

## **ORDINANCE NO. 05-2020**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF DELTONA'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 95.34 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF ENTERPRISE OSTEEN ROAD, NEAR THE INTERSECTION OF ENTERPRISE OSTEEN ROAD AND COURTLAND BOULEVARD, FROM COUNTY RURAL TO CITY LOW DENSITY RESIDENTIAL; AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY OF DELTONA'S COMPREHENSIVE PLAN BY ADDING A GOAL, OBJECTIVE, AND POLICY TO ADDRESS THE DEVELOPMENT ON INDIVIDUAL PROPERTIES WITHIN THE CITY; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELTONA; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Deltona has adopted a Comprehensive Plan through Ordinance No. 32-98 and subsequent amendments thereto; and

**WHEREAS**, the transmittal and adoption public hearings on the proposed Large Scale Comprehensive Plan amendment hereinafter described were duly advertised and held by the City Commission of the City of Deltona, and at such hearings interested parties and citizens for and against the proposed plan amendments were heard; and

**WHEREAS**, the City of Deltona finds the request to change the Future Land Use Map designation on the subject property from County Rural to City Low Density Residential to be consistent with the Comprehensive Plan; and

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

**Section 1:** This ordinance is adopted in conformity with and pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act,

Chapter 163, Florida Statutes, and the Municipal Home Rule Powers Act, Chapter 166. The Future Land Use Map of the City of Deltona Comprehensive Plan, is hereby amended by designating parcel number 9113-00-00-0200 and parcel number 9113-00-00-0201, more specifically described in the attached legal description (**Exhibit A**), in accordance with Chapter 163, Florida Statutes, as amended, from County Rural (R) to City Low Density Residential (LDR).

**Section 2:** The Future Land Use Map of the City of Deltona Comprehensive Plan, is hereby amended to show the Future Land Use Designation of parcels 9113-00-00-0200 and 9113-00-00-0201 as Low Density Residential (LDR) Future Land Use, as depicted in **Exhibit B** (map).

**Section 3:** The City of Deltona Comprehensive Plan Future Land Use Element is hereby amended to add a new Goal FLU4, Objective FLU4-1, and Policy FLU4-1.1 as described in **Exhibit C**.

**Section 4:** Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**Section 5:** 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 6.** Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on

the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
DELTONA, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

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