economic and Business Research (BEBR), as appropriate, as a means of identifying housing needs and projecting housing demands.

##### **Policy 1.1.3**

New housing construction should be consistent with Goal 2 of this element, and its applicable objectives and policies related to energy efficiency.

#### **Objective 1.2**

The City shall continually seek the elimination of all substandard housing within the City and reduce the number of substandard dwelling units within the City and encourage the use of green building construction technology and Energy Star standards to make the housing more energy efficient.

**Policy 1.2.1**

Continue to request, through Volusia County, federal funding for the demolition or rehabilitation of substandard housing. The City's Development Services Department shall coordinate these efforts.

**Policy 1.2.2**

Minimize involuntary relocation by only the removal of units which satisfy one or more of these criteria: immediate danger to occupants, vacant, or excessive cost of rehabilitation.

**Objective 1.3**

Adequate housing and housing sites for low- and moderate-income and elderly persons should be available to meet their housing needs by the provision of adequate residential land at various densities in locations throughout the City.

**Policy 1.3.1**

The City shall pursue, through Volusia County's Community Assistance Department, federal and/or state sources of funding earmarked for low- and moderate-income and elderly housing to address at least 50 percent of the projected need during the planning period. These include but are not limited to Section 8 Program, State Apartment Incentive Loan (SAIL) Program, State Housing Initiative Program (SHIP), Affordable Housing Monies, Community Development Block Grant (CDBG), Rental Rehabilitation, and Weatherization Funds.

**Policy 1.3.2**

The criteria for location of low- and moderate-income housing shall include areas where services, including schools, recreation and infrastructure, are adequate to meet the needs of residents.

**Policy 1.3.3**

The City shall assist the private sector and other public and nonprofit agencies to locate, plan and develop housing in areas that meet the criteria specified in policy 1.3.2. The City shall assist in cost reduction by taking permitting cost factors into consideration in the development of its LDC.

**Objective 1.4**

The City supports modern manufactured home/modular homes as forms of housing, which can be more affordable to a broader range of citizens than traditional site-built homes and add to the variety of available housing options.

**Policy 1.4.1**

The City shall support decisions and actions that encourage manufactured home/modular home communities where they provide a viable option for low- and moderate-income households in the City.

**Policy 1.4.2**

The City shall encourage replacement/upgrading of existing mobile homes with modern manufactured home/modular homes so that home sites are more likely to survive storm damage.

**Objective 1.5**

Sites for special needs housing should be available at suitable locations to ensure that the needs of persons requiring such housing are met.

**Policy 1.5.1**

The City shall continue to ensure adequate provisions for siting special needs housing as regulated by the Florida Statutes and the LDC.

**Objective 1.6**

Uniform and equitable treatment for persons and businesses displaced by state and local government programs will be provided consistent with Section 421.55 F.S. This shall include the provision of relocation housing.

**Policy 1.6.1**

Assure that reasonably located standard housing at affordable costs is available to persons displaced through public action prior to their displacement. The City's Development Services Department will work with Volusia County's Community Assistance Department to provide this assistance should it become necessary during the planning period.

**Policy 1.6.2**

The Development Services Department will work with the Volusia County Community Assistance Department to assure that the level of payments provided are sufficient and meet local and state requirements.

**Objective 1.7**

The existing housing stock will be conserved and its useful life extended, and neighborhood quality of new developments shall be maintained throughout the planning period by way of the following policies.

**Policy 1.7.1**

Continue efforts in the CDBG eligible areas and work with Volusia County CDBG staff to carry out program activities in a timely manner.

**Policy 1.7.2**

Schedule and concentrate public infrastructure, supporting facilities, and services to upgrade the quality of existing neighborhoods while also providing for neighborhood stabilization.

**Policy 1.7.3**

Encourage individual homeowners to increase private reinvestment in housing by providing information and referrals to the county-operated housing assistance programs.

**Policy 1.7.4**

The City shall use CDBG funds allocated to Orange City and administrated by Volusia County to repair housing units which fail to meet the City's minimum housing code, as well as, fund other eligible affordable housing CDBG projects as selected by the City. These efforts should be concentrated in those areas of the City where the quality of housing and neighborhood stabilization is decreasing.

**Policy 1.8.5**

Establish and maintain principles to guide housing conservation, rehabilitation, and demolition activities during the planning period. These principles shall include, but not be limited to, cost of repairs versus economic value, health and safety issues, potential for identification as an historic property and location in a Local Historic District or CDBG target area. The Florida Building Code standards shall be utilized to determine the quality of housing.

**Policy 1.7.6**

The City shall encourage and promote community appearance standards, and support the formation of neighborhood associations.

**Policy 1.7.7**

The City shall encourage neighborhood stabilization, maintenance, and appearance through its code enforcement and crime prevention activities.

**Policy 1.7.8**

The City shall encourage the use of green building construction technology and Energy Star standards to make the housing more energy efficient.

**Objective 1.8**

The City shall continue its efforts of ensuring that housing opportunities are available to residents with special needs such as low-income elderly and handicapped persons. These efforts shall include use of CDBG funds to repair substandard housing units occupied by low-income elderly and handicapped persons.

**Policy 1.8.1**

The City shall continue to support and assist with the CDBG housing rehabilitation efforts.

**Policy 1.8.2**

The City shall continue to support through technical assistance as necessary, the social service assistance programs provided to elderly and handicapped persons.

**Policy 1.8.3**

The City shall continue public improvement programs aimed at the removal of physical barriers which restrict accessibility by handicapped persons.

**Objective 1.9**

The City shall use all existing resources provided by federal and state agencies, as well as nonprofit and private sector to implement the housing efforts of the City.

**Policy 1.9.1**

The City shall provide technical assistance to private, governmental and nonprofit agencies whose objective is to provide housing resources for the community. Technical assistance can include the following: information, relevant data, letters of support, assistance in permitting process and preparation of funding requests from various non-city agencies.

**Policy 1.9.2**

The City shall encourage the use of green building construction technology and Energy Star standards to make housing more energy efficient.

**Goal 2**

Promote energy conservation and encourage renewable energy resources and greenhouse gas reductions.

**Objective 2.1**

Future development should occur in the most energy efficient manner possible.

**Policy 2.1.1**

The majority of residential development should occur in the City's mixed-use area that encourages land use patterns and development plans that take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy efficient public transit systems, and permit building configurations that increase the efficiency of energy use.

**Policy 2.1.2**

Commercial services should be located within or adjacent to residential areas to limit the energy consumed by travel between residential and shopping areas.

**Policy 2.1.3**

New housing development and redevelopment should be energy efficient in design, siting and construction, and to the extent possible, incorporate green building practices.

**Policy 2.1.4**

The City should encourage new and existing residential and commercial developments to meet Florida Water Star standards.

**Objective 2.2**

Encourage conservation of present nonrenewable energy sources and the use and development of alternative energy sources.

**Policy 2.2.1**

Coordinate with local utility providers to educate the public about the need to conserve energy resources.

**Policy 2.2.2**

Encourage the investigation and utilization of alternative energy sources to be integrated into individual project designs.

**Policy 2.2.3**

In order to promote the wise and efficient use of energy, the City shall encourage utility providers to coordinate the provision of services with the Comprehensive Plan's energy conservation goals, objectives and policies.

**Objective 2.3**

Plans for the development of new transportation facilities and the improvement of existing facilities should be designed to achieve the most energy efficient system possible and incorporate greenhouse gas reduction strategies.

**Policy 2.3.1**

Promote the use of bicycle paths and footpaths to encourage non-motorized transit.

**Policy 2.3.2**

Mass transit and carpooling should be supported and encouraged.

**Policy 2.3.3**

Future land use and zoning should promote denser development near major arterials and collectors, especially within the mixed-use area, where mass transit lines can be run most efficiently.

**Policy 2.3.4**

The City shall coordinate with applicable Federal, State, regional and local agencies that express an interest in the development of area wide and regional transportation strategies to address the reduction in greenhouse gas emissions from the transportation sector.

**Policy 2.3.5**

Promote and encourage transit-supportive and mixed-use development as expressed in the Conservation Element's Goal 4 and its related objectives and policies.

## **Section 5**

# **Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water, and Natural Groundwater Recharge Element**

### **INTRODUCTION**

The City of Orange City seeks to provide water and sewer services to all persons within its service area in accordance with all applicable state and county health and environmental standards. These services will be provided at adequate levels of service to residents and businesses relative to capacity and flow. For those areas served by Volusia County, the City will continue to cooperate with Volusia County and follow the provisions of the interlocal water and wastewater agreement and all applicable state and county standards.

The City will continue to cooperate with Volusia County in the area of wastewater services and follow the provisions of the interlocal water and sewer agreement and all applicable state and county standards.

The City seeks to improve local drainage conditions and to mitigate non-point pollution impacts on surface and groundwater resources. The protection of the prime aquifer recharge area is also of concern. There are no drainage studies or capacity analyses for this section of Volusia County including Orange City. Flooding within Orange City has not been a significant problem. Therefore, analysis is limited. However, Orange City does require all development to comply with its Land Development Code (LDC), Ordinance No. 157, stormwater and floodplain management performance and design standards.

Volusia County's Technical Steering Committee, concerned with drainage patterns, identified in the County's Drainage Sub-element, a need for the following information:

- A. Drainage basin studies.
- B. Determination of the significance of highway drainage facilities on the natural drainage pattern.
- C. Coordination with the cities to determine jurisdictional responsibilities. Highway drainage ditches are being used to accommodate urban stormwater. This poses a potential jurisdictional problem when a development permit is issued by a municipality on the stormwater capacity of a ditch maintained for highway drainage.

This plan is intended to study and provide direction to solve these problems. The drainage basin studies are the building blocks needed to determine the appropriate level of service, design capacity and service area. Intergovernmental coordination may be needed to solve potential jurisdictional problems of highway drainage facilities being used for the management of stormwater runoff. A stormwater utility is also being recommended to give the county a permanent source of funding for stormwater management.

These recommendations are designed to meet the requirements of Section 163.3177 (6)(c) Florida Statutes and Section 9J-5.011 of the Florida Administrative Code which contain minimum standards for the content of the Drainage Sub-element (per Volusia County Comprehensive Plan, Chapter 9 Overview). The safe collection and disposal of solid and hazardous waste are also of concern to the City. Several objectives and policies are implemented through land development regulations, the revision and adoption of which are required by Chapter 9J-5, F.A.C.

In 1978, Volusia County passed a Stormwater Management Ordinance that established performance and design standards for the management of stormwater runoff. In 1986, the Volusia County Charter was amended to allow the County to enact minimum performance and design standards for the management of stormwater runoff that apply County-wide. All incorporated local governments in Volusia County are required to adopt ordinances that meet or exceed the County's minimum standards for the regulation of stormwater runoff. In addition, a Technical Steering Committee formed by Volusia County has identified many shortcomings pertaining to drainage patterns in the County. The Committee has identified a need for the following information:

- A. Watershed studies;
- B. Determination of the significance of Mosquito Control District facilities on the natural drainage pattern;
- C. Coordination with the cities to determine jurisdictional responsibilities. In Orange City's case, highway drainage ditches are being used to accommodate urban stormwater. This poses a potential jurisdictional problem on the stormwater capacity of a ditch maintained for highway drainage.

The watershed studies are the building blocks needed to determine the appropriate level of service, design capacity and service area. Intergovernmental Coordination is essential to solve the jurisdictional problems of using highway drainage ditches to accommodate urban stormwater.

## **GOALS, OBJECTIVES AND POLICIES**

### ***Sanitary Sewer***

#### **Goal 1**

The City shall provide adequate and environmentally acceptable sanitary sewer service to areas designated to receive such service in accordance with the City/County interlocal water and wastewater agreement.

#### **Objective 1.1**

The City shall, as required by the interlocal water and wastewater agreement, continue to provide Volusia County with three-year flow projections so that the sanitary sewer system can be expanded and coordinated with Volusia County's Five-Year Capital Improvements Element. Said projections shall be provided to Volusia County on an annual basis.

#### Policy 1.1.1

The City shall maintain a level of service standard of 284 gallons per day of domestic wastewater per equivalent residential connection and 0.08 gallons per day per square foot for commercial, industrial and institutional land uses.

#### Policy 1.1.2

The City shall continue to require the use of a central sewer system where connection to a central system is available. The use of existing septic tanks serving land uses within the City may continue in the manner consistent with the most stringent requirements specified by either the Comprehensive Plan or the Florida Administrative Code (FAC). Existing package treatment plants shall be connected to a central sewer system when connection to said system is available.

#### Policy 1.1.3

The City shall allow individual septic tanks, where central sewer systems are neither planned nor required due to planning and land use constraints, provided septic tanks are permitted by the County Health Department. Land use constraints refer to special situations such as isolated enclaves of non-sewered areas within areas served by septic tanks or individuals that cannot connect to a central sewer system because service to said system is unavailable.

#### Policy 1.1.4

The City shall require all sewerage disposal systems to be located and constructed in a manner consistent with all applicable local, state and federal regulations, including the applicable goals, objectives and policies and level of service standards contained in the City's Comprehensive Plan.

#### Policy 1.1.5

By 2010, Orange City shall enact an Industrial Wastewater Pretreatment Ordinance, as per interlocal agreement, which will require industrial and commercial land uses which generate wastewater substantially different (in waste strength and chemical constituents) from residential wastewater to pretreat the effluent to Volusia County standards, prior to its discharge to Volusia County.

#### Policy 1.1.6

The City shall require compliance with the water and wastewater concurrency management requirements of the LDC, Ordinance No. 157, as a condition for granting development approval to any project.

#### Policy 1.1.7

All needed improvements, deficiency corrections, and system expansion shall be prioritized with respect to:

- A. Protection of public safety and health achievement of the full use of existing facilities, and/or fulfillment of the City's legal commitment to provide services; and
- B. Providing the logical extension of the City's facilities and services within its service area.

**Policy 1.1.8**

In areas designated to receive central sewer service, the use of any on-site disposal system shall only be on an interim basis. The on-site disposal system shall be abandoned and connection to a central sewer system shall be required when treatment capacity or other required infrastructure is available.

**Policy 1.1.9**

The City shall continue to permit the use of septic tanks on an infill basis in areas which currently utilize septic tanks as approved by the County Health Department.

**Policy 1.1.10**

The City shall continue an aggressive program to provide wastewater services to future urban areas within its designated planning area.

**Objective 1.2**

Throughout the planning period, maximize the use of existing collection and transmission facilities by system expansions and upgrades, rather than developing “satellite systems” which promote dispersed leap-frog development patterns and urban sprawl.

**Policy 1.2.1**

The City, under its development review process, shall evaluate whether its existing facilities can be expanded or upgraded for proposed developments.

**Objective 1.3**

The City shall continue to work with Volusia County to develop an effluent reuse and disposal program to recharge wetlands and groundwater supplies and provide irrigation water and thereby conserving the potable water and improving surface water quality.

**Policy 1.3.1**

The City shall require use of reclaimed water for irrigation and non-potable use for all new development as required by the City’s LDC, Ordinance No. 157, where such use can be feasibly implemented and permitted by the Florida Department of Environmental Protection.

***Potable Water*****Goal 2**

Provide an adequate public supply and treatment of potable water for Orange City residents and commercial and industrial users.

**Objective 2.1**

The City shall require compliance with the potable water concurrency management requirements of the LDC, Ordinance No. 157, as a condition for granting development approval to any project.

**Policy 2.1.1**

The City shall adopt a level of service standard of an annual average daily volume of 300 gallons of potable water per equivalent residential connection and 1,500 gallons per day per acre for commercial, industrial and institutional land uses. Orange City shall require a minimum fire flow rate of 500 gallons per minute as a condition of development approval.

**Policy 2.1.2**

The City shall issue no development orders or development permits without first consulting with the appropriate utility to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

**Objective 2.2**

The City shall continually correct or provide for the correction of its water supply and distribution system deficiencies as defined in the updated Water Master Plan.

**Policy 2.2.1**

The City shall continue to designate a portion of its annual budgets to be used for the correction of existing deficiencies in its potable water systems.

**Objective 2.3**

The City shall provide adequate (meeting the level of service standard) public potable water sources commensurate with growth to service the needs.

**Policy 2.3.1**

The City shall act in accordance with federal, state and county regulations to protect the safety and quality of its drinking water sources. Future wells developed by Orange City shall be developed in accordance with all state requirements.

**Policy 2.3.2**

By 2010, the City shall provide facilities having the capability to access groundwater supplies to provide the required potable water in the City's water service areas.

**Policy 2.3.3**

The City shall continue an aggressive program to provide potable water services to its urban areas both within the City's incorporated limits and its designated planning area.

**Policy 2.3.4**

The City shall maintain a monitoring program of existing well fields to ensure that the quality of potable water drawn from City wells does not threaten the general health and welfare of the community.

**Objective 2.4**

The City shall provide water facility extensions and/or expand the treatment capacity of Orange City's water supply system to meet the demands of future growth.

**Policy 2.4.1**

The City shall develop water treatment capacity to process quantities of potable water to meet the projected long-range needs described in this element.

**Policy 2.4.2**

The City shall continue to collect sufficient user fees to offset the cost of capacity expansions and system upgrades.

**Policy 2.4.3**

The City shall treat its water supply at a minimum, in accordance with state and federal standards of purity. The City shall periodically test their raw and finished water to show compliance with state and federal standards.

**Policy 2.4.4**

The City shall continue to implement standards to control stormwater retention/detention ponds, use of septic tanks and hazardous waste sources such as subsurface fuel storage tanks near wellfield locations. These standards are identical to Volusia County's wellfield protection standards that are adopted in Section 50-271 through 50-286 of the Volusia County Land Development Code (LDC), Chapter 50, Article III, as existed in December, 2010. The City shall also amend the Plan's existing potable water well cones of influence map to add any new potable water wells and the wells' related cones of influence.

**Policy 2.4.5**

All needed improvements, deficiency corrections and system expansion shall be prioritized with respect to:

- A. Protection of public safety and health achievement of the full use of existing facilities, and/or fulfillment of the City's legal commitment to public service; and
- B. Providing the logical extension of the City's facilities and services within its service area.

**Objective 2.5**

The City shall continue to place an emphasis on water conservation in order to preserve and manage its water capacity for both existing and future customers.

**Policy 2.5.1**

The City adopted Ordinance No. 431, on October 12, 2010, concerning water conservation in accordance with the St. Johns River Water Management District's (SJRWMD) restrictions 40C-2 and 40C-22 and as outlined in the City's Conservation Element.

**Policy 2.5.2**

The City shall, through its LDC, Ordinance No. 157, and Future Land Use Element, enforce standards and guidelines to limit density of land use and extent of impervious surfaces in groundwater recharge areas.

**Policy 2.5.3**

The City shall, through its Florida Building Code, require new development to use lower volume plumbing fixtures as part of their water conservation plan. Other conservation techniques include, but are not limited to, spray irrigation of reclaimed water as required by the Interlocal Water and Wastewater Agreement.

**Objective 2.6**

Based upon the City's Water Master Plan, ensure that projected long-range water needs and the level of service standards contained in this Element are met.

**Policy 2.6.1**

The City shall plan and design a water supply and distribution system to accommodate growth in accordance with the population and land use projections in the Comprehensive Plan.

**Policy 2.6.2**

The City shall, at a minimum, comply with all state requirements concerning water treatment plant component reliabilities. These include but are not limited to high service pump capacity, ground storage capacity, well capacity, emergency power and disinfection reliability.

**Policy 2.6.3**

The City shall continue to follow and amend as needed the interlocal water and wastewater agreement with Volusia County concerning water services.

**Objective 2.7**

The City shall maximize the use of existing potable water facilities to discourage urban sprawl.

**Policy 2.7.1**

The City, under its development review process, shall evaluate if existing facilities can be expanded or upgraded for proposed developments.

**Policy 2.7.2**

The City shall permit the use of individual potable water wells on an infill basis in areas which currently utilize septic tanks provided said wells comply with all applicable State, County and City regulations.

