

# City of South Daytona

## Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



### MEMORANDUM

To: James L. Gillis Jr., City Manager

From: S. Laureen Kornel, AICP, Community Development Director

Re: Consideration of Ordinance No. 2025-06: Rezoning of 2595 and 2601 South Ridgewood Avenue, PCD (Planned Commercial Development) to R1-A (Single Family Residential). First Reading was held on March 11, 2025. Second and final reading. Public Hearing.

Date: March 31, 2025

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This item was heard on March 11, 2025 for First Reading.

#### I. SUMMARY OF REQUEST

The applicant/owner of 2595 and 2601 S. Ridgewood Avenue has requested a Zoning map amendment from PCD (Planned Commercial Development) to R1-A (Single Family Residential) for 2595 and 2601 South Ridgewood Avenue for a total of ±3.73 acres. **The site is currently developed with two single-family homes and no new construction is proposed as part of this rezoning application.**

#### II. SITE INFORMATION

1. Location: Located within the designated Community Redevelopment Area on the East side of South Ridgewood Avenue, approximately 2,200 feet north of the intersection with Reed Canal Road consisting of 3 parcels totaling 3.73 acres.

# City of South Daytona

## Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



2. Short Parcel Number(s): 5333-21-00-0010, 5333-21-00-0020, and 5333-06-00-0014
3. Property Size: ±3.73 acres
4. Zoning: Current - Planned Commercial Development (PCD)  
Proposed - R1-A (Single Family Residential)
5. Adjacent Zoning and Land Use:

Direction	Current Use	Future Land Use	Zoning
North	Single Family and Vacant Land	Mixed Use 1 and Commercial	R1-A (Single Family Residential) and BGC (Business General Commercial)
East	Halifax River	N/A	N/A
South	Vacant Land	Mixed Use 1	PUD (Planned Unit Development)
West	Vacant Land	Mixed Use 1	PUD (Planned Unit Development)

# City of South Daytona

## Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



### III. BACKGROUND

The subject properties are currently zoned Planned Commercial Development (PCD) and are part of a larger failed PCD known as Halifax Center South, a 246-unit mixed use condominium project in 2005. The properties were never developed as part of a condominium project and have maintained their single-family use. The properties are currently developed with residential homes. The properties continue to maintain their assigned PCD zoning classification, though the Master Development Agreement dating back to 2005 has expired causing the properties to be non-conforming uses.

The consequences of a non-conforming property are the inability to expand or repair a property if greater than 50% of the property is destroyed. In addition, selling a non-conforming property can create problems with the sale of a property as lending institutions may not be interested in providing financing for property that may not be replaced or substantially repaired after a catastrophic event such as a hurricane or fire. As such, the property owners have requested to reinstate the R1-A zoning classification. As was previously stated, the properties are already developed with single-family homes consistent with neighboring properties. The applicant wishes to consider selling their properties and there are no plans for future development at this time.

In 2023, 1921 and 1923 South Palmetto Avenue, also located along the river, were rezoned in a similar manner from PCD to R1-A (Ordinance 2023-02). Aside from this instance, the zoning classifications north of the subject properties directly abutting the Halifax River are generally homogeneous (R1-A). The rezoning in 2023 provides precedent for the applicant's request and provides appropriate dimensional standards as single-family homes in the future consistent with dimensional standards in the area. Any future development of the subject properties would require site plan review.

### IV. ANALYSIS

The South Daytona Future Land Use Map identifies the subject parcels as Mixed Use 1. Rezoning the subject properties to R1-A would be consistent with their current use as single-family as well as their Mixed Use 1 Future Land Use (FLU) Designation. The Mixed Use 1 FLU designation provides for residential uses and the city may apply single-purpose zoning classifications in a manner that yields an overall mixture of land uses. Policies 1-9(1) and 1-11(1) of the Future Land Use Element of the Comprehensive Plan allow the R1A rezoning to be reinstated without having to change the future land use as the future land use is a future planned condition that ultimately still may occur with future redevelopment. The properties are existing lots of record and were previously zoned R1-A prior to the previous rezoning to PCD and are consistent with

# City of South Daytona

## Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



the other lots north of the Halifax River in South Daytona also zoned R1A. The proposed R1-A zoning would allow the continued residential use to be conforming in accordance with the Land Development Code dimensional standards facilitating the continued utilization and productivity of the property, which is in the best interest of both the property-owner and the City while maintaining the Mixed Use 1 FLU designation and vision that will guide future redevelopment.

