

ORDINANCE NO. 13-2023

AN ORDINANCE OF THE CITY COUNCIL OF DEBARY, FLORIDA, AMENDING CHAPTER 3, ARTICLE I, SECTION 3-2a. OF THE CITY OF DEBARY LAND DEVELOPMENT CODE TO AMEND THE ZONING/FUTURE LAND USE COMPATIBILITY MATRIX; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, the City of DeBary, Florida adopted a Land Development Code as required by Chapter 163, Florida Statutes through Ordinance No. 01-99 and Ordinance No. 21-07, as amended; and

WHEREAS, the City Council is the governing body of the City of DeBary and serves as the City's local planning agency; and

WHEREAS, the City Council has determined that this amendment to the land development code is consistent with the City of DeBary Comprehensive Plan as is being simultaneously amended along with this Ordinance; and

WHEREAS, the City Council has determined that this Ordinance is in the best interest of and for general health, safety and welfare of the citizens of DeBary, Florida; and

WHEREAS, this Ordinance has been adopted in accordance with general law and the Charter and Land Development Code of the City of DeBary.

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

SECTION 1. RECITALS. The above recitals are true and correct and incorporated herein as legislative findings of the City Council.

SECTION 2. ADOPTION. Section 3-2a of Article I, Chapter 3 of the City of DeBary Land Development Code is hereby amended as follows (words that are stricken out are deletions; words that are underlined are additions; provisions not included are not being amended):

Section 3-2a. – Zoning/future land use compatibility matrix.

The following matrix illustrates which city zoning classifications are consistent with which city future land use classifications.

Section 3-2a Zoning/Future Land Use Compatibility Matrix			
Land Use Classifications	Future Land Use	Net Density (Dwelling units per net buildable acre) and Floor Area Ratios (FAR)	Allowing Zoning Classifications
Industrial Classifications	Industrial/General (IG)	Max FAR 1	I-1 (Light Industrial), Planned Unit Development
	Industrial/Utility (IU)	Max FAR 1	I-1 (Light Industrial), Planned Unit Development
	Industrial Service (IS)	Max FAR 1	I-1 (Light Industrial), Planned Unit Development, B-5 (Heavy Commercial)
Public/Institutional Classifications	Public/Institutional (P/I)		P (Public Use)
	Public/Utility (P/U)	Max FAR 1	I-1 (Light Industrial), P (Public Use), Planned Unit Development

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. CONFLICTS. This Ordinance shall control over any Ordinances or parts of Ordinances in conflict herewith to the extent that such conflict exists.

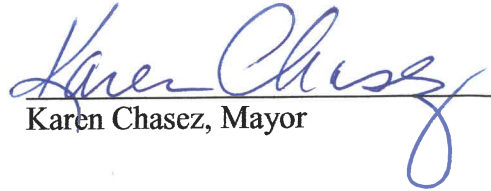
SECTION 5. CODIFICATION. Section 2 of this Ordinance is to be codified and made a part of the City of DeBary Land Development Code. The City Clerk is given liberal authority to correct typographical errors and to renumber the sections and subsections as may be necessary to codify the ordinance into the existing codes. Grammatical, typographical and similar like errors may be corrected, including additions, alterations, and omissions that do not otherwise affect the construction, intent, or meaning of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect simultaneously with the effective date of the Comprehensive Plan Amendment adopted by City of DeBary Ordinance 12-2023.

APPROVED on first reading on 1st day of November 2023.

ADOPTED at the second reading on 3rd day of January 2023. 2024

CITY COUNCIL
City of DeBary


Karen Chasez, Mayor

Attest:


Annette Hatch, CMC, City Clerk

Date: 1/4/2024

SEAL:

