

City of South Daytona

Office of the City Manager

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



Memorandum

To: James L. Gillis Jr., City Manager

From: Josh McEnany, Economic Development Director
Becky Witte, Deputy City Clerk

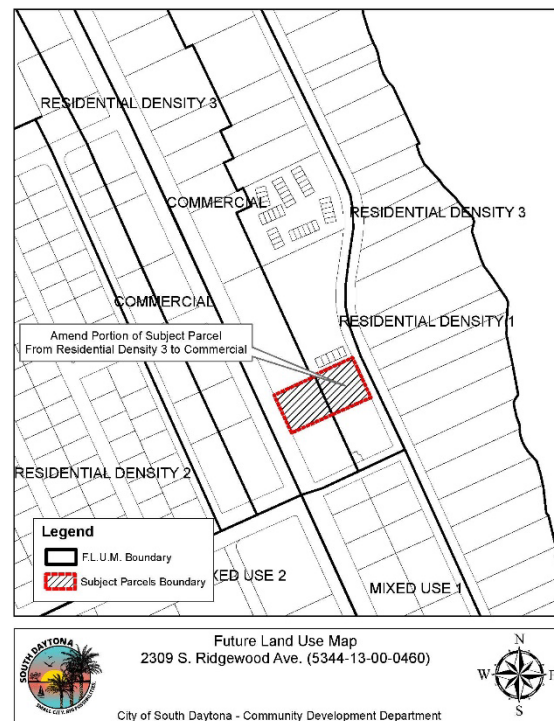
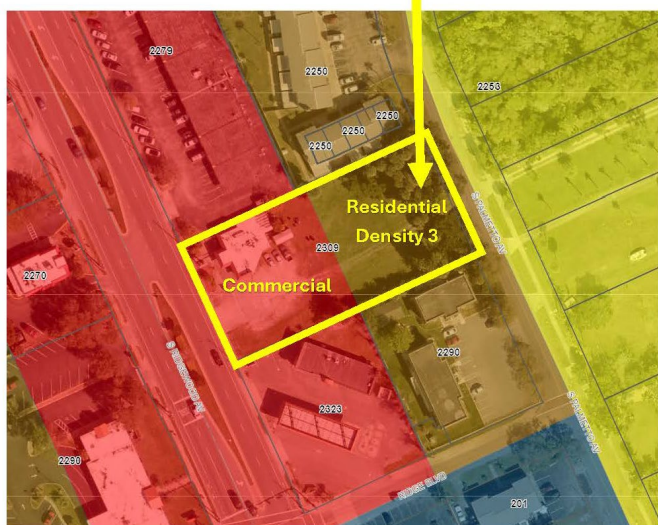
Date: July 29, 2025

Re: Consideration of approving Ordinance No. 2025-13, a Future Land Use Map Amendment for a portion of 2309 S. Ridgewood Avenue from Residential Density 3 to Commercial. First reading July 22, 2025. **Second and final reading.**

This Future Land Use Map Amendment consists of a portion of a +/-0.92-acre parcel along South Ridgewood Avenue (US 1). The Future Land Use of the parcel is bifurcated between Commercial and Residential Density 3. The amendment proposes to change the rear portion of the +/- 0.92 acre parcel on the Future Land Use Map from Residential Density 3 to Commercial.

The front portion of the property has a future land use classification of Commercial, while the rear is designated as Residential Density 3. The owner/applicant of the parcel has requested to rezone the property to Planned Commercial Development (PCD). Therefore, City staff feels a change of the Future Land Use is appropriate.

Current Future Land Use Map:



The proposed amendment will reduce the maximum residential density and maintain or reduce non-residential development intensity. The amendment lies within a traffic concurrency exception area. The City has adequate utility and infrastructure capacity for the proposed amendment area. There is no impact on natural resources.

The Planning Advisory Board recommended that the City Council approve Ordinance No. 2025-13 on July 9, 2025. This is the second and final reading.

