



## Legislation Details (With Text)

**File #:** 356-2015      **Version:** 1

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 8/21/2020      **In control:** City Commission

**On agenda:** 10/5/2020      **Final action:**

**Title:** Public Hearing - Ordinance No. 07-2020, Large Scale Comprehensive Plan Future Land Use Map amendment (CP20-0024) for a ±130.08 acre property from Mixed Use Village and Osteen Commercial Village to Transitional Residential and adding Future Land Use Element Policy FLU4-1.2 to the City Comprehensive Plan, at first reading - Ron A. Paradise, Interim Deputy City Manager/Director, Planning and Development Services, (386) 878-8610.

Strategic Goal: Economic Development - Create more diversified & high-quality housing opportunities to provide for all market demands.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Staff Report, 2. MAPS, 3. EXHIBIT 1-TIA, 4. EXHIBIT 2-VCSB-Cap. Determination, 5. EXHIBIT 3-VC comments, 6. EXHIBIT 4-Response to VC Comments, 7. ORDINANCE NO. 07-2020, 8. EXHIBIT A-LEGAL DESCRIPTION, 9. EXHIBIT B-LEGAL DESCRIPTION, 10. EXHIBIT C-MAP, 11. Osteen Joint Planning Area (JPA)

Date	Ver.	Action By	Action	Result
10/5/2020	1	City Commission	accept	Pass
10/5/2020	1	City Commission		
10/5/2020	1	City Commission	accept	Pass

**TO:** Mayor and Commission

**AGENDA DATE:** 10/5/2020

**FROM:** Dr. Marc-Antonie Cooper, Interim City Manager

**AGENDA ITEM:** 6 - B

### SUBJECT:

Public Hearing - Ordinance No. 07-2020, Large Scale Comprehensive Plan Future Land Use Map amendment (CP20-0024) for a ±130.08 acre property from Mixed Use Village and Osteen Commercial Village to Transitional Residential and adding Future Land Use Element Policy FLU4-1.2 to the City Comprehensive Plan, at first reading - Ron A. Paradise, Interim Deputy City Manager/Director, Planning and Development Services, (386) 878-8610.

Strategic Goal: Economic Development - Create more diversified & high-quality housing opportunities to provide for all market demands.

### LOCATION:

The property is located off of Enterprise Osteen Road, west of SR415 situated in the southeastern section of the City within the Osteen Joint Planning Area (JPA).

### BACKGROUND:

The City of Deltona received an application to amend the City's Future Land Use Map by changing the Future Land Use designation on a +/-130.08 acre area from Mixed Use Village (MUV) and Osteen Commercial Village (OCV) to Transitional Residential (TR). The above land use nomenclature is associated with the Osteen Local Plan. The Osteen Local Plan is a result of a Joint Planning Agreement (JPA) between the City of Deltona and Volusia County. Both the MUV and the OCV Osteen JPA designations allow intensive urban uses, including multi-family and non-residential (commercial) entitlements. The requested TR category has a residential density of up to four (4) dwelling units per acre and is geared towards a development pattern featuring detached dwellings on individual lots. This Ordinance also amends the Future Land Use Element of the City of Deltona's Comprehensive Plan by adding Policy FLU4-1.2 to limit the gross density on the +/-130.08 acre area to 329 dwelling units. Essentially this request is a significant reduction of land use intensity. Please refer to the attached staff report which provides a detailed analysis.

As has been mentioned, the amendment request involves land within the Osteen Joint Planning Area (JPA). The JPA represents a joint effort between the County and the City. Finalized by the City and the County in 2009, the JPA established special land use designations for the 3,900 acre Osteen planning area. In addition, the JPA included parameters to ensure a high level of coordination between the City and the County regarding development and land use activity within the Osteen area. With regard to intergovernmental coordination, the City and the County have been both involved in the inception and review of the subject request to change from MUV and OCV to TR. However, according to the 2009 Osteen JPA the County will be required to provide written approval before the City adopts a change to the Osteen Local Plan. A copy of the 2009 JPA is attached. As a point of clarification, the October 5, 2020 meeting represents the first reading on this Ordinance and is a policy decision of the Commission to transmit the amendment to the Volusia Growth Management Commission and the Florida Department of Economic Opportunity for review. The adoption hearing for this amendment will not occur until sometime in the first quarter of 2021. County adoption approval will require a formal action of County Council. There has been an administrative request by the City for County staff to schedule a hearing on this matter preferably in October of 2020. However, it would be appropriate to expect the County will not render a determination and may not even schedule a hearing until there is an action by the City Commission transmitting and otherwise sanctioning the amendment request.

On August 19, 2020, the Planning and Zoning Board heard the Enterprise Osteen East Comprehensive Plan Future Land Use Map amendment request. The Planning and Zoning Board voted four (4) members to three (3) to forward this Ordinance to the City Commission with a recommendation to deny the FLUM amendment request. The rationale for the recommendation of denial was the proposal was there was no demonstrated need for the project and the amendment was not consistent with the Osteen vision. As part of this recommendation, the Planning and Zoning Board also suggested the Commission send a letter to Volusia County requesting the Osteen JPA and related land use allocations be reevaluated and otherwise updated.

Approval of this item authorizes any and all necessary actions, documents or budget transfers to facilitate Commission approval and further authorizes the Interim City Manager to sign any documents necessary to implement Commission approval of this item.

**COST:**  
N/A

**SOURCE OF FUNDS:**

N/A

**ORIGINATING DEPARTMENT:**

Planning and Development Services

**STAFF RECOMMENDATION PRESENTED BY:**

Ron A. Paradise, Interim Deputy City Manager/Director, Planning and Development Services - Staff recommends the City Commission transmit Ordinance No. 07-2020 to the Florida Department of Economic Opportunity (DEO) and the Volusia County Growth Management Commission to amend the Future Land Use Designation on  $\pm 130.08$  acres from Mixed Use Village and Osteen Commercial Village to Transitional Residential. Furthermore, staff is recommending as part of this amendment package a new Policy FLU4-1.2 be added to the text of the City Comprehensive Plan Future Land Use Element to limit the gross density on the  $\pm 130.08$  acre area to 329 dwelling units.

**POTENTIAL MOTION:**

"I hereby move to transmit Ordinance No. 07-2020 to the Florida Department of Economic Opportunity and the Volusia County Growth Management Commission to amend the Future Land Use designation on  $\pm 130.08$  acres from Mixed Use Village Center and Osteen Commercial Village to Transitional Residential, and add new Policy FLU4-1.2 to the City Future Land Use Element of the Comprehensive Plan to limit gross density on the amendment area to 329 dwelling units.

Upon approval of this item authorizes any and all necessary actions, documents or budget transfers to facilitate Commission approval and further authorizes the Interim City Manager to sign any documents necessary to further Commission approval of this item.