

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA AMENDING ARTICLE VII, ENGINEERING ENVIRONMENTAL STANDARDS, SECTION 7.5(B)(1) OF THE CITY'S LAND DEVELOPMENT CODE TO REQUIRE HARD SURFACE MATERIAL BE CONCRETE OR ASPHALT PAVEMENT FOR NEW CONSTRUCTION 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 parking and loading requirement for any development requiring site plan approval to require hard surface material be concrete or asphalt pavement for new construction 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 (1), Parking and Loading, and subsection (B) Parking control, of Section 7.5 Traffic/parking management, of Article VII, Engineering Environmental Standards, of the *LDC* is hereby amended to read as follows:

Parking and loading. Provision of off-street parking areas is required for all uses in all zoning districts. Provision of off-street loading area is required for all industrial, commercial and

residential uses over the minimum size prescribed by this section. Required off-street parking areas and off-street loading areas shall be located on-site and designed to function independently of each other allowing simultaneous use. For all new construction, Off-street parking areas shall be either concrete or asphalt pavement with a suitable sub-base as may be approved by the eCity eEngineer. A parking lot not in compliance with this requirement shall be considered a non-conforming structure and subject to the City's non-conforming regulations. Furthermore, any improvements to the property the cost of which exceed fifty percent (50%) of the most recent assessed value of the property by the Volusia County Property Appraiser shall require the parking lot to be brought into compliance with the above requirement. All off-street parking and loading areas shall be designed in accordance with this section.

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