Since the properties are already developed with single family homes, the requested zoning change will not represent a nuisance as there is no proposed change of use other than the single-family homes that exist there today. The requested rezoning will have no impact on the environmental and natural resources of the area. The rezoning will have no negative impact on the economy and represents an opportunity for reinvestment through redevelopment of the properties consistent with the goals of the Community Redevelopment Area policies. The purpose of the request is to rezone the properties to assign the R1-A zoning classification consistent with neighboring zoning along the South Palmetto Avenue corridor abutting the Halifax River. Reinstating the R1-A zoning makes the property a conforming use with appropriate dimensional standards suitable for residential whereby the property owner would be able to rebuild in the event of a catastrophic event.

## V. CONCLUSION

In accordance with Section 3.2(J)(1) of the Land Development Code, there are certain criteria that must be evaluated before adoption of a Rezoning. The Planning Advisory Board must consider the following criteria when making their recommendation:

**1. The use(s) of property is (are) consistent with the land development regulations and comprehensive plan.**

The proposed rezoning map amendment from PCD to R1-A is consistent with the Comprehensive Plan and the LDC as described in the above analysis. The proposed use makes a non-conforming property conforming.

**2. The use(s) is (are) compatible with the adjacent existing or planned uses.**

The applicant proposes to maintain the subject properties in their current single-family use which is compatible with adjacent uses along South Palmetto Avenue.

**3. The use provides adequate ingress/egress, parking, open space, and other amenities for the benefit of uses.**

The single-family use is intended to remain the same with ingress/egress on South Ridgewood Avenue and adequate parking, and open space.



# City of South Daytona

## Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



#### **4. The use does not impair rights of other properties to light, air, sunlight, or other natural phenomena.**

The single-family use is intended to remain the same. The use will not substantially or permanently depreciate the value of the surrounding property, create a nuisance, or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare or visual impacts on the neighborhood and adjoining properties.

#### **5. The project meets or exceeds tests for concurrency management.**

**Transportation:** Traffic will remain unchanged from what it is today as a developed property with a single family home. The rezoning will reduce the maximum development potential and consequently reduce associated traffic impacts that were otherwise approved through the failed PCD. The city is a designated Transportation Concurrency Area, and the site is already developed with single family homes. There will be no adverse impacts on transportation as a result of the rezoning and there will be less traffic generated than was otherwise approved with the previous failed PUD.

**Water and Sewer:** The properties are already developed as single-family homes and are being served with water and sewer. The proposed impact on water and sewer for two dwelling units would be a reduction of the potential impacts if the subject property were developed under the current PCD zoning classification. There will be no additional impacts as a result of the proposed rezoning.

**Stormwater drainage:** There will be no additional impact as a result of the rezoning other than what was originally allowed under the R1-A zoning. The properties are already developed with single family homes. Any future redevelopment will require that the applicant meet today's standards for development, including stormwater requirements.

**Solid Waste:** The City's contracted waste hauler, Waste Pro, delivers solid waste to Volusia County's Tomoka Farms Landfill. This is a 3,400-acre Class 1 facility and is estimated to have an excess capacity through 2052. There will be no increase in solid waste since the properties are already developed. Furthermore, solid waste generated by the two parcels will be less than with the current PCD zoning classification.

**Parks and Recreation:** The proposed rezoning map amendment will not impact the level of service for park facilities. The level of service is based on acres per capita population. There is not a park acreage level of service deficiency.

# City of South Daytona

## Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



**Schools:** Volusia County Schools Facilities does not consider the impact for concurrency to be significant if the density is less than 10 lots. This rezoning map amendment will yield a maximum of two lots which are already developed as single-family homes. Since the proposed re-zoning will eliminate the possibility of developing a previously approved PCD, the proposed rezoning will have no direct impact on the schools in South Daytona.

The requested rezoning map amendment meets or exceeds the test for concurrency management. Any additional site development will be required to meet the development standards of the LDC which requires review by the Development Review Committee.

