

ORDINANCE 13-19

AN ORDINANCE OF THE CITY COUNCIL OF DEBARY, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN; AMENDING POLICIES 6.105 AND 10.202 AND CREATING POLICIES 6.108, 6.1.09, 6.1.10, ALL TO PROVIDE FOR ADOPTION OF A MOBILITY PLAN AND MOBILITY FEES; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of DeBary has adopted a Comprehensive Plan in accordance with Chapter 163, Part II, Florida Statutes governing the use, growth and development of property within the City's jurisdiction; and

WHEREAS, the comprehensive plan amendment adopted by this Ordinance is internally consistent with the City of DeBary Comprehensive Plan and its goals, policies and objectives and is in compliance as defined by the applicable provisions of Chapter 163, Florida Statutes; and

WHEREAS, the City Council, sitting as the local planning agency and as the local governing body, held the required public hearings after due notice to consider the proposed Comprehensive Plan amendment set forth herein, and has determined it to be appropriate and in the best interests of the public welfare.

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

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

SECTION 2. Amendment. The City of DeBary hereby amends the DeBary Comprehensive Plan as follows (words that are stricken out are deletions; words that are underlined are additions):

Transportation Element

GOAL: To facilitate the development of a safe, cost-effective, coordinated, connected, energy efficient, multimodal ~~multi-modal~~ transportation system for the movement of people and goods ~~so as~~ to benefit the social, economic and physical development of the City and to reduce greenhouse gas emissions and vehicle miles of travel.

Policy 6.105

Funds for transportation improvements may come from transportation related revenues (such as the gas tax), mobility fees, the General Fund, special assessments, and/or other legally available sources. In addition to improvements which increase facility capacity, the City will include adequate funds in its annual budget to ensure adequate maintenance of its existing transportation infrastructure and to make necessary traffic operations improvements.

Policy 6.108

The City may elect to repeal and replace City transportation concurrency and proportionate fair-share with a Mobility Fee based upon an adopted Mobility Plan. A Mobility Plan and Mobility

Fee may be implemented and adopted city-wide or may be adopted only for specific areas or districts within the City. The repeal and replacement of City transportation concurrency and proportionate fair-share shall only occur in areas of the City where Mobility Fee and Mobility Plan have been adopted. Failure to repeal transportation concurrency and proportionate fair-share provisions shall not affect the validity of any adopted Mobility Fee or Mobility Plan.

Policy 6.1.09

A Mobility Plan and Mobility Fee may be adopted by resolution or ordinance of the City Council. The Mobility Plan and Fee would go into effect per the provisions of the implementing Mobility Fee ordinance. The City Council may elect to repeal and replace transportation concurrency and proportionate fair-share concurrently with, or subsequent to, the adoption of the implementing ordinance of a Mobility Plan and Mobility Fee.

Policy 6.1.10

Should the City Council elect to adopt a Mobility Plan and Mobility Fee, the City within one year of adoption of the implementing Ordinance, shall update the Transportation Element and Capital Improvement Elements of the Comprehensive Plan to reflect the repeal and replacement of transportation concurrency and proportionate fair-share for all or portions of the City for which a Mobility Plan and Fee have been adopted, and update relevant policies related to level and quality of service standards, complete streets, capacity determinations, backlogged facilities, transportation impact analysis and associated multimodal policies. The Growth Management Director may permit or require development, within an adopted mobility fee assessment area, to conduct a site access assessment in lieu of a traffic impact analysis. Within one year of adoption of a mobility plan and mobility fee, the City shall amend its land development regulations to establish requirements for site access assessments.

Capital Improvements

Policy 10.202

The City will use a variety of methods for financing of capital improvements designed primarily to remove deficiencies in facilities which serve existing infrastructure. Methods will include impact fees, mobility fees, grants, assessment districts, and other legally available resources. Special emphasis will be placed on making improvements which will increase employment and economic activity within the City.

SECTION 3. Codification. The Comprehensive Plan amendments provided for in this Ordinance shall be incorporated into the DeBary Comprehensive Plan.

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

SECTION 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinances or part thereof, this Ordinance controls to the extent of the conflict.

SECTION 6. Effective Date. This Ordinance shall become ~~effective~~ effective on March 2,

~~2020~~ immediately upon adoption or as soon thereafter as provided by law.

FIRST READING: December 4, 2019

SECOND READING: February 19, 2020~~19~~

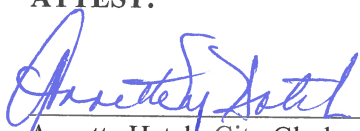
ADOPTED this 19th day of February, ²⁰²⁰~~2019~~, by the City Council of the City of Debary, Florida.

CITY OF DEBARY, FLORIDA



Karen Chasz, Mayor

ATTEST:



Annette Hatch, City Clerk