

# City of South Daytona

Redevelopment Department

Post Office Box 214960 • South Daytona, FL 32121 • 986/322-3016



## MEMORANDUM

To: James L. Gillis, Jr. City Manager

From: Patty Rippey, AICP, Redevelopment Director

Date: April 1, 2022

Re: Second and Final Reading of Ordinance 2022-01: A Small-Scale Amendment to Future Land Use Map of the City's Comprehensive Plan by changing the land use designation of 2900 South Ridgewood Avenue (CEMEX), Stormwater Retention Pond, Parcel 5333-00-00-0100, from Light Industrial to Mixed Use Development District 2

**INTRODUCTION:** This is a City initiated request to change the existing Future Land Use designation of 2900 S. Ridgewood Avenue, (CEMEX), stormwater retention pond, parcel 5333-00-00-0100, consisting of 7.8 acres from Light Industrial to Mixed Use 2. The first reading was approved by the City Council on March 8, 2022.

**BACKGROUND:** The subject site is owned by CEMEX Construction Materials Florida, LLC, and is under contract for purchase and development by Middle Street Partners. This site served for many years as part of a concrete manufacturing facility. It was developed in the 1950's with its peak concrete manufacturing in the 1970s – 1990s. By the early 2000's, the facility was no longer in active operation and became a blighted property. Most recently, the facility has been used as truck maintenance and storage for CEMEX.

**Figure 1. Subject Site: 2900 S. Ridgewood Avenue (CEMEX), Parcel 5333-00-00-0100**



**ANALYSIS AND CONCLUSION:** The subject parcel is already developed as a stormwater pond and no further development on this parcel is planned. As the City moves away from light industrial uses in the Community Redevelopment Area (CRA), this map amendment will ensure consistency with adjacent parcels, 5333-11-00-0100 and 5333-11-00-0070, lying to the east of the subject retention pond. The pond will continue to function as retention for all three parcels that will later be combined under one tax parcel identification number and rezoned as a unified project for future redevelopment under a Master Development Agreement.

Ordinance 2022-01 supports future redevelopment that will be consistent with the guiding policies of the CRA Redevelopment Master Plan, *Section 3.2 K* of the Land Development Code, and the City's Comprehensive Plan. The Land Use designation of Mixed Use 2 will promote a safe and attractive environment for residents and visitors that will be compatible with existing and planned development in the CRA. The Planning and Appeals Board unanimously recommended approval of this item at the regularly scheduled February 16, 2022, meeting.

**RECOMMENDATION:** Staff recommends that the City Council **APPROVE the Second and Final Reading of** Ordinance 2022-01 enacting a Small-Scale Comprehensive Land Use Map Amendment for 2900 S. Ridgewood Avenue, (CEMEX), Stormwater Retention Pond, parcel 5333-00-00-0100 changing the Future Land Use from Light Industrial to Mixed Use 2.

**ATTACHMENT:**

Ordinance 2022-01 with Exhibit "A"

## **ORDINANCE NO. 2022-01**

**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 2900 SOUTH RIDGEWOOD AVENUE, PARCEL 5333-00-00-0100, FROM LIGHT INDUSTRIAL TO MIXED USE 2; AND PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, after careful review and a public hearing, the Planning and Appeals 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 Light Industrial to Mixed Use 2 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 8<sup>th</sup> day of March 2022 at a regular meeting of the City Council of the City of South Daytona.

**APPROVED AND ADOPTED** upon second and final reading on the 12<sup>th</sup> day of April 2022 at the regular meeting of the City of South Daytona City Council.

CITY OF SOUTH DAYTONA:

ATTEST:

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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

# Exhibit A

## City of South Daytona

### Future Land Use Map



**SUBJECT SITE: 2900 South Ridgewood Avenue, Parcel 5333-00-00-0100**

**Existing Future Land Use: Light Industrial Parcel Size: 7.8 acres**

**Proposed Amended Future Land Us: Mixed Use 2**

# Exhibit A

## Proposed Future Land Use Map Amendment From Light Industrial to Mixed Use 2

### Current Future Land Use: Light Industrial



### Proposed Future Land Use: Mixed Use 2



**LEGAL DESCRIPTION**  
**2900 SOUTH RIDGWOOD AVENUE**  
**PARCEL ID: 5333-00-00-0100**

**Legal 1:** 33 15 33 LOT 6 E OF F E C RR EXC IRREG PARCEL IN N 679.21 FT

**Legal 2:** MEAS ON E/L & N 369.17 FT MEAS ON R/R