



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Regular Commission Meeting

### City Commission

*Mayor Avila*  
*Vice Mayor Heriot*  
*Commissioner Avila-Vazquez*  
*Commissioner Colwell*  
*Commissioner Howington*  
*Commissioner Lulli*  
*Commissioner Santiago*

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Monday, June 16, 2025

6:30 PM

Deltona Commission Chambers

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### PUBLIC FORUM: 6:00 PM - 6:30 PM

1. CALL TO ORDER:
2. ROLL CALL – CITY CLERK:
3. INVOCATION AND PLEDGE TO THE FLAG:
  - A. [Invocation Presented by the District #5 Commissioner.](#)  
[Honoring Veterans:](#)
4. ADDITIONS AND DELETIONS:
5. PRESENTATIONS/AWARDS/REPORTS:
6. DELTONA COMMUNITY EVENTS:
7. CONSENT AGENDA:
  - A. [Request for approval of minutes of the Regular Commission Meeting of May 19, 2025, as presented.](#)  
  
**Background:** N/A
  - B. [Request for approval of Resolution No. 2025-62 for the Task Authorization between the City of Deltona and Mead and Hunt for the development of a comprehensive Vulnerability Assessment to address potential impacts to publicly owned critical assets due to sea level rise, resiliency, storm surge and flooding within the City of Deltona in the amount not-to-exceed \\$264,460.00.](#)

[The City of Deltona has been awarded a 100% funded, Resilient Florida Grant in the amount of \\$265,000.00 for this project.](#)

**Background:**

In accordance with Florida Statutes (F.S.) 380.093, The City of Deltona must complete a Comprehensive Vulnerability Assessment to identify all critical assets for Utility, Stormwater, Emergency Response and Transportation. Conducting a Florida Department of Environmental Protection (FDEP) vulnerability assessment offers significant benefits to the City of Deltona by identifying areas at risk from climate-related hazards such as sea level rise, storm surge, and flooding. This assessment provides critical data and mapping tools that help the city plan more resilient infrastructure, prioritize at-risk assets, and secure state and federal funding for adaptation projects. By proactively understanding its vulnerabilities, Deltona can better protect public safety, maintain essential services, and support sustainable growth, ensuring long-term community and environmental well-being. The City of Deltona has been awarded a 100% funded Resilient Florida Grant (Agreement No. 24PLN24) in the amount of \$265,000.00 for completion of this project.

If this is approved, Finance will include this as part of the 3rd Quarter Budget amendment on August 4.

C. [Request for approval of Resolution No. 2025-60 for legal representation in a potential claim.](#)

**Background:**

The City has received information that an action styled Robert Ellis v City of Deltona has been filed in the 7th Judicial Circuit in and for Volusia County. The City has not yet been served with the lawsuit, but we anticipate that the City will be served with the litigation. In the event that the City is served with the lawsuit, it is in the best interest of the City to authorize representation through Tessitore Mari Scott and the City Attorney, TG Law, PLLC, if the insurance carrier denies coverage.

D. [Request for approval by Deltona Magazine for In-Kind Donation of The Center at Deltona for their Gala event on Wednesday, November 12, 2025.](#)

**Background:**

Deltona Magazine did a presentation at the Regular Commission Meeting held on May 19, 2025, inviting the City of Deltona to participate in this signature event as a Presenting Supporting Partner by approving an *In-Kind Donation* of The Center at Deltona as the venue.

E. [Request for recognition\(s\) for the month of June.](#)

**Background:**

Per the City Recognition Policy adopted by the City Commission at the Regular Commission Meeting held on Monday, June 17, 2024, the following recognitions are being requested for the month of June:

1. Deltona resident Chris Riha for saving a woman's life.
2. Proclamation - Juneteenth to be presented on June 21st at the City Hall Courtyard.

## 8. ORDINANCES AND PUBLIC HEARINGS:

- A. [Quasi-judicial Hearing - Ordinance No. 14-2025, amending Halifax Crossings Mixed- Use Planned Unit Development \(MPUD\) for approximately 109.71 acres of land located along the Halifax Crossings Boulevard corridor south and east of the Halifax Hospital Complex within the Activity Center to include the provisions of master development map alternatives and a reduction in the minimum lot size for commercial parcels, at first reading.](#)

### **Background:**

The Halifax Village Planned Unit Development (PUD), located near UF/Halifax Health in Deltona, was originally approved as a Business Planned Unit Development (BPUD) in 2014 and later rezoned to a Mixed-Use Planned Unit Development (MPUD) in 2022. In 2025, a second amendment was proposed to further the project's flexibility and market viability. This amendment, tabled at the May 5, 2025, City Commission meeting, is presented as Option B, which is a more balanced and strategic for long-term development. Option B increases commercial acreage to 75.71 acres - supporting job creation, economic growth, and alignment with the city's long term vision, while reducing residential units from 1,125 to 575 and removing all age restricted housing. It also introduces smaller commercial parcel sizes to improve market responsiveness and attract a broader range of tenants. While the applicant is entitled to proceed with option A, which includes 1,125 residential units and only 21.1 acres of commercial, Option B is the more sustainable and economically beneficial option for the City.

