Staff Report

To: Planning & Zoning Board

From: Ron Paradise, Director, Community Services

Date: April 27, 2022

Re: **Ordinance No. 12-2022, Moratorium on Future Land Use Map amendments and rezoning requests that result in an increase of single-family detached residential density entitlements.**

Summary of Application:

Applicant:

City of Deltona

Request:
At the February 21, 2022 hearing, the City Commission, by consensus, gave authorization to the Acting City Manager to explore a moratorium on rezoning applications that involve requests for increases in single-family detached residential density from existing zoning entitlements.

The first step in the process, including the initiation of a moratorium, was for the City Commission to approve what is referred to as a legislation in progress. The legislation in progress Resolution No. 2022-03 approved by the City Commission on March 25, 2022 established a timeframe of 120 days for the City to approve a moratorium.

The goal is for the moratorium to take effect on July 1, 2022 and sunset on January 1, 2023. There are exceptions that may allow the moratorium to be extended.

The main objective of the moratorium is to allow for public scoping to determine how future requests for increases in single-family detached residential density are managed by the City. Eventually, the scoping activities and topics discussed will be the foundation for changes/updates to the City Comprehensive Plan and Land Development Code. Public scoping topics are as follows:

1) Promotion of more sustainable development patterns;

2) Provision of more functional residential development forms;

3) Encourage greater land use compatibility;

4) Enhance environmental safeguards;

5) Improve general knowledge of the application of residential densities; and

6) Address general growth management laws and policies.

The proposed moratorium also includes potential administrative exceptions. The exceptions are narrow and allow for the City to contemplate a single-family detached zoning entitlement change for small projects and the project property is not associated with environmental constraints like wetlands and/or floodplains. In addition, a single-family detached increase in density may be considered if the project is that part of a bona fide mixed-use development. Another exception is for a development that contains a significant portion (30% of units) of affordable/workforce housing.

According to Sec. 110-1200 the Planning and Zoning Board is required to review certain proposals that involve land use planning and land development matters. Therefore, the moratorium, Ordinance No. 12-2022, has been forwarded to the Planning and Zoning Board for a recommendation.

Finally, there are several single-family detached residential rezoning requests that will not be halted or delayed as a result of the moratorium. In addition, there could be other project applications submitted in a sufficient manner that are brought forward before the July 1, 2022 effective date.

OPTIONS:

1. Recommend approval of Ordinance No. 12-2022

   Advantages:

   a. The City will have time to engage in public scoping in a more meaningful manner without having to decide single-family detached oriented rezoning applications.

   Disadvantages:

   a. Certain projects that may have some public benefits may be delayed;

   b. There may be reputational ramifications; and

   c. The City may be confronted with various applications for increases in single-family detached residential land use entitlements prematurely.

2. Do not approve Ordinance No. 12-2022

   Advantages:

a. Projects that may have some public benefits may be processed without delay;

b. The City will not run the risk of reputational ramifications; and

c. There would be a less chance of premature single-family detached rezoning applications.

Disadvantages:

a. The City will have time to engage in public scoping in a more meaningful manner without having to decide single-family detached oriented rezoning applications.

City staff recommends the Planning and Zoning Board recommend the City Commission adopt Ordinance No. 12-2022.