

ORDINANCE 2009 - 07

AN ORDINANCE OF THE CITY OF DELAND, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF DELAND BY REVISING THE PUBLIC SERVICE ELEMENT; BY REVISING THE CONSERVATION ELEMENT; BY REVISING THE INTERGOVERNMENTAL COORDINATION ELEMENT; AND BY REVISING THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, F.S. §163.3161, et seq., creates the Local Government Comprehensive Planning and Land Development Regulation Act (hereinafter the "Act"); and

WHEREAS, the Act requires each local government in the State of Florida to prepare and adopt a comprehensive plan; and

WHEREAS, the City Commission adopted a comprehensive plan for the future growth and development of the City pursuant to Ordinance No. 90-4, as amended (hereinafter the "Comprehensive Plan"); and

WHEREAS, the Florida Department of Community Affairs (hereinafter "DCA") found the Comprehensive Plan to be in compliance with the Act; and

WHEREAS, the Volusia Growth Management Commission (hereinafter the "VGMC") found the Comprehensive Plan to be consistent and compatible with the existing and proposed plans of adjacent local governments, subject to certain conditions; and

WHEREAS, the City Commission wishes to amend the Comprehensive Plan to comply with the conditional certificate of consistency issued by the VGMC; and

WHEREAS, the City Commission has designated the Planning Board as the "local planning agency" responsible for reviewing proposed Comprehensive Plan amendments; and

WHEREAS, the Planning Board and the City Commission adopted procedures designed to provide effective public participation in the comprehensive planning process and to provide real property owners with notice of all official actions which will regulate the use of their property; and

WHEREAS, the Planning Board held a public hearing after due public notice in accordance with F.S. §163.3164(17) for the purpose of making recommendations concerning the proposed Comprehensive Plan amendments;

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

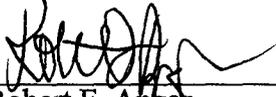
Section 1. The City Commission hereby amends the Comprehensive Plan for the City of DeLand by revising the Public Service Element, by revising the Conservation Element, by revising the Intergovernmental Coordination Element, and by revising the Capital Improvement Element as described in "Exhibit A" attached hereto and by this reference made a part hereof.

Section 2. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. The effective date of this Ordinance shall be the date of issuance of a certificate of consistency or conditional certificate of consistency by the Volusia Growth Management Commission, and a final order is issued by the Department of Community Affairs or Administration Commission finding the Ordinance in compliance in accordance with Section 163.3184, Florida Statutes. No development orders, development permits or land uses dependent on this Ordinance may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this Ordinance may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PASSED AND DULY ADOPTED this 16th day of February, 2009.





Robert F. Appa
Mayor - Commissioner



Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: September 15, 2008
Adopted on second reading: February 16, 2009

APPROVED AS TO FORM AND LEGALITY:



Darren J. Elkind
City Attorney

EXHIBIT A

Note: underline indicates additions and strikethrough is for deletions.

CHAPTER 4
PUBLIC SERVICES ELEMENT

SUB-ELEMENTS:

WASTEWATER

SOLID WASTE (no changes included)

STORMWATER MANAGEMENT

POTABLE WATER

GROUND WATER AQUIFER

Note: The following amendments are intended to address consistency between the Comprehensive Plan and the Water Supply Plan

Appendix

A. Water Supply Plan

TABLE OF AMENDMENTS – PUBLIC SERVICES ELEMENT

CYCLE WSP
Adopted by Ordinance No.
Date:

Amended all sub-elements for consistency with Water Supply Plan

CYCLE 99-1
Adopted by Ordinance No. 99-30
Date: October 18, 1999

Deleted Support Section from Public Service Sub-Elements.

**DELAND COMPREHENSIVE PLAN
PUBLIC SERVICES ELEMENT
GOALS AND OBJECTIVES**

GOAL I: Public facilities shall be provided in a manner which protects the City's investment in existing facilities and promotes orderly and compact urban growth.