Development Option:	Option A	Option B
Multi-Family Units:	275 units	575 units
Age-Restricted Units:	850 units	0 units
Planned Total Units:	1,125 units	575 units
Commercial Acreage:	21.1 acres	75.71 acres
Multi-Family Acreage:	57.5 acres	34 acres

- B. [Public Hearing - Resolution No. 2025-55, amending the Deltona Planning and Zoning Board By-Laws.](#)

### **Background:**

Resolution No. 2025-55 proposes updates to the Planning and Zoning Board By-Laws, originally adopted in 2011, to address operating and legal needs that have emerged over time. The revisions aim to

modernize the Board's structure and practices, align with the Land Development Code (last amended in 2020), and improve communication with City staff. Key changes include introducing term limits, attendance enforcement, and alternate member procedures; modifying officer election timing; updating meeting protocols; and removing outdated references and staggered term requirements. At its May 21, 2025 meeting, the Planning and Zoning Board voted 6-1 to recommend approval of Resolution No. 2025-55, with two amendments: requiring all members to reside within city limits and giving the City Commission discretion over attendance related conduct.

- C. [Public Hearing - Ordinance No. 21-2025, repealing Article XIV, "Medical Marijuana Dispensaries," of Chapter 110 "Zoning," and amending Article III, "Establishment of Classifications and Official Zoning Map," of Chapter 110 "Zoning," of the Land Development Code of the City of Deltona to prohibit Medical Marijuana Dispensaries, at first reading.](#)

**Background:**

Ordinance No. 21-2025 proposes a citywide ban on medical marijuana dispensaries in all zoning districts, removing them as permitted or conditional uses in the city's Land Development Code and Land Use Table. This follows the City Commission's April 7, 2025 decision to deny a previous ordinance and pursue a full ban. Existing dispensaries approved before the ordinance would be allowed to continue operating under current regulations. While new dispensaries would be prohibited in Deltona, residents will still have access to facilities in nearby cities such as Daytona Beach, Orange City, and Port Orange. The Planning and Zoning Board recommended approval of the ban with a 6-1 vote, and the City Commission will consider the ordinance on June 16th and July 7 th, 2025.

- D. [Public Hearing - Ordinance No. 25-2025, amending the General Ordinances, Section 1-15, "General Penalty," of Chapter 1, "General Provisions," to update penalties and enforcement mechanisms and Section 38-73, "Loud Disturbing or Unnecessary Noises," of Article III "Noise," of Chapter 38, "Environment," to eliminate the requirement for sworn affidavits, at second reading.](#)

**Background:**

In response to concerns from the Volusia County Sheriff's Office regarding enforcement mechanisms for City Ordinances, in particular the City's Noise Ordinance, the City Attorney's Office has drafted a revised general penalty provision as directed by the City Commission.

The general penalty provision of the City Code is the enforcement mechanism for violations of ordinances that do not have an otherwise specified penalty and is currently referenced in Chapter 10, "Amusements, Entertainment, and Block Parties," Chapter 14,

"Animals," Chapter 22, "Business," Chapter 34, "Emergency Services," Chapter 38, "Environment," and Chapter 50, "Solid Waste." The revised general penalty provides for issuance of a civil citation and fine of \$500.00 without jail time or an escalating series of administrative fines ranging from \$1,000.00 to \$15,000.00 depending on multiple factors, including the gravity of the violation, as provided by Florida Statutes.

Additionally, the requirement for sworn affidavits to enforce certain noise complaints has been eliminated from the City's Noise Ordinance.

- E. [Public Hearing - Ordinance No. 26-2025, amending the General Ordinances to establish Article V, "City Parks and Facilities," of Chapter 58, "Streets, Sidewalks, and Other Public Places," to provide rules and regulations pertinent to city parks and facilities, at second reading.](#)

**Background:**

The City Commission directed the City Attorney's Office to draft regulations pertaining to the City's Parks and Facilities to address health and safety concerns related to smoking and to address recent requests to conduct metal-detecting activities.

Section 386.209, Florida Statutes, preempts the regulation of smoking to the State of Florida, except that "municipalities may further restrict smoking within the boundaries of any public beaches and public parks that they own, except that they may not further restrict the smoking of unfiltered cigars". Additionally, Section 386.209, Florida Statutes, "does not preclude the adoption of county or municipal ordinances that impose more restrictive regulation on the use of vapor-generating devices." The proposed ordinance bans smoking and vaping of any kind, notwithstanding the prohibition on restriction of smoking unfiltered cigars. The penalty for non-compliance is a \$150.00 fine and may also include suspension from the park for 30 days if warranted.

