

# City of South Daytona

## Economic Development

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386-322-3025



### MEMORANDUM

To: James L. Gillis, Jr., City Manager

From: Josh McEnany, Economic Development Director

Date: January 29, 2024

Re: Consideration of the Second and Final Reading of Ordinance No. 2024-01. Rezoning of 2501 South Ridgewood from Business General Commercial (BGC) to Planned Development (PD)

To uphold the City of South Daytona's commitment to maintaining exceptional development standards, the property owner at 2501 South Ridgewood has submitted a request for 2501 S. Ridgewood Avenue to undergo a rezoning process. This transition would involve changing the current zoning classification from Business General Commercial (BGC) to Planned Development (PD).

After rezoning, staff will work with a developer to create a separate Development Agreement which will be presented to the Planning and Appeals Board and the City Council at a later date. The Development Agreement will set forth specific site plan characteristics for the PD geared towards quality development.

**Background:** The City of South Daytona is dedicated to furthering top-tier development within our US1 Overlay district, prioritizing higher standards. As part of our strategic approach, staff engage in rezoning of specific properties, a key tool in aligning with this objective. The Economic Development staff is committed to encouraging high-quality business migration to our overlay district. This helps the city control future development and ensure quality businesses become part of our commercial corridor. Such use and development agreements would be approved by the City Council at a later date.

The Planning & Appeals Board recommended the City Council approve an Ordinance to rezone 2501 South Ridgewood from Business General Commercial (BGC) to Planned Development (PD) at their regular meeting on December 20, 2023.

The City Council approved the first reading of Ordinance 2024-01 on January 9, 2024.

Staff recommends the City Council approve the second reading of Ordinance No. 2024-01.

## ORDINANCE NO. 2024-01

**AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF 2501 S. RIDGEWOOD AVENUE (PARCEL NO. 5333-17-00-0010) FROM BUSINESS GENERAL COMMERCIAL (BGC) TO PLANNED DEVELOPMENT (PD); PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the property owners of 2501 S. Ridgewood Avenue have requested that the subject property, specifically parcel number 5333-17-00-0010 be rezoned from Business General Commercial (BGC), to Planned Development (PD); and

**WHEREAS**, the subject property covers an area (+/- 5.82 acres) which would be suitable for redevelopment under a Planned Development; and

**WHEREAS**, this property is located within the City of South Daytona Community Redevelopment Area (CRA), that was established to address blighted properties and to redevelop the U.S.1 corridor; and

**WHEREAS**, the proposed PD zoning would further the development potential of the parcel thus facilitating the utilization and productivity of the property, which is in the best interest of both the property-owner and the City; and

**WHEREAS**, the City of South Daytona Planning and Appeals Board, serving as the local planning agency, held a public hearing on the 20<sup>th</sup> day of December 2023, and recommended approval of the proposed rezoning; and

**WHEREAS**, the City of South Daytona City Council finds the rezoning of the property in the best interest and welfare of the citizens of the City.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, VOLUSIA COUNTY, FLORIDA THAT:**

**SECTION 1. Identification of Property Rezoned to Planned Development (PD).** The following property is hereby rezoned to Planned Development (PD):

2501 S. Ridgewood Avenue (5333-17-00-0010)

**SECTION 2. Legal Description of Property Rezoned to Planned Development.** The legal description of the subject property is attached hereto as "Attachment A".

**SECTION 3. Location and Zoning Map of Properties Rezoned to Planned Development (PCD).** "Attachment B", attached hereto and considered an integral part of this Ordinance, shows the location and zoning of the property to be rezoned to Planned Development.

**SECTION 4. Master Development Agreement.** A Master Development Agreement ("MDA") shall be adopted by the City Council by subsequent ordinance, which MDA shall set forth specific site-plan characteristics for the Planned Development, any other requirement to the contrary

notwithstanding.

**SECTION 5. Conflicts.** All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon enactment.

**APPROVED** upon first reading on the 9<sup>th</sup> day of January 2024 at a regular meeting of the City Council of the City of South Daytona.