Objective 1.1: The City will implement procedures to ensure adequate facility capacity is available or will be available concurrent with the impact of development in accordance with the adopted levels of service as shown in the following policy.

Policy 1.1.1: The following level of service standards are hereby adopted and shall be used as the basis for determining the availability of facility capacity and the demand generated by the development:

<u>Facility/ Service Area</u>	<u>Level of Service Standard</u>
Sanitary Sewer Facilities	Average Sewage Generation Rate
All Residences	114 gallons per capita per day
Commercial CBD	2,500 gallons per day per acre
Commercial Outlying	2,000 gallons per day per acre
Commercial Airport	1,500 gallons per day per acre
Solid Waste Facilities	Average Unit Contribution Rate
City-wide	8.6 pounds per capita per day
Drainage Facilities	Design Storm Event
City-wide	25 year frequency, 24 hour duration
Potable Water Facilities	Average Water Consumption Rate
<u>City-wide</u>	114 gallons per capita per day
<u>Reclaimed Water Facilities</u>	<u>600 356 gallons per equivalent</u>
<u>City-wide</u>	<u>developable unit per day.</u>

In order to ensure that these levels of service standards are sustained, methodologies for determining available capacity and demand shall incorporate appropriate peak demand coefficients for each facility and for the type of development proposed.

Policy 1.1.2: All improvements for replacement, expansion or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facility.

Policy 1.1.3: Within the City's utility service areas, all new nonresidential developments, 5,000 square feet or larger, and all new residential developments, of 20 or more units, must connect to the City of DeLand potable water ~~and~~ wastewater and where available, reclaimed water services .

Policy 1.1.4: Within the City's utility service areas, at such time as individual wells and/or septic systems fail, if such properties are located within 200' of a water or wastewater line, they must connect to the City's water or wastewater lines.

Policy 1.1.5 The City shall require decisions concerning potable, wastewater and reclaimed water system needs, plan the location and timing of improvements to be consistent with land use and conservation resource policies and within the City's Water Facilities Work Plan and Water Supply Plan (refer to Appendix 1) as required by the Comprehensive Plan and within the St Johns River Water Management District's (SJRWMD) Regional Water Supply Plan.

Policy 1.1.6 The City shall participate in the development of updates to the SJRWMD Water Supply Assessment and District Water Supply Plan and in other water supply development related initiatives facilitated by SJRWMD, and the City will update the City's Water Supply Plan within eighteen months of an update of the SJRWMD District's Water Supply Plan (refer to Appendix 1, City of DeLand Water Supply Plan, Section 1).

Policy 1.1.7 The City shall account for and meet the projected water supply needs of the areas of unincorporated Volusia County located within the boundary of the City's

utility service area in accordance with the *Utility Service Agreement between Volusia County, Florida and the City of DeLand*, the City's Saint Johns River Water management District Consumptive Use Permit and the City's Water Supply Plan.

Policy 1.1.8 The City shall coordinate with the Saint Johns River Water Management District, regional planning agencies, Volusia County and adjoining municipal governments in the support of legislation enacting requirements to implement water conservation measures. The City will adopt such measures within the timeframe designated by the Florida Legislature.

WASTEWATER

GOAL I: Provide a level of wastewater treatment that meets the established public access effluent limitations established by the Florida Department of Environmental Protection.

Objective 1.1: Remove biological oxygen demand and suspended solids biologically through plant operation and maintenance.

Policy 1.1.1: Develop and implement procedures to achieve the effluent limitation established for reuse.

Policy 1.1.2: As necessary, utilize chemical additives to assure the public access discharge standard is met.

Policy 1.1.3: On a monthly basis, monitor effluent quality and make monthly reports to the state.

Policy 1.1.4: The City shall continue to operate its wastewater treatment facility in a manner acceptable to the Department of Environmental Protection, in regard to environmentally sound methods of treatment and disposal of wastewater.