There is no state preemption of metal detecting regulations. The proposed ordinance requires any individual conducting metal detecting to obtain a permit for activities within any city-owned, controlled, or operated property, facility, park, building, structure, equipment, appurtenance, and/or adjacent rights-of-way. The penalty for violation of permit conditions may include suspension of the permit, a fine of \$150.00, and/or suspension from the property for a period up to one year if warranted.

- F. [Public Hearing - Ordinance No. 27-2025 Solicitation on Public Road Rights-Of-Ways, at first reading.](#)

**Background:**

At the March 18, 2025, Regular City Commission, the City Commission directed the City Attorney's Office to draft an ordinance create additional permit procedures and regulations governing solicitation activities upon non-state of Florida public road rights-of-way and in city public parks. The permit process requires registration and notification of intended solicitation activities, payment of a license fee, and exemption from fees for non-profit organizations. The City does not intend these regulations to inhibit, regulate, or prohibit political campaigning or expression of political views or other protected speech, without solicitation.

**G. [Public Hearing - Ordinance No. 28-2025 Lobbyists Registration, Lobbying Disclosures, and Payment of Fees, at first reading.](#)**

**Background:**

Pursuant to direction received by the City Commission at the April 21, 2025, Regular City Commission Meeting, the City Attorney's Office has drafted an ordinance to set forth the rules, requirements, and restrictions that apply to lobbyists and others who may try from time to time to influence the acts and decisions of the City Commission or other final decisionmakers within the City.

**9. ACTION ITEMS:**

**A. [Request for an extension of Resolution No. 2025-63, the Zoning in Progress regarding amendments to the Land Development Code Article IV, Stormwater Management.](#)**

**Background:**

On February 3, 2025, the City Commission approved Resolution No. 2025-63, establishing Zoning in Progress for proposed amendments to Article IV, Stormwater Management, of the Land Development Code, with an initial 120-day period for staff and the City's consultant to draft revisions. Additional time is needed to ensure the proposed amendments are comprehensive and aligned with the City's goals. Therefore, staff is requesting a 120-day extension to complete the amendment process and prepare for formal Commission review and consideration.

**B. [Request for approval of Resolution No. 2025-65 accepting FEMA Subaward Grant for reconstruction at 2890 Blackburn Ave and authorizing up-front payment of the Resident Cost Share to be reimbursed fully by the Resident.](#)**

**Background:**

2890 Blackburn Avenue was severely impacted by Hurricane Ian. The property was nearly uninhabitable while the resident worked on the interior repairs & restoration efforts. The resident applied for HMGP assistance to have the home demolished & rebuilt.

The estimated cost to demolish & rebuild the home is \$491,711 which FEMA will cover \$191,082 while the homeowner will be responsible for the remaining non-federal share of \$312,571 (~63%). This estimate is based on data from 2022 when the application was submitted, and the final cost for demolition & rebuild may deviate from the original estimate. The homeowner is working with CDBG for applications for SHIP & CDBG-DR funding assistance with the funding of the local (resident) match. Staff is requesting authorization to pay the non-federal share up front provided an agreement is executed guaranteeing repayment and showing proof of funds from the resident.

- C. [Request for approval of Resolution No. 2025-64 and the Task Authorization between the City of Deltona & Pegasus Engineering for Grant Management Services, specific to the home demolition and rebuild at 2890 Blackburn Avenue in an amount of \\$32,200.](#)

**Background:**

Due to the impacts of Hurricane Milton & Nicole, the City identified a number of homes that were flooded due to one or both of these disasters. Working with our consultant, Pegasus Engineering the City was able to present several homes to the Division of Emergency Management (FDEM) for consideration under the Hazard Mitigation Grant Program (HMGP). HMGP is a FEMA funded program that is administered on behalf of FEMA through FDEM.

The existing residential structure at 2890 Blackburn Avenue is in the Theresa Basin drainage basin. The Theresa Basin watershed is classified as a closed (land-locked) drainage basin that has an extensive history of structural and roadway flooding. The property owner requested that the City assist in mitigating future flood events by demolishing the existing home and rebuilding the home at least 1 foot above the base flood elevation. The City upfronted the application cost for this property. The property has now received "approval" by FDEM & FEMA to proceed.

This is a demolishing & rebuilding grant application the maximum funding or Federal Cost \$179,140. The City committed to up-front the cost of the approved projects, so long as the resident(s) had secured the cost share funding of \$312,571. If/when the resident has secured that match, that match will be provided to the City of Deltona as the grant sub-recipient and Pegasus Engineering will provide Grant Management Services for the applicant on behalf of the City.

