

ORDINANCE NO. 2020-14

AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA AMENDING ARTICLE VII, ENGINEERING ENVIRONMENTAL STANDARDS, SECTIONS 5.6(A)(3)(B) AND 7.5(B) OF THE CITY'S LAND DEVELOPMENT CODE TO REQUIRE PAVED DRIVE AISLES IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS 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 Supplementary Regulations for Outside Storage for Industrial Zones and by amending the Traffic/parking management regulations for parking control to require paved drive aisles for any development requiring site plan approval 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 (b), Industrial zones, of subsection (3) Outside storage, of Subsection A. Accessory uses and structures of Section 5.6. Supplementary regulations,

of Article V, Zoning Regulations, of the *LDC* is hereby amended to add a new condition to read as follows:

b. *Industrial zones*: No outside storage shall be allowed in industrial zones, except under the following conditions:

- [1] All storage areas shall be enclosed by an opaque wall, fence, or hedge sufficient to screen such storage from view from off-site.
- [2] All material shall be secured, if necessary, to withstand winds.
- [3] Required landscape areas along property lines shall be maintained on the exterior of storage screening walls.
- [4] Screening shall not be required around storage areas for landscape plant material.
- [5] All aisles and driveways shall be concrete