~~Policy 1.1.5: The City shall prohibit the use of package plants in areas where problems may result from improper treatment or inadequate effluent disposal unless financial provisions are made to ensure that the City could assume control over the operation and maintenance of such plants.~~

Policy 1.1.6: The City shall continue to require that individual wastewater treatment systems be located, constructed and operated so that they do not adversely affect public health or water resources.

Policy 1.1.76: The City will continue to operate and maintain its water and wastewater system in a manner to obtain optimum operating levels and facility longevity so as to maximize the use, effectiveness and efficiency of the facilities.

GOAL II: Reduce the quantity of wastewater discharged to the St. Johns River.

Objective 2.1: ~~Continue to Maintain the 32%~~ 70% beneficial reclamation of effluent and increase the percentage of effluent recovered to 90% by 2010. ~~reduction since 1989 and strive to decrease the amount of overall discharge to the St. Johns River by 40% by 2000.~~ Manage any residual effluent in a manner which provides recharge to the underlying aquifer systems.

Policy 2.1.1: Except during periods of high rainfall amounts, cease discharging wastewater into the St. Johns River.

Policy 2.1.2: Amend the existing development regulations to require the installation of wastewater reuse and potentially storage, pumping and/or augmentation facilities ~~mains~~ within new subdivisions or developments.

Policy 2.1.3: Participate with developers to extend wastewater reuse mains from the City's wastewater treatment plant to serve new development within ~~the southeast quadrant of the City~~ portions of the City identified for reuse.

Objective 2.2: ~~By 2000, reach a target goal of 1.0 MGD (million gallon per day) of wastewater reuse for irrigation purposes, which will represent a 175,000 gallon increase since 1989 when reclaimed water was not utilized by the City.~~ Develop a reclaimed water augmentation program which will allow the City to utilize surface water from the St. Johns River to supplement available effluent. Utilization of up to 2 MGD of surface water has been identified as a target by SJRWMD and City staff.

Policy 2.2.1: ~~Create a Division of Wastewater Reuse within the Utilities Department. Continue to develop the reclaimed water distribution system with a focus on developer owner/operated systems that include storage for peak flow attenuation.~~

~~Policy 2.2.2: Hire a Wastewater Reuse Coordinator, who will provide information about the wastewater reuse program, market the system to new customers, and service existing customer accounts.~~

GOAL III: Ensure that the City's wastewater collection system will have sufficient capacity to transmit peak flows to the wastewater treatment plant.

Objective 3.1: ~~By 2000, the City will increase its existing wastewater collection system by adding 6,500 feet of 12" force main to the 17,510' added to the system since 1989. Update the City's "2002 Utility Master Plan" every five years and update the City's Water Supply Plan accordingly.~~

Policy 3.1.1: Continue to require development to install wastewater collection mains and adequately sized facilities to serve their development and support continued growth in adjacent areas in accordance with the Utility Plan.

Policy 3.1.2: As delineated in the City's Comprehensive Land Use Plan, the City will conduct long range planning for the purpose of supplying wastewater services for the geographic area known as the DeLand Service Area.

~~Policy 3.1.2: Require upsizing of primary system elements which might be used for provision of service to other properties.~~

Objective 3.2: The City will implement regulations that ~~prohibit new development from extending wastewater lines more than 1,800 feet through undeveloped property~~

~~to serve the proposed development and to require that developers bear the cost of wastewater main extensions. The 1,800' maximum extension regulations apply to new development and are not applicable within approved developments.~~

Policy 3.2.1: Revise the City's existing development regulations to continue to require that development bear the expense of extending utility lines to serve the wastewater needs of the subject property.

Policy 3.2.2: The City will upsize lines in conformance with the Year 2010 collection system model contained within the Utility Master Plan.

Policy 3.2.3: The City shall maintain a 5 year schedule of capital improvements required to maintain the existing the wastewater system, provide wastewater service to serve existing development to reduce the amount of effluent which is going into the aquifer, correct deficiencies with existing systems, and provide service to new development.

