



MEMORANDUM

DATE: June 2, 2025

TO: City Commission

FROM: Jordan Smith, Director, Planning and Development Services

THRU: Doc Dougherty, City Manager

Re: Discussion Regarding Implementation of a Temporary Building Moratorium

REQUEST: At the May 5th City Commission Meeting, a Commissioner formally requested the addition of this item to discuss a temporary moratorium on development within the City of Deltona.

DISCUSSION:

At the May 5, 2025, City Commission meeting, a Commissioner requested discussion on the possibility of enacting a temporary moratorium on development activity within the City of Deltona. The purpose of the moratorium would be to temporarily pause new development while the City works to implement updated impact fees.

As of today, there are 23 development projects with complete applications currently under review by staff. These projects are considered vested and would need to be excluded from any moratorium to avoid legal issues.

In addition, Senate Bill 180 was recently passed by the Florida Legislature and is currently on the Governor's desk awaiting signature. This bill would restrict local government from enacting moratoriums on development following federally declared disasters involving hurricanes. A brief summary of Senate Bill 180 is attached for your reference.

If the City Commission elects to pursue a moratorium, it has the following options to consider:

- 1) A full moratorium on all development (residential and non-residential); or
- 2) A moratorium limited to residential development only, with the option to exempt infill residential development.
- 3) A moratorium with any other reasonable conditions determined by the Commission that are not contrary to law.

If the Commission wishes to proceed with a moratorium, it must clearly state the purpose and findings supporting the moratorium – such as the need for planning studies, infrastructure evaluation, or impact fee adjustments. It is also important to note that enacting a moratorium requires adoption of an ordinance, including proper public notice, a public hearing, and a second reading for adoption.

Staff is requesting direction from the Commission at this time. Based on your input, we will begin drafting ordinance language that reflects the Commission's intent, should the Commission decide to move forward.