**APPROVED AND ADOPTED** upon second and final reading on the 13<sup>th</sup> day of February 2024 at the regular meeting of the City of South Daytona City Council.

CITY OF SOUTH DAYTONA:

ATTEST:

\_\_\_\_\_  
William C. Hall, Mayor

\_\_\_\_\_  
James L. Gillis, Jr., City Manager

CERTIFIED AS TO FORM:

\_\_\_\_\_  
Wade C. Vose, City Attorney

# Attachment A

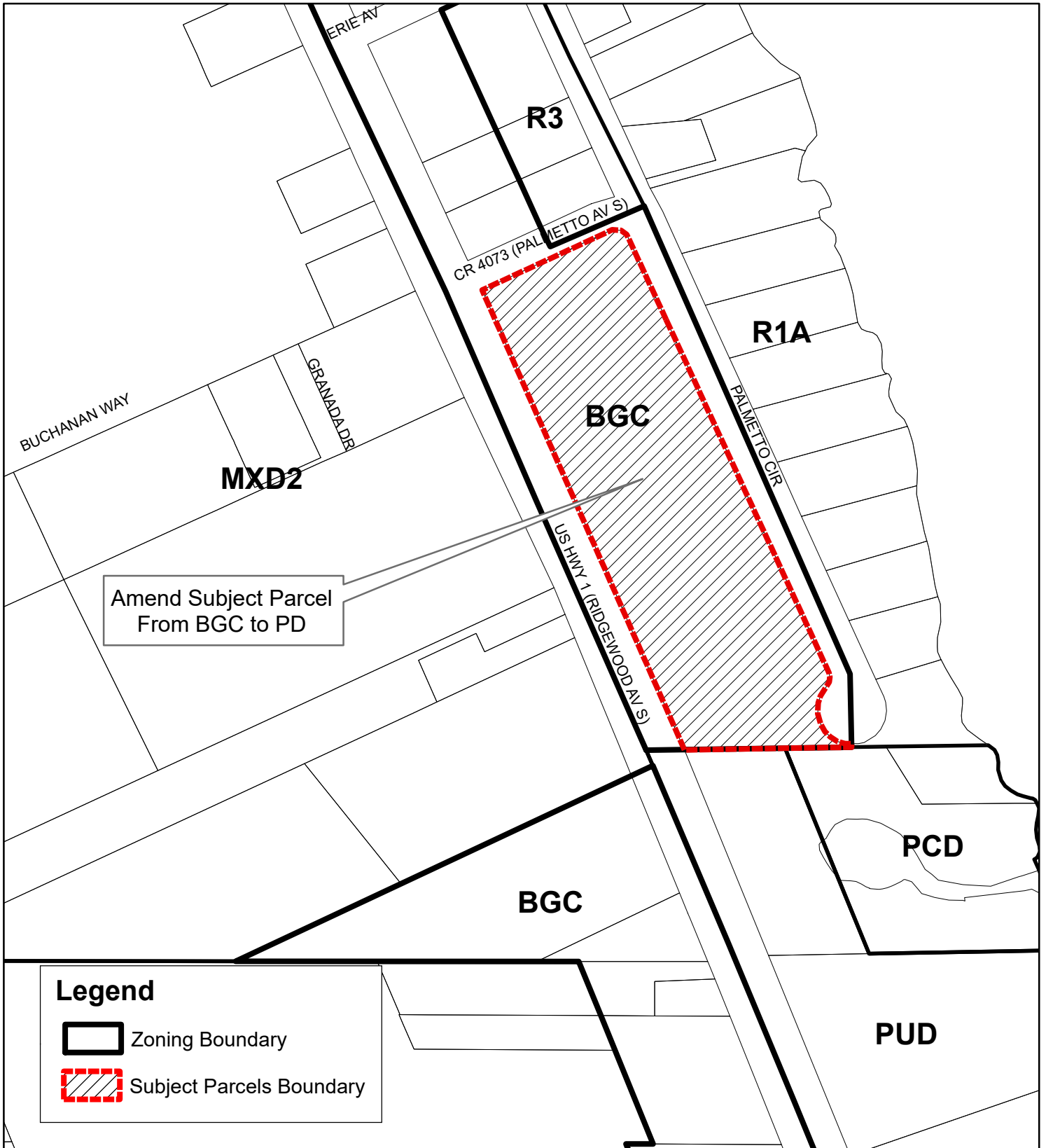
## Legal Descriptions

### 2501 S. Ridgewood Avenue

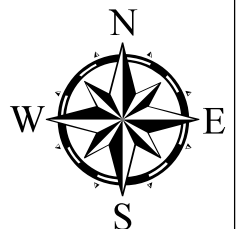
**LOT 1, HALIFAX CENTER SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 41, PAGE 188, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE SOUTHWEST CORNER OF LOT 2 OF SAID HALIFAX CENTER SUBDIVISION; THENCE RUN SOUTH 29°32'39" EAST ALONG THE WEST LINE OF LOT 2, A DISTANCE OF 51.48 FEET; THENCE CONTINUE ALONG SAID WEST LINE SOUTH 24°39'48" EAST, A DISTANCE OF 20.92 FEET; THENCE DEPARTING SAID LOT 2, RUN SOUTH 65°20'12" WEST, A DISTANCE OF 70.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF PALMETTO CIRCLE AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 24°39'48" EAST, A DISTANCE OF 821.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 65°41'04"; A CHORD DISTANCE OF 27.12 FEET AND A CHORD BEARING OF SOUTH 08°10'44" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 28.66 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 131°23'34", A CHORD DISTANCE OF 109.37 FEET AND A CHORD BEARING OF SOUTH 24°40'32" EAST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 137.59 FEET TO A POINT ON THE SOUTH LINE OF SAID HALIFAX CENTER SUBDIVISION; THENCE RUN SOUTH 89°37'41" WEST ALONG SAID SOUTH LINE A DISTANCE OF 304.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF SOUTH RIDGEWOOD AVENUE (U.S. HIGHWAY 1); THENCE ALONG SAID EAST RIGHT-OF-WAY LINE RUN THE FOLLOWING THREE COURSES AND DISTANCES NORTH 22°06'48" WEST, A DISTANCE OF 134.92 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 11526.20 FEET AND A CENTRAL ANGLE OF 02°33'00", A CHORD DISTANCE OF 512.94 FEET AND A CHORD BEARING OF NORTH 23°23'18" WEST; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 512.98 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 24°39'48" WEST, A DISTANCE OF 205.89 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SOUTH