

**ORDINANCE NO. 2023 - 13**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA,  
AMENDING SECTION 33-91.03 OF THE CODE OF ORDINANCES OF  
THE CITY OF DELAND RELATED TO INDOOR PARKING  
REQUIREMENTS IN THE CORE GATEWAY DISTRICT; PROVIDING  
FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of DeLand adopted Ordinance 2022-07 which made a plethora of changes to the City's Land Development Regulations in an effort to facilitate infill development and otherwise provide greater opportunities for affordable housing; and

**WHEREAS**, Section 21 of the aforesaid ordinance made changes to Section 33-91.03 of the Code of Ordinances which related to the number of parking spaces required for residential development; and

**WHEREAS**, the City Commission desires to further amend Section 33-91.03 of the Code of Ordinances by removing the existing requirement for two indoor (garage) parking spaces solely within the Core Gateway Zoning District; and

**WHEREAS**, the City Commission of the City of DeLand has deemed approval of this Ordinance to be in the best interest of the residents and citizens of the City of DeLand and to further the public health, safety and welfare; and

**WHEREAS**, this Ordinance is enacted pursuant to the statutory and constitutional home rule powers of the City of DeLand as set forth at Article VIII, Section 2, of the *Constitution of the State of Florida*; and Chapter 166, *Florida Statutes*, and other applicable controlling law to include, but not be limited to, Chapter 163, *Florida Statutes*; and

**WHEREAS**, the City of DeLand has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

**WHEREAS**, for purposes of this Ordinance, underlined type shall constitute additions to the original text, \*\*\* shall constitute ellipses to the original text, ~~strike through~~ shall constitute deletions to the original text, and minor edits have been made without legislative coding.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:**

**Section 1.** Chapter 33 of the Code of Ordinances of the City of DeLand is hereby amended by amending Section 33-91.03 "Number and type of parking spaces required" subsection (f) "Matrix." by inserting the new underlined language and by deleting the ~~strike-through language~~, to be read in full as follows:

***33-91.03 Number and type of parking spaces required.***

\*\*\*

(f) Matrix.

Residential Uses	Minimum Off-Street Parking Requirement	Notes
Single-family and duplex	1, 2, 3 bedrooms: 2 <del>4</del> interior spaces/ per unit 4 or more bedrooms: <del>3-5</del> spaces/ per unit	Single-family or duplex residential parking spaces may be tandem. <u>In all zoning districts except the Core Gateway District, a Mminimum of 2 outdoor of the required parking spaces for each unit must be indoor spaces to also be provided per lot. No indoor parking spaces are required within the Core Gateway District.</u>  Parking is prohibited on front lawns.

\*\*\* Matrix \*\*\*

\*\*\* Text \*\*\*

**Section 2. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**Section 3. Codification; Direction to Code Codifier and City Staff; Correction of Scrivener's Errors.**

(a). The provisions Section 1 of this Ordinance shall become and be made a part of the *Code of Ordinances of the City of DeLand*, with all other sections not being codified.

(b). The Code codifier shall instruct the Municipal Code Corporation to make all changes necessary in the *Code of Ordinances of the City of DeLand* to implement the provisions of this Ordinance and is granted liberal authority to codify the provisions of this Ordinance in such manner and in such places as deemed advisable.

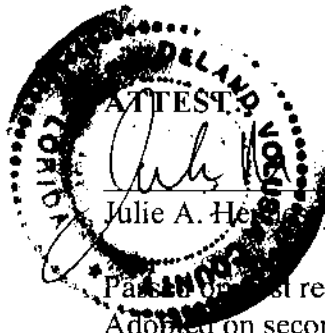
(c). In accordance with the City's ongoing codification program; the City Clerk, in conjunction with the City Attorney, may make corrections to the provisions of this Ordinance relative to Scrivener's errors of whatever type or nature.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND DULY ADOPTED** this 19<sup>th</sup> day of June, 2023.



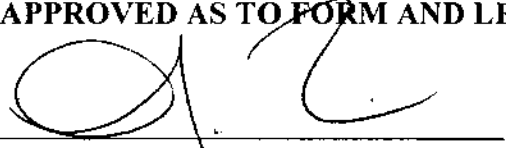
Christopher M. Cloudman  
Mayor - Commissioner



Julie A. Hendricks, MMC, City Clerk - Auditor

\* Passed on first reading: June 05, 2023  
Adopted on second reading: June 19, 2023.

**APPROVED AS TO FORM AND LEGALITY:**



Darren J. Elkind, City Attorney