## **Stormwater**

### **Goal 3**

Ensure the protection of the groundwater and surface water in Orange City.

#### **Objective 3.1**

The City shall continually work with Volusia County to complete the preparation of drainage master plans for the Orange City area. Upon completion of the master drainage plans, Orange City shall amend its Comprehensive Plan to reflect the data and recommendations of said plans. During the interim period, the City shall, in its five-year capital improvements budget, allocate General Fund monies for use in replacing drainage structures as needed during road construction and repaving activities.

##### **Policy 3.1.1**

The City, through its LDC, Ordinance No. 157, shall minimize urban development and waste disposal activities in the identified prime groundwater recharge and water supply areas, consistent with the Conservation and Future Land Use Elements.

##### **Policy 3.1.2**

All land use and development approval decisions which impact water resources in Orange City shall conform to the Volusia County comprehensive surface and groundwater basin management plan when said plan is completed and adopted by Volusia County and the City Council. Its recommendations will be used for all land use and development approval decisions which impact water resources. Until that time, the City shall comply with the following performance standards of Section 72-779 of the Volusia County Land Development Code (LDC), Chapter 72, Article III, as existed in December, 2010, provided said standards are more stringent than the City's standards:

- A. Orange City shall require that developments of less than one acre with less than 5,000 square feet of impervious area, or an impervious area is less than 25 percent of the total lot area must meet the performance and design standards of Section 72-779 of the Volusia County Land Development Code (LDC), Chapter 72, Article III, as existed in December, 2010.
- B. Orange City shall require development of any lot area that consists of 5,000 or more square feet of impervious area or, the impervious area is 25 percent or more of the total lot area; or, the lot area of the proposed development is one acre or larger regardless of the impervious areas shall meet additional performance standards of Section 72-779 of the Volusia County Land Development Code (LDC), Chapter 72, Article III, as existed in December, 2010,
- C. For information purposes, the following exemptions exist from the performance and design standards of Section 72-779 of the Volusia County Land Development Code (LDC), Chapter 72, Article III, as existed in December, 2010,
  1. Single-family and duplex residences and accessory structures;

2. Bona fide agricultural pursuits including forestry, except where an artificial drainage will be used to increase the flow of surface water from the applicant's land;
3. Maintenance work performed on existing mosquito control drainage canals for the purpose of public health and welfare;
4. Maintenance work on utility or transportation systems, provided such maintenance work does not alter the purpose and intent of the drainage system as constituted;
5. Any maintenance, alteration, renewal, use or improvements to an existing structure not changing or affecting the rate or volume of stormwater runoff and the one-time construction of any structure or addition not otherwise exempt, not exceeding 1,000 square feet of impervious area on a parallel to the ground;
6. Publicly owned landfills permitted under state regulations;
7. Notwithstanding any other provision of Section 72-779 of the Volusia County Land Development Code, there shall be no harmful erosion by water of any soil or fill onto any adjacent public or private property (as per Volusia County Comprehensive Plan, Drainage Sub Element).

#### Policy 3.1.3

The City shall continue to implement strategies, as outlined in the Stormwater Master Plan, for improvement of substandard drainage conditions.

#### Policy 3.1.4

The City shall evaluate the feasibility of the creation of a stormwater management utility fee as a dedicated funding source for drainage improvements.

### **Objective 3.2**

The City shall at a minimum, maintain its current standards, consistent with the St. Johns River Water Management District stormwater rules and Section 72-779 of the Volusia County Land Development Code (LDC), Chapter 72, Article III, as existed in December, 2010, that regulate the design, construction and management of drainage systems used for stormwater management. The City shall address existing facilities prior to new construction to discourage urban sprawl. All future extensions or increased capacity shall be coordinated with the above mentioned agencies.

#### Policy 3.2.1

The City shall identify and prioritize drainage systems in need of retrofitting and upgrade these systems as funding becomes available. Inspection of existing facilities by the City's engineer will be used to identify and prioritize systems in need of retrofitting. The inspection of existing facilities by the City's engineer will service as the interim measure until basin and sub-basin studies are completed. The City shall address the existing facilities prior to new construction to discourage urban sprawl.

**Policy 3.2.2**

Best Management Practices (BMPs) for control of erosion and sedimentation shall be employed for all construction and urban development, in order to protect natural water bodies, water courses and wetland from siltation. BMPs which are acceptable for erosion and sediment control include those published by the Soil Conservation Service, Florida Department of Transportation, Florida Department of Environmental Protection, Florida Department of Agriculture and Conservation Service and the Institute of Food and Agricultural Sciences. Other BMPs may be accepted provided that they control erosion and sedimentation and protect the function of stormwater management systems as well as any of the BMPs published by the above referenced agencies.

**Objective 3.3**

The City shall, through its LDC, Ordinance No.157, and compliance with Section 72-779 of the Volusia County Land Development Code (LDC), Chapter 72, Article III, as existed in December, 2010, ensure that the physical and ecological functions of natural drainageways are protected, and where appropriate, used to receive and otherwise manage storm and surface water.

**Policy 3.3.1**

As provided by the LDC, Ordinance No. 157, require that all development plans identify where soils, vegetations, hydrogeology, topography, and other factors indicate that water flows or ponds. These areas shall be utilized to the maximum extent feasible, without significant structural alteration, for on-site stormwater management, so long as state and regional stormwater requirements are met.

**Objective 3.4**

The City shall protect the quality and quantity of surface water and groundwater from direct discharges of stormwater runoff.

**Policy 3.4.1**

The City shall enforce its LDC, Ordinance No. 157, stormwater discharge requirements of those established by the SJRWMD if more stringent than the City requirements.

**Policy 3.4.2**

The City shall establish and enforce its LDC stormwater runoff regulations that require rainwater runoff to be minimized by maximizing infiltration by percolation into grassy swales, medians, golf courses, landscape areas, nurseries, parks, lawns, et cetera. The use of soaking pits beneath impervious surfaces such as paved parking lots will be minimized. At least the first flush will be required to pass through a grassy area if possible.

**Policy 3.4.3**

The City shall enforce its LDC, Ordinance No. 157, regulations related to exfiltration drains in order to alleviate small drainage problems in currently development areas whenever possible.

**Policy 3.4.4**

The City shall enforce its LDC, Ordinance No. 157, regulations that require all new development to have approved detailed construction plans that include drainage facilities and identify all nearby areas of groundwater recharge.

**Policy 3.4.5**

The City shall enforce its LDC, Ordinance No. 157, regulations that require redesigned and proposed inlets, catch basins, and drainage control structures to include sediment settling basins that can be cleaned of deposits by typical means with disposal at appropriate sites.

**Policy 3.4.6**

The City shall continue to enforce its LDC, Ordinance No. 157, regulations that require retention and/or detention in new developments to conform to the water quality requirements of its LDC and the requirements of Chapter 62-25, F.A.C., if more stringent than the City requirements.

**Policy 3.4.7**

The City shall continue to enforce its LDC, Ordinance No. 157, regulations that require stormwater storage and recharge potential of properties to be retained and enhanced where possible.

**Policy 3.4.8**

The City shall continue to enforce its LDC, Ordinance No. 157, regulations that require post-development runoff volumes not exceed pre-development runoff volumes.

**Solid Waste****Goal 4**

Provide for adequate collection and disposal of solid and hazardous wastes.

**Objective 4.1**

The City shall continue to coordinate its recycling program with Volusia County.

**Policy 4.1.1**

The City shall continue to monitor its comprehensive recycling program to reduce the amount of solid waste by 30 percent. Said program shall be consistent with Volusia County's program.

**Policy 4.1.2**

The City shall work with Volusia County to educate the public to avoid products which are not recyclable, cannot be converted, or cannot be used as a resource or derived fuel.

**Policy 4.1.3**

The City shall assist the County to educate the public regarding the problems, health hazards and additional costs that result from littering and illegal dumping. County laws

regarding solid waste should also be widely publicized. Citizen groups will be encouraged to report violations to the County.

### **Objective 4.2**

Coordinate with Volusia County concerning solid waste facility future needs and work to maintain adopted LOS standards.

#### **Policy 4.2.1**

Adequate facilities and capacity are available for the solid waste needs of Volusia County and Orange City through the 2025 planning period. However, should additional capacity be required of the County's solid waste facilities, Orange City shall participate in any multi-jurisdictional planning efforts. The City shall participate in the County's multi-jurisdictional team to plan a comprehensive recycling program.

#### **Policy 4.2.2**

The City shall maintain its level of service standard of 6 pounds per day per capita generation rate of solid waste.

## ***Natural Groundwater Aquifer Recharge***

### **Goal 5**

Protect the quality and functions of the natural groundwater recharge areas for present and future water supply.

### **Objective 5.1**

The City shall protect the natural groundwater recharge areas by enforcing its LDC, Ordinance No. 157, regulations related to development densities, location of waste disposal activities and conservation of water resources.

#### **Policy 5.1.1**

The City shall follow the water conservation measures required by the St. Johns River Water Management District 40C-2 and 40C-22 and Section 563.14, F.S.

#### **Policy 5.1.2**

The City shall, enforce its LDC, Ordinance No. 157, groundwater recharge regulations related to:

- A. Location of industrial land uses,
- B. Storage of hazardous materials or waste,
- C. Land densities and land uses considered incompatible with groundwater protection, and
- D. Location of water wells.

## TEN YEAR WATER SUPPLY PLAN SECTION

### Existing Water Supply System

The City of Orange City is located in western Volusia County and, for the most part, has developed along both sides of Highway U.S. 17/92, Saxon Boulevard and Veterans Memorial Parkway. The City's potable water utility serves an area that encompasses approximately 11 square miles and extends beyond the city limits. Portions of the City's water service area are located within Volusia County's wastewater service area. The City has an interlocal water supply agreement with Volusia County and interlocal agreements for water interconnection service with the cities of Deland and Deltona. The City shall maintain agreements for service to and from Volusia County, and interlocal agreements for water interconnections with the cities of DeLand and Deltona. Additionally, the City shall enhance existing or enact any other relevant agreements for water supply service as deemed appropriate by the City and other local governments. (<sup>1</sup>INFE Policy 2.6.3 and <sup>2</sup>ICE Policy 1.2.6.)

<sup>1</sup>Section 5 Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Recharge Element.

<sup>2</sup>Intergovernmental Coordination Element

The City's water supply is provided from eight wells. Four wells are located at the Main Water Treatment Plant (WTP), two wells are located at the Saxon WTP, and two wells that serve the Saxon WTP are located approximately a mile north of the plant on Veterans Memorial Parkway. Combined, the WTP's currently have a maximum capacity of 5.28 million gallons per day (mgd). The City's current consumptive use permit allocation is 2.109 mgd.

Water at the Main WTP is pumped into two pre-stressed concrete ground storage tanks located on site. The capacities of the tanks are 160,000 gallons and 300,000 gallons for a combined storage volume of 0.46 million gallons. Water at the Saxon WTP is pumped into two pre-stressed concrete ground storage tanks located on site which have a storage capacity of 0.5 million gallons each for a combined storage volume of 1.0 million gallons. All tanks represent a combined storage capacity of 1.46 million gallons. The distribution system consists of 16 inch and smaller distribution lines. The City's distribution system is equipped with seven high service pumps located at the two WTP sites and a jockey pump at each plant to maintain system pressures.

### Water use Trends and Projections

The City's 2017 water service area projected water demand in Table 1 is based on population and projected water use figures from unpublished data provided by SJRWMD's Division of Water Supply Management. The data was used in the development of the 2025 projected water use figures provided in Table 5 of the District's 2003 Water Supply Assessment. The water use figures include a share of the I-4/SR 472 Activity Center. Based on this estimate, the water demand for the year 2017 is projected to be approximately 2.7 mgd. The City's current Consumptive Use Permit provides for 2.483 mgd. Therefore, based on the District's estimates, this represents a 217,000 gallon per day deficit in the next ten years. However, based on the Florida Shimberg

Center for Affordable Housing population estimate in Table 2, Orange City's water demand for the year 2017 is projected to be approximately 2.53 mgd. This demand represents a 47,000 gallon per day deficit in the next ten years.

The City will make up the deficit and help meet its long-term future demands through a combination of implementing an alternative water supply project, the reuse projects, and the water conservation and reuse measures described in this work plan.

**Table 1**

Year	Population	Projected water use in million gallons per day (mgd)	Capacity in million gallons per day (mgd)**
2017	13,492	2.53	5.84

\*Interpreted from Table 5 of SJRWMD's 2003 Water Supply Assessment

\*\* Source: Orange City Public Water System Source/Treatment/Storage Capacity Analysis Report, June, 2005

**Table 2**

Year	Population	Projected water use in million gallons per day (mgd)	Capacity on million gallons per day (mgd)**
2005	11,916	1.81	3.12
2010	12,771	1.65	5.84
2015	13,603	2.09	5.84
2017*	13,797	2.53	5.84

\*Interpreted from Shimberg population estimates and SJRWMD's 2003 Water Supply Assessment for year 2017 mgd to population ratio

\*\*Source: Orange City Public Water System Source/Treatment/Storage Capacity Analysis Report, June, 2005

Also, the City will ensure water supply concurrency by implementing CIE Policy 1.5.4. and not issuing development orders or development permits without first consulting with the appropriate utility to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the city of a certificate of occupancy or its functional equivalent. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

### **Water Conservation**

The City has taken specific measures to conserve potable water throughout the City's service area and will continue to implement these measures. These measures are described below:

The City has two water conservation plans in effect. These are the Orange City Utility Water Conservation Plan and the Saxon Medical Center Conservation Plan. Under the Utility Plan each production well is equipped with a totalizing flow meter and total water production for the plant is also metered. All service connections are metered and water audits are conducted annually. The City has an ongoing leak detection and repair

program in place. A computerized billing and accounting system with a standardized meter reading is in place. The City has adopted a conserving rate structure and imposed mandatory water conservation standards including year-round restrictions on water use and permitting irrigation hours. Orange City Utilities includes copies of these standards and suggested water conservation goals with the first billing of each new customer and both documents are sent out bi-annually as a reminder of water conservation requirements and goals.

Under the Saxon Plan ultra-low volume plumbing fixtures are installed throughout the medical facility. Saxon Medical Center is actively seeking reclaimed water from Volusia County and as soon as it is available, it will be used to replace potable water that is being used for non-potable purposes. Xeriscaping principles are used in the design and maintenance of the landscaping. The sprinkler system uses high-efficiency components and is designed to minimize the wetting of impervious surfaces. Additionally, an employee education program has been implemented including water conservation signs, water conservation tips in the newsletter, and an appointment of an employee water conservation coordinator.

The City has also implemented the following conservation measures and programs to reduce water consumption within its service area.

- A. Water is conserved at the water treatment plant by minimizing plants and grass that require irrigation. (<sup>3</sup>CONE Policy 1.3.5) <sup>3</sup>Section 6 Conservation Element
- B. Vehicle/equipment washing is undertaken off-site to a commercial wash rack with recycled water. (CONE Policy 1.3.5)
- C. New construction must comply with the Florida Building Code for low flow water fixtures. (INFE Policy 2.5.3 and CONE Policies 1.3.4 and 1.3.5)
- D. Water audit customer assistance program which addresses both indoor and outdoor water use. Due to the lack of staff availability and possible liability concerns, an indoor program could not be provided to all the City's customers; however, the "Your Water Meter" flyer distributed by the City gives instructions for the customers to audit their own indoor water use. (CONE Policy 1.3.5)
- E. Water education programs, which included distribution of water conservation videos and flyers to local schools, community organizations, and the media. Also, workshops on Waterwise Landscaping offered by Volusia County are advertised. (CONE Policy 1.3.5)
- F. Rain sensor programs which have required the installation of rain sensor devices on any new automatic irrigation system since May 1, 1991. (CONE Policy 1.3.5)
- G. Xeriscaping and landscape design standards that are part of the City's land development regulations. (CONE Policies 1.1.3 and 1.3.5)
- H. Toilet retrofit programs. (CONE Policy 1.3.5)
- I. Showerhead exchange programs, which started in April 2001, (CONE Policy 1.3.5)

- J. The City has also constructed, maintained, and publicized a water efficiency landscape demonstration project in the Orange City Veteran Memorial Park. This project was constructed in 2001. (CONE Policy 1.3.5.)
- K. In 2009, the City adopted Water Conservation Ordinance Ord. No. 393, which repealed Water Conservation Ordinance Ord. No. 90-11-1 as amended, to protect and help to ensure an adequate future supply of water and includes the following: (CONE Policy 1.3.5)
1. Irrigation Schedule – Existing domestic and commercial landscape installations (lawn and garden) irrigating and/or watering hours that are consistent with the St. Johns River Water Management District's lawn and landscape irrigation rule. (INFE Policy 2.5.1) In this regard the City will coordinate with the District to cooperate in achieving uniformity in the rules.
  2. Noncommercial or private washing of motor vehicles, boats, and trailers shall utilize an automatic shutoff/self-canceling spray nozzle or low-volume pressure cleaner. Washing shall be on pervious surfaces whenever feasible during permitted watering periods, or at a commercial water recycling automobile washing facility.
  3. Filling or refilling of swimming pools is prohibited, except as necessary during the construction process, repairs, or following any voluntary cessation of use of the pool to prevent the leakage of water, and except as necessary to raise the level of water to allow the pool's skimmer to function properly.
  4. Washing of all impervious surfaces such as houses, mobile homes, buildings, sidewalks, driveways, parking lots, patios, and swimming pool decks shall utilize an automatic shutoff/self-canceling spray nozzle or low-pressure cleaner. Excessive use of water for cleaning impervious surfaces is discouraged and run-off shall be directed as much as possible towards pervious areas.
  5. Excessive, wasteful, or unnecessary water use is strongly discouraged under any circumstances and is specifically prohibited by Volusia County under its minimum standards for water conservation.
  6. All automatic landscape irrigation systems shall be equipped with rain sensor devices.
  7. All ground water utilized in water-to-air heating and cooling systems must be directed to landscaped irrigation systems, groundwater injection or exfiltration systems. Off-site discharge from heating and air conditioning systems is prohibited.

### **Alternative Water Supply Projects**

The District's 2005 Water Supply Plan contains the St. Johns River near Lake Monroe and the St. Johns River near DeLand alternative water supply projects that reference Orange City. The City intends to participate in implementing an alternative water supply project within the next ten years. The City, together with Volusia County and the cities of DeLand and Deltona, are considering partnering with Seminole County in the St. Johns River at Yankee Lake Project and are considering building a treatment plant near DeLand. In addition, the City is implementing a stormwater reuse plan to augment the reuse supply of Volusia County Utilities. That project is described in the Reuse section of this work plan.

For FY 2009/2010 the City has budgeted \$540,000 annual revenue for an alternative water supply project. The City will continue to partner with the District and other jurisdictions for the

future construction of an alternative water supply project (ICE Policies 1.1.2, 1.2.11, and 1.2.12). Also the City has added the alternative water supply project to its Capital Improvements Program. The construction phase will be added when construction costs are known.

### **Wastewater**

Currently the City's effluent is treated at the Volusia County wastewater treatment plant (WWTP). If available, future reclaimed water will go to large water users first, such as Saxon Medical Center, park sites and large commercial retail centers.

The use of stormwater stored in wet detention treatment ponds is encouraged through compliance with 40C-2.042 of the F.A.C. which is contained in Orange City Ordinance No. 393, and has been incorporated in the Orange City Code as Section 17.3-84 of Chapter 17.3, Division 2, Water Conservation (CONE Policy 1.2.2). The City's goal is to build a reclaimed water distribution system which is effective and meets the needs of customers while complying with the Florida Department of Environmental Protection and the St. Johns River Water Management District as reclaimed water is available. The City will maintain and revise as necessary its agreements with Volusia County for wastewater treatment and the provision of reclaimed water (INFE Objective 1.3 and Policy 2.6.3), and enforcing its Ordinance that requires use of reclaimed water for irrigation and non-potable uses for new development, if feasible (INFE Policy 1.3.1).