ORDINANCE NO. 2025-13

AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA, MAKING A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF 2309 SOUTH RIDGEWOOD AVENUE, PARCEL 5344-13-00-0460 , FROM RESIDENTIAL DENSITY 3 TO COMMERCIAL; AND PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.

WHEREAS, after careful review and a public hearing, the Planning Advisory Board sitting as the Local Planning Agency, has forwarded a recommendation to the City Council regarding this proposed amendment to the Comprehensive Plan for the City of South Daytona; and

WHEREAS, the proposed amendment to the Comprehensive Plan qualifies as a small-scale comprehensive plan amendment pursuant to Section 163.3187, Florida Statutes; and

WHEREAS, this small-scale comprehensive plan amendment has complied with all due process as required by Florida Statutes and the City's regulations, including notification of neighboring property-owners, public advertisement, and public hearings; and

WHEREAS, the amendment to the Comprehensive Plans shall be submitted to the Volusia Growth Management Commission for a determination of consistency in accordance with Section 202.3 of the Charter of Volusia County, Florida; and

WHEREAS, the City Council hereby declares that the purpose for the proposed amendment to the Comprehensive Plan is to guide future growth and development; encourage the most appropriate use of land, water, and other resources; consistent with the public interest; promote and protect the public health, safety, comfort, good order, appearance, convenience, aesthetics, and general welfare; prevent overcrowding of land and avoid undue concentration of population; provide adequate and efficient transportation, water sewage, drainage, fire protection, parks, recreational facilities, housing, and other resources within the City, while protecting private property rights.

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

SECTION 1. The Future Land Use Map of the Comprehensive Plan is hereby amended from Residential Density 3 to Commercial as shown on the Map Depicted in Exhibit "A", attached hereto and by reference made a part hereof.

SECTION 2. Conflicts. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. 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 4. Effective Date. The small-scale Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3187(5)(c), Florida Statutes, until 31 days after the adoption of this Ordinance. If challenged within 30 days after adoption, the small-scale amendment set forth in this Ordinance shall not become effective until the State land planning agency or the Administration Commission, respectively, issues a final order determining that the subject small-scale amendment is in compliance with controlling State law.

APPROVED upon first reading on the 22nd day of July 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 12th day of August 2025 at the regular meeting of the City of South Daytona City Council.

CITY OF SOUTH DAYTONA:

ATTEST:

