

1 SEE EXHIBIT "A"
2 PROPOSED TEXT AMENDMENTS
3 CITY OF DELTONA LAND DEVELOPMENT CODE
4

- 5 I. Land Development Code, of the City of Deltona Code of Ordinances Section
6 70-30, Definition shall be amended as follows:
7

8 ***
9

10 "PROHIBITED VEHICLE" Every device, in, upon, or by which any person or property is
11 or may be transported or drawn upon a roadway, except devices used exclusively upon
12 stationary rails or track as regulated by F.S. Chapter 316 as same may from time to
13 time be amended, having a rate capacity of one ton or more including, but not limited to:
14 farm tractors, road tractors, school buses, semi-trailers, truck tractor trailers having an
15 overall length of more than 12 feet, and excluding emergency vehicles while in use in
16 response to an official dispatch or request for assistance and excluding vehicles
17 commonly referred to as pickup trucks or recreational vehicles.
18

- 19 II. Zoning Code, of the City of Deltona Code of Ordinances Section 110-807,
20 Home Based Businesses, shall be amended as follows:

21 **Sec. 110-807. Home-Based Businesses.**

22 For the purposes of this subchapter the following definition shall apply unless the
23 context clearly indicates or requires a different meaning.

24 "HOME-BASED BUSINESS". A business that operates, in whole or in part, from a
25 residential property and meets the criteria in F.S. 559.955 and this code.

26 A permitted home-based business shall meet the following criteria

- 27 (a) The employees of the business who work at the residential dwelling must also
28 reside in the residential dwelling, except that up to a total of two employees or
29 independent contractors who do not reside at the residential dwelling may work at
30 the business. The business may have additional remote employees that do not
31 work at the residential dwelling.
- 32 (b) Parking related to the business activities of the home-based business complies with
33 city zoning requirements in the residential zoning category, and the need for
34 parking generated by the business may not be greater in volume than would
35 normally be expected at a similar residence where no business is conducted. The
36 use of vehicles or trailers operated or parked at the business or on a street right-of-
37 way are regulated as provided in Section 66-25 and Section 66-35. Vehicles and
38 trailers used in connection with the business must be parked in legal parking
39 spaces that are not located within the right-of-way, on or over a sidewalk, or on any
40 unimproved surfaces at the residence. The parking or storage of heavy equipment
41 at the business that is visible from the street or neighboring property is regulated as
42 provided in Section 66-25 and Section 66-35. For purposes of this section, the term

43 “HEAVY EQUIPMENT” means commercial, industrial or agricultural vehicles,
44 equipment or machinery, including those defined as “PROHIBITED VEHICLES” in
45 Section 70-30.

- 46 (c) As viewed from the street, the use of the residential property is consistent with the
47 uses of the residential areas that surround the property. External modifications
48 made to a residential dwelling to accommodate a home-based business must
49 conform to the residential character and architectural aesthetics of the
50 neighborhood. The home-based business may not conduct retail transactions at a
51 structure other than the residential dwelling; however, incidental business uses and
52 activities may be conducted at the residential property.
- 53 (d) The activities of the home-based business are secondary to the property’s use as a
54 residential dwelling.
- 55 (e) The business activities comply with any relevant local or state regulations with
56 respect to signage and equipment or processes that create noise, vibration, heat,
57 smoke, dust, glare, fumes or noxious odors. Any local regulations on a business
58 with respect to noise, vibration, heat smoke, dust, glare, fumes or noxious odors
59 may not be more stringent than those that apply to a residence where no business
60 is conducted.
- 61 (f) No mechanical equipment shall be used except such as is permissible for purely
62 domestic and household uses. Further, no equipment shall be used in the home
63 occupation which creates fire hazards, electrical interference, noise, vibration,
64 glare, fumes or odors detectable to the normal senses off the lot if the occupation is
65 conducted in a single-family dwelling or mobile home dwelling, or outside the
66 dwelling if conducted in other than a single-family dwelling or mobile home dwelling.
67 In the case of electrical interference, no equipment or process shall be used which
68 creates visual or audible interference in any radio or television receivers off the
69 premises, or causes fluctuations in line voltage off the premises.
- 70 (g) No vehicular traffic shall be generated by the home occupation in greater volumes
71 than would normally be generated by the dwelling unit. For the purposes of this
72 section the typical trip generation rates for each type of residential use are those
73 specified in the latest edition Trip Generation, published by the Institute of Traffic
74 Engineers (ITE). In an instance where two or more trip generation rates may apply
75 to a particular land use the enforcement official shall determine the appropriate
76 rate. In an instance where the Trip Generation Manual does not specify a rate for a
77 particular proposed land use, the enforcement official shall determine a rate using a
78 professionally acceptable source of information, or using the results of a
79 professionally acceptable study that meets all of the requirements for such studies
80 as outlined in Trip Generation and in other ITE publications.
- 81 (h) The home occupation shall not adversely affect the habitability or value of the
82 surrounding properties nor alter the essentially residential character of the
83 neighborhood.

- 84 (i) Any violation of these regulations may result in the revocation of any home
85 occupation permit, in addition to any other remedy for such violation provided in this
86 chapter or by law.
- 87 (j) The issuance of a permit to engage in a home occupation in accordance with this
88 chapter shall not be deemed to be a change of zoning nor an official expression of
89 opinion as to the proper zoning for the particular property.
- 90 (k) Agricultural home occupations shall be permitted as conditional uses in the A-1,
91 Prime Agriculture classification. Agricultural home occupations include commercial
92 land uses, as well as office uses and arts and handicrafts. Agricultural home
93 occupations are permitted to have customers visit the premises, have employees
94 on the premises, and have deliveries to the premises, subject to the conditions of
95 their approval. Those agricultural home occupations that are covered by section
96 110-817, permitted conditional uses, are subject to the requirements of both section
97 110-817 and section 110-1006. All other agricultural home occupations shall be
98 approved in accordance with the requirements of section 110-1006 that provides
99 the procedures and standards for approval of conditional uses.

100 (Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 06-2013, § 1(Exh. A), 6-17-2013)

101

102

103