

ORDINANCE NO. 36-2025

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 110-814, "ADDITIONAL REGULATIONS FOR CERTAIN PERMITTED PRINCIPAL USES AND STRUCTURES," OF CHAPTER 110, "ZONING," AND CHAPTER 74, "ADMINISTRATION," OF THE LAND DEVELOPMENT CODE UPDATING PROCEDURES AND REGULATIONS RELATED TO CERTIFIED RECOVERY RESIDENCES IN COMPLIANCE WITH FLORIDA STATUTES; 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, SB 954, codified in Section 397.487 Florida Statutes, was enacted during the 2025 Legislative Session and requires by January 1, 2026, the governing body of each county or municipality to adopt an ordinance to establish procedures for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence; and

WHEREAS, the Florida Legislature has previously found that a person suffering from addiction has a higher success rate of achieving long-lasting sobriety when given the opportunity to build a stronger foundation by living in a recovery residence while receiving treatment or after completing treatment; and

WHEREAS, the City Commission of the City of Deltona, Florida, has included Section 110-814, "Additional Regulations for Certain Permitted Principal uses and Structures," of Chapter 110, "Zoning," within the Land Development Code; and

WHEREAS, the City Commission of the City of Deltona, Florida, has included Article III, "Development Review Procedures and Criteria," of Chapter 74, "Administration," within the Land Development Code; and

WHEREAS, the City Commission of the City of Deltona, Florida, has included Section 70-30, "Definitions," of Chapter 70, "General Provisions," within the Land Development Code; and

WHEREAS, the foregoing portions of the Land Development Code shall be amended to provide procedures and regulations related to certified recovery residences in compliance with Florida Statutes; and

WHEREAS, the Planning and Zoning Board held a public hearing on October 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 110-814, “Additional regulations related to certain permitted principal uses and structures,” of Chapter 110, “Zoning,” Chapter 74, “Administration,” and Chapter 70, “General Provisions,” of the Land Development Code, as set forth in “Exhibit A” attached hereto.

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. 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 6. 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

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		
Nabicht		
Santiago		
Avila		