### **Stormwater to Reuse Project**

The stormwater to reuse project involves pumping water from Mill Lake and Marshall Park Lake to a water reuse facility operated by Volusia County. Currently, Mill Lake discharges to the middle St. Johns River. Pumping to the water reuse facility would eliminate pumping to the St. Johns, which the St. Johns River Water Management District and Florida Department of Environmental Protection endorse. Once the engineering phase is complete, the City will apply for applicable State and District permits. Pumping from Mill and Marshall Lakes to a reuse facility in Volusia County would produce an average of 300 million gallons of reuse water each year. The planning and design and engineering design phases of the project are scheduled to be completed in FY 2011/2012 and the construction phase of the project are scheduled to be completed in FY 2014/2015 of the City's Capital Improvements Element's CIP.

### **Proposed Facilities**

The City proposes to develop one new lift station and add a new force main to its system over the next five years. The description, timing, costs and funding sources for these improvements during the next five years are included in the Capital Improvements Element's CIP. Any improvements beyond the five year schedule that are not identified in the current facility plan will be identified in a scheduled update to Capital Improvement's Element's updated CIP.

## **Conservation Element**

### **INTRODUCTION**

The City of Orange City seeks to properly and adequately protect and conserve its natural resources from undue encroachment by urban development. This is particularly true for lakes, wetlands and wildlife habitat areas which are significant visual attributes of the area and/or which have important ecological value. Consistent with the Recreation and Open Space Element, Orange City seeks to be known as a community in which natural resources have important functions as urban design and public use features. Protection of important natural assets and resources in the community through both public and private means will be encouraged.

### **GOALS, OBJECTIVES AND POLICIES**

#### **Goal 1**

Promote the attainment and preservation of clean air and water in Orange City.

#### **Objective 1.1**

The City shall assist federal, state and county efforts to improve and maintain regional and local air and water quality within prescribed standards and compliance schedules.

##### **Policy 1.1.1**

The City shall, for new development site plans, continue to encourage the use of bicycling and pedestrian paths as alternative transportation methods.

##### **Policy 1.1.2**

The City shall continue to enforce its LDC tree protection regulations to maintain natural vegetation filters for air pollution.

##### **Policy 1.1.3**

The City's LDC shall require landscaping for new development to use native species plant materials that are adapted to the area's soil and water.

##### **Policy 1.1.4**

The City shall continue to protect its potable water wellfields by enforcing Volusia County's potable wellfield protection standards contained in the Volusia County LDC, which are adopted within the City's LDC by reference..

##### **Policy 1.1.5**

The City shall continue to provide a potable water supply that meets all applicable federal and state drinking water standards and criteria.

##### **Policy 1.1.6**

The City shall utilize the water conservation rules of the Saint Johns River Water Management District (SJRWMD) during times of drought.

**Objective 1.2**

Improve local water quality through implementation of management practices and regulations which shall minimize potential non-point pollution sources. At a minimum, local water quality shall be maintained to state and federal requirements.

## Policy 1.2.1

The City's development review process shall require the use of Best Management Practices (BMPs) to control erosion and limit sediment reaching surface waters during construction, excavation, dredge and fill and storm water management activities. The BMPs used shall be those accepted by the state regulatory agencies as the most advanced and effective methods of application.

## Policy 1.2.2

The City shall continue to cooperate with the County in addressing stormwater quantity and quality issues.

## Policy 1.2.3

Continue to enforce the LDC, standards and guidelines that regulate stormwater discharge into local lakes. The City has adopted the County standards and guidelines contained in the Volusia County LDC. These include:

- A. BMPs for construction to prevent soil erosion and polluted runoff as found in "Silviculture Best Management Practices", Florida Department of Agriculture, and Division of Forestry.
- B. General design and construction standards for on-site storm water management which ensures that post development runoff rates, volumes and pollutant loads do not exceed predevelopment conditions.

**Objective 1.3**

The City shall act to maintain the quality and conserve the quantity of local water resources through implementation of management practices and regulations which minimize existing and potential nonpoint source pollution and water usage.

## Policy 1.3.1

The City shall, through its LDC, continue to protect the safety and quality of drinking water sources by regulating the development of existing and future wells in accordance with all applicable state requirements and in accordance with the Volusia County LDC.

## Policy 1.3.2

The City shall treat its water supply at a minimum, in accordance with state and federal standards of purity. The City shall periodically test their raw and finished water to show compliance with state and federal standards.

## Policy 1.3.3

The City shall continue to follow the water conservation rules of the SJRWMD.

**Policy 1.3.4**

The City shall require new developments to use lower volume plumbing fixtures in accordance with the Florida Building Code.

**Policy 1.3.5**

The City shall continue to implement its two water conservation plans that were provided to the SJRWMD with its Consumptive Use Permit (CUP) application. Those practices include, but are not limited to:

- A. Maintain a public education and outreach program to encourage responsible use of water.
- B. Maintain incentive programs to replace inefficient water use in new development.
- C. Require low-volume plumbing devices in new construction.
- D. Require rain-sensor devices on automatic irrigation systems.
- E. Maintain individual in-line flow meters for production wells
- F. Use a water conservation-promoting rate structure
- G. Meter each service connection
- H. Maintain a leak detection program
- I. Conduct periodic water audits
- J. Enforce water conservation standards ordinance that includes water use and irrigation restrictions
- K. For Saxon Medical Center
  1. Utilize xeriscape landscaping principles
  2. Install submeters
  3. Implement use of reclaimed
  4. Use ultra-low volume plumbing fixtures
  5. Provide an employee education program

**Objective 1.4**

The City shall participate in development of a regional hazardous waste management program for the proper storage, recycling, collection and disposal of hazardous waste.

**Policy 1.4.1**

The City shall continue to participate with the County in emergencies to handle accidents involving hazardous wastes in accordance with the Volusia County Comprehensive Emergency Management Plan (CEMP) and the City's CEMP.

**Policy 1.4.2**

The City shall coordinate efforts with other local governments to designate recycling and collection centers or businesses.

**Policy 1.4.3**

The City shall continue to promote educational programs for people working with hazardous wastes in order to properly inspect and identify wastes before they enter the County's landfill.

**Policy 1.4.4**

The City shall continue to enforce its LDC, requirements to properly store and dispose of hazardous materials and waste in order to protect the City's natural resources. The criteria used in the development of this guideline shall include:

- A. Existing federal and state regulations regarding the storage, transfer and disposal shall be followed.
- B. Identification of the types of wastes and materials considered hazardous.
- C. Locations where these materials may be stored.
- D. Pick up schedules and methods of storage.

## **Goal 2**

Conserve and protect native vegetation and natural resources in the area, including wildlife habitat, soils and mineral.

### **Objective 2.1**

The City shall through its LDC, provide for the protection of areas determined to be environmentally sensitive. These areas shall include soils, minerals, vegetative communities, wildlife habitats, wetlands, wildlife, water quality and water's edge and aquifer recharge areas.

#### **Policy 2.1.1**

The City shall continue to coordinate on an on-going basis with Volusia County and appropriate state and federal agencies on identification of local environmentally sensitive wetlands and wildlife resources in need of protection and ensure that all development complies with the LDC's wetland protection standards which are consistent with the Volusia County LDC, and with any applicable federal, state and/or regional agency wetland protection requirements if more stringent than the City's.

- A. In determining whether the development is permissible under the provisions of the LDC, the City shall consider, but not be limited to the following standards:
  - 1. The ability of the wetland to receive, store and discharge surface water runoff so as to contribute to hydrological stability and control of flooding and erosion;
  - 2. The ability of the wetland to recharge the groundwater;
  - 3. The ability of the wetland to provide filtration and nutrient assimilation from the surface water runoff;
  - 4. The ability of the wetland to provide habitat and significant ecological function in the life cycle for fish, wildlife or other forms of animal or plant life;
  - 5. The ability of the wetland to function as an integral part of any waters, water body, or watercourse;
  - 6. The cumulative impacts of the proposed development on the wetland system in combination with other development which have been or shall be proposed in the same drainage basin;
  - 7. The technical feasibility of any proposed wetland mitigation plans and the likelihood of any proposed wetland mitigation plans and the likelihood of their success in restoring or replacing the environmental benefit impacted by the development;
  - 8. The capacity of the existing wetland to provide environmental benefits because of such factors as maturity size, degree of prior alteration, physical relationship to other water systems and adjacent land uses; and
  - 9. The degree of magnitude of the impact of the alteration on the wetland and how much impact shall be minimized through mitigation measures, either off-

site or on-site, or both, and recommendations concerning the appropriate location of said mitigation.

B. The City shall use the following performance standards.

1. There shall be no net loss of wetlands;
2. Any alteration of wetlands shall be mitigated in accordance with the requirements of the City's LDC wetland protection standards which are consistent with the Volusia County LDC, and with any applicable federal, state and/or regional agency wetland protection requirements if more stringent than the City's.
3. Wetlands shall be protected from sedimentation during development activities; and
4. Wetlands shall be protected or used in a manner which does not adversely impact their beneficial functions as provided in the City and County ordinances.

Policy 2.1.1a

The City shall establish procedures that require all development proposals be accompanied by an inventory of wetlands, soils posing severe limitations to construction, unique habitat, endangered species of wildlife and plants, and areas prone to periodic flooding. The City shall further require that the extent to which any development or redevelopment is proposed to be placed in/on, to disturb or alter the material functions of any of these resources, be identified. Such identification shall occur at a phase in the development review process that provides opportunity for the City to review the proposed project to ensure that direct and irreversible impacts on the identified resources are minimized, or in the extreme, mitigated. Where development is determined to encroach upon a resource, the City shall require a specific management plan to be prepared by the developer, which results in no net loss of wetlands and which includes necessary modifications to the proposed development, specific setback and buffers, and clustering of development away from site resources to ensure the protection, preservation or natural functions of the resources. The minimum buffer for wetlands shall be 25 feet. Wetland buffers greater than 25 feet in width may be required by the Development Services Director if the upland activity adversely impacts the wetlands beneficial functions as provided for in the Volusia County LDC. Areas designated as buffers shall preserve all natural vegetative cover, except where drainage ways and access paths are approved within the buffer. Buffers may be supplemented only with native trees, shrubs and ground covers.

Policy 2.1.1b

The City shall adopt wetland resources permitting guidelines consistent with existing Florida Department of Environmental Protection criteria, 62-312, 62-3 and 62-4, FAC, for establishing protective boundaries and mitigation measures, and defining permissible activities within wetland areas in the City's LDC.

Policy 2.1.1c

Through Policy 2.1.1a above, and implementing the LDC, the City shall continue to conserve wetlands and protect water quality from adverse impacts of development.

#### Policy 2.1.1d

The City has designated all known wetlands and other environmentally sensitive lands as Conservation on the Future Land Use Map and will amend said map to add a Conservation land use designation to wetlands and other environmentally sensitive lands that exist on future annexed properties. Wetland and wetland functions within the Conservation land use designation shall be protected and conserved by restricting direct and indirect development impacts in accordance with the LDC's, wetland protection standards which are consistent with the Volusia County LDC, and with any applicable federal, state and/or regional agency wetland protection requirements if more stringent than the City's.

#### Policy 2.1.2

The City shall, through its LDC, protect its natural resources by defining procedures for acquisition, dedication, reservation of open space and habitat areas by the public sector, private developers and private organizations.

#### Policy 2.1.3

The City, through cooperative efforts with Volusia County and applicable state and regional agencies, shall determine environmentally sensitive lands within the City and maintain a map of these lands in the City Development Services Department. The City's LDC, shall address protection standards for the lands. The criteria for identifying environmentally sensitive lands as required by the LDC shall evaluate, at a minimum, the following:

- A. Endangered or threatened wildlife or marine life habitats.
- B. Threatened or endangered vegetative species.
- C. Wellfields and aquifer recharge areas.
- D. Hydric soils
- E. 100-year flood zones.
- F. Unique habitat characteristics.

#### Policy 2.1.4

The City shall continue to enforce its LDC, by which to assess the impact of development upon the area's natural resources. These regulations shall take into consideration the size and location of the development. The areas of review shall include: wetlands, trees, drainage, soils, wildlife and endangered species and native vegetation, floodplains, aquifer recharge areas, habitat and water resources. The City's LDC shall detail the specific requirements under which the areas resources are protected. Topics to be addressed include but are not limited to:

- A. Development activities permitted and not permitted within environmentally sensitive areas.
- B. Identification of endangered and rare species, threatened species or species of special concern.
- C. Mitigation actions (i.e., fees in lieu, reservation of land, relocation).

#### Policy 2.1.5

The City shall require compliance with all state and federal regulations applicable to the LDC, and shall require development in environmentally sensitive areas to present habitat

management plans performed by recognized professionals as a part of the project review process. The following criteria shall apply:

- A. The Development Services Department shall develop resource maps showing potential areas for critical wildlife habitat for threatened and endangered wildlife species.
- B. The Development Services Department shall develop and use standards for the use of critical habitat. The City shall consult, as appropriate, the Florida Fish and Wildlife Conservation Commission (FFWCC) and the US Fish and Wildlife Service in the development of these use standards.
- C. The review shall be for each project greater than one acre in size.
- D. If the potential habitat is shown on the proposed project, a site visit by the Development Services Department shall be conducted.
- E. If the endangered or threatened species is found on site or there is evidence that the species is on site, a management plan (including relocation, as appropriate) shall be developed by the project owner.
- F. The management plan shall be approved by the Development Services Department as part of site plan or subdivision approval.

#### Policy 2.1.6

The City shall conserve and protect its vegetative communities located within both City and adjacent unincorporated boundaries. The City may require a developer funded study to determine that native vegetation which is unique, and the level of conservation and protections.

#### Policy 2.1.7

The City shall require reservation of open space in all residential subdivisions and developments having at least 50 lots or units, such open space to be a minimum of five percent of the gross areas of the subdivision or development unless where additional area shall be needed for storm water management or wetlands or habitat protection and provided that such area be not less than one-half acre in size and further provided that maintenance of same shall be the responsibility of the developer, landlord, or association of property owners.

#### Policy 2.1.8

The City shall require, through its LDC, a minimum of 15 percent open space requirement for all development, such open space to be exclusive of impervious surfaces.

#### Policy 2.1.9

The City shall regulate development within the 100-year floodplain in accordance with the LDC's, flood damage protection regulations and any applicable state or federal rules.

### **Objective 2.2**

The City shall as required by its LDC, ensure that soils studies are conducted to determine the inherent limitation of existing soils and the possibility of soil erosion.

**Policy 2.2.1**

The Development Services Department shall continue to require a site plan which indicates methods to be used to minimize any impacts on soil erosion for those areas of highly erodible soils. These areas shall be defined by the US Department of Agriculture, Soil Conservation Service or the Florida Department of Agriculture.

**Policy 2.2.2**

The City shall continue to address revegetation and premature land clearing in accordance with the permitting requirements of its LDC that requires the owner of the property proposed to be cleared, or the authorized agent, to comply with all permitting requirements.

**Goal 3**

Preserve, protect or provide for appropriate reuse of significant archeological and historical resources in the area.

**Objective 3.1**

Assist in efforts to preserve these local resources, consistent with the Historic Preservation activities as identified in the Housing Element.

**Policy 3.1.1**

The City shall continue to seek and support activities directed at preservation of significant historical resources, including public and/or private acquisition.

**Policy 3.1.2**

The City shall continue to enforce its LDC, and applicable state guidelines regarding documentation and protection of suspected or known significant archeological or historical sites. The criteria used for the standards and guidelines shall include:

- A. Protection of resources listed on the National Register of Historic Places, the Florida Master File, the Local Register of Historic Places and those to be discovered in the future.
- B. Identification and evaluation of historic resources.
- C. Review procedures for all development which will impact upon designated historic resources.
- D. Methods of mitigation or negative impact to a historic resource. Every effort shall be taken to preserve the resource. Where preservation is not a feasible alternative, the resource shall be relocated, information regarding the resource recorded or elements salvaged for further study.

In case of archaeological resources the City's LDC shall require:

1. Immediately upon discovery, notification shall be given to the Division of Historical Resources of the Department of State.
2. Ground disturbing activities shall be suspended within 20 feet of the discovery for up to 30 days from the date of notification to allow for an initial evaluation of significance. If the resource is found to be potentially significant, activities shall be further suspended for up to 30 days to allow for further evaluation. Ground disturbing activities shall be taken to evaluate the

- site in a timely and reasonable manner. The property owner should be allowed to hire a professional archaeologist to evaluate the site.
3. Where the discovery is determined to be historically significant, every effort shall be taken to preserve the resource. Where preservation is not a feasible alternative, the resource shall be relocated, information regarding the resource shall be recorded, elements of the resource shall be salvaged for further study, at the expense of the State of Florida.

**Policy 3.1.3**

The City's LDC shall develop a transfer of development rights procedure that would encourage the protection of historic resources from the potential impacts of development and redevelopment.

**Goal 4**

Promote energy conservation and encourage renewable energy resources and greenhouse gas reductions.

**Objective 4.1**

Future development should occur in the most energy efficient manner possible.

**Policy 4.1.1**

The majority of residential development should occur in the City's mixed-use area that encourages land use patterns and development plans that take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy efficient public transit systems, and permit building configurations that increase the efficiency of energy use.

**Policy 4.1.2**

Commercial services should be located within or adjacent to residential areas to limit the energy consumed by travel between residential and shopping areas.

**Policy 4.1.3**

New development and redevelopment should be energy efficient in design, siting and construction, and to the extent possible, incorporate green building practices.

**Policy 4.1.4**

The City should encourage new and existing residential and commercial developments to meet Florida Water Star standards.

**Objective 4.2**

Encourage conservation of present energy sources and the use and development of alternative energy sources.

**Policy 4.2.1**

Coordinate with local utility providers to educate the public about the need to conserve energy resources.

**Policy 4.2.2**

Encourage the investigation and utilization of alternative energy sources to be integrated in individual project designs.

**Policy 4.2.3**

In order to promote the wise and efficient use of energy, utility providers should coordinate the provision of services with the Comprehensive Plan's energy conservation goals, objectives and policies.

**Objective 4.3**

Plans for the development of new transportation facilities and the improvement of existing facilities should be designed to achieve the most energy efficient system possible and incorporate greenhouse gas reduction strategies.

**Policy 4.3.1**

Promote the use of bicycle paths and footpaths to encourage non-motorized transit.

**Policy 4.3.2**

Mass transit and carpooling should be supported and encouraged.

**Policy 4.3.3**

Future land use and zoning should promote denser development near major arterials and collectors, especially within the mixed-use area, where mass transit lines can be run most efficiently.

**Policy 4.3.4**

The City shall coordinate with applicable Federal, State, regional and local agencies that express an interest in the development of areawide/regional transportation strategies to address the reduction in greenhouse gas emissions from the transportation sector.

# Recreation and Open Space Element

## INTRODUCTION

The City of Orange City seeks to acquire and maintain a system of parks and permanent open spaces for recreational use, protection of natural resources, and provision of urban buffers. These parks and open space areas will help define neighborhood areas, separate potentially incompatible land uses, and provide opportunities to enjoy the outdoors, both physically and visually. Developers will be encouraged to set aside parklands and open spaces through property owner association mechanisms and dedications to the City and County. Recreation facilities will be provided through public and private means for all age groups. Connectivity between public parks shall be accomplished through the master trail plan, approved by City Council on April 24, 2018 which seeks to link residential areas, places of employment and recreational areas.

## GOALS, OBJECTIVES AND POLICIES

### Goal 1

Ensure adequate open space for recreational use by all citizens and conservation of natural amenities.

### Objective 1.1

Provide recreational facilities in accordance with current and projected demand for the planning horizon of 20 years.

#### Policy 1.1.1

Establish and implement the following minimum LOS for parks and recreation facilities:

Neighborhood Parks	2 acres/1,000 population
Community Parks	4 acres/1,000 population

#### Policy 1.1.2

The City Council shall continue to use its recreational impact fees to raise revenues to purchase land, develop new community and neighborhood parks, and improve existing facilities as needed to maintain the adopted LOS.