## VI. RECOMMENDATION

The Planning and Appeals Board reviewed this item at their meeting on March 5, 2025, and recommended the City Council approve the rezoning request. Staff recommends the City Council approve the second and final reading of Ordinance No. 2025-06, rezoning 2595 and 2601 South Ridgewood Avenue from PCD (Planned Commercial Development) to R1-A (Single Family Residential).

### Attachments:

Ordinance No. 2025-06

## **ORDINANCE NO. 2025-06**

**AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF 2595 SOUTH RIDGEWOOD AVENUE, PARCEL 5333-21-00-0010 AND 5333-21-00-0020, AND 2601 SOUTH RIDGEWOOD AVENUE, PARCEL 5333-06-00-0014 FROM PLANNED COMMERCIAL DEVELOPMENT (PCD) TO SINGLE FAMILY RESIDENTIAL (R1-A); AND PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the properties at 2595 South Ridgewood Avenue, specifically parcels 5333-21-00-0010 and 5333-21-00-0020, and at 2601 South Ridgewood Avenue, specifically parcel 5333-06-00-0014, for a total of +/-3.0 acres are currently zoned Planned Commercial Development (PCD); and

**WHEREAS**, the subject properties are a part of an approved PCD; and

**WHEREAS**, the current owner does not wish to participate in the Planned Commercial Development and requests that the Single Family Residential (R1-A) zoning be reinstated on the parcels; and

**WHEREAS**, rezoning the subject properties to a Single Family Residential (R1-A) zoning, would be consistent with its underlying Residential classifications as shown on the Future Land Use Map (FLUM) of the Comprehensive Plan; and

**WHEREAS**, the properties are 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 R1-A zoning would allow the continued utilization and productivity of the properties as single-family homes, which is in the best interest of the both the property owners-owners 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 March 2024, 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 Single Family Residential (R1-A).**

The following properties are hereby rezoned to Single Family Residential (R1-A): 2595 South Ridgewood Avenue (Volusia-County tax parcels #5333-21-00-0010 and #5333-21-00-0020) and 2601 South Ridgewood Avenue (Volusia-County tax parcel #5333-06-00-0014).

*Ordinance 2025-06, Rezoning 2595 and 2601 South Ridgewood Avenue*

**SECTION 2. Legal Descriptions of Properties Rezoned to Single Family Residential:**

The legal descriptions of the subject properties are attached hereto as Attachment "A".

**SECTION 3. Location Map of Property Rezoned to Single Family Residential (R1-A).**

"Attachment B", attached hereto and considered an integral part of this Ordinance, shows the location of the property to be rezoned to Single Family Residential (R1-A).

**SECTION 4. Conflicts.** All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5. 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 6. Effective Date.** This Ordinance shall take effect immediately upon enactment.

**APPROVED** upon first reading on the 11<sup>th</sup> day of March 2025 at a regular meeting of the City Council of the City of South Daytona.

**APPROVED AND ADOPTED** upon second and final reading on the 8<sup>th</sup> day of April 2025 at the regular meeting of the City of South Daytona City Council.

CITY OF SOUTH DAYTONA:

ATTEST:

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

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James L. Gillis, Jr., City Manager

CERTIFIED AS TO FORM:

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Wade C. Vose, City Attorney



Attachment "A"  
Legal Descriptions

2595 South Ridgewood Avenue – Volusia-County Tax Parcel #5333-21-00-0010

LOT 1 EXC W 173.14 FT AS MEAS ON N/L DENE'S COVE MB 45 PG 144 PER OR 5017 PG 4829 PER OR 5071 PG 4883 PER OR 8382 PG 3174

