



MEMORANDUM

DATE: January 21, 2026
TO: Planning and Zoning Board
FROM: Jordan Smith, AICP, PP Community and Development Services Director
THRU: Jordan Smith, AICP, PP Community and Development Services Director
SUBJECT: RZ24-0009, Ordinance No. 01-2026, Amending the Official Zoning Map to rezone +/- 14.43 acres of land located at 2830, 2846 and 2855 Lake Helen Osteen Road from Residential Estate-One (RE-1) to Mixed-Use Planned Unit Development (MPUD). Applicant: Mark Watts (Quasi-Judicial – Public Hearing) (Jordan Smith, Project Manager)

REFERENCES: City Comprehensive Plan and Code of Ordinances.

REQUEST: The City had received an application to amend to the Official Zoning Map to rezone approximately +/-14.43 acres of land located at 2830, 2846 and 2855 Lake Helen Osteen Road from Residential Estate-One (RE-1) to Mixed-Use Planned Unit Development (MPUD).

The tax parcel numbers for the subject properties are 8110-00-00-0041, 8110-00-00-0070 and 8110-00-00-0080.

DISCUSSION:

The subject property is located southeast of the intersection of Lake Helen Osteen Road and Catalina Boulevard, directly east and south of the New Hope Baptist Church. The property consists of three parcels totaling approximately 14.43 acres and is currently undeveloped.

The Future Land Use designation for the site is is Low Density Residential (LDR). The surrounding area is primarily established single-family residential neighborhoods developed at low density. The site fronts Lake Helen Osteen Road, a two-lane County roadway functioning as a local corridor. The roadway is not designated as an Activity Center, mixed-use corridor, or employment hub.

The applicant proposes rezoning to MPUD to allow:

- Residential: Up to 96 affordable housing units, up to three stories/45 feet in height
- Church Expansion: 15,565 sq. ft. chapel, 10,000 sq. ft. school with park, 15,000 sq. ft. community center

While Comprehensive Plan Policy FLU 1-8.3 supports affordable housing with residential zoning, developments must remain consistent with the Future Land Use designation, surrounding development pattern, and Comprehensive Plan intent. The proposed MPUD would introduce a level of density and mixed-use intensity inconsistent with the LDR designation.

Unlike sites located within designated Activity Centers of mixed-use corridor, the subject property is surrounded by low-density residential uses and lacks the infrastructure and roadway capacity typically necessary to support MPUD zoning. Staff finds the proposed MPUD does not meet the locational criteria for higher intensity development.

MATTERS FOR CONSIDERATION:

Section 110-1101 of the Code of City Ordinances, states that the City shall consider the following matters when reviewing applications for amendments to the Official Zoning Map:

1. Whether it is consistent with all adopted elements of the Comprehensive Plan.

The Comprehensive Plan serves as the City's long-range master planning document, establishing goals, objectives, and policies to guide growth and development in a manner that promotes compatible land use patterns, protects established neighborhoods, and ensures the efficient use of public infrastructure.

The subject property is designated Low Density Residential (LDR) on the Future Land Use Map. This designation is intended to accommodate low intensity residential development, preserve existing neighborhood character, and limit residential density and non-residential intensity in areas not planned for mixed-use or urban scale development.

Policy FLU 1-2.4 *The City shall seek opportunities to provide for multi-family or other higher density residential uses in appropriate locations such as near commercial nodes and employment centers in order to reduce vehicle miles traveled and land consumption.*

The subject property is not located near a commercial node, employment center, Activity Center, or mixed-use corridor identified on the Future Land Use Map. The proposed MPUD would introduce higher density residential development in a location that does not meet the locational criteria established by this policy.

Policy FLU 1-8.3 *Affordable housing is considered an allowable use within all residential zoning classifications and the City will continue to support it.*

While affordable housing is supported citywide, this policy does not exempt development from consistency with the Future Land Use Map or from adopted density and intensity expectations. The proposed MPUD would exceed the development pattern contemplated for areas designated Low Density Residential.

Policy FLU 1-7.24 *The City shall seek to expand commercial, industrial and mixed-use development at appropriate locations.*

The Comprehensive Plan directs mixed-used development to specifically identified locations such as Activity Centers and designated corridors. The subject property is not located within an area identified as appropriate for mixed-use development.

Policy H 1-3.1 *The City shall designate lands for residential development consistent with the Future Land Use Map and the Comprehensive Plan.*

The requested rezoning to MPUD is not consistent with the Low Density Residential designation applied to the subject property.