~~Policy 3.2.4: As delineated in the City's Comprehensive Land Use Plan, the City will conduct long range planning for the purpose of supplying wastewater services for the geographic area known as the DeLand Service Area.~~

Policy 3.2.54: The City shall not permit new development to extend wastewater lines more than 1,800' through undeveloped areas to serve the proposed development (This does not apply to extension of utility lines within approved developments.)

Policy 3.2.65: The City shall prohibit the use of septic tanks in areas that are determined to be unsuitable for the use of septic tanks.

SOLID WASTE

- GOAL I:** The City of DeLand will provide solid waste services to meet existing and projected demand identified in the comprehensive plan.
- Objective 1.1:** Ensure that a mechanism is in place to provide for the collection of all solid waste to be generated by land uses within the City.
- Policy 1.1.1:** Enforce the City's existing contract with Industrial Waste Services to ensure that the collection of solid waste is performed in a timely and efficient manner.
- Policy 1.1.2:** At the expiration of the existing contract, take necessary steps to ensure that a contract is renegotiated with Industrial Waste Service, a contract is signed with a new franchisee, or the City shall provide solid waste collection services to all land uses within its corporate boundaries.
- Policy 1.1.3:** Enforce the City's existing regulations concerning illegal dumping and littering.
- Objective 1.2:** By 2000, in accordance with Volusia County regulations, reduce the solid waste stream going to landfill facilities by an additional 25% to reach an overall goal of 60% reduction since 1989.
- Policy 1.2.1:** Implement the recycling pilot program for newspaper, glass, aluminum.
- Policy 1.2.2:** Coordinate with Volusia County to implement a city-wide recycling program for the newspaper, glass, and aluminum cans.
- Policy 1.2.3:** Revise the City's land development regulations to facilitate private recycling centers for newspaper, glass, plastics, aluminum, and other solid waste products.
- Policy 1.2.4:** Research and implement an alternative methodology for the disposal of garden waste, trees, and other similar materials.

- Policy 1.2.5: Provide educational materials to the public regarding recycling, and the benefits derived by the public of recycling programs.
- Policy 1.2.6: Have 100% participation in residential and commercial recycling programs
- Objective 1.3: Provide for the disposal of hazardous wastes.
- Policy 1.3.1: Participate in the County's hazardous waste management program.
- Policy 1.3.2: Develop a waste oil collection program.
- Policy 1.3.3: Provide educational materials to the concerning common household hazardous waste materials and their proper disposal.

STORMWATER MANAGEMENT GOALS

GOAL I: Needed public facilities shall be provided in a manner which protects investments in existing facilities and promotes orderly, compact urban growth.

Objective 1.1: The City of DeLand will implement regulations to require adequate facility capacity be designed and constructed during review of plans for improvements to existing development or construction of new development.

Policy 1.1.1: The following level of service standards shall be adopted as a basis for determining the capacity of existing development, improvements, and new development.

DRAINAGE FACILITIES: The 25 year frequency, 24 hour duration rainfall intensity curve Zone 7, DOT Drainage Manual, 1987.

Policy 1.1.2: All new development shall be required to retain or detain sufficient runoff volume so that the peak discharge hydrograph of the development does not exceed the predevelopment hydrograph.

Policy 1.1.3: Stormwater facilities for all new development shall be designed and constructed so that properties located downstream from the subject property shall not be adversely affected by peak stormwater discharge or volume of the development.

GOAL II: The City of DeLand will provide drainage facilities and services to meet existing and projected stormwater requirements identified in this plan.

Objective 2.1: To meet stormwater design ~~capacity~~ ~~requirement~~ capacity requirement for existing facilities, the following drainage projects listed in Table 2 will be completed by 2003 and the following drainage projects will be completed after 2003.