### Objective 1.2

Continue to provide public access to all recreation areas by vehicle, pedestrian movement, or bicycle, and maintain recreation area parking standards.

#### Policy 1.2.1

The City shall update its park master plans as needed to address parking, site layout, improvements and site activities.

Policy 1.2.2

The City Council shall preserve and maintain existing parks and recreation facilities through the use of adequate operating budgets.

**Objective 1.3**

The City shall continue to establish mechanisms by which public and private resources are coordinated on an on-going basis to meet recreational open space demands. Mechanisms may include LDC requirements, interlocal agreements and regularly scheduled coordination meetings.

Policy 1.3.1

The City shall continue to coordinate on an on-going basis with Volusia County's Parks and Recreation Department, the School District and private groups in the area regarding the provision of recreational services. Consideration should also be given to forming or participating with citizen advocate committees.

Policy 1.3.2

The City shall continue to enforce its LDC, requirements for the establishment of property owners associations and the common ownership and maintenance of open space.

**Objective 1.4**

The City's requirements for the provision and preservation of open space as part of the LDC, shall ensure that existing open space areas are conserved and that new development provides for open space that is consistent with Policies 2.1.7 and 2.1.8 of the City's Conservation Element.

Policy 1.4.1

Establish standards and criteria for the dedication of land, or payment of impact fees in lieu thereof, for all future private and public developments for open space and/or recreational use as part of the LDC. Consider all dedications of open space and recreational lands with the acceptance of such lands at the sole discretion of the City. Such standards and criteria shall be consistent with Policies 2.1.7 and 2.1.8 of the Comprehensive Plan's Conservation Element.

Policy 1.4.2

The City shall incorporate the open space definitions reflected in this Plan Element into its LDC.

Policy 1.4.3

The City shall, to enforce its LDC, require that all environmentally sensitive areas from which density is transferred, and other such areas as are appropriate, be maintained as open space in perpetuity and that this be accomplished through the recordation of conservation easements.

Policy 1.4.4

The City shall accept the dedication of or acquire open space areas deemed to be valuable to the City. The criteria to be used in evaluation of such potential areas include:

- A. Protection of lands classified as being sensitive and/or as valuable resource.
- B. Provision of open space in areas where open space and parks are nonexistent or scarce.
- C. Contains sufficient acreage (five acres or more is desirable).
- D. Accessible by car, bicycle or pedestrians.
- E. In danger because of development.

## **Public School Facilities Element**

### **INTRODUCTION**

In 2005, the Florida Legislature adopted requirements for all local governments to institute mandatory planning for public schools. The requirements called for cooperative efforts between local governments and school boards to develop long-term plans for the provisions of necessary educational facilities to meet current and future needs. These plans were accompanied by requirements to institute school concurrency to ensure that facilities are in place to serve the needs of new development at the time the student demand resulting from the new development impacts schools. Local governments were also required to adopt amendments to their capital improvements elements demonstrating that plans to provide educational facilities were financially feasible. These requirements are through the interlocal agreement between the school board and local governments and through the public school facilities element, capital improvements element, and intergovernmental coordination element.

The Volusia County School Board and the 16 local governments within Volusia County began formal development of the public school facilities element in the summer of 2006. The planning task was supported by a broad-based effort to involve various segments of the community in the planning process. The School Board appointed a Stakeholders Committee that included representatives from the real estate and building interests, teachers, school administrators, elected officials and a variety of citizen groups. Each local government was given the opportunity to appoint a staff member to serve on a technical committee. Regular meetings were held with city managers, and periodic reports were made to local elected officials at the Volusia Council of Government meetings. Workshops were also held with the School Board to obtain direction on key issues. Two public forums were held mid-way through the planning process to report results from the data and analysis effort and obtain comments about various options for plan. Completion of the model plan was followed by adoption by each local government in compliance with the requirements for amending local government comprehensive plans.

The approach to the Public School Facilities Element (PSFE) employed in Volusia County was the preparation of a model PSFE, and amendments to the capital improvements and intergovernmental coordination elements that could be adopted as presented or with modifications to account for local conditions. In addition to the PSFE, the interlocal agreement will provide for a uniform school concurrency management approach and uniform proportionate share methodology.

Each year by December 1st, the City shall adopt, as part of its annual update to the Capital Improvement Element, the Volusia County School District five-year work program, which is approved in September of each year as part of the School District budget. The School District's work program includes planned facilities and funding sources to ensure a financially feasible capital improvements program and to ensure the level-of-service standards will be achieved by the end of the five-year period.

## **GOALS, OBJECTIVES AND POLICIES**

### **Goal 1**

Collaborate and coordinate with the School Board of Volusia County to provide and maintain a public education system, which meets the needs of Volusia County's current and future population.

### **Objective 1.1**

The City shall implement and maintain mechanisms set forth in the Comprehensive Plan and the Public School Facilities Planning Interlocal Agreement (PSFPIA) that are designed to provide consistency between the City's Comprehensive Plan and public school facilities and programs.

#### **Policy 1.1.1**

Pursuant to the procedures and requirements of the PSFPIA, the City shall coordinate with the School Board on growth and development trends, general population and student projections to ensure that the plans of the School Board and City are based on consistent data.

#### **Policy 1.1.2**

The City shall provide the representative of the School Board with copies of all City Council and Planning Commission meeting agendas and Comprehensive Plan and rezoning staff reports.

#### **Policy 1.1.3**

At the time of transmittal of the Public Schools Facilities Element, the City shall develop a report of projects not subject to school concurrency and submit the report to the School Board within 30 days of transmittal. The report shall include the type, number and location of residential units that have received subdivision or site plan approval and provide a projected annual rate of growth for such projects.

#### **Policy 1.1.4**

The City shall meet at least annually with representatives from the School District and the other local governments in Volusia County to review the Public School Facilities Element including enrollment projects. The timing and content of these meetings shall be done according to the requirements and procedures set forth in the adopted interlocal agreement.

### **Objective 1.2**

The City shall coordinate with the School Board on the planning and siting of new public schools and ancillary facilities to ensure school facilities are coordinated with necessary services and infrastructure and are compatible and consistent with the comprehensive plan.

**Policy 1.2.1**

Coordination of the location, acquisition, phasing and development of future school sites and ancillary facilities shall be accomplished through the procedures adopted in the PSFPIA.

**Policy 1.2.2**

The City and School Board will jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school. If deemed necessary, the parties may enter into a written agreement as to the timing, location, and party or parties responsible for constructing, operating and maintaining the required improvements.

**Policy 1.2.3**

The City shall encourage the School Board to land bank sites for future use as school facilities. The City shall coordinate with the School Board on the acquisition and use of land banked sites in the same manner as established for other sites in order to ensure adequate infrastructure is planned and constructed in advance of school construction.

**Policy 1.2.4**

The City shall protect public schools and land banked public school sites from the adverse impact of incompatible land uses by providing the School Board with the opportunity to participate in the review process for all proposed development adjacent to public schools.

**Policy 1.2.5**

In developing capital improvements plans and programs for public services, the City shall consider required infrastructure to service existing and proposed public schools and any land banked public school sites.

**Objective 1.3**

The City shall enhance community and neighborhood design through effective school facility design and siting standards and encourage the siting of school facilities in order to serve as community focal points and ensure compatibility with surrounding land uses.

**Policy 1.3.1**

The City shall coordinate with the School Board on opportunities for the expansion and rehabilitation of existing public schools so as to support neighborhoods and redevelopment.

**Policy 1.3.2**

The City shall collaborate with the School Board on the siting of public facilities such as parks, libraries, and community centers near existing or planned public schools, to the extent feasible.

**Policy 1.3.3**

The City shall look for opportunities to co-locate and share the use of public facilities when preparing updates to the comprehensive plan's schedule of capital improvements and

when planning and designing new or renovating existing community facilities. Co-located facilities shall be governed by a written agreement between the School Board and the City specifying operating procedures and maintenance and operating responsibilities.

#### Policy 1.3.4

The City shall reduce hazardous walking conditions, to the extent feasible, consistent with Florida's safe ways to school program. In conjunction with the School Board, the City shall implement the following strategies:

1. New developments adjacent to schools shall be required to provide a right-of-way and direct safe access path for pedestrian travel to existing and planned schools and shall connect to the neighborhood's pedestrian network.
2. New development and redevelopment within two miles of a school shall be required to provide sidewalks within or adjacent to the property for the corridor that directly serves the school or qualifies as an acceptable designated walk or bicycle route to the school.
3. In order to ensure continuous pedestrian access to public schools, the City shall consider infill sidewalk and bicycle projects connecting networks serving public schools as part of the annual capital budget process. Priority shall be given to hazardous walking conditions pursuant to Section 1006.23, Florida Statutes.
4. The City shall coordinate with the Transportation Planning Organization to maximize the funding from the Florida department of Transportation and other sources that may be devoted to improving pedestrian networks serving public schools.

#### Policy 1.3.5

The City and School Board shall coordinate with Volusia County Emergency Services on efforts to build new school facilities, and facility rehabilitation and expansion, to be designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes.

### **Objective 1.4**

Manage the timing of new development to coordinate with adequate school capacity as determined by the School Board.

#### Policy 1.4.1

The City shall take into consideration the School Board comments and findings on the availability of adequate school capacity in the evaluation of Comprehensive Plan amendments and other land use decisions that include but not limited to developments of regional impact. School Board review shall follow the policies and procedures set forth in the PSFPIA.

**Policy 1.4.2**

Proposed future land use map amendments shall be coordinated with the School Board and the Public School facilities Planning Maps.

**Policy 1.4.3**

Where capacity will not be available to serve students from the property seeking a land use change or other land use determination that increases residential density, the City shall not approve the proposed land use change until such time as the School Board can find that adequate public schools can be timely planned and constructed to serve the student population or that the applicant has provided adequate mitigation to offset the inadequacies in anticipated school capacity.

**Goal 2**

The City shall ensure proposed developments are consistent with the public school adopted LOS Standards. (This goal will be accomplished recognizing the School District's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools and the City's authority for land use, including the authority to approve or deny comprehensive plan amendments, re-zonings or other development orders that generate students and impact the public school system.)

**Objective 2.1**

The City through coordinated planning with the School Board and implementation of its concurrency management system shall ensure that the capacity of public schools is sufficient to support proposed residential developments at the adopted level-of-service (LOS) standard within the period covered by the five-year schedule of capital improvements. These standards and the concurrency management system shall be consistent with the PSFPIA.

**Policy 2.1.1**

The LOS standards for public schools shall be applied uniformly throughout the County to all public schools of the same type.

**Policy 2.1.2**

Consistent with the PSFPIA, the uniform, district-wide LOS standards are set forth in the Capital Improvements Element.

**Policy 2.1.3**

The City and School Board recognize and agree that short-term changes in enrollment unrelated to new development approvals can and do occur, and that students enrolling in their assigned school will be accepted consistent with the School District's constitutional obligations regardless of the utilization levels at the assigned school.

**Policy 2.1.4**

If there is a consensus to amend any LOS, the amendment shall be accomplished by execution of an amendment to the PSFPIA by all parties and the adoption of amendments to the City's Comprehensive Plan. The amended LOS shall not be effective until all Plan

amendments are effective and the amended PSFPIA is fully executed. No LOS standard shall be amended without showing that the amended LOS standard is financially feasible and can be achieved and maintained within the five-year capital facilities plan.

### **Objective 2.2**

School Concurrency Service Areas (CSAs) as established by the School Board shall be used by Orange City to determine if adequate school capacity is available based on the adopted LOS standard. Maps of the School CSAs are adopted in the Volusia County Comprehensive Plan and which are herein incorporated by reference.

#### **Policy 2.2.1**

The CSA for elementary schools shall be the elementary school attendance boundary as represented on the map series “Public School Facilities Element Elementary School Concurrency Service Areas” adopted as part of the Volusia County Comprehensive Plan.

#### **Policy 2.2.2**

The CSA for middle schools shall be the middle school attendance boundary as represented on the map series “Public School Facilities Element Middle School Concurrency Service Areas” adopted as part of the Volusia County Comprehensive Plan.

#### **Policy 2.2.3**

The CSA for K-8 schools shall be the attendance boundary as represented on the map series “Public School Facilities Element K-8 Concurrency Service Areas: adopted as part of the Volusia County Comprehensive Plan.

#### **Policy 2.2.4**

The CSA for high schools shall be as represented on the map series “Public School Facilities Element High School Concurrency Service Areas” adopted as part of the Volusia county Comprehensive Plan.

#### **Policy 2.2.5**

The CSA for special use schools shall be district-wide.

#### **Policy 2.2.6**

The CSA maps designate three areas where school capacity is not anticipated for the planning period.

#### **Policy 2.2.7**

Amendments to the School CSAs shall be completed according to the procedures specified in the PSFPIA. When making amendments to CSAs, the following criteria shall be considered:

1. Adopted LOS standards shall not exceed the LOS standard within the initial five-year planning period.

2. The utilization of school capacity is maximized to the greatest extent possible taking into account transportation costs, court approved desegregation plans, proximity to public schools, ethnic and socio-economic diversity, subdivisions and neighborhoods, demographic changes, future land development patterns, crossing guard availability and other relevant factors.

#### Policy 2.2.8

Within the central concurrency service areas, all current and future students shall be assigned to schools designated for them as part of the School District's normal school assignment procedures. Requests for development orders for new development consistent with the future land use designations and existing residential zoning densities shall be evaluated for concurrency based on the assigned school and that school's concurrency service area. If adequate capacity is not available in the assigned concurrency service area, the proposed development shall be evaluated in comparison to the concurrency service areas adjacent to the assigned concurrency service area, subject to the limitations of Policy 2.3.7. The school district shall maintain a listing of assigned and adjacent concurrency service areas for each central school concurrency service area.

#### Policy 2.2.9

Requests to develop properties within the central school concurrency service areas at residential densities and intensities greater than the current land use or zoning designations shall be done via a comprehensive plan amendment consistent with the Volusia County Charter provision 206 regarding school planning. The comprehensive plan amendment shall demonstrate how school capacity will be met consistent with the terms of the First Amendment to the Interlocal Agreement for Public School Facility Planning effective July 2007 and Section 206 of the Volusia County Charter. If the project area is to be annexed by a municipality, the comprehensive plan amendment shall include an amendment of the central concurrency service area boundary by Volusia County to exclude the subject parcel.

#### **Objective 2.3**

In coordination with the School Board, the City will establish a process for implementation of school concurrency which includes applicability and capacity determination, availability standards and school capacity methods. The City shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with the adopted LOS standards for public schools.

#### Policy 2.3.1

School concurrency applies to residential development that is not otherwise exempt as specified by Policy 2.3.3.

#### Policy 2.3.2

Development orders may be issued for a residential development where:

1. Adequate school capacity, as determined by the School Board, exists or will be under construction for each level of school in the affected CSA within three years after the issuance of the development order allowing the residential development.
2. Adequate school facilities, as determined by the School Board, are available within an adjacent CSA subject to the limitations of Policy 2.3.7. Where capacity from an adjacent CSA or areas is utilized, the impacts of development shall be shifted to that area. If capacity exists in more than one CSA or school within a CSA, the School Board shall determine where the impacts of development shall be allocated based on the School Board policies for student assignment.
3. The developer executes a legally binding commitment with the School Board and City to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property as provided by Objective 2.4 and its supporting policies.

### Policy 2.3.3

The following residential development shall be considered exempt from the school concurrency requirements:

1. Single family lots of record existing as such at the time the school concurrency implementing ordinance is adopted, which otherwise would be entitled to build, shall be exempt from school concurrency requirements.
2. Any residential development or any other development with a residential component that received approval of a development order or is otherwise vested prior to February 1, 2008.
3. Any residential development or any other development with a residential component equal to or less than ten units is exempt from concurrency under the City's LDC, except that said developments are subject to the annual concurrency review required by Policy 2.3.4.
4. Amendments to residential development approvals which do not increase the number of students generated by the development based on the student generation rates for each school type as determined by the School District.
5. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy by a resident under the age of fifty-five. Such deed restrictions must be recorded and be irrevocable for a period of at least 30 years.
6. Group quarters that do not generate students including residential facilities such as jails, prisons, hospitals, bed and breakfast, hotels and motels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

7. Subdivisions and/or single family lots equal to or less than ten units are exempt from individual project concurrency reviews but are not exempt from the annual concurrency review required by Policy 2.3.4 of this Element.

#### Policy 2.3.4

The creation of subdivisions and/or single family lots equal to or less than ten units shall be subject to school concurrency as part of an annual concurrency management review. The City shall report such projects to the School Board as part of the annual planning coordination process established by the PSFPIA and these units shall be included by the School Board in planning student allocations by school type.

#### Policy 2.3.5

The City shall follow the procedures and processes for evaluating school capacity and making concurrency determinations consistent with the established provisions of the PSFPIA.

#### Policy 2.3.6

The School Board shall conduct a concurrency review that includes findings and recommendations of whether there is adequate capacity to accommodate proposed development for each type of school within the affected CSA consistent with the adopted LOS. The School Board may issue a certificate of school concurrency if sufficient capacity exists for the proposed development of the School Board and may set forth conditions required to satisfy the requirements of school concurrency including proportionate share mitigation.

#### Policy 2.3.7

If the adopted LOS standard cannot be met within a particular CSA, as applied to an application for development order, and if the needed capacity is available in one or more CSA, then this capacity shall be applied to the concurrency evaluation of the application for development approval subject to the following limitations:

1. Areas established for diversity at schools shall not be considered contiguous.
2. CSAs generating excessive transportation costs shall not be considered contiguous. Excessive transportation costs are defined as transporting students requiring a transport time of 50 minutes one way as determined by School District transportation routing staff.
3. CSAs shall not be considered contiguous when the CSAs are separated by a natural or man-made barrier such as a river, water body, or interstate highway that requires indirect transport of students through a third CSA.
4. When capacity in an adjacent CSA is allocated to a development application, assignment of the students to the school with available capacity may be accomplished by applying any of the techniques used to establish school

attendance zones including modification of existing attendance zone boundaries or creation of island zones.

5. Student transportation not in conformance with the conditions established in items 1 through 4 above shall be permitted to allow student assignments based on specific educational programming options; to comply with State and Federal mandatory transfer opportunities; or for other transfer opportunities that the School Board shall deem appropriate for the specific circumstances of an individual student.

#### Policy 2.3.8

If the adopted LOS cannot be met within a particular CSA, the School Board may apply one or more of the following techniques to maximize use of available capacity and provide for adequate numbers of student stations to meet current and future demand:

1. Construct new school facilities
2. Construct additions to current facilities
3. Adjust program assignments to schools with available capacity
4. Modify attendance boundaries to assign students to schools with available capacity
5. Eliminate variances to overcrowded facilities that are not otherwise restricted by State or Federal requirements.

#### **Objective 2.4**

The City shall provide mitigation alternatives that are financially feasible and will achieve and maintain the adopted LOS standards consistent with the School Board's adopted financially feasible work program.

#### Policy 2.4.1

In the event that sufficient school capacity is not available in the affected CSA, the developer shall have the option to propose proportionate share mitigation to address the impacts of the proposed development.

#### Policy 2.4.2

Mitigation shall be directed toward a permanent capacity improvement identified in the School Board's financially feasible work program, which satisfies the demands created by the proposed development consistent with the adopted LOS standards.

#### Policy 2.4.3

Mitigation shall be directed to projects on the School Board's financially feasible work program that the School Board agrees will satisfy the demand created by the proposed development approval and shall be assured by a legally binding development agreement between the School Board, the City, and the applicant, which shall be executed prior to the City issuance of the subdivision or site plan approval. If the School Board agrees to the

mitigation, the School Board shall commit in the agreement to placing the improvement required for mitigation in its work plan.