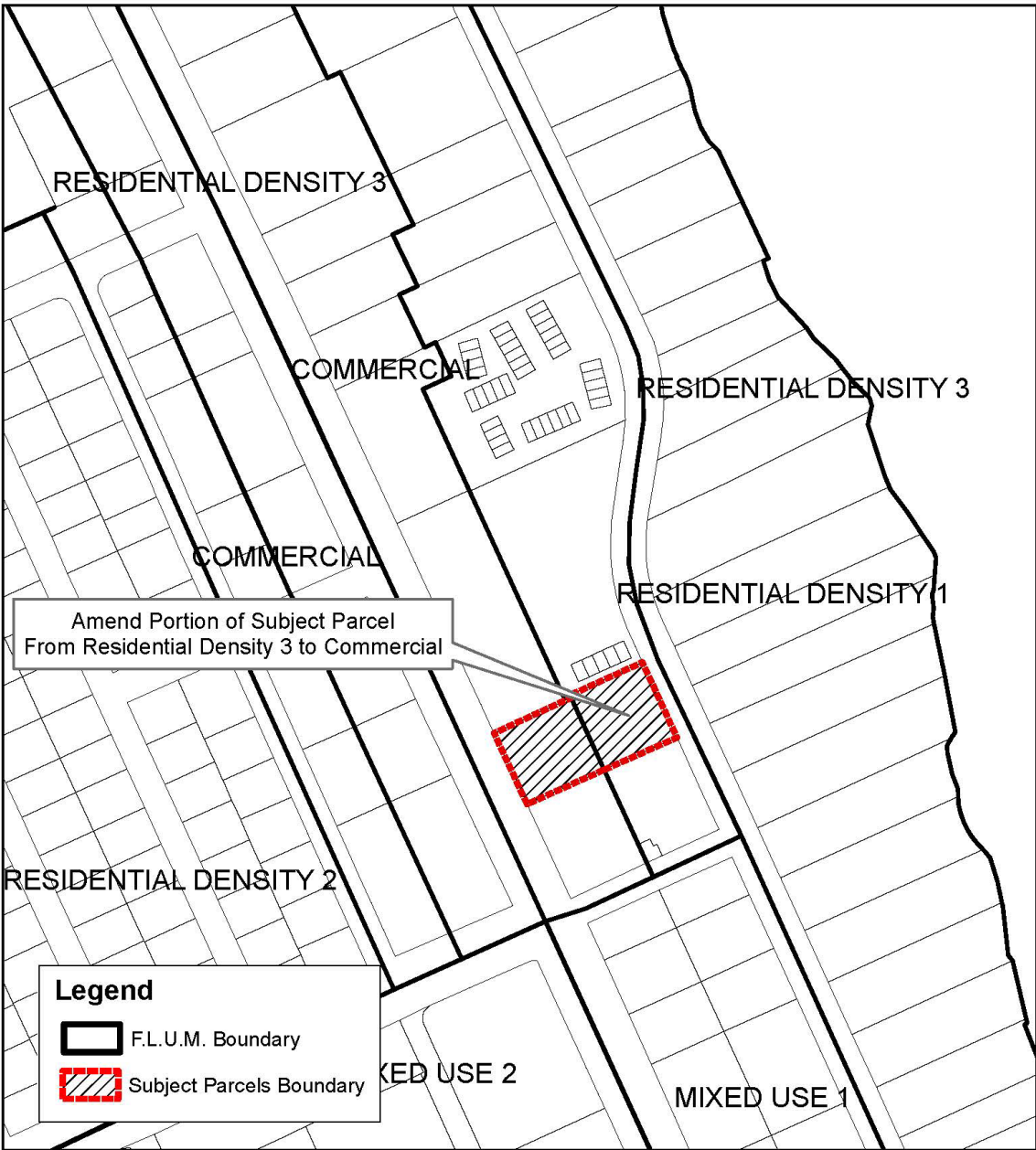
William C. Hall, Mayor

James L. Gillis, Jr., City Manager

CERTIFIED AS TO FORM:

Wade C. Vose, City Attorney

Exhibit "A"





SOUTH DAYTONA
SMALL CITY. BIG POSSIBILITIES.

Future Land Use Map
2309 S. Ridgewood Ave. (5344-13-00-0460)

City of South Daytona - Community Development Department



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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 2025-13

An ordinance of the City of South Daytona, Florida, making a small-scale amendment to the Future Land Use Map of the City’s Comprehensive Plan by changing the land use designation of 2309 South Ridgewood Avenue, parcel 5344-13-00-0460, from Residential Density 3 to Commercial; and 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:

- ☐ Development orders and development permits, as those terms are defined in s. 163.3164 and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
- ☒ Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
- ☐ 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):**

This Future Land Use Map Amendment consists of a portion of a +/-0.92-acre parcel along South Ridgewood Avenue (US 1). The Future Land Use of the parcel is bifurcated between Commercial and Residential Density 3. The amendment proposes to change the rear portion of the +/- 0.92 acre parcel on the Future Land Use Map from Residential Density 3 to Commercial.

- 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 Future Land Use Map Amendment consists of a portion of a +/-0.92-acre parcel along South Ridgewood Avenue (US 1). The Future Land Use of the parcel is bifurcated between Commercial and Residential Density 3. The amendment proposes to change the rear portion of the +/- 0.92 acre parcel on the Future Land Use Map from Residential Density 3 to Commercial.

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.*