PALMETTO AVENUE; THENCE RUN EASTERLY ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE COURSES: NORTH 64°38'12" EAST, A DISTANCE OF 232.94 FEET; THENCE RUN NORTH 73°59'55" EAST, A DISTANCE OF 21.08 FEET TO A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 81°20'17", A CHORD DISTANCE OF 32.58 FEET AND A CHORD BEARING OF SOUTH 65°19'57" EAST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.49 FEET TO THE POINT OF BEGINNING.**

**CONTAINING: 5.82 ACRES MORE OR LESS.**



Zoning Map  
2501 S. Ridgewood Ave.  
(5333-17-00-0010)



City of South Daytona - Community Development Department

**City of South Daytona**  
**Office of the City Manager**

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3014



## Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

**Proposed ordinance’s title/reference:**

**Ordinance 2024-01.** An Ordinance of the City of South Daytona, Florida, amending the official zoning map by changing the zoning of 2501 S. Ridgewood Avenue (Parcel No. 5333-17-00-0010) from Business General Commercial (BGC) to Planned Development (PD); providing for conflicts, severability, applicability, and an effective date.

**Applicable Exemptions:**

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:

- ☒ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
- ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

**Business Impact Estimate:**

**The City hereby publishes the following information:**

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

Applicant requested rezoning of 2501 S. Ridgewood Avenue.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

No additional costs will be incurred.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

None.

- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

None.

- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

None.

**4. Additional information the governing body determines may be useful (if any):**

This Ordinance updates the City's Zoning Map as requested by the applicant to change the zoning of 2501 S. Ridgewood Avenue (Parcel No. 5333-17-00-0010) from Business General Commercial (BGC) to Planned Development (PD).

**Note:** *The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*