#### Policy 2.4.4

The applicant's total proportionate share obligation shall be based on multiplying the number of needed student stations generated from the proposed project times the School Board's current cost per student station plus land cost for each type of school. The applicant's proportionate fair share mitigation obligation shall be credited toward any impact fee or exaction fee imposed by local ordinance for the same need on a dollar for dollar basis. (For example, if the proportionate fair share mitigation provides only for land, the credit is applied only against that portion of the impact fee or other exaction devoted to land costs.)

#### Policy 2.4.5

The student generation rates used to determine the impact of a particular development shall be the student generation rates adopted in the most recent school impact fee study.

#### Policy 2.4.6

The cost per student station shall be the most recent actual costs per student station, and capitalization costs if applicable, paid by the School Board for the equivalent school facility.

#### Policy 2.4.7

Mitigation options must consider the School Board's educational delivery methods and requirements, and the State requirements for educational facilities, and may include, but not be limited to the following:

1. Donation of buildings for use as a primary or alternative learning facility.
2. Renovation of existing buildings for use as learning facilities.
3. Funding dedicated to, or construction of permanent student stations or core capacity.
4. For schools contained in the School Board's adopted five-year capital facilities work program, upon agreement with the School Board, the applicant may build the school in advance of the time set forth in the five-year work program.
5. Dedication of a school site as approved by the School Board.
6. Upfront lump sum payment of school impact fees.
7. Upfront payment of interest and other costs of borrowing.
8. Payment of off-site infrastructure expenses including but not limited to roads, water and/or sewer improvements.

9. Payment of transportation costs associated with the movement of students as a result of overcapacity school.
10. Funding assistance with acquisition of school site.
11. Phasing of construction or delay of construction in order to timely plan for the availability of school capacity.
12. Establishment of an educational facilities benefit district.
13. Establishment of educational facilities mitigation banks.

**Objective 2.5**

The City shall ensure existing deficiencies and future needs are addressed consistent with the adopted school LOS standards.

**Policy 2.5.1**

In accordance with the PSFPIA, the City shall collaborate with the School Board in locating required school sites as identified in the School Board's five, ten and twenty-year capital facilities plan.

**Policy 2.5.2**

The City shall coordinate with the School Board to ensure that future residential development bears its proportionate fair share of the capital facility costs related to public school capacity that is necessary to maintain public school LOS standards.

**Policy 2.5.3**

The City adopts, by reference, the School Board's five-year work program approved annually each September as part of the overall School District budget. The City shall review the annual work program to verify that it is financially feasible and will maintain the LOS standards by the end of the five-year period.

# Capital Improvements Element

## INTRODUCTION

The City of Orange City seeks to provide existing and future residents and businesses with urban services and public facilities sufficient to meet their needs and expectations. The City also seeks to improve and expand these urban services and public facilities in a fiscally responsible manner, while fostering an efficient pattern and manageable pace of growth.

## GOALS, OBJECTIVES AND POLICIES

### Goal 1

The City shall plan for and provide needed community facilities and services in a manner which maximizes the use of existing facilities, minimizes the fiscal and tax burden on existing residents, and accommodates growth and development while maintaining such facilities and services at their desired level-of-service (LOS) and mobility standards.

### Objective 1.1

Land use decisions within the City will be based on the provision of service and facilities at adopted LOS or mobility strategy, existing and projected fiscal capacity and a financially feasible five-year schedule of Capital Improvements Program (CIP) as amended annually. Financially feasible means that sufficient revenues are currently available or will be available from committed funding sources for the first three years, or will be available from committed or planned funding sources for years four and five of the City's CIP.

#### Policy 1.1.1

The City's adopted LDC ensures that development proposals comply with the City's concurrency management requirements with attention to the City's adopted LOS standards, existing LOS, and where appropriate, the time frame for implementation of additional facility improvements. With respect to mobility within the DULA/TCEA, the City shall through its development review procedures evaluate LOS and identify necessary enhancements for mobility as identified in this Element. Identified improvements shall be included in capital or operating budgets and within the Capital Improvements Element.

#### Policy 1.1.2

The City shall allow for phasing of development-related infrastructure improvements concurrent with project impacts on public facilities.

#### Policy 1.1.3

The City has been designated as a Dense Urban Land Area (DULA). As such, the City is a Transportation Concurrency Exception Area (TCEA). As such, LOS standards for the following facilities shall be as listed below and consistent with Policies 1.1.1 and 1.1.2 of the Transportation Element:

<b>Transportation:</b>	<b>Peak Hour LOS</b>
<b>State Arterials:</b>	
US 17/92 (Principal)	D
SR 472 (Minor)	D

<b>Transportation, Cont:</b>	<b>Peak Hour LOS</b>
<b>County Arterials:</b>	
Enterprise Road	E
East Graves Avenue	E
Saxon Boulevard	E
West Rhode Island Avenue (from US 17/92 to the Western Parkway)	E
North Kentucky Avenue/Veterans Memorial Parkway	E
<b>County Collectors:</b>	
West Blue Springs Avenue	E
North Kentucky Avenue	E
West French Avenue	E
<b>City Arterials:</b>	
East Rhode Island Avenue (from Veterans Memorial Parkway to US 17/92)	E
<b>City Collectors:</b>	
Leavitt Avenue	E
Harley Strickland Boulevard	E
Wisconsin Avenue	E
West Blue Springs Avenue	E

**Sanitary Sewer:**

284 gallons per day per equivalent residential connection

.08 gallons per day per square foot for industrial/ commercial/ institutional uses

**Potable Water:**

300 gallons per day per equivalent residential connection

1,500 gallons per day per acre for commercial/industrial/institutional uses and 500  
gallons per minute fire flow**Solid Waste:**

6 lb. per capita per day

#### Storm water:

All land use and development approval decisions which impact water resources in Orange City shall conform to the Volusia County comprehensive surface and groundwater basin management plan when said plan is completed and adopted by Volusia County and the City Council. Its recommendations will be used for all land use and development approval decisions which impact water resources. Until that time, the City shall comply with the following performance standards of Section 72-779 of the Volusia County Land Development Code (LDC), provided said standards are more stringent than the City's standards:

- A. The City shall require that all developments within the city meet the performance and design standards of Section 72-779 of the Volusia County LDC, and the City's LDC, whichever is most restrictive, and as it may be amended from time to time .

#### Parks and Recreation:

- Community Park = Four acres per 1,000 population.
- Neighborhood Park = Two acres per 1,000 population.

#### Policy 1.1.4

Pursuant to the review to be determined in Policy 1.1.1, if it is determined that a proposed development will result in a reduction in the service or facility below its LOS standard, a development order will be denied unless it can be demonstrated that the capacity of the impacted facility or service will be increased to accommodate the demands of the proposed development concurrent with its impacts.

#### Policy 1.1.5

Capital improvements that cost a minimum of \$50,000 have a physical life of at least five years and are publicly-funded and/or privately-funded, shall be included in the CIP.

#### Policy 1.1.6

When privately-funded capital improvements are included in the CIP to satisfy LOS standards or meet concurrency, the City shall execute a written agreement with the private entity that specifies the private entity's fair share cost and/or contribution, the name of the private entity, and the execution and expiration dates of the agreement.

#### Policy 1.1.7

The City hereby adopts by reference Volusia County's Five-Year Road Program thoroughfare roadway improvements within Orange City into the City's CIP.

#### Policy 1.1.8

The City hereby adopts by reference, the five-year schedule of transportation improvements related to Orange City as annually adopted by the Volusia County Transportation Planning Organization (TPO) and Florida Department of Transportation District 5, into the City's CIP.

Policy 1.1.9

The City hereby adopts by reference, the five-year Volusia County School District facilities work plan as annually adopted by the District, into the City's CIP.

Policy 1.1.10

The City hereby adopts by reference, the SJRWMD water supply projects related to Orange City, into the City's CIP.

Policy 1.1.11

The City shall establish local capital project review procedures which, at a minimum, objectively prioritize projects on the basis of the following criteria:

- A. The facility is required to eliminate public health or safety hazards;
- B. The facility is required to remedy existing LOS capacity deficiency;
- C. Local budget impact related to increases in operating costs;
- D. Locational needs based on future land use designation;
- E. The facility is necessary to accommodate new development and new facility demands;
- F. Financial feasibility; and
- G. Consistency and compatibility with plans of state and county agencies and including the FDOT and the SJRWMD that provides public facilities within the City.

Policy 1.1.12

The same review procedures and criteria in Policy 1.1.11 above shall apply to the evaluation of need for replacement and renewal of worn out or obsolete facilities.

**Objective 1.2: Reserved**

**Objective 1.3**

Future growth and development shall bear its proportionate share of the cost to provide services and facilities needed to maintain adopted LOS standards and accommodate future growth.

Policy 1.3.1

The City will continue to investigate financing mechanisms such as impact fees and other forms of development assessments that require future growth and development to pay its proportionate share of the costs of providing facilities and services.

Policy 1.3.2

The City shall not increase ad valorem millage rates and other fiscal burdens on existing residents without first examining available options for placing the cost and burden of providing new facilities and services on the growth and development requiring such facilities and services.

Policy 1.3.3

If the City, at its discretion, intends for capital improvement projects to be funded in total or in part by its proportionate fair-share program, said projects shall be added to the CIP.

**Objective 1.4**

The City shall continue to manage its fiscal resources to ensure the provision of needed capital improvements for future development and shall not issue future development orders when such development requires capital improvements for which sufficient funding does not exist.

## Policy 1.4.1

The City shall continue to anticipate and plan for fiscal requirements necessary to provide services and facilities at their desired LOS standards.

## Policy 1.4.2

An annual review of the funding priorities and improvements outlined herein shall be integrated with the City's CIP.

## Policy 1.4.3

The City will continue to follow the criteria for issuing or incurring any additional debt as stated in the City's Charter, and in Florida Statutes, Section 166, Municipal Borrowing.

**Objective 1.5**

The City's adopted criteria and procedures for concurrency management shall ensure that facilities and services are available concurrent with the impacts of development.

## Policy 1.5.1

The following facilities shall be subject to the City's LDC, concurrency management provisions and those that are stipulated herein:

- A. Roads;
- B. Potable Water;
- C. Sanitary Sewer;
- D. Solid Waste;
- E. Storm water;
- F. Recreation, and
- G. Public Schools

The LOS for facility categories A through F are set forth in Policy 1.1.3 of this Section. The LOS for public schools is set forth in the Public Schools Facility Element and the PSFPIA.

## Policy 1.5.2

The concurrency management provisions of the City's LDC, stipulated herein will be applied to proposed development and the City shall issue Development Orders only when there is sufficient capacity from all facilities to serve the project at the adopted LOS standards. This concurrency test for facilities and services will be determined by comparing the available capacity of a facility or service to the demand created by the proposed project. Available capacity will be determined by adding any capacity demands committed and approved prior to, and subsequent to, the adoption of the Comprehensive

Plan, then subtracting that total from the design capacity of the facility; the remaining is the capacity available to serve proposed development projects.

#### Policy 1.5.3

Each proposed development or application for a development order or permit shall clearly identify the quantity (number of square feet, units etc.), density (units per acre, etc.) and intensity (type of use-commercial, industrial, multifamily, residential, etc.) of land uses in the proposed development.

#### Policy 1.5.4

The City shall require that all developments meet the requirements of concurrency except for those developments that are vested as described in Policy 1.5.5. The following standards meet the requirements for concurrency:

#### **Minimum Requirements:**

The City shall require that all developments meet the requirements of concurrency to ensure that public facilities and services needed to support development are available concurrent with the impacts of such development, and shall address the following items:

- A. For potable water, sewer, solid waste and drainage, at a minimum, provisions in this Comprehensive Plan shall ensure that the following standards will satisfy the concurrency requirement:
  - 1. The necessary facilities and services are in place at the time a development permit is issued; or
  - 2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
  - 3. The necessary facilities are under construction at the time a permit is issued; or
  - 4. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.
  
- B. For parks and recreation, the City may satisfy the concurrency requirements by ensuring that the following standards will be met:
  - 1. At the time a development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services within one year of the issuance of the development permit; or
  - 2. The necessary facilities and services are guaranteed in an enforceable development agreement which required the commencement of the actual

construction of the facilities or the provision of services within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.

- C. For roads designated in the adopted plan, the City may satisfy the mobility requirements by complying with the provisions of Florida Statutes 163.3180, regarding proportionate share mitigation agreements. In addition, in areas in which the City has committed to provide the necessary public facilities and services in accordance with its five-year schedule of capital improvements, the City may satisfy the mobility requirements for transportation facilities by the adoption and implementation of mobility standards based upon an adequate capital improvements program and schedule and adequate implementing regulations which, at a minimum, include the following provisions:
1. The Capital Improvements Element and five-year CIP may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program and all five years of the County's adopted five-year road program.
  2. A five-year CIP which must include both necessary facilities to maintain the adopted quality/level-of-service standards to serve the new development proposed to be permitted and the necessary facilities required to eliminate those portions of existing deficiencies which are a priority to be eliminated during the five-year period under the local government plan's schedule of capital improvements.
  3. A realistic, financially feasible funding system based on currently available revenue sources which must be adequate to fund the public facilities required to serve the development authorized by the development order and development permit, and which public facilities are included in the five-year CIP.
  4. A five-year CIP which must include the estimated date of commencement of actual construction and the estimated date of project completion.
  5. A five-year CIP which must demonstrate that the actual construction of transportation facilities and the provision of services are scheduled to commence in or before the third year of the five-year schedule of capital improvements.
  6. A requirement that, in conjunction with the Capital Improvements Element, the City ensures that development orders and permits are issued in a manner that will assure that the accessory public facilities and services will be available to accommodate the impact of that development.
  7. A clear designation within the City Comprehensive Plan of those areas within which facilities and services will be provided by the City with public funds in accordance with the five-year CIP.

- D. In determining the availability of public facilities or services, a developer may propose, and the City may approve, developments in stages or phases so that public facilities and services needed for each phase will be available.
- E. The City must develop guidelines for interpreting and applying LOS standards to applications for development orders and permits and determining when the test for concurrency must be met. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of the development.

#### Policy 1.5.5

The City's LDC provides for exemptions from concurrency regulations and are not required to be tested for facility capacity, and generally include the following types of developments:

- A. Developments which have received a City building permit prior to the adoption of the City's LDC and which still remain in full force and effect;
- B. Developments which have received final residential subdivision plat approval prior to the adoption of the City's LDC;
- C. Developments which have received site plan approval prior to adoption of the City's LDC;
- D. Developments with an approved development agreement that provides for capacity mitigation; and
- E. All vacant single-family, duplex and single-family attached dwelling lots in subdivisions that were platted and recorded prior to adoption of the City's LDC.

#### Policy 1.5.6

Properties vested by Policy 1.5.5, shall have facility capacity reserved for such properties throughout the duration of the planning period unless previous agreements provide for an earlier expiration date.

#### Policy 1.5.7

Modifications, amendments or additions to the approved developments that would result in an increase in density or intensity shall be tested for facility capacity as required by the City's LDC.

#### Policy 1.5.8

The City may establish an administrative remedy similar to said remedy as outlined in the Volusia County Comprehensive Plan's Capital Improvements Element.

#### Policy 1.5.9

Improvements, renovations and repair to existing structures shall only effect facility capacity and concurrency to the extent such improvements, renovations and repairs increase the number of dwelling units, floor area for nonresidential uses or other measures of intensity. In such cases where improvements, renovations, repair and reuse to existing structures will result in a probable increase in either density or intensity of the property(s) or development, then a determination of such an increase and its effect on facility capacity

shall be made prior to any approval for a building permit. If existing facility capacity is available and no degradation of adopted service levels for these facilities identified in Policy 1.5.1 will result from such an improvement, a final development order and development permit may be issued. If such improvements, renovations and repairs will not result in any increase in density or intensity, then the issue of sufficient facility capacity and concurrency will have no bearing on the issuance of a final development order and development permit.

#### Policy 1.5.10

The City shall review all development and/or redevelopment activities in a manner consistent with adopted LOS and mobility standards as part of the land development review process.

#### Policy 1.5.11

The review process to be determined in Policy 1.5.10 will require a detailed Traffic Impact Analysis (TIA) to be submitted for any applicable development in accordance with the River-to-Sea TPO Guidelines adopted in June 2016, as it may be amended from time to time. An impact of a single family home on an existing lot will constitute a de minimis impact on all roadways regardless of the level of the deficiency of the roadway.

#### Policy 1.5. 13

The cost of preparing the site impact and mobility evaluation will be borne solely by the developer. The City may also increase the fee for permits to cover the administrative costs to review each traffic impact evaluation.

#### Policy 1.5.14

No land use approval for new development, redevelopment or annexation in the City shall cause facilities or services to fall below adopted local LOS and mobility standards, as contained in the Capital Improvements Element of this Comprehensive Plan. Public facilities and services necessary to serve the proposed development, redevelopment or annexation must be available, at the adopted local LOS, concurrent with the impacts of development, consistent with the City's LDC.

#### Policy 1.5.15

The City shall, prior to annexation, evaluate proposed annexations to determine potential fiscal, LOS and infrastructure impacts to ensure that LOS and mobility standards can be maintained and services provided in a timely and fiscally responsible manner.

### **Objective 1.6**

Facility funding for a TCEA is required by Florida Statutes. The facilities and funding necessary to achieve the purposes of the TCEA must be reflected in a 5-Year CIP. The plan associated with the initial establishment of the TCEA is contained in the following policies.

#### Policy 1.6.1

Identification of Transportation Improvements. The City shall identify and update annually a list of short-term (5 year), and long-term (plan horizon) mobility improvements.

### Policy 1.6.2

Implementation Plan Coordination. The City shall continue its commitment and will work with Volusia County, FDOT, VOTRAN, and the TPO for the timely implementation of all programmed improvements as may be identified in the TCEA Implementation Plan.

### Policy 1.6.3

The City shall continue to coordinate with Volusia County, the FDOT, and the TPO to attempt to secure funding for planned, but unfunded improvements as may be identified in the TCEA Implementation Plan.

### Policy 1.6.4

The City shall promote local, state, or other funding for traffic operations improvements with particular emphasis on developed or planned roadways within the TCEA.

### Policy 1.6.5

The City shall coordinate with FDOT and Volusia County regarding intelligent transportation systems (ITS), including computerized signalization and optimal signal timing and progression.

### Policy 1.6.6

A transportation concurrency exception for individual projects within the TCEA shall be granted only if the following criteria are met:

- A. The development or redevelopment project shall be required to meet the following development performance criteria based on the development's (including all phases) trip generation and proportionate impact on adjacent roadways. Performance criteria and/or proposed mitigation will be funded from a variety of public and private sources.
- B. The developer may sign a development agreement or contract with the City for the provision of the required standards. The choice of standards shall be subject to final approval by the City during the site plan or subdivision approval process. The standards chosen shall relate to the particular site and transportation conditions where the development is located. The developer may choose to provide one or more standards off-site with the City's approval. In recognition of the varying costs associated with the standards, the City shall have the discretion to count some individual standards, based on cost estimates provided by the developer and verified by the City, as meeting multiple standards.
- C. TCEA Performance Standards:

Criteria Level	New PM Peak Trips	Required Number of Mobility Standards
Level 1	Less than 25	At least 1 standard.

		If a standard from the Enhancement Group is selected, at least two standards are required.
Level 2	25 -250	At least 2 standards. No more than one standard can be selected from the Enhancement Group or from the Innovation Group.
Level 3	251-500	At least 3 standards. No more than one standard can be selected from the Enhancement Group or from the Innovation Group.
Level 4	Over 501	At least four standards. No more than one standard can be selected from the Enhancement Group or from the Innovation Group.

