

DRAFT ORDINANCE

ORDINANCE NO. 05-2025

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 110-319, "PUD, PLANNED UNIT DEVELOPMENT," UPDATING APPLICATION REQUIREMENTS TO INCLUDE ENHANCED ARCHITECTURAL, LANDSCAPING, AND ENVIRONMENTAL STANDARDS, OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City of Deltona as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, the City Commission of the City of Deltona, Florida, adopted Article II, "Establishment of Classifications and Official Zoning Map," and Chapter 110, "Zoning," as its "Zoning Code;" and

WHEREAS, the City of Deltona has included Chapter 110, "Zoning," within the Land Development Code; and

WHEREAS, Section 110-319, "PUD, Planned Unit Development," of Article III, "Establishment of Classifications and Official Zoning Map," of Chapter 110, "Zoning," of the Land Development Code shall be amended to update application requirements to include enhanced architectural, landscaping, and environmental standards; and

DRAFT ORDINANCE

City of Deltona, Florida
Ordinance No. 05-2025
Page 2 of 4

WHEREAS, the Planning and Zoning Board held a public hearing on January 15, 2025, and forwarded its recommendations to the City Commission; and

WHEREAS, the City Commission finds and determines that these modifications are in the best interest of the public health, safety, and welfare of the residents of the City of Deltona.

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

Section 1. Recitals Adopted. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

Section 2. Amendment to the Code of Ordinances. The City Commission hereby approves and adopts modifications to Section 110-319, "PUD, Planned Unit Development," of Article III, "Establishment of Classifications and Official Zoning Map," of Chapter 110, "Zoning," of the Land Development Code, as set forth in "Exhibit A" attached hereto.

Section 3. Zoning in Progress. Pursuant to the pending ordinance doctrine set forth in Smith v. City of Clearwater, 383 So. 2d 681 (Fla. 2d DCA 1980), the City declares and implements the pending ordinance doctrine and declares zoning in progress concerning the zoning and land development regulations governing the development of PUD's. All property owners and developers should be aware that provisions of the pending ordinance not yet adopted by the City Commission may be applied to any proposed development applications and any development applications

DRAFT ORDINANCE

City of Deltona, Florida
Ordinance No. 05-2025
Page 3 of 4

may be delayed until the adoption and effective date of this Ordinance; accordingly, property owners and developers should not rely on existing land development regulations in making investment and development related decisions.

Section 4. Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith 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. Codification. The provisions of this Ordinance shall be codified as and be made part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered to accomplish such intention.

Section 7. 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 _____, 2025.

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____
Santiago Avila, Jr., MAYOR

DRAFT ORDINANCE

City of Deltona, Florida
Ordinance No. 05-2025
Page 4 of 4

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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

TG Law, PLLC, CITY ATTORNEY

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Lulli		
Santiago		
Avila		