

ORDINANCE NO. 11-2022

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP TO REZONE ±197 ACRES OF LAND LOCATED EAST OF SR 415 AND WEST OF KEELHAUL ROAD FROM COUNTY ZONING CLASSIFICATIONS RC, A-1, AND RA TO CITY OF DELTONA BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) FOR THE PURPOSES OF AN EXCAVATION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Deltona, Florida, has received an application to rezone ±197 acres from County of Volusia zoning classifications of RC (Resource Corridor), A-1 (Prime Agriculture) and RA (Rural Agriculture) to Business Planned Unit Development (RPUD) for the purposes of an excavation use; and,

WHEREAS, the City of Deltona, Florida, and its Land Planning Agency have complied with the requirements of the Municipal Home Rule Powers Act, sections 166.011 et. seq., Florida Statutes, in considering the proposed BPUD rezoning; and

WHEREAS, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the BPUD zoning is consistent with the Comprehensive Plan of the City of Deltona, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, as follows:

Section 1: Located in the City of Deltona, Florida, this BPUD zoning amendment includes Exhibit “A”, Development Agreement as a written agreement for the business planned unit development, Exhibit “B”, Legal Description describing the land hereby rezoned from RC, A-1, and RA to BPUD, and Exhibit “C”, Master Development Plan illustrating the extent of the excavation use. The

parcel identification numbers included for this zoning amendment are 9206-00-00-0160, 9207-00-00-0010, 9207-00-00-0150 and 9207-05-00-0054.

Section 2: This Ordinance is adopted in conformity with and pursuant to the Comprehensive Plan of the City of Deltona, the Local Government Planning and Development Act, Sections 163.161 et. Seq., Florida Statutes, and the Municipal Home Rule Power Act, Sections 166.011 et. seq., Florida Statutes.

Section 3. Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA THIS _____ DAY OF _____, 2022.**

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____

Heidi K. Herzberg, MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

CITY ATTORNEY