- D. A transportation impact analysis is required for any project that generates more than 25 net new PM peak hour trips.
- E. The table below includes a listing of acceptable performance standards, categorized by groups. Each group consists of related performance standards, indicated by a number. For example, performance standard number three under the Enhancement Group involves widening existing sidewalks to increase pedestrian mobility and safety. The performance standards are characterized by the group name.
- F. The table below includes a listing of acceptable performance standards, categorized by groups. Each group consists of related performance standards, indicated by a number.
- G. Though the importance of each performance standard cannot be disputed, the level of financial investment does vary by group. Consequently, the number of standards which must be met by small developments (less than 25 daily trips) is increased by one if the Enhancement Group is selected. In this case, an additional performance standard is added to ensure some level of equity when selecting performance standards. Also, limitations are placed on the number of performance standard selections from the Enhancement Group and the Innovation Group to promote operational, capacity-related, and innovative improvements.
- H. Additionally, any development consisting of, or occupying a facility with provisions for 50 or more employees is required to participate in a Transportation Demand Management (TDM) program. The TDM program must be outlined in writing to the City not longer than 30 days from Certificate of Occupancy.

## I. Performance Standards by Group:

<b>Number</b>	<b>Performance Standard</b>
<b>Operational Group</b>	
1	Business operations are not conducted in the peak hour and/or will not generate traffic during the peak hour.
2	Construction of bus turn-out facilities.
3	Use of joint driveways and/or cross-access to reduce curb cuts.
4	Intersection and/or signalization modifications to improve roadway operation and safety.
5	Intersection and/or signalization modifications to improve transit operations and safety.
6	Addition of dedicated turn lanes into and out of the development.
7 <sup>1</sup>	Contribute to the operation of transit route for an established period of time set forth in the development agreement.
<b>Capacity Group</b>	
1	Payments to the City which will either increase existing transit service frequency or add additional transit service
2	Construction of new road facilities that provide alternate routes to reduce congestion.
3	Addition of lanes on existing road facilities, where acceptable to the City, County and/or FDOT, as relevant.
4	Provision of transit pass programs provided to residents and/or employees of the development. The transit passes must be negotiated as part of an agreement with VOTRAN or the City.
5	Other acceptable roadway, pedestrian, or bicycle improvements as mutually agreed to by the City and Owner/Developer.
<b>Enhancement Group</b>	
1	Construction of new public sidewalks along all street frontages where they do not currently exist.
2	Widening of existing public sidewalks to increase pedestrian mobility and safety.
3	Funding of streetscaping/landscaping (including pedestrian-scale lighting, where relevant) on public right-of-ways or medians, as coordinated with the City.
4	Provision of shading through awnings or canopies over public sidewalk areas to promote pedestrian traffic and provide protection from the weather so that walking is encouraged. The awning or canopy shall provide pedestrian shading for a significant length of the public sidewalk in front of the proposed or existing building.
5	Clustering and design of the development for maximum density, or use of maximum FAR, at the site which preserves open space, and reduces the need for development of vacant lands, enhances multi-modal opportunities, and provides transit-oriented densities or intensities.
6	Provision of additional bicycle parking facilities located in the TCEA area.

<b>Innovation Group</b>	
<b>1</b>	An innovative transportation-related modification or standard submitted by the developer where acceptable to and approved by the City.
<b>2</b>	Provision of ride sharing or van pooling programs.
<b>3</b>	Participation in a transportation demand management (TDM) program that provides funding or incentives for transportation modes other than the single occupant vehicle. Such demand management programs shall provide annual reports of operations to the City indicating successes in reducing single occupant vehicle trips.

<sup>1</sup>Transit operations may be selected more than once and would be coordinated with the Voltran, Volusia County and FDOT

**Policy 1.6.7**

The City shall implement the following mobility strategies which are provided to illustrate the City's commitment to maintaining mobility with its TCEA. While the projects are not capital improvements, each one is an initiative that will support multimodal transportation and establish programs to maximize the effectiveness of the existing transportation network. Within each program or policy, the City will develop and implement a variety of initiatives as determined appropriate and feasible for the City.

**Goal 2**

The City shall ensure that the capacity of schools is sufficient to support increases in residential density at the adopted LOS standard.

**Objective 2.1**

The LOS standard shall be consistent with the LOS standard adopted in the Public School Facilities Planning Interlocal Agreement (PSFPIA) entered into by the School Board and the City.

**Policy 2.1.1**

The LOS standard adopted by the City shall be applied consistently by all local governments within Volusia County and by the School Board district-wide to all schools of the same type.

**Policy 2.1.2**

Consistent with the PSFPIA, the uniform, district-wide LOS standards are set forth as follows using Florida Inventory of School Houses (FISH) capacity based on the traditional school calendar:

<b>Elementary Schools:</b>	115% of permanent FISH capacity for the concurrency service area
<b>K-8 Schools:</b>	115% of permanent FISH capacity for the concurrency service area
<b>Middle Schools:</b>	115% of permanent FISH capacity for the concurrency service area

<b>High Schools:</b>	120% of permanent FISH capacity for the concurrency service area
<b>Special Purpose Schools:</b>	100% of permanent FISH capacity

## **CAPITAL IMPROVEMENT PROGRAM**

Section 163.3177, Florida Statutes requires an annual update to the Five-Year Schedule of Capital Improvements (schedule). The schedule identifies the City's capital projects necessary for implementation of the comprehensive plan and ensures that the adopted level of service standards for public facilities are achieved and maintained for the five-year planning period. As of 2011, the City is no longer required to submit the annual update to the Department of Economic Development (previously known as the Department of Community Affairs) for review. The schedule update may be accomplished by ordinance and will not be considered an amendment to the comprehensive plan. Section 163.3180, Florida Statutes establishes that sanitary sewer, potable water, solid waste, and drainage are the only public facilities subject to statewide concurrency requirements. Based upon the 2011 statutory changes, application of concurrency requirements are now optional for parks and recreation, public schools and transportation. City Council adopted the latest annual update to the 5-Year CIP on December 12, 2017 via City Ordinance No. 593.

## **Intergovernmental Coordination Element**

### **INTRODUCTION**

The City of Orange City seeks to ensure that its needs, goals, prerogatives, and initiatives are recognized by and coordinated with other jurisdictions and agencies whose plans, programs, regulations, and actions may affect the City. The City also seeks to minimize and resolve conflicts which might otherwise occur with other jurisdictions and agencies stemming from incompatible plans, programs, regulations, and actions.

### **GOALS, OBJECTIVES AND POLICIES**

#### **Goal 1**

Promote coordination and cooperation between Orange City and those agencies and parties which have an interest in the future growth of the area.

#### **Objective 1.1**

The City shall continue to work with Volusia County on matters involving planning for services, facilities, adjacent land uses and the area's natural resources, resulting from the impacts of development. The City shall also work with the Volusia Growth Management Commission (VGMC) and the applicable regional and state agencies to coordinate the impacts of development.

##### **Policy 1.1.1**

The City shall develop an interlocal joint planning agreement with Volusia County for the City's designated planning area (DPA) as shown on the Future Land Use Map. Said agreement shall also address future annexations.

##### **Policy 1.1.2**

The City shall continue to coordinate with Volusia County concerning recreational services and facilities in the Orange City area.

##### **Policy 1.1.3**

Provide for on-going coordination with Volusia County and FDOT relative to mobility issues and capital improvement needs for areas within and adjacent to Orange City.

##### **Policy 1.1.4**

The City shall coordinate with the Volusia County School Board in locating future school sites during the development process as set forth in the Public School Facility Planning Interlocal Agreement (PSFPIA).

##### **Policy 1.1.5**

Coordinate with Volusia County's Parks, Recreation and Culture Department, the School District and private groups regarding the provision of recreational services and establish appropriate interlocal agreements as needed.

**Policy 1.1.6**

The City shall adopt an enforcement ordinance for emergency conservation of water during times of drought. This ordinance shall be compatible with the St. Johns River Water Management District's (SJRWMD) Water Shortage Plan (40C-2 and 40C-22).

**Policy 1.1.7**

The City shall coordinate on an ongoing basis with Volusia County, SJRWMD, and appropriate state and federal agencies in accordance with the goal, objectives and policies of the Conservation Element. The City's LDC shall use the Conservation designation for environmentally sensitive lands. Areas set aside for the purpose of conserving or protecting natural resources or environmental quality; including soils, vegetative communities, wildlife habitats, wetlands, water quality and water's edge. During the interim period, the City shall, in its LDC enforce the minimum standards for wetlands protection and protection of other environmentally sensitive lands.

**Policy 1.1.8**

The City shall comply with all applicable state, SJRWMD and federal regulations and continue to enforce its LDC, requirements applicable to endangered and rare species.

**Policy 1.1.9**

The City shall work with Volusia County to conserve and protect those vegetative communities identified as environmentally sensitive and are located within both City and unincorporated boundaries.

**Policy 1.1.10**

Continue to request, through Volusia County, federal funding for the demolition or rehabilitation of substandard housing through the use of federal sources of funds.

**Policy 1.1.11**

Continue efforts in Community Development Block Grant (CDBG) eligible areas and work with Volusia County staff to carry out program activities in a timely manner, including any relocation activities, housing for elderly/handicapped persons and rehabilitation.

**Policy 1.1.12**

The City shall continue to cooperate and coordinate water supply planning with the SJRWMD.

**Objective 1.2**

Provide for on-going coordination of all planning activities mandated by the various elements of the City's Comprehensive Plan with the agencies and commissions having responsibilities related to each Plan element.

**Policy 1.2.1**

If and when conflicts of purpose among jurisdictions cannot be resolved locally, seek mediation assistance from the East Central Florida Regional Planning Council (ECFRPC) and/or VGMC.

Policy 1.2.2

Provide services and information on an ongoing basis to further intergovernmental coordination. This shall be accomplished through attendance at VGMC meetings and regular meetings with Volusia County officials and City officials. Meetings concerning interlocal agreements with Volusia County in the areas of planning and recreation shall be initiated by the City. The City shall continue to coordinate with all applicable local, regional, state and federal agencies.

Policy 1.2.3

The City shall consider the comments of adjacent municipalities concerning a proposed land use amendment and/or annexation.

Policy 1.2.4

The City shall participate in cooperative mapping of proposed future annexation and/or service areas with adjacent jurisdictions.

Policy 1.2.5

The City shall consider regional goals and objectives during the land development decision-making process.

Policy 1.2.6

The City shall maintain high standards and responsible performance in the development and execution of interlocal agreements with other jurisdictions by requiring cost effectiveness and efficiency of service in the provision of services and facilities.

Policy 1.2.7

The City shall address land use conflicts and inter-jurisdictional incompatibilities by notifying the involved adjacent municipalities or Volusia County of the conflicts as well as the significance or magnitude of the conflicts.

Policy 1.2.8

The City shall mitigate land use conflicts. The mitigation procedures may consist of a jointly adopted future land use plan for the bordering land uses, or at a minimum, and if appropriate, the buffering of the incompatible land uses. The City shall oppose requests for changes in land use that are inconsistent with the adopted City Comprehensive Plan.

Policy 1.2.9

The City shall advise the School Board of all Plan amendments as required by the PSFPIA.

Policy 1.2.10

The City shall request that the School Board submit for review, information on renovations, additions, and proposed expansion on property owned by the School Board to assure the availability of public facilities and infrastructure as required by the PSFPIA.

**Policy 1.2.11**

The City shall coordinate its water supply planning and provide future water supply as needed and enter into intergovernmental agreements and/or existing agreements as deemed appropriate by the City and other governmental entities.

**Policy 1.2.12**

The City shall update its Water Supply Plan as required by Chapter 163.3177(6)(c) Florida Statutes.

**Policy 1.2.13**

The City shall participate in the development of updates to the SJRWMD Water Supply Assessment, District Water Supply Plan, and in other water supply development-related initiatives facilitated by the District that affect the City.

**Objective 1.3**

The City shall assist Volusia County and FDOT in establishing, maintaining and updating of LOS standards for roadways, water, wastewater, solid waste and drainage. Assistance shall include regular meetings, provision of traffic data, population projections and funding information on an annual basis or as requested. Assistance may also include participation in any regional or countywide efforts. The City shall coordinate with the County, DeBary, DeLand and Deltona in the ongoing development, monitoring and implementation of mobility strategies.

**Policy 1.3.1**

Assist Volusia County in establishing and maintaining LOS standards for water and wastewater services in those areas of the City served by Volusia County in accordance with the Water and Wastewater Interlocal Agreement. Assistance shall include annual updates concerning population projections and capital budget meets.

**Policy 1.3.2**

The City shall continue to coordinate with Volusia County in the establishment of a stormwater utility system to serve Orange City and surrounding areas.

**Policy 1.3.3**

Assist Volusia County and FDOT concerning the transportation system and means for future funding. Assistance shall include attendance at meetings, participation in county funding discussions for roadway budgeting and collection of traffic data for pending developments to ensure that system enhancements are consistent and compatible with the land use.

**Policy 1.3.4**

The City shall continue to coordinate directly with Volusia County and VGMC concerning the impacts of developments in Orange City on the adjacent local governments. The City shall continue to recognize that the VGMC must certify all comprehensive plans in Volusia County as per VGMC Ordinance 87-24 as amended.

**Policy 1.3.5**

The City shall participate in the development of a regional hazardous waste management program for the proper storage, recycling, collection and disposal of hazardous waste.

**Goal 2**

Coordinate with the School Board to achieve a collaborative effort to identify school needs, provide for schools facilities and implement school concurrency as required by the PSFPIA.

**Objective 2.1**

Establish and maintain a cooperative relationship between the School Board and the City to provide an effective joint planning process as required by the PSFPIA.

**Policy 2.1.1**

In cooperation with the School Board, the City shall adopt and implement the PSFPIA as required by Section 1013.33 Florida Statutes, which includes procedures for:

1. Coordinating and sharing information;
2. Educational and ancillary siting procedures;
3. Comprehensive plans and plan amendment review;
4. Site design and development plan review;
5. Joint development of schools, parks and other uses;
6. School concurrency implementation;
7. Implementation, amendments, and
8. Resolution of disputes.

**Policy 2.1.2**

In accordance with the schedule established in the PSFPIA, the City shall appoint a representative to meet with School Board and other local government representatives to review data and annually approve a projection of the amount, type, and distribution of population growth and student enrollment. Data shall include but not be limited to:

1. Capital budgets for each jurisdiction;
2. School Board Five-Year Facilities Work Program;
3. School Board educational plant survey (every fifth year);
4. Volusia County five-year road improvement program;
5. Anticipated new development, infill development and redevelopment, and
6. Student enrollment and school utilization including portable classroom assignments.

**Policy 2.1.3**

The City shall provide the School Board with a copy of each Planning Commission and City Council agenda.

**Policy 2.1.4**

The City and the School Board shall coordinate the acquisition and development of sites for future educational and ancillary facilities in accordance with provisions of the PSFPIA.

**Policy 2.1.5**

The City shall adopt regulations as necessary to implement the provisions of the PSFPIA.

**Policy 2.1.6**

The City shall provide notice to adjacent jurisdictions as required by the PSFPIA when school capacity in the adjacent jurisdiction is anticipated to be applied to meet concurrency requirements for any proposed residential development.

**Objective 2.2**

The City shall regularly monitor and evaluate the implementation of the Public School Facilities Element to assure compliance with the provisions of the Comprehensive Plan and the PSFPIA, to assure the use of best practices in the joint planning of school facilities and to provide for the continuing coordination of school planning.

**Policy 2.2.1**

At least once per year, the City representative appointed to the technical committee referenced in Policy 2.2.3 of this Element shall submit a report as required by the PSFPIA to the School Board. If the School Board finds that implementation of the Public School Element and/or the PSFPIA is not occurring, the School Board shall make recommendations to the City of the steps necessary to achieve successful implementation.

**Policy 2.2.2**

Volusia Growth Management Commission Comprehensive Plan amendment applications that propose an increase in residential density shall evaluate the impacts on school facilities and how said impacts are proposed to be addressed.

**Policy 2.2.3**

The City shall appoint a citizen to the oversight committee and a staff member to the technical committee that are created by the PSFPIA.

## Section 12 Comprehensive Plan Administration and Interpretation

### INTRODUCTION

This Section sets forth the procedures and criteria for interpreting and amending the Orange City Comprehensive Plan.

### PLAN INTERPRETATION

It is the responsibility of the Development Services Director (DSD), or a duly authorized representative to interpret the Comprehensive Plan and its application to public and private land and to uses and/or activities permitted thereon. Plan interpretations shall be based on the applicable text, maps, figures and tables within the Comprehensive Plan, along with the Plan's support document. When making Plan interpretations the Comprehensive Plan shall be construed as a complete document and no specific goal, objective, or policy shall be used independently. Additionally, Plan interpretations shall be based on the following criteria:

A. **Use and status of support document.** The Comprehensive Plan support document establishes the base data compiled to provide the support documentation for the Comprehensive Plan. The support document is not adopted as part of the Plan but may be used in any interpretation and amendment of the Comprehensive Plan. The support document may be updated as part of a future Comprehensive Plan amendment and portions may be incorporated as a Plan amendment if deemed appropriate. The support document is located in the Development Services Department office.

B. **Interpretation of implementation mechanisms.** It is not the intent of the City Council to limit the number of means available to implement the Comprehensive Plan. Implementation mechanisms that may be identified within each Plan element are representative mechanisms to accomplish Plan goals, objectives and/or policies. Additional implementation mechanisms may be employed along with or instead of those listed in the Plan. The use of additional implementation mechanisms to supplement or replace those included in the Plan will not require a Plan amendment.

In addition, where a proposed and/or an existing land development regulation are not specified as an implementation mechanism for any goal, objective and/or policy, nothing shall preclude the use of land development regulations to implement any goal, objective and/or policy. Likewise, binding development agreements may be used to implement the purpose and intent of the Comprehensive Plan and its goals, objectives and/or policies.

**C. Interpretation of conflicts.** Conflicts shall be interpreted using the following criteria:

1. In the event of any difference of meaning or implication between the text of the Plan and any caption, illustration and/or summary or illustrative table, the text shall be used to make an administrative interpretation.
2. In the event of a conflict between the future land use map and any other map or table in the Plan, the future land use map shall be used to make an administrative interpretation.
3. In the event of a conflict between Plan goals, objectives and policies or any other portion of the Plan text, the goals, objectives and policies shall be used to make an administrative interpretation.

**D. Interpretation of undefined terms.** Terms not otherwise defined herein shall be interpreted first by reference to the relevant provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, if specifically defined therein, or other relevant and appropriate State statutes or rules; secondly, by reference to generally accepted planning or otherwise professional terminology if technical, and otherwise according to Webster's New Collegiate Dictionary, G&C Merriam Co. (latest edition).

**E. Comprehensive plan interpretations.** It is the responsibility of the DSD to make Comprehensive Plan interpretations. An application for a Plan interpretation shall be filed with the Development Services Department on forms available from the Department together with the appropriate fee as may be required by resolution of the City Council.

The DSD shall make an interpretation within seven working days of receiving a complete application. Any determination of the DSD regarding an interpretation may be appealed to the City Council as set forth in this Chapter. Plan interpretations may be required as a result of one of the following actions:

1. Failure to obtain a Comprehensive Plan consistency finding based on submission of an application for a development order and/or permit.
2. Request for clarification of future land use designation boundaries.
3. Any other action which would require a Comprehensive Plan interpretation.

**F. Determinations of consistency and concurrency.** Consistency and concurrency are separate determinations. Florida Statute, Chapter 163, Part II, requires that development orders and permits be consistent with the Comprehensive Plan. A finding of consistency does not constitute a finding of concurrency. Concurrency requirements are required by Florida Statute, §163.3202 and are subject to Orange City's Land Development Code (LDC), Ordinance No. 157, Chapter 4, Concurrency Management. Orange City implemented, as part of the LDC, Ordinance No. 157, Chapter 4, concurrency management tests to determine if the impact of a development order and/or permit would meet or exceed the capacity of the available public infrastructure to support said order and/or permit. Section 4 also establishes criteria to determine if a development order or permit is not subject to a concurrency determination.

G. **Appeal of a DSD interpretation.** Any Plan interpretation made by the DSD under the provisions of this Section may be appealed to the City Council. An appeal shall be submitted within ten days after rendition of the interpretation of the DSD by filing with the City Clerk a written notice of appeal application available from the Development Services Department together with the appropriate fee as may be required by resolution of the City Council.

