

ORDINANCE NO. 14-2024

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 110-810, OF ARTICLE VIII, "DRIVEWAY EXPANSION (RESIDENTIAL)," OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA, TO INCLUDE UPDATED DESIGN STANDARDS AND PERMIT REQUIREMENTS; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City of Deltona as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, the City of Deltona, Florida, adopted Article VIII, "Supplementary Regulations," and Chapter 110, Zoning, as its "Zoning Code;" and

WHEREAS, the City of Deltona, has included Chapter 110, "Zoning," within the Land Development Code; and

WHEREAS, Section 110-810, of Article VIII, "Driveway Expansion (Residential)" of Chapter 110, "Zoning," of the Land Development Code shall be amended to include updated design standards and permit requirements; and

WHEREAS, the Planning and Zoning Board held a public hearing on February 19, 2025, and forwarded its recommendations to the City Commission; and

WHEREAS, the City Commission finds and determines that these modifications are in the best interest of the public health, safety, and welfare of the residents of the City of Deltona.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, as follows:

Section 1. Recitals Adopted. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

Section 2. Amendment to the Code of Ordinances. The City Commission hereby approves and adopts modifications to Section 110-810, of Article VIII, "Supplementary Regulations," of Chapter 110, "Zoning," of the Land Development Code, as set forth in "Exhibit A" attached hereto.

Section 3. Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application.

Section 5. Codification. The provisions of this Ordinance shall be codified as and be made a part of the Code of Ordinances of the City of Deltona. The Sections of this Ordinance may be renumbered to accomplish such intention.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA THIS _____ DAY OF _____, 2025.**

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

TG Law, PLLC, CITY ATTORNEY

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Lulli		
Santiago		
Avila		

EXHIBIT A

1 Sec. 110-810. Driveway expansion (residential).

2 (a) The expansion of an existing driveway that is contiguous to the existing driveway
3 or construction of a second driveway requires a permit application and review by the
4 Department of Planning and Development Services. The permittee will be responsible
5 for any damages sustained to the right-of-way including, but not limited to: the edge
6 of pavement, turf, sidewalks, meter boxes, above grade & below grade infrastructure,
7 mailboxes, etc. There shall be no improvement within drainage or utility easements as
8 recorded/referenced in the plat specific to the property. A building permit shall be
9 obtained when impervious materials or designated parking area additions are
10 constructed on any residential lot.

- 11 1. A building permit shall be obtained when impervious materials or designated
12 parking area additions are constructed on any residential lot.
- 13 2. Parking must be limited to the driveway plus an area to accommodate two
14 additional parking spaces of 380 square feet or 40 percent of the front yard
15 area, whichever is less.
- 16 3. Excessive driveways, defined as those covering more than 40 percent of the
17 front yard are prohibited.
- 18 4. Vegetative screening is required for new parking spaces that face the side
19 property line. Screening is required along the side of the parking space parallel
20 to the street. All additional parking spaces shall be accessible without the need
21 to drive upon or over any curb and shall not create a “stacked” condition where
22 one parked vehicle is unable to exit if another parking space is occupied.
- 23 5. The permit application shall designate dimensions of the requested driveway
24 expansion or requested second driveway..
- 25 6. Permit application shall show materials to be used and, where applicable, the
26 location of the concrete right-of-way apron. Said apron shall comply with the
27 design criteria established under construction standards Section 96-100 (a) as
28 may be amended from time to time. The driveway shall be graded and formed
29 to ensure proper and positive stormwater conveyance and, upon review, the
30 agency may require installation of a culvert or other additional drainage
31 structures. Any required culverts shall have mitered end sections and shall
32 otherwise comply with design criteria as may be established or required
33 pursuant to unique site conditions.
- 34 7. No driveway may exceed 24 feet in width inclusive of an additional permitted
35 driveway expansion. Each driveway, where applicable, must show the location
36 of the concrete right-of-way apron.
- 37 8. Parking may only occur on “approved surfaces” See (b) below.
- 38 9. No driveway may extend into the side yard setback.
- 39 10.No driveway may interfere with the drainage or swale system.

(b) “Approved Driveway Surfaces” for a driveway expansion or a second driveway shall consist of concrete or asphalt provided the lot meets the impervious surface ratio requirements or may consist of a minimum of four inches deep packed crushed pack, gravel, shell or other similar material acceptable to the city i.e. concrete, asphalt, pavers, gravel/washed shell. Any crushed material shall be held in place with a slightly raised border of landscaping timbers, paver stones, or bricks specifically made for an outdoor landscaping border use to prevent the material from washing away.

(c) The area of the driveway expansion or a second driveway shall be continuously maintained in a smooth well-graded condition to prevent vegetative intrusion. (See 70-30 Definitions)

(d) If the driveway expansion or a second driveway traverses the right-of-way access to a property across the public right-of-way shall have an approved/permitted driveway apron that shall be of 6-inch concrete and no wider than 24 feet. There shall be no pavers, gravel, mulch, shell, or similar allowed within the right-of-way.

(e) A driveway apron, if required, must be constructed of concrete pursuant to construction standards Section 96-100 (a).

(f) Access to the main driveway, driveway expansion, or a second driveway along a publicly paved road shall be made via the concrete apron of the driveway.

(g) Any driveway, driveway expansion, or second driveway that traverses over an existing sidewalk in the right-of-way, shall meet ADA requirements.

(Ord. No. 04-2016, § 1(Exh. A), 4-4-2016)