- Policy 2.1.1: Projects shall be undertaken in accordance with the schedule provided in Table 2 and Table 3 of this plan, Improvements Summary.
- Policy 2.1.2: The City of DeLand Planning Department shall review ~~the annual~~ the annual schedule of construction to ensure design service levels for facilities ~~are acquired~~ are acquired and maintained.
- Policy 2.1.4: All required federal and state permits shall be obtained before the City undertakes or authorizes contractors to undertake construction and/or operation of facilities.
- Policy 2.1.5: Drainage basin engineering studies shall conform to the stormwater engineering procedures and guidelines used for analysis of basins in the City of DeLand Stormwater Master Plan.
- Policy 2.1.6: The annual summaries of stormwater facilities capacities and demand information prepared by the City Staff shall be used to evaluate the need for the timing and location of projects to extend or increase the capacity of existing facilities.
- Policy 2.1.7: The City shall continue to use a portion of revenues derived from the Stormwater Utility to provide long-term maintenance of drainage facilities.
- Policy 2.1.8: By 2005, the City will complete the updated version of the Stormwater Master Plan and accordingly, the City's Stormwater Management Element will be updated.

Objective 2.2: By 2020, all stormwater drainage projects, listed as existing deficiencies, will be corrected.

Policy 2.2.1: On an annual basis, Table 1 will be revised to reflect those projects which have been completed and projects, previously unfunded, will be scheduled for implementation.

GOAL III: Adequate stormwater drainage will be provided to afford reasonable protection from flooding and to prevent degradation of quality of receiving waters.

Objective 3.1: The stormwater drainage regulations contained in the City Land Development Code will provide for protection of natural drainage features and ensure that future development utilizes ~~stormwater management~~ stormwater management systems compatible with the City of DeLand Master ~~Drainage Study~~ Drainage Study.

Policy 3.1.1: The City of DeLand Public Works Department will prepare amendments to the stormwater drainage provisions of the Land Development Code to ensure that:

- a. Erosion and sediment controls are used during construction and integrated into development if necessary; and
- b. Periodic inspection and ~~maintenance~~ and maintenance of on-site systems is ensured as a condition of system permit renewal.

Policy 3.1.2: The Public Works Department will ensure that major drainage systems are inspected and receive required maintenance on at least an annual basis.

Policy 3.1.3: Concurrent with the detailed design of the ~~stormwater facilities'~~ stormwater facilities' improvements that are outlined in Table 1, ~~the 100-~~ the 100-year

floodplain ~~analysis~~ analysis will be calculated and mapped for those improved drainage basins.

Policy 3.1.4: In accordance with the City's stormwater management ordinance and Master Drainage Study, the City shall continue to encourage the use of non- structural methods of stormwater management.

Objective 3.2: The City shall enact regulations to continue to conserve and protect the quality of current and projected future water sources and surface water runoff and continue to coordinate water supply and quality issues with state, regional, and county governments.

Policy 3.2.1: The Land Development regulations shall incorporate the following performance standards in order to protect the quality of the City's water resources:

a. Surface water management systems shall be designed and constructed to meet the following standards: Limit the allowable stormwater peak discharge detained from a site to be developed or altered to the predevelopment or pre-alteration peak discharge for twenty-five years, twenty-four hour duration storm.

b. A vegetated and functional littoral zone shall be established as part of the surface water management system of landlocked lakes occurring on all property. Design of stormwater management systems shall include skimmers and other mechanical straining devices. Prior to construction of the surface water management system for any phase of a project, the developer shall prepare a design and management plan for the wetland/littoral zone that will be developed as part of these systems.

Policy 3.2.2: The City establishes the Department of Environmental Protection Rule 62-302, F.A.C. as the water quality standards for all stormwater facilities that discharge inside the City's jurisdiction.

Objective 3.3: Beginning in 2000, the City shall conduct a study of the effect of stormwater on the groundwater aquifer and implement regulations to prevent pollution of the aquifer by stormwater runoff, with a completion date projected for 2005.

Policy 3.3.1: As required, revise the performance standards in the land development regulations regarding stormwater runoff to comply with the results of the study of the effect of stormwater runoff on the quality of the groundwater aquifer.

GOAL IV: Use stormwater capture to enhance groundwater recharge and, where possible, to provide irrigation for existing and/or proposed vegetation through active or passive means or a combination of active and passive means.