Upon receipt of a complete notice of appeal application, the DSD shall transmit to the City Council all documents, plans, papers, minutes, applications, recommendations or other materials relating to the appealed decision. The appeal application shall be heard by the City Council no later than 35 days after receipt of a complete notice of appeal application unless the applicant requests an extension. In its deliberations, the City Council shall decide that the determination of the DSD is either consistent or inconsistent with the Comprehensive Plan and then shall direct the disposition of the appeal.

H. **Appeals of the City Council decision.** Any City Council decision related to a Plan interpretation may be appealed to a court within ten days after the rendition of the decision of the City Council. The appellant shall notify all interested persons as required by law and have established a record before the City Council during its hearing on the appeal.

## **PLAN AMENDMENTS**

From time to time it will be necessary to amend the Orange City Comprehensive Plan to keep up with changing conditions, to comply with State mandated updates and evaluations, to achieve implementation of the Plan and to provide citizens and affected parties a means of recourse to participate in the City's comprehensive planning program.

All amendments and procedures for amendment to the Comprehensive Plan shall comply with the provisions of Florida Statute, Chapter 163, Part II. Except for the applicable provisions of Florida Statute, §163.3187 and 3177.4 (b), any action which requires a change to any of the Plan's maps, text, figures, tables or charts and any other change having the effect of altering the use of land as prescribed by the Plan shall be deemed to require a Comprehensive Plan amendment. All Plan amendments shall comply with the following criteria:

A. **Types of Comprehensive Plan amendments.** The Comprehensive Plan may be amended as a result of one of the following types of application:

1. **Mandated amendment.** An amendment required to comply with State laws and rules thereof. A mandated amendment would include any type of court directed or other settlement in accord with State law.
2. **Administrative amendment.** An amendment that is initiated by the City Council through their own actions or acting on the advice or recommendation of an appointed advisory commission, staff or other agency of government.
3. **Large scale amendment.** An amendment, other than a small scale amendment as described in Section 4, which is initiated by the property owner or his authorized agent to change the Plan. Applicants may be a single individual

owning a single parcel or two or more individuals owning contiguous land areas. Applicants may also be an individual or groups of individuals owning more than 50 percent of the subject land area. Large scale amendments are subject to the applicable amendment procedures and requirements of Florida Statute, Chapter 163, Part II.

4. Small scale amendment. An amendment that qualifies as a small scale amendment under the provisions of Florida Statute, §163.3187(1) (c). Applicants may be a single individual owning a single parcel or two or more individuals owning contiguous land areas. Applicants may also be an individual or groups of individuals owning more than 50 percent of the subject land area.

B. Submission of an application for a Comprehensive Plan amendment.

1. Mandated and administrative amendments shall not require a formal application but shall be constructed in form to meet the requirements of Florida Statute, Chapter 163, Part II, and Administrative Rule 9J-5. No fee is required for a mandated or administrative Plan amendment.

2. An application for a large and small scale amendment shall be filed with the Development Services Department on forms available from the Department together with the appropriate fee as may be required by resolution of the City Council. The application shall contain all required exhibits, information and materials and a staff report. Depending on the type of amendment, the DSD may request the applicant to attend an optional application meeting. Should the applicant agree to the optional meeting, the DSD will schedule the meeting within ten days of said agreement and may invite other public agencies and representatives as appropriate to attend the meeting.

C. Planning Commission and City Council action.

1. Upon receipt of a complete Plan amendment application, the DSD shall schedule said application to be heard by the Planning Commission no later than 45 days after receiving the complete application unless the applicant requests an extension. The Commission shall consider the application and shall forward its recommendation for City Council action.

2. It shall be the responsibility of the City Council to approve, approve with conditions, continue, or deny the amendment. All amendments must meet the requirements as set forth by Florida Statute, Chapter 163, Part II and the applicable rules of the Volusia Growth Management Commission (VGMC). No amendment can be considered in effect until certified by the VGMC and as provided by Florida Law.

## CHALLENGES

A. The right of any affected person to challenge a Comprehensive Plan amendment shall be as set forth in Florida Statute, §163.3184.

B. The right of any aggrieved or adversely affected party to appeal and challenge the consistency of a development order with the Comprehensive Plan shall be as set forth in Florida Statute, §163.3215.

## **DEVELOPMENT RIGHTS**

Orange City's Comprehensive Plan shall be construed to be consistent with the provisions of the Florida Statutes, specifically Florida Statute, §163.3167(8) that states: "Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith".

## Section 13 Definitions

**Adult Day Care:** Any building, buildings or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for part of a day, basic service to three (3) or more persons who are eighteen (18) years of age or older, who are not related to the owner or operator by blood or marriage, and who require such services.

**Affordable Housing:** Housing costs that, on a monthly basis, require rent or mortgage payments of no more than 30 percent of a household's monthly gross income.

**Agricultural Uses:** Activities within land areas which are predominantly used for the cultivation of crops and livestock including: crop land; pasture land; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; aquaculture operations; beekeeping operations; and silviculture areas.

**Ambient Air Quality Standards:** Standards which establish acceptable concentration levels for major classes of pollutants in the "ambient air" (that portion of the atmosphere which is external to buildings and accessible to the general public).

**Amnesty Days:** A period of time authorized by the state for the purpose of purging small quantities of hazardous waste, free of charge, from the possession of homeowners, farmers, schools, state agencies, and small businesses.

**Annexation:** The adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.

**Aquifer:** A water-bearing stratum of permeable rock, sand, or gravel.

**Archaeological Site:** A location that has yielded or may yield information on history or prehistory. An archaeological site contains physical remains of the past. An archaeological site may be found within archaeological zones, historic sites, or historic districts.

**Archaeological Zone:** A geographically defined area that has or may reasonably be expected to yield information on local history or prehistory based upon broad prehistoric or historic settlement patterns.

**Arterial Road:** A roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

**Availability or Available:** With regard to the provision of facilities and services concurrent with the impacts of development, means that at a minimum the facilities and

services will be provided in accordance with the standards set forth in Chapter 163, Part II, F.S. and Rule 9J-5.0055 Florida Administrative Code.

**Available Capacity of Public Facilities:** Unused or unallocated portion of the total capacity of a public facility (i.e., potable water, sanitary sewer, or road system) based on current levels of demand, to be considered through the Concurrency Management System for the permitting of new development.

**Backlogged Facility:** A state roadway, at least 0.2 miles in length, operating below the Florida Department of Transportation's statewide adopted minimum operating level of service standards for its functional classification, and that is not in the Florida Department of Transportation's Five-Year Work Program and has not been determined by Florida Department of Transportation to be a constrained facility. Unlike a constrained roadway, there are no prohibitive costs or environmental constraints.

**Best management Practice (BMP):** A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing pollution.

**Bicycle and Pedestrian Ways:** Any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

**Blighted Areas:** Developed areas which have deteriorated through neglect or abandonment and which could benefit the community if redeveloped.

**Buffer:** An area or strip of land established to separate and protect one type of land use from another with which it is incompatible. A buffer area typically is landscaped and contains vegetative plantings, berms, and/or walls or fences to create a visual and/or sound barrier between the two incompatible uses.

**Building:** A structure having an impervious roof, enclosed by vertical walls, and constructed upon a fixed base or foundation that is designed or used as an enclosure or shelter for persons, animals or property.

**Capital Budget:** The portion of each local government's budget which reflects capital improvements scheduled for a fiscal year.

**Capital Improvement:** Physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purposes of this definition, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements. Also, for the purposes of this Comprehensive Plan, a capital improvement must cost a minimum of \$50,000 and have a physical life of at least five (5) years.

**Child Care Facility:** Any child care center or child care arrangement which provides care for more than five (5) children unrelated to the operator and which receives a payment, fee or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included: (a) Public schools and nonpublic schools and their integral programs, except as provided in Section 402.3025, F.S.; (b) Summer camps having children in full-time residence; (c) Summer day camps; (d) Bible schools normally conducted during vacation periods; and (e) Operators of transient establishments, as defined in Chapter 509, F.S., which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the Level Two screening requirements of Chapter 435, F.S.

**Cluster Subdivision:** A subdivision in which building lot sizes are reduced below the minimum lot size of the zoning district in which the subdivision is located, provided that the total number of dwelling units shall not exceed the number of dwelling units permitted within the zoning district in which the subdivision is located; and further provided that the subdivision is designed and developed in accordance with the requirements of Chapter 8, Section 8.7.17.B of Orange City's Land Development Code.

**Collector Road:** A roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads (§9J-5.003 F.A.C.);

**Major Collector:** A route that collects and distributes significant amounts of traffic between arterials, minor collectors and local roads at moderate to low average trip length and operating speed. They provide service to towns not directly served by higher systems. Major collectors allow greater access to adjacent properties;

**Minor Collector:** A route that collects traffic at relatively low operating speeds from local roads and brings all developed areas within a reasonable distance of a collector road. These routes also provide service to the remaining smaller communities. Minor collectors allow greater access to adjacent properties than major collectors;

**Urban Collector:** An urban segment (urban collector) is a portion of an urban street (or an entire urban street) which is being evaluated for functional classifications. Segments are generally bounded by intersections by higher classification urban streets (or equal classification streets if the street does not terminate at a higher classification street). All roads with the exception of freeways, principal and minor arterials are classified as urban collectors once they are within the urban boundary of a city.

**Commercial Uses:** Activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services.

**Community Development Block Grant (CDBG):** The Federal Small Cities Community Development Block Grant program, as administered by the Florida Department of Community Affairs; a competitive grant program which can fund a range of activities

directed toward neighborhood revitalization, economic development, and provision of improved community facilities and services.

**Community Park:** A park located near major roadways, and designed to serve the needs of more than one neighborhood.

**Compatibility:** A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion such that no use or condition is negatively impacted directly or indirectly by another use or conditions.

**Complete Street:** A right-of-way that serves as a mobility corridor to accommodate all travelers, including bicyclists, motorists, pedestrians and public transit riders. At a minimum, complete streets: include separate bicycle and pedestrian facilities; safely and efficiently accommodate transit users, bicyclists, pedestrians and motorists; and provide easy and safe access to adjacent land uses in a manner that does not create obstacles for pedestrians and bicyclists. Complete streets may also include: audible pedestrian signals; bus and carpool lanes where feasible; transit shelters; marked and signalized crosswalks; medians for pedestrian crossings; shared driveways to minimize curbcuts; shade features; street lighting; traffic calming features; and transit and pedestrian priority signalization.

**Comprehensive Plan:** The long-range planning guide prepared and adopted by the City of Orange City pursuant to the requirements of Chapter 163, Part II, F.S., and the rules of the Florida Department of Community Affairs, Chapter 9J-5, Florida Administrative Code.

**Concurrency:** The necessary public facilities and services to maintain the adopted level of service standards are available and provided as required by Chapter 4 of the Orange City Land Development Code.

**Concurrency Management System:** The procedures are/or process and requirements as specified in Chapter 4 of the Orange City Land Development Code that the city shall utilize to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development.

**Concurrent with the Impacts of Development:** Pursuant to §9J-5.0055(2), F.A.C., concurrent with the impacts of development shall be satisfied when: the necessary facilities and services are in place at the time a development permit is issued; or a development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or that the necessary facilities are under construction at the time a permit is issued; or that the necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of concurrency as defined. For recreation facilities, concurrency may also be met by adherence to §9J-5.0055 (2)(b), F.A.C. For roads, concurrency may also be met by adherence to §9J-5.0055(2)(c), F.A.C.

**Cone of Influence:** An area around one or more major water wells, the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or draw down depth.

**Conservation Easement:** See Easement.

**Conservation Uses:** Activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality or quantity of ground water or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

**Consistency:** Comprehensive plans are considered to be consistent with each other when land uses, proposed land uses, and impacts from proposed development are compatible with; or not in conflict with, land uses, proposed land uses or impacts from proposed development in an adjacent city or county.

**Constrained Facility Thoroughfare:** A segment of roadway on the state highway system operating below the adopted level of service standard and unable to reach the standard because of prohibitive costs and environmental constraints. Existing level of service must be maintained on these roadways. A state or county roadway upon which adding two or more through lanes to meet current or future traffic needs is not possible because of physical or policy barriers.

**Crime Prevention Through Environmental Design (CPTED):** The proper design and effective use of the built environment to reduce both the fear and incidence of crime and the improvement of quality of life. CPTED addresses crime problems through controlling the environment by the use of the placement and design or physical features to maximize visibility, including building orientation, windows, entrances and exits, parking lots, walkways, guard gates, landscape trees and shrubs, fences or walls, signage and any other physical obstruction. Additionally it includes the use of sidewalks, pavement, lighting and landscaping control access to clearly guide the public to and from entrances and exits. Also, it is the use of fences, walls or landscaping to prevent and/or discourage public access to or from dark and/or unmonitored areas which is reinforced by the use of pavement treatments, landscaping, art, signage, screening and fences to define and outline ownership or property.

**Currently Available Revenue Sources:** An existing source and amount of revenue presently available to the local government. It does not include a local government's present intent to increase the future level or amount of a revenue source which is contingent on ratification by public referendum.

**Demolition:** The complete or constructive removal of any or part or whole of a building or structure upon any site when same will not be relocated intact to a new site.

**Dense Urban Land Area (DULA):** A city which has an average of at least 1,000 people per square mile of land area. The Office of Economic and Demographic Research (Office) within the Legislature shall annually calculate the population and density criteria needed to determine which jurisdictions qualify as dense urban land areas by using the most recent land area data from the decennial census conducted by the Bureau of the Census of the United States Department of Commerce and latest available population estimates determined pursuant to section 186.901, Florida Statutes. If any local government has had an annexation, contraction or new incorporation, the Office shall determine the population density using the new jurisdictional boundaries as recorded in accordance with section 171.091, Florida Statutes.

**Density:** The number of dwelling units per acre of land, based on the total area of a tract of land, less water area, but inclusive of areas proposed for streets and other public use areas. In determining the number of dwelling units allowed, fractions shall be rounded up or down in accordance with standard mathematical fraction rounding methodologies.

**Density Bonus:** An additional number of dwelling units above what would otherwise be permissible within a particular zoning district or future land use designation.

**Developer:** Any person or legal entity engaged in development of or the subdivision of land.

**Development:** The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.

The following activities or uses shall be taken to involve “development”:

A reconstruction, alteration of the size, or material change in the external appearance of a structure on land; a change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any “coastal construction”; commencement of mining, or excavation on a parcel of land; demolition of a structure; clearing of land as an adjunct of construction; deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken to involve “development”:

Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way; work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like;

work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure; the use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling; the use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products, raising livestock, or for other agricultural purposes; a change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class; a change in the ownership or form of ownership of any parcel or structure; the creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land, "Development" as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development.

Development includes, but is not limited to, the following:

- A. Any manmade change to unimproved property unless exempted by this Code.
- B. A reconstruction; alteration of the size; change in the intensity of use of land such as an increase in the number of dwelling units in a building, expansion of an existing non-residential use or a material increase in the number of non-residential uses on a parcel or structural change in the external appearance of an existing building or structure except that for the purposes of Chapter 10 of this code, this item is not included in the definition of the term "development". Refer to the definition of the term "redevelopment".
- C. Alteration of a shore or bank of a river, stream, lake, pond, or canal, or stormwater management facilities.
- D. Mining, dredging, filling, grading, or excavating.
- E. Demolition or removal of a structure.
- F. Clearing of land as an adjunct of construction.
- G. Deposit of refuse, solid or liquid waste or fill on a parcel of land or permanent storage of materials.
- H. Dividing of land into two or more parcels.

***Development Capacity:*** An element of the concurrency management system, addressing the ability of public facilities to absorb development that has not been built, or

that has not been completely built out, and that therefore has not impacted, or fully impacted, existing public facilities.

***Development of Regional Impact (DRI):*** The term “development of regional impact” means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

***Development Order:*** Any order granting, denying, or granting with conditions an application for approval of a development project or activity.

***Development Permit:*** Any official City document which authorizes the commencement of construction or land alteration without need for further application and approval. Development permits include all types of construction permits (plumbing, electrical, foundation, mechanical and so forth, in addition to the building permit itself), grading and clearing permits, tree removal permits, street graphic permits, etc.

***Downtown Revitalization:*** The physical and economic renewal of a central business district of a community as designated by local government, and includes both downtown development and redevelopment.

***Drainage Basin:*** The area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters or oceanic waters including all areas artificially added to the basin.

***Drainage Retention Structure:*** A structure which collects and temporarily stores storm water for the purpose of treatment through physical, chemical, or biological process with subsequent gradual release of the storm water.

***Drainage Facilities:*** A system of man-made structures designed to collect, convey, hold, divert or discharge storm water, and includes storm water sewers, canals, detention structures, and retention structures.

***Dwelling Unit:*** A room or rooms in a building forming a separate and independent housekeeping establishment, designed to be occupied by one family and containing sleeping facilities, sanitary facilities and only one kitchen.

***Dwelling, Detached Single Family:*** A building containing one dwelling unit not attached to any other dwelling unit.

***Dwelling, Multi-family:*** A residential building containing three or more separate dwelling units, including triplexes and quadraplexes.

***Easement:*** A strip of land for public or private utilities, drainage, sanitation or other specified uses having limitations, the title of which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

**Educational Uses:** Activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.

**Endangered and Threatened Wildlife:** Animal species listed by the Florida Fish and Wildlife Conservation Commission, or the United States Fish and Wildlife Service as endangered, threatened, or of special concern.

**Environmentally Sensitive Land:** Environmentally sensitive land can also include areas of land or water which are determined necessary by the local government, based on locally determined criteria, to conserve, or protect natural habitats and ecological systems. Nothing in this definition shall be construed to prohibit silvicultural operations which employ the Florida Department of Agriculture and Consumer Services Best Management Practices, as revised in 1993.

**EPA:** United States Environmental Protection Agency

**Evacuation Routes:** Routes designated by city/county civil defense authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.

**Evaluation and Appraisal Report (EAR):** An evaluation and appraisal report as adopted by the City Council in accordance with the requirements of Chapter 163.3191, F.S.

**F.A.C.:** Florida Administrative Code.

**Family:** One or more persons occupying a single dwelling unit, provided that, unless all members are related by law, blood, adoption or marriage, no such family shall contain more than 6 non-related persons, but further provided that domestic servants *employed* on the premises may be housed on the premises without being counted as a separate or additional family or families. The term “family” shall not be construed to mean a fraternity, sorority, club, monastery or convent, or institutional group.

**Family Homestead:** The conveyance of property solely as a homestead by an individual who is the grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild to said individual, notwithstanding the density or intensity of such use assigned to the parcel in the Plan. Such a provision shall apply only once to any individual.

**FDEP (DEP):** Florida Department of Environmental Protection.

**FDOT:** Florida Department of Transportation.

**FEMA:** Federal Emergency Management Agency.

**Floodplains (100-Year Floodplain):** Areas inundated during a 100-year flood event or identified by the National Flood Insurance program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary maps.

**Flood Prone Areas:** Areas inundated during a 100-year flood event or areas identified by the National Flood Insurance Program as an A Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

**Floodways:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**Florida Master Site File:** The state's clearinghouse for information on archaeological sites, historical structures, and field surveys for such sites. A combination of both paper and computer files, it is administered by the Bureau of Archaeological Research, Division of Historical Resources, Florida Department of State.

**Foster care Facility:** A facility which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents and serving either children or adult foster residents.

**Frontage Road:** A road designed to parallel a major roadway, thereby allowing the major roadway to function as a limited-access facility while providing access to lands adjacent to the roadway. (Sometimes designated a "service road")

**F.S.:** Florida Statutes.

**Fugitive Air Emissions:** Unconfined particulate matter entering the ambient air.

**Goal:** The long-term end toward which programs or activities are ultimately directed.

**Group Home:** A facility, licensed by the Florida Department of Children and Family Services, which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

**Growth Management Act:** Chapter 163, Part II, Florida Statutes, known and cited as the "Local Government Comprehensive Planning and Land Development Regulation Act."

