

ORDINANCE NO. 05-2023

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP TO REZONE A ±1.76-ACRE PORTION OF LAND LOCATED AT 2965 HOWLAND BOULEVARD FROM BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) TO CITY OF DELTONA RETAIL COMMERCIAL DISTRICT (C-1); PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Deltona, Florida, has received an application from MAS Development Corp. c/o Storch Law Firm to rezone ±1.759 acres from Business Planned Unit Development (BPUD) to Retail Commercial District (C-1); 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 C-1 rezoning; and

WHEREAS, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the C-1 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 portion of 2965 Howland Boulevard property zoning amendment includes Exhibit "A", Legal Description depicting the land hereby rezoned from BPUD to C-1. A portion of parcel number 8109-00-00-0064 is included for this zoning amendment.

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 Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS _____ DAY OF _____, 2023.

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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

Marsha Segal-George, CITY ATTORNEY