Policy H 1-3.5 *The City shall continue to foster the provision of a variety of housing types to meet the needs of residents of various income levels and household types in appropriate locations.*

While the City encourages housing diversity, higher density residential development is intended to occur in areas planned to accommodate such intensity. The subject property does not meet this criterion.

Policy H 1-6.3 *The City shall promote the reduction of urban sprawl by providing for higher residential densities in appropriate locations.*

Increasing residential density within an area planned for low density residential development is inconsistent with this policy.

Policy T 1-4.8 *In the evaluation of proposed changes in land use and zoning, the existing design of the transportation system shall be considered in addition to its functional classification.*

Lake Helen Osteen Road is a two-lane County roadway designed to serve low density residential development. The proposed MPUD would introduce traffic volume inconsistent with the roadway's intended function and surrounding land use context.

Policy T 1-2.2 *Residential neighborhoods shall be protected, to the greatest extent possible, from impacts associated with high volume transportation systems.*

Approval of the proposed MPUD could result in increased traffic and related impacts that adversely affect the surrounding low density residential neighborhood.

Based on the above policies and their application to the subject property, staff finds that the proposed rezoning to MPUD is not consistent with adopted Comprehensive Plan

2. Its impact upon the environment or natural resources.

The Comprehensive Plan includes goals and policies intended to protect environmentally sensitive areas while allowing development that is consistent with adopted land use designations.

Policy FLU 1-4.4 *All development and proposed use shall be consistent with the Conservation Element.*

Policy FLU 1-4.1 *An environmental upland buffer of no less than 25 feet shall be utilized to protect the ecological functions of lake shores, streams, and wetlands.*

Policy FLU 3-4.7 *Land development proposals shall be required to protect ecologically viable natural habitats. Management plans shall be required to ensure that habitat is protected or mitigated consistent with applicable local, State and Federal Agencies.*

Wetlands are located on the western portion of the subject property and are proposed to be preserved with a minimum 25 foot upland buffer. While these resources can be preserved through site design and permitting, environmental protection alone does not resolve land use compatibility or Future Land Use consistency concerns.

An environmental assessment dated February 29, 2024, identified five potentially occupied gopher tortoise burrows. If confirmed, relocation would be required in accordance with state regulations. While impacts may be mitigated through regulatory compliance, environmental

mitigation does not overcome the incompatibility of the proposed MPUD with the Low Density Residential designation.

3. *Its impact upon the economy of any affected area.*

The Comprehensive Plan seeks to promote economic development in a manner that is compatible with surrounding land uses and consistent with long term planning objectives.

Policy ED2-1.3 *The City shall encourage developers to pursue sites zoned to accommodate economic development and redevelopment opportunities.*

While the proposed development may provide localized economic benefits, economic benefit alone does not justify rezoning that is inconsistent with the Future Land Use Map or incompatible with surrounding low density residential development.

Policy ED2-1.4 *For the promotion of mixed-use development, the City shall encourage proposed projects within the Deltona Activity Center to be accompanied by a mix of uses, including multi-family residential.*

The subject property is not located within an Activity Center, corridor or employment hub.

4. *Notwithstanding the provisions of Article XIV of the Land Development Code, Ordinance No. 92-25 [Chapter 86, Code of Ordinances], as it may be amended from time to time, its impact upon necessary governmental services, such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste, or transportation systems.*

The Comprehensive Plan requires development to be coordinate with available public facilities and services.

Policy FLU 1-1.1 *Development consistent with the Future Land Use Map shall not occur until services and facilities have been determined to be available concurrent with the impacts of the proposed development.*

- a. ***Schools:*** The Volusia County School Board reviewed the proposal and provided no objections.
- b. ***Sewage Disposal:*** Central sewer service would be provided by Deltona Water.
- c. ***Potable Water:*** Central water service would be provided by Deltona Water.
- d. ***Drainage:*** On-site drainage facilities would be reviewed during Final Site Plan approval.
- e. ***Transportation:*** Prior traffic studies identified the need for proportionate fair share mitigation. Although the applicant reduced the number of residential units, staff finds the development intensity remains inconsistent with roadway function.

Use Trip Generation Comparison Chart				
<i>Use</i>	<i>Sq. Ft.</i>	<i>A.M. Peak Hour Trips</i>	<i>P.M. Peak Hour Trips</i>	<i>Total Daily Trips</i>
Multi-Family (low-rise)	122 DU	60	72	845
Church	31.29 KSF	10	15	238
Daycare Center	115 students	90	91	457
Community Center	15.0 KSF	33	34	223

5. Any changes in circumstances or conditions affecting the area.

No changes in land use patterns, infrastructure capacity, or community needs have been identified that would justify increased density of mixed-use zoning at this location.