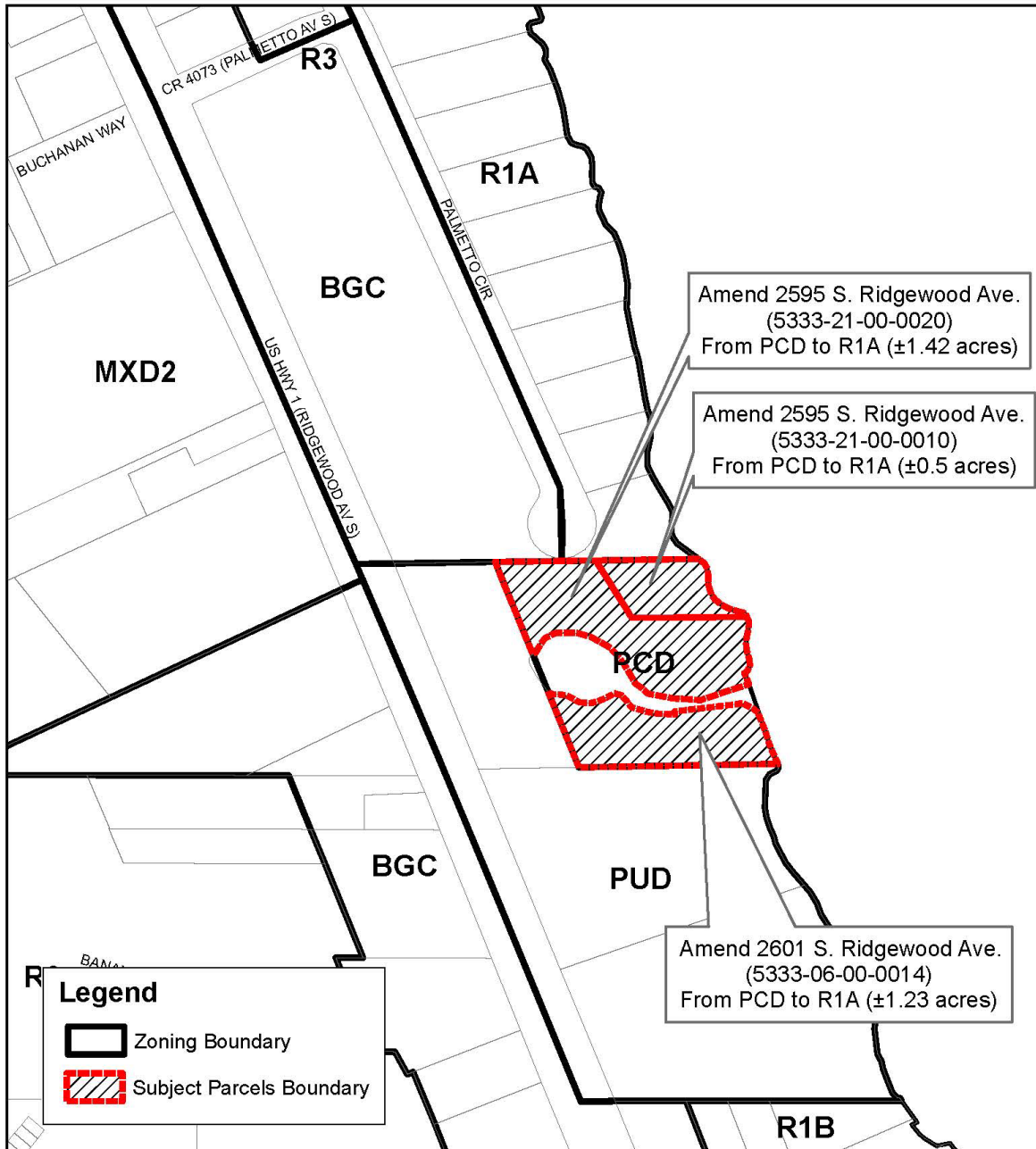
2595 South Ridgewood Avenue – Volusia-County Tax Parcel #5333-21-00-0020


LOT 2 & W 173.14 FT OF LOT 1 AS MEAS ON N/L DENE'S COVE MB 45 PG 144 PER OR 5071 PG 4880 PER OR 8382 PG 3174

2601 South Ridgewood Avenue – Volusia-County Tax Parcel #5333-06-00-0014

S 135 FT OF N 400 FT OF LOT 1 EXC W 163 FT HALIFAX RIVERSIDE PARK PER OR 4938 PG 3581

# Attachment "B"






**Zoning Map**

**2595 S. Ridgewood Ave (5333-21-00-0020) &  
(5333-21-00-0010) &  
2601 S. Ridgewood Ave (5333-06-00-0014)**

City of South Daytona - Community Development Department



Date: 2-11-25