**Hazardous Material:** A hazardous chemical, toxic chemical, or extremely hazardous substance, as defined in §329 of Title III, Superfund Amendments and Reauthorization Act of 1986 (42 USC §11001, et seq.).

**Hazardous Waste:** Solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

**High Accident Areas:** Areas of a high number of automobile accidents, either in absolute numbers, or in relation to the number of vehicles that travel the facility or pass a particular location on the facility.

**High Recharge Area:** Geographic areas designated by a Florida Water Management District where, generally, water enters the aquifer system at a rate of greater than ten inches per year.

**Historic Resources:** Historically significant structures or archeological sites.

**Historic Site:** A single lot or portion of a lot containing an improvement, landscape feature, or archaeological site, or a historically related complex of improvements, landscape features or archaeological sites that may yield information on history or prehistory.

**Historically Significant Housing:** See Historically Significant Structures.

**Historically Significant Structures:** Structures listed on the National Register of Historic Places, the Florida Master Site File, or otherwise designated, by official action as historic, and worthy of recognition or protection.

**HUD:** United States Department of Housing and Urban Development.

**Hurricane Shelter:** A structure designated by local officials as a place of safe refuge during a storm or hurricane.

**Incompatible Land Uses:** Land uses which, if occurring adjacent to one another, have a detrimental effect on one or both of the uses.

**Industrial Uses:** Any activity involving the manufacturing of any commodity including the assembly, packaging, canning, bottling or processing of any items, but not including retail sales and services on the premises of products manufactured. To change any commodity in composition, form, size, shape, texture or appearance is deemed to be an industrial process. The term industry shall include the term manufacture.

**Infrastructure:** Those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; storm water

systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

**Intensity:** The degree to which land is used. While frequently used synonymously with density, intensity has a somewhat broader, though less clear meaning, referring to levels of concentration or activity in uses such as residential, commercial, industrial, recreation, or parking.

**Interagency Hazard Mitigation Report:** The recommendations of a team of federal, state, regional, or local officials which addresses measures to reduce the potential for future flood losses and which is prepared in response to a Presidential Disaster Declaration.

**Land Development Regulations:** Includes local zoning, subdivision, building, and other regulations controlling the development of land.

**Land Use:** The development, activity, or use that has occurred on or is proposed for the land.

**Land Use Designation:** A categorization or grouping of activities (land uses) according to common characteristics.

**Level of Service (LOS):** An indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

**Limited Access Facility:** A roadway especially designed for through traffic, and over, from, or to, which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access (§9J-5.003 F.A.C.); A continuous route, of high traffic volume, of long average trip length, and of high operating speed. Access is limited, occurs only from other roads, and is by acceleration and deceleration lanes.

**Local Comprehensive Plan:** Any or all local comprehensive plans or elements or portions thereof, prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, as amended.

**Local Housing Trust Fund:** A fund to be used in conjunction with local housing rehabilitation or new construction programs such as a revolving loan program for rehabilitation of substandard dwellings. To this fund shall be credited all loan repayments, penalties, and other fees and charges collected from applicable local programs.

**Local Hazard Mitigation Strategy:** Comprehensive hazardous mitigation program consistent with the Florida Department of Community Affairs (DCA) and the Federal Emergency Management Agency (FEMA).

**Local Road:** A roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property (§9J-5.003 F.A.C.); Roadways in the city street system or county road system not designated as arterials or collectors are considered local roads. The function of local roads is to provide access to adjacent land, to funnel traffic to collectors, and to permit travel within the city over relatively short distances.

**Low and Moderate Income Families:** “Lower income families” as defined under the HUD Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term “families” includes “households”.

**Low Income Household:** One or more persons or a family, the total annual adjusted gross household income of which does not exceed 80% of the median annual adjusted gross income for households within the state, or 80% of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the County in which the person or family resides, whichever is greater.

**Lowest Order of Commercial Goods and Services:** Those commercial uses generally compatible with a residential neighborhood. Properly buffered, such uses may include automobile service stations, bakeries, barber or beauty shops, delicatessens, drug stores, dry cleaning, food markets, ice cream shops, meat shops, repair shops, restaurants, or other professional or commercial uses comparable in nature and compatible with the surrounding area.

**Manufactured Home Dwelling:** A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards (24CFR 3280) U.S. Department of Housing and Urban Development Code at a manufacturing facility and bearing a seal certifying it is constructed to standards as adopted under the authority of Part IV, Chapter 553, Florida Statutes and rules adopted by the Florida Department of Community Affairs under Chapter 9B-1 et seq, Florida Administrative Code. The term single-family dwelling shall include “manufactured homes dwelling” when placed on permanent foundations.

**Minerals:** All solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state.

**Minor Arterial:** A route that is relatively continuous, of high traffic volume, of shorter trip lengths, of moderate operating speed. Minor arterials allow greater access to adjacent properties. A minor arterial is also a part of a rural network that links counties and towns providing intrastate and intercounty service.

**Mitigation:** A process designed to prevent adverse impact of an activity on natural resources. Mitigation may include the recreation on-site or off-site of natural resources that have been altered or destroyed by development or agricultural activity.

**Mobile Home:** A structure, transportable in one or more sections, which is eight body feet or more in width and a length of more than 40 feet and bearing a seal certifying it is constructed either to the Federal Manufactured Housing construction and Safety Standards Code or to obsolete ANSI 119.1 Mobile Home Design and Construction Standards which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

**Moderate Income Household:** One or more natural persons or a family, the total annual adjusted gross household income of which is less than 120% of the median annual adjusted gross income for households within the state, or 120% of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the County in which the person or family resides, whichever is greater.

**National Register of Historic Places:** Established by Congress in 1935, the national Register of Historic Places is a listing of culturally significant buildings, structures, objects, sites, and districts in the United States. The listing is maintained by the U.S. Department of Interior.

**Natural Drainage Features:** The naturally occurring features of an area which accommodate the flow of storm water, such as streams, rivers, lakes and wetlands.

**Natural Groundwater Aquifer Recharge Areas or Natural Groundwater Recharge Areas or Groundwater Recharge Areas:** Areas contributing to or providing volumes of water which make a contribution to the storage or regional flow of an aquifer.

**Natural Reservations:** Areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters.

**Natural Resources:** Land, air, surface water, ground water, drinking water supplies, fish and their habitats, wildlife and their habitats, biota, and other such resources.

**Natural Vegetation:** Vegetative communities that are native to, and therefore tolerant of, a particular geographic location.

**Neighborhood Park:** A park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways.

**Non-Attainment Area:** A geographical area in which ambient air quality falls below Federal standards, per the Clean Air Act, as amended, and implementing regulations.

**Nonconforming Use:** Uses of land and structures, and characteristics of uses, which are prohibited under the terms of the comprehensive plan and zoning ordinance but were lawful at the date of the ordinances' enactment.

**Non-point Source Pollution:** Any source of water pollution that is not a point source.

**Objective:** A specific, measurable, intermediate end that is achievable and marks progress toward a goal.

**Off-site Pollution:** Pollution which originates in one geographic location or parcel and affects other geographic locations or parcels.

**Parcel of Land:** Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

**Park Model Recreational Vehicle (Park Trailer):** A transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to U.S. Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

**Planned Unit Development (PUD):** *An area of land consisting of one or more principal uses or buildings, which are planned and developed as a single unified project. Such a project may be developed in phases or increments subject to a plan for the entire development. Regulations governing planned unit developments are set forth in Chapter 8 of Orange City's Land Development Code.*

**Point Source Pollution:** Any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.)

**Policy:** The way in which programs and activities are conducted to achieve an identified goal.

**Pollution:** The presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

**Potable Water:** Water suitable for human consumption and which meets water quality standards determined by the Department of Health, provided through a public system or by a private well.

**Potable Water Facilities:** A system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

**Potable Water Wellfield:** The site of one water well which supplies potable water for human consumption to a water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 seasonal residents.

**Principal Arterial:** A route that is relatively continuous, of high traffic volume, of long average trip length, of high operating speed, of limited access to adjacent property and of high mobility importance. A part of a rural network of continuous routes serving substantial statewide travel by connecting urbanized areas.

**Prime Aquifer Recharge Areas:** Geographic areas of recharge to the aquifer system, to be designated by the appropriate Water Management District, as critical for the continuation of potable ground water supplies.

**P.S.I. (p.s.i.):** Pounds per square inch.

**Public Buildings and Grounds:** Structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.

**Public Facilities:** Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities and public health systems or facilities. Individual private potable water wells or septic systems are not public facilities.

**Public Facilities and Services:** Those facilities and services which must be available concurrent with the impacts of development, and which are covered by comprehensive plan elements required by §163.3177, F.S., and for which level of service standards must be adopted under Chapter 9J-5, F.A.C. The public facilities and services are: roads, §9J-5.007(3)(c)1, F.A.C.; sanitary sewer, §9J-5.011(2)(c)2.a, F.A.C.; solid waste, §9J-5.011(2)(c)2.b, F.A.C.; drainage, §9J-5.011(2)(c)2.c, F.A.C.; potable water, §9J-

5.011(2)(c)2.d, F.A.C.; parks and recreation, §9J-5.014(3)(c)4, F.A.C.; and mass transit, §9J-5.008(3)(c)1, F.A.C., if applicable. (§9J-5.003 F.A.C.)

**Public Hurricane Shelter:** A structure designated by local emergency management officials and the American Red Cross as a shelter during a hurricane.

**Public Notice:** Public notice, if any is required, shall be in accordance with State law and the applicable notice requirements of Section 13 of this Plan and Chapter 3 of Orange City's Land Development Code.

**Public (Supply) Sanitary Sewer Facilities:** Sanitary sewer facilities which serve at least 15 service connections, or regularly serves at least 25 residents. Generally, a multi-user septic tank is not a public sanitary sewer facility.

**Public Shelter Space:** An area within a public hurricane shelter which can accommodate a temporary refugee during a storm or hurricane. Generally, public shelter space is measured as a minimum of 20 square feet per person.

**Public Supply Potable Water Wellfield:** A potable water wellfield that serves a public supply water system.

**Public Supply Water System:** A potable water facility which serves at least 15 service connections, or regularly serves at least 25 residents.

**Recharge Areas:** Geographic areas where the aquifer system is replenished through rainfall. Areas of high aquifer recharge are important for the continuation of potable ground water supplies.

**Reclamation:** The alteration and/or restoration of land, after a mining activity, establishing land suitable for agriculture, development, recreation, lakes, wetlands, or other natural environments.

**Reclamation Plan:** Plan for the rehabilitation, per Chapter 378, F.S., of land from which a mineral resource has been extracted.

**Recreation:** The pursuit of leisure time activities occurring in an indoor or outdoor setting.

**Recreation Facility:** A component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.

**Recreational Uses:** Activities within areas where recreation occurs.

**Recreational Vehicle (RV):** A vacation trailer or other vehicular or portable unit that is either self-propelled, towed or carried by a motor vehicle and that is intended for human occupancy, and is designed for vacation or recreation purposes (not permanent

residential use), including, but not limited to, travel trailers, camping trailers, truck campers and motor homes.

**Redevelopment:** Undertakings, activities, or projects of a county, municipality, or community redevelopment agency for the elimination and prevention of the development or spread of slums and blight or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment, or rehabilitation or conservation, or any combination or part thereof.

**Regional Park:** A park which is designed to serve two or more communities.

**Rehabilitation:** The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient use.

**Relocation Housing:** Those dwellings which are made available to families displaced by public programs, provided that such dwellings are decent, safe and sanitary and within the financial means of the families or individuals displaced.

**Resident Population:** Inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population.

**Residential Uses:** Activities within land areas used predominantly for housing.

**Resource Recovery:** The process of recovering materials or energy from solid waste, excluding those materials or solid waste under control of the Nuclear Regulatory Commission.

**Right-of-Way:** Land dedicated, deeded, used or intended to be used for a street, alley, walkway, drainage facility, electric transmission line, sanitary sewer or water facility, access for ingress or egress, or other purposes by the public, certain designated individuals or governing bodies.

**Roadway:** A road, which includes streets, sidewalks, alleys, highways, and other ways open to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts necessary for the maintenance of travel and all ferries used in connection therewith.

**Roadway Functional Classification:** The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.

**Sanitary Landfill:**

a) “Class I solid waste disposal area” means a disposal facility which receives an average of 20 tons or more per day, if scales are available, or 50 cubic yards or more per day of solid waste, as measured in place after covering, and which receives an initial cover daily;

b) “Class II solid waste disposal area” means a disposal facility which receives an average of less than 50 cubic yards per day of solid waste, as measured in place after covering, and which receives an initial cover at least once every 4 days.

**Sanitary Sewer Facilities:** Structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

**Seasonal Population:** Part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farm workers, and other short-term and long-term visitors.

**Septic tank:** A watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

**Services:** The programs and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law.

**Site:** The location of a significant event, activity, building, structure, or archaeological resource.

**Site Plan:** The plan required to obtain a development, construction, building or storm water permit, which shows the means by which the developer will conform to applicable provisions of the Orange City Land Development Code or other applicable regulations.

**Site Plan Review:** The process whereby local officials, usually the planning commission and staff, review the site plans and maps of a developer to assure that they meet the stated purposes and standards of the zone, provide for the necessary public facilities such as roads and schools, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping. It usually is required in connection with many flexible techniques. The process often allows considerable discretion to be exercised by local officials since it may deal with hard-to-define aesthetic and design considerations.

**Solid Waste:** Sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

**Solid Waste Facilities:** Structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

**Solid Waste Processing Plant:** A facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.

**Solid Waste Transfer Station:** A facility for temporary collection of solid waste prior to transport to a *processing* plant or to final disposal.

**Special Transportation Services:** A means of transportation provided on a subsidized basis to transportation disadvantaged individuals by public, private or non-profit organization, such a bus company, a taxicab company, or a social service organization.

**Sprawl:** See Urban Sprawl

**SJRWMD:** St. Johns River Water Management District.

**Standard Housing:** A housing unit that is not in a deteriorated or dilapidated condition, and is safe and healthful for occupancy.

**Stormwater:** The flow of water which results from a rainfall event.

**Stormwater Facilities:** Man-made structures that are part of a stormwater management system designed to collect, convey, hold, divert, or discharge stormwater, and may include stormwater sewers, canals, detention facilities, and retention facilities.

**Stormwater Management System:** The meaning described in Rule 17-40.210(21), F.A.C.

**Structure:** Anything constructed or erected on or in the ground or attached to anything constructed or erected on or in the ground. Signs are not to be included in this definition.

**Subdivision:** Any division of a parcel of land, whether improved or unimproved, for the purpose, whether immediate or future, of transfer of ownership. The term includes a resubdivision and, where appropriate to the context, relates to the process of subdividing and to the land subdivided. The subdivision of land shall meet the minimum lot requirements established in Chapter 8 of Orange City's Land Development Code. A subdivision includes the following types only:

**A. Major subdivision.** A subdivision into six or more contiguous lots or parcels abutting an existing street or any subdivision ~~which~~ that requires the establishment of a new street or streets and/or public water and/or sewer facilities.

**B. Minor subdivision.** A subdivision into five or fewer contiguous lots or parcels that does not require the establishment of a new street or streets and/or public water and/or sewer facilities.

**Substandard Housing:** A housing unit having a deteriorated or dilapidated appearance, and is unsafe or unhealthful for occupancy.

**Support Documents:** Any surveys, studies, inventory maps, data, inventories, listings or analyses used as a basis for or in developing the local comprehensive plan.

**25-Year Frequency, 24-Hour Duration Storm Event:** A storm event and associated rainfall during a continuous 24-hour period that may be expected to occur once every 25 years. Its associated floodplain is that land which may be expected to be flooded during the storm event.

**Transportation Concurrency Exception Area (TCEA):** A specified geographic area delineated in a local comprehensive plan within which, under limited circumstances, exceptions to the transportation concurrency requirement are allowed to reduce the adverse impact transportation concurrency may have on urban infill development and redevelopment, and the achievement of other goals and policies of the state comprehensive plan, such as promoting public transportation. The exceptions apply to all land uses within the designated areas. When a local government designates a TCEA, data and analysis must support the designation, and guidelines and/or objectives and policies within the plan must specify how transportation needs will be met. Programs may include improvements to public transportation, transportation demand management programs, transportation system management programs.

**Transportation Demand Management (TDM):** A program that improves the operation of a transportation system by reducing demand on that system, through the use of low cost alternatives as telecommuting, ridesharing, transit system improvements, staggered work hours, improved bicycle transport, flex time and parking management. TDM measures improve the efficiency of existing transportation facilities by changing demand patterns, rather than by capital improvements.

**Transportation Disadvantaged:** Those individuals who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities.

**Unique Natural Habitats:** “Habitat” means the environment in which an animal normally lives and in which it meets its basic need for food, water, cover, breeding space, and group territory. “Unique” means the occurrence is rare or infrequent or is of special

social/cultural, economic, educational, aesthetic or scientific value. Areas where endangered, threatened or rare species, or remnant native plant species, occur.

**Unique Natural Resources:** Natural resources which are rare or infrequent in occurrence, or are of special social/cultural, economic, educational, aesthetic or scientific value.

**Urban Infill:** The development of vacant parcels in otherwise built-up areas where public facilities such as sewer systems, roads, schools, and recreation areas are already in place and the average residential density is at least five dwelling units per acre, the average non-residential intensity is at least a floor area ratio of 1.0 and vacant, developable land does not constitute more than ten percent of the area.

**Urban Open Space:** Open space areas located within urban developments that contain features to support pedestrian use of a development, (such as shade trees, shaded pedestrian and bicycle paths, decorative paving on pedestrian ways that are grade-separated from roadways, sculpture gardens, plazas with seating and interactive fountains); and that serve to connect structures within the mixed use, multi-use or high intensity development to each other and to outside mobility features that may be exterior to a development, with pedestrian features such as sidewalks, trails and transit facilities. Additionally, urban open space can be areas that serve a portion of a mixed use or high density/high intensity development, and are intended as amenities primarily for that portion of the development. Examples include features such as green roofs/rooftop gardens; rooftop swimming pools and spas; green areas within the interior of a building (such as a plant conservatory) and passive recreational areas, outdoor eating areas.

**Urban Redevelopment:** The demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban infill areas or existing urban service areas.

**Urban Sprawl:** Urban development or uses which meet the primary indicators of urban sprawl as identified in Administrative Rule 9J-5.

**Vegetative Communities:** Ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals.

**Very Low-Income Family:** One or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50% of the median annual adjusted gross income for households within the metropolitan statistical area, or if not within a metropolitan statistical area, within the County in which the person or family resides, whichever is greater.

**Very Low-Income Household:** One or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50% of the median annual adjusted gross income for households within the state, or 50% of the median annual adjusted gross income for households within the metropolitan

statistical area, within the County in which the person or family resides, or whichever is greater.

**Water Recharge Areas:** Land or water areas through which groundwater is replenished.

**Water Wells:** Wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption.

**Wellhead Protection Area:** An area designated by the City Council to provide land use protection for the groundwater source for a potable water wellfield, as defined by this section, including the surface and subsurface area surrounding the wellfield.

**Wetlands:** Freshwater marshes, swamps and wet woodlands characterized by specific vegetation types and plant communities that are flooded at all times; are flooded only seasonally; or have a water table within 6 inches of the general surface for at least 3 months of the year.

**Zero Lot Line:** A development approach in which a building is sited on one or more lot lines with no yard. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Virtually all zoning ordinances retain yard requirements; where zero lot line developments have been permitted, they have been handled through variances or planned unit development procedures, or other devices which allow for site plan review. The few ordinances which specifically authorize the zero lot line approach do so as an exception to prevailing regulations and under clearly defined circumstances.