6. Any mistakes in the original classification.

No evidence has been presented demonstrating an error in the original Future Land Use Map designation or zoning classification.

7. Its effect upon the use or value of the affected area.

***Policy FLU 1-7.2** The City of Deltona shall maintain the viability of existing and proposed residential neighborhoods by maintaining guidelines and regulations for vehicular and pedestrian access, roadway buffers, landscaping, fences and walls, and the maintenance of common open space area.*

Introduction of MPUD zoning and increased development intensity would be incompatible with the existing development pattern and may adversely affect neighborhood stability.

8. Impact upon the public health, safety, or welfare.

***Policy FLU 1-7.7** Appropriate buffer and transition areas shall be utilized to ensure compatibility between residential areas and more intensive land uses.*

The proposed MPUD does not provide an appropriate transition from surrounding low density residential development and therefore does not promote public health, safety or welfare.

NEIGHBORHOOD MEETINGS: The New Hope MPUD held two neighborhood meetings, with notice provided to approximately 35 surrounding property owners within 300 feet of the site.

The first meeting took place on November 14, 2024, at the New Hope Baptist Church following Hurricane Milton. Members of the public expressed concerns related to flooding, wetland buffers, traffic, and overall project density.

The second meeting was on June 23, 2025, at the New Hope Baptist Church, with approximately 10-15 member of the public in attendance, excluding church members. The applicant presented revisions to the proposal, including increased wetland buffers, relocation of stormwater facilities, and a reduction in residential density by 26 units.

FINDING OF FACT: Based on the foregoing analysis and the criteria set forth in Section 110-1101 of the Code of Ordinances, staff finds that the proposed rezoning of the subject property from Residential Estate-One (RE-1) to Mixed Use Planned Development (MPUD):

- Is not consistent with the Future Land Use Map or the intent of the Low Density Residential designation;
- Introduces mixed-use development and residential density that is incompatible with the surrounding low density residential development pattern;
- Is not located within an Activity Center, corridor, or other area identified by the Comprehensive Plan as appropriate for higher intensity or mixed use development; and
- Does not adequately protect neighborhood character as intended by the Comprehensive Plan.

RECOMMENDATION: Staff recommends that the Planning and Zoning Board recommend denial of Ordinance 01-2026 to the City Commission.

NEXT STEPS: The Mayor and City Commission will hear this item at first reading on February 2, 2026.

LEGAL DESCRIPTION:

DESCRIPTION PER ORB 4041 PG. 402

THE SOUTH 264 FEET OF THE NORTH 792 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, EAST OF ROAD, SECTION 10, TOWNSHIP 18 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA.

AND

DESCRIPTION: PER OR 6785 PG 1227

THE SOUTH 264 FEET OF THE NORTH 792 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, EAST OF ROAD, SECTION 10, TOWNSHIP 18 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA.

AND

DESCRIPTION: PER OR 7585 PG 4982

THE SOUTH 528 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, EXCEPT THE SOUTH 68 FEET OF THE WEST 180 FEET THEREOF; AND THE NORTH 132 FEET OF THE SOUTHEAST $\frac{1}{4}$, EXCEPT THE NORTH 32 FEET OF THE WEST 180 FEET THEREOF, SECTION 10, TOWNSHIP 18 SOUTH, RANGE 31 EAST, LYING WEST OF LAKE HELEN-OSTEEN ROAD.

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTH 105 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 31 EAST; VOLUSIA COUNTY, FLORIDA; LYING WEST OF "LAKE HELEN-OSTEEN ROAD", EXCEPT THE WEST 180 FEET THEREOF.

AND EXCEPT THAT PORTION OF THE NORTH 132 FEET OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA, LYING WEST OF "LAKE HELEN-OSTEEN ROAD", EXCEPT THE NORTH 32 FEET OF THE WEST 180 FEET THEREOF.

Containing approximately 14.43 total acres.

ATTACHMENTS:

- Exhibit A – Development Agreement
- Exhibit B - Legal Description
- Exhibit C - Master Development Plan
- Exhibit D - Elevations
- Exhibit E - Traffic Impact Analysis
- Neighborhood Meeting Memos
- Map Series
- New Hope MPUD PowerPoint