



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

Planning and Zoning Board

Monday, June 23, 2025

4:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

The meeting was called to order at 4:30 pm.

2. ROLL CALL:

Present: 6 - Vice Chair Tara D'Errico
Member Ron Gonzalez
Member Pat Northey
Member David Stewart
Member Daniel Trojanowski
Alternate Larry French

Excused: 3 - Chair Andrea Cardo
Secretary Rachel Amoroso
Alternate Lori Warnicke

Absent: 1 - Alternate Karen Neher

3. APPROVAL OF MINUTES & AGENDA:

None.

4. PRESENTATIONS/AWARDS/REPORTS:

None.

5. PUBLIC FORUM: Time permitted, public comments shall be limited to items on the agenda and shall not exceed two minutes. Please be courteous and respectful of the views of others. Personal attacks on Committee/Board members, City staff or members of the public are not allowed and will be ruled out of order by the Chair.

Vice Chair D'Errico opened and closed public forum as there was none.

6. OLD BUSINESS:

None.

7. NEW BUSINESS:

A. Public Hearing - Ordinance No. 29-2025, Providing for imposition of a

Temporary Moratorium on issuance of Development Orders and Permits and on the processing of Development Applications, City Code Text Amendments, Rezoning, Comprehensive Plan Text and Land Use Plan Amendments for development of residential dwelling units within the City; Exemption specified development; Providing for waivers; Providing for vested rights; Providing for appeals; Providing for exhaustion of administrative remedies; Providing for a term not to exceed nine (9) months unless extended by The City Commission as provided by Law.

City Attorney Good read the title of Ordinance No. 29-2025 into the record.

Director Smith thanked the Board for attending the special meeting and explained that the purpose of the meeting was to consider a nine (9)-month moratorium. He noted that the moratorium would apply to residential development and is necessary due to the significant increase in residential activity. He emphasized the need to review infrastructure capacity before allowing additional growth.

City Attorney Good provided legal context and cited relevant case law and statutes, including:

- The Bert J. Harris, Jr., Private Property Rights Protection Act,
- *First English Evangelical Lutheran Church v. Los Angeles County*, 482 U.S. 304 (1987), and
- A June 27, 2002, informal Attorney General Opinion by Assistant Attorney General Joslyn Wilson.

He also discussed Senate Bill 180, which is currently on the Governor's desk. If signed, this bill would prohibit certain governmental development restrictions between August 1, 2024, and August 1, 2027. City Attorney Good stated that although it is uncertain if the bill will be signed, the City should take proactive steps now.

Member Trojanoski, President of the Hampton Oaks HOA, expressed concern about non-compliant retention ponds and called for developer accountability. He noted the City hasn't updated its impact fees in over ten years and emphasized the need to address environmental and legal vulnerabilities.

Alternate Larry French, sitting on the dais, supported the moratorium. He clarified that it will not affect vested or current projects and emphasized the need to update the Comprehensive Plan and Land Development Code (LDC) to address environmental issues and outdated regulations. He advocated for stronger design standards and

better tree preservation.

Member Northey asked about the timeline for updating the LDC and Comp Plan, pointing out past inaction.

Director Smith responded that the zoning-in-progress for stormwater is still underway.

Attorney Good noted a moratorium can only be enacted for different reasons in the future.

Member Northey requested clarification of the term residential development, which Attorney Good defined to include single-family, cluster, and multifamily. Director Smith added that all multifamily developments are now required to be mixed-use.

Member Stewart thanked staff for the presentation and asked about the timeline for achieving moratorium goals. He expressed concern about the potential for litigation and questioned whether a moratorium is necessary if the City is already working on improvements. He questioned whether it was appropriate to use the moratorium as a tool to ensure staff accountability.

Member Gonzalez expressed concern about the legal risk and financial burden to taxpayers. He suggested tabling the item until the Governor decides on SB180. Alternate Zlatos echoed Gonzalez's concern, questioning whether the City is rushing the process.

Vice-Chair D'Errico asked if the ordinance could be worded so that it becomes null and void if SB180 is signed.

Attorney Good confirmed this could be done.

Vice Chair D'Errico also asked for clarification on how mixed-use developments are treated.

Staff confirmed mixed-use is included under the moratorium.

Vice Chair D'Errico asked whether mixed-use developments with a higher commercial percentage could be allowed through Commission approval. Staff confirmed this would require a condition in the motion. Vice Chair D'Errico asked if the City has any

recourse for infill lots with existing development rights. Staff indicated these would remain exempt.

Public forum was opened and closed with no public comment.

Member Trojanoski acknowledged the legal risk on either side of the issue and stressed the need for clear and measurable goals during the moratorium. He mentioned there are currently 24 active development projects.

Alternate French reiterated that the City is already working on changes, which are expected to take 3 to 6 months, but emphasized that the moratorium will help manage impacts until those changes are enacted.

Vice-Chair D'Errico reviewed Exhibit A, noting it includes 19 PUDs, and asked for clarification.

City Attorney Good confirmed that vested projects, including those listed in Exhibit A, would not be affected by the moratorium.

Motion by Member Northey, seconded by Member Stewart to deny Ordinance No. 29-2025. The motion carried the following vote:

For: 3 - Member Gonzalez, Member Northey and Member Stewart

Against: 4 - Vice Chair D'Errico, Secretary Amoroso, Member Trojanowski and Alternate Zlatos

Motion by Larry French, seconded by Jeffrey Zlatos, to approve Ordinance No. 29-2025, with the following conditions:

- 1. The moratorium will sunset if Senate Bill 180 is signed by the Governor.**
- 2. Infill lots are exempt from the moratorium.**
- 3. Mixed-Use Planned Unit Developments are exempt if the residential component comprises no more than 30% of the development and is built at a density of fewer than six (6) units per acre.**

The motion passed with the following vote:

For: 4 - Vice Chair D'Errico, Member Gonzalez, Alternate French and Alternate Warnicke

Against: 3 - Member Northey, Member Stewart and Member Trojanowski

8. STAFF COMMENTS:

Staff thanked the Board for coming in for the Special Planning and Zoning Board Meeting.

9. BOARD/COMMITTEE MEMBERS COMMENTS:

Vice Chair D'Errico thanked staff for their work.

10. ADJOURNMENT:

The meeting adjourned at 5:19 pm.

Vice Chair, Tara D'Errico

ATTEST:

Meeting Secretary, Jessica Entwistle