- D. [Request for rehearing of Ordinance No. 12-2024, request to amend the Official Zoning Map to rezone 36.46 acres of land located along the North Normandy Boulevard corridor south and east of the I-4 Logistics Park within the Activity Center from Single-Family Residential \(R1-AA\) to Mixed-Use Planned Unit](#)



Development (MPUD).**Background:**

The applicant has requested a rehearing of Ordinance No. 12-2024, which sought to rezone approximately 36.46 acres along the North Normandy Boulevard corridor from Single-Family Residential (R1-AA) to Mixed-Use Planned Unit Development (MPUD), in alignment with the City's Comprehensive Plan for the Activity Center. The proposed MPUD includes a mix of non-residential uses and a multi-family residential component, supporting economic development and integrated land use. The ordinance was denied by a 4-3 vote on May 19, 2025. The applicant submitted a rehearing request on May 28, 2025, asserting that key facts or points of law were overlooked. In accordance with Section 110-1005 of the City's Code, the Commission must now determine whether to grant the rehearing and, if so, set a date and time for a new public hearing.

- E. Request for consideration, that the Sergeant David G. Ledgerwood American Post 255 be given a 100-year lease at one dollar (\$1) a year and allow them to own their building.

**Background:**

At the Regular Commission Meeting held on May 19, 2025, Mayor Avila requested to place this item on the next agenda for approval.

- F. Discussion regarding the implementation of a temporary building moratorium.

**Background:**

At the May 5, 2025, City Commission meeting, a Commissioner requested discussion of a temporary moratorium on development to allow time for implementing updated impact fees. Any moratorium would require adoption of an ordinance and must exempt 23 currently vested development applications. Staff is seeking general direction from the Commission to begin drafting ordinance language, as requested.

**10. CITY ATTORNEY COMMENTS:****11. CITY MANAGER COMMENTS:****12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:****13. ADJOURNMENT:***CONTINUATION OF PUBLIC FORUM*

*\*This is only for individuals who submitted a request to speak form during the 6:00 p.m. Public Forum and were not afforded the opportunity to speak.*



*NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).*

*Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Manager in writing at CityManager@deltonafl.gov or to Deltona City Hall, 2345 Providence Blvd., Deltona, FL 32725 at least 48 hours prior to the meeting at which the person wishes to attend. The City is not permitted to provide the use of human physical assistance to physically handicapped persons in lieu of the construction or use of ramps or other mechanical devices in order to comply with Florida law. If proper accommodations for handicapped access cannot be made at a particular public meeting venue pursuant to a timely written request under Section 286.26 F.S., the City Manager shall change the venue of that meeting to a location where those accommodations can be provided.*

**DECORUM POLICY:** The City of Deltona has a significant interest in conducting orderly and efficient public meetings, which includes preventing disruption, promoting civility, and preserving decorum. To that end, behavior which disrupts or impedes the efficient and orderly conduct of any public meeting, as determined by the Mayor, or presiding officer, or a majority of the City Commission, is not permitted. The Mayor, or presiding officer, or a majority of the City Commission, may interrupt, warn, or terminate a speaker's statement when that statement is too lengthy, personally directed, abusive, obscene, irrelevant, or otherwise reasonably perceived to be a disruption to the fair and orderly progress of the discussion at hand. The Mayor, or presiding officer, or a majority of the City Commission, may also interrupt any part of the meeting to warn any individual that they are being disruptive or otherwise impeding the efficient and orderly conduct of the meeting. The Mayor, or presiding officer, or a majority of the City Commission, may require any individual to leave a public meeting for its duration if that individual is unable to observe this Policy after being warned. Should an individual be required to leave a meeting for violating this Policy, that person shall be escorted from Commission Chambers by a Volusia Sheriff's Deputy.

**PUBLIC FORUM:** Public Forum will begin at 6:00 PM at the start of each regular meeting and will conclude after 30 minutes. Comments during Public Forum are limited to items of City business that are listed on the Agenda and/or items that are not listed on the Agenda. Comments regarding listed Agenda items will take place after discussion of each item. Please be courteous and respectful of the views of others. In order to address the Commission, citizens must fill out a public participation slip and give it to the Deputy City Clerk. All citizen comments are limited to 4 minutes and shall be addressed to the Mayor or the Commission as a whole. Members of the City Commission shall not enter into discussion or respond to a citizen's comments other than to give directions or to ask for clarification. However, individual Commissioners may choose to respond under the "City Commissioner Comments" portion of the meeting.

**CONSENT AGENDA:** The Consent Agenda contains items that have been determined to be routine and non-controversial. If discussion is desired by any member of the City Commission, that item must be removed from the Consent Agenda and considered separately. All other matters included under the Consent Agenda will be approved by one motion. Citizens with concerns should address those concerns by filling out a public participation slip and giving it to the Deputy City Clerk prior to Consent Agenda items being pulled.