Objective 4.1 Recommend the use of stormwater as a means of providing fully and/or augmenting on-site irrigation.

Objective 4.2 Recommend the retention and/or, where appropriate and favorable for the existing community of flora and fauna, enhancement of naturally occurring drainage patterns to preserve the natural water budget of on-site conservation areas.

POTABLE WATER

GOAL I: Produce a safe potable water supply with sufficient quantity for human consumption throughout the service area, based upon 114 gallons per capita per day (GCPD).

Objective 1.1: The City will monitor water quality to assure compliance with maximum contaminant levels.

Policy 1.1.1: Annually, the City will test the water supply for the parameters identified in the Appendix.

Measure: Test results showing the quality of the City's potable water supply.

Objective 1.2: The City shall achieve the goals relating to taste and odor, as established by the American Water Works Association.

Policy 1.2.1: Utilization of treatment methods, such as aeration, storage, chlorine, and stabilization feed, to meet the water quality control standards.

GOAL II: Produce an adequate quantity of potable water in the most cost effective manner.

Objective 2.1: The City will plan and implement the expansion of the water supply to provide for peak day consumption.

Policy 2.1.1: ~~As needed to supply the demand for potable water, the expand the number of water wells.~~ The City will construct new wells in accordance with its CUP, Raw water reproduction capacity should equal 20 mgdMGD by 2010.

Objective 2.2: ~~By 1997, the~~ The City will provide maintain ground storage capacity equal to or greater than 50% of the average daily flow.

Policy 2.2.1: Based upon growth and the resulting demand upon the water supply, the City will expand its storage capacity.

Measure: Completed storage facilities with a total capacity equaling 50% of the average daily flow.

~~Measure: The number of feet of primary distribution mains with theoretical flow velocity greater than 5 feet per second.~~

Objective 2.3: The City will reinforce the water distribution system primary feeder lines to maintain 5 feet per second as a maximum design pipeline velocity during peak daily flow.

Policy 2.3.1: ~~Biannually,~~ Every five years, the City will update its Water Supply Plan and Utility Master Plan which will and include a computerized hydraulic-model of the distribution system.

~~Measure: The number of feet of primary distribution mains with theoretical flow velocity greater than 5 feet per second.~~

Policy 2.3.2: The City will establish a schedule and, per the schedule, test all fire hydrants within the City.

Measure: The number of fire hydrants tested on an annual basis.

Policy 2.3.3: The City will continue to operate and maintain its water and wastewater system in a manner to obtain optimum operating levels and facility longevity so as to maximize the use, effectiveness and efficiency of the facilities.

Objective 2.4: ~~Continuing on an annual basis, the City will project water demand,~~ Every five years, based upon level of service and peak demand, the City's Utility Master

Plan' and Water Supply Plan will be updated to include annual water demand projections, and determine the adequacy of the supply of potable water.

These projections will be utilized to evaluate the City's ability to meet the established LOS.

Policy 2.4.1: ~~On an annual basis, the Utility Department will project water demand and peak demand ratios for the forthcoming year. The City's~~ City's "Utility Master Plan" will be updated every five years.

Policy 2.4.2: ~~During 1990, the City will renew its Consumptive Use Permit from St. Johns Water Management District. The City will maintain a valid Consumptive Use Permit (CUP) and satisfy the CUP's conditions of issuance.~~

~~Objective 2.5: Objective 2.5: The City will implement regulations that prohibit new developments from extending potable water lines more than 1,800 feet through undeveloped properties to serve the proposed development and require that developers bear the cost of water main extensions. The 1,800' maximum extension regulations apply to new developments and are not applicable within approved developments.~~

~~_____~~ New developments should bear the cost of extending water service to their site.

Policy 2.5.1: ~~Revise the City's existing development regulations to e~~ Continue to require that development bear the expense of extending utilities to serve the potable water needs of the subject property.

