

ORDINANCE NO. 2020-12

AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA AMENDING ARTICLE III, ADMINISTRATION AND ENFORCEMENT, SECTION 3.6(E)(2)(F) OF THE CITY'S LAND DEVELOPMENT CODE TO REQUIRE LANDSCAPE PLANS TO BE PREPARED BY A REGISTERED LANDSCAPE ARCHITECT AS REQUIRED BY FLORIDA STATUTE IN CONJUNCTION WITH ANY DEVELOPMENT REQUIRING SITE PLAN APPROVAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, this is an administrative amendment to the City of South Daytona *Land Development Code* ("the LDC"), of the City of South Daytona, by amending the landscape plan requirement for any development requiring site plan approval to require a landscape plan be prepared by a registered landscape architect under F.S. ch. 481, pt. II (F.S. § 481.301 et seq.) before the City Council, and

WHEREAS, the local planning agency, being the Planning and Appeals Board of the City of South Daytona, has conducted a public hearing on June 3, 2020, on the requested amendment and has made recommendations thereon to the City Council, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(a), *Florida Statutes*, have been complied with, and

WHEREAS, the City Council finds the amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of South Daytona, and in the overall best interest of the public health, safety and welfare, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SOUTH DAYTONA, FLORIDA, THAT:

SECTION ONE. Subsection (f), Landscaping, subsection (2) proposed development activities and design, and subsection (E) Final Development Plan, of Section 3.6,

Development Plan Submittal Requirements, of Article III, Administration and Enforcement, of the *LDC* is hereby amended to read as follows:

A landscape plan prepared by a person registered as a landscape architect under F.S. ch. 481, pt. II (F.S. § 481.301 et seq.), shall be submitted in conjunction with any development requiring site plan approval. All landscape plan sheets shall be signed and sealed. The landscape plan shall indicate the following, using acceptable methods of drafting and delineation techniques:

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Council, this 9th day of June, 2020.

PASSED UPON at the second and final reading of the City Council, this ____ day of _____, 2020.

WILLIAM C. HALL
Mayor

ATTEST:

JAMES L. GILLIS, JR.
City Manager