Policy 2.5.2: The City will participate in the cost to upsize lines ~~water mains~~ in conformance with the Year 201025 distribution system model.

Policy 2.5.3: The City will maintain a 5 year schedule of capital improvements required to maintain the existing potable water system, provide potable water service to specified developments ~~unserved areas.~~ to e ~~Correct~~ deficiencies with existing

systems, ~~to~~ and provide adequate fire protection, ~~and provide service to new development.~~

Policy 2.5.4: As delineated in the City's Comprehensive Land Use Plan, the City shall conduct long range planning for the purpose of supplying potable water for the geographic area known as the DeLand Service Area.

Policy 2.5.5: The City shall not permit new development to extend water lines more than 1,800' through undeveloped area to serve the proposed development. (This does not apply to extension of utility lines within approved developments.)

Policy 2.5.6: The City shall continue to require connection of all development to the centralized wastewater treatment facility when access to such a facility is available.

Policy 2.5.7: The City shall strive to maintain adequate ~~adequate~~ pressure in its water system to ~~ensure provide~~ fire flow to all areas in the city at flow rates requirements are met. ~~compatible with occupancy classification, at pressures greater than 20 psi.~~

GOAL III: Develop alternative water supply sources.

Objective 3.1: The City will pursue implementation of the alternative water supply project know as "Deland St Johns River Water Augmentation Project" which appears in the SJRWMD's Water Supply Plan.

Policy 3.1.1: The City shall acquire property and complete engineering design of the Deland St Johns River Water Augmentation Project.

Policy 3.1.2 The City shall coordinate with the SJRWMD for the execution of the Deland St Johns River Water Augmentation Project upon determination the allocated surface water withdrawal has passed legal and regulatory tests.

Measure: Implement water withdrawal for augmentation.

Objective 3.2 The City will participate in development of the alternative water supply projects known as Yankee Lake and Coquina Coast which appear, or are anticipated to appear in the SJRWMD Water Supply Plan.

Policy 3.2.1: The City shall participate in the development and determination of financial and technical feasibility of the Yankee Lake and Coquina Coast projects until such time as one of the projects is identified by the State as an acceptable alternative water supply source, or until such time as an alternative to these projects is identified and adopted by the State. Funding for the phases of the design and implementation of the selected project shall be added to the appropriate year(s) appearing in the City's CIP.

Policy 3.2.2 The City shall coordinate with the SJRWMD for the development of the Yankee Lake or Coquina Coast project upon determination the selected project, or project alternative, has successfully passed legal and regulatory tests.

Policy 3.2.3 The City shall reserve funds for, and subsequently purchase capacity rights to participate in the selected alternative water supply project.

Measure: Complete the design and implementation of the selected alternative water supply project(s).

AQUIFER RECHARGE

GOAL I: Retain the Floridian aquifer as the primary source for the City's potable water supply. Alternative water sources will be implemented to serve as a secondary water source.

Objective 1.1: ———Implement the City's existing development regulations to control the type and density of development to protect the quality and quantity of the water within the aquifer.

Policy 1.1.1: ———~~Revise the~~ Enforce existing subdivision and zoning regulations to restrict the type and intensity of development to reduce the amount of impervious surface and the diversion of stormwater from recharge locations.

Objective 1.2: ———Implement regulations that will protect the City's minimum potable water standards.

Policy 1.2.1: ———Acquire land around existing and future well sites to serve as buffers between such wells and adjacent development.

Policy 1.2.2: ~~_____~~ Continue to test the ground water ~~and, at least~~ on an annual basis and, review the test results to ascertain any changes in water quality in the surficial and artesian aquifers.

Policy 1.2.3: ~~_____~~ Restrict industrial plants which use hazardous materials from locating in prime recharge areas.

Policy 1.2.4: ~~_____~~ Restrict underground fuel storage tanks from within the cone of influence of the City's potable water wells.

M

Measure: ~~_____~~ An annual comprehensive analysis will be made of the priority pollutants and results will be compared with the data from the previous year.

Policy 1.2.5: ~~_____~~ Employ conservative well spacing and withdrawal rates to ~~preclude~~ avoid the potential for salt water intrusion.

Measure: ~~_____~~ Conduct the wellfield monitoring plan in accordance with the CUP requirements. The monitoring plan evaluates the effects of the groundwater withdrawals on the aquifer system.

Policy 1.2.6: ~~_____~~ The City shall prohibit the use of septic tanks in areas that are determined to be unsuitable for the use of septic tanks.

Objective 1.3 ~~_____~~ Enhance aquifer recharge by expanding the reclaimed water distribution system and utilize surface water to augment reclaimed water supplies.

Policy 1.2.7: ~~_____~~ ~~The City shall prohibit the use of package plants in areas where problems may result from improper treatment or inadequate effluent disposal unless financial provisions are made to ensure that the City could assume control over the operation and maintenance of such plants.~~

~~Policy 1.2.8: The City shall continue to require that individual wastewater treatment systems be located, constructed and operated so that they do not adversely affect public health or water resources.~~

~~Policy 1.2.9: The existing Painter's Pond stormwater retention facility will be reconstructed to improve the quality of the water percolating into the aquifer. The elevation of the bottom of the retention ponds will be elevated to a point above the water table to prevent continual standing water and promote percolation of stormwater.~~

~~Measure: Ssurface water to augment reclaimed water supplies.~~

Measure: Monitor the potentiometric surface of pumping wells and terminate operation when the surface reaches elevation 5 M.S.L. (mean sea level).

Policy 1.3.1 Require new developments to install reclaimed water distribution systems. Developments with greater than 100 units should provide on-site storage and pumping facilities to reduce peak demands and promote aquifer recharge. Developers have the option of contributing to a dedicated fund for reuse system expansion. The contribution amount shall be calculated at the time of application.

Policy 1.3.2 Construct recharge basins to accept excess effluent and treated surface water. The recharge basins should be sited in areas conducive to aquifer recharge.

APPENDIX A

WATER SUPPLY PLAN

(attached separately)

The News-Journal

Published Daily and Sunday
Daytona Beach, Volusia County, Florida

**State of Florida,
County of Volusia:**

Before the undersigned authority personally appeared

Stacy W. Montoya

who, on oath says that she is
Classified Advertising Manager
of The News-Journal, a daily and Sunday newspaper,
published at Daytona Beach in Volusia County, Florida,
the attached copy of advertisement, being a

NOTICE OF PUBLIC HEARING

In the matter of L787916
in the Court
was published in said newspaper in the issues
February 6, 2009

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Stacy W. Montoya

Sworn to and subscribed before me

this 6TH day of February
A.D. 2009

Rachael L. Golub



RACHAEL L. GOLUB
Notary Public, State of Florida
My Comm Expires Oct 7, 2012
Commission No. DD 829134

NOTICE OF PUBLIC HEARING CITY COMMISSION

CITY OF DELAND, FLORIDA
NOTICE IS HEREBY GIVEN that there will be a Public Hearing on the following Ordinance on Monday, February 16, 2009 at a regular meeting of the Deland City Commission. The meeting will take place at 7:00 p.m. in the City Commission Chambers, 120 South Florida Avenue, City Hall. All interested parties are invited to attend and be heard on the matter.

Any person who appeals any decision made by the City Commission with respect to any matter considered at this meeting will cause a record of the proceeding and, thus, may need to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which an appeal may be based.

The original of the ordinance is on file in the office of the City Clerk and may be inspected Monday through Friday from 8:00 a.m. to 5:00 p.m.

ORDINANCE NO. 2009-07
AN ORDINANCE OF THE CITY OF DELAND, FLORIDA AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF DELAND BY REVISING THE PUBLIC SERVICE ELEMENT; BY REVISING THE CONSERVATION ELEMENT; BY REVISING THE INTERGOVERNMENTAL COORDINATION ELEMENT; AND BY REVISING THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.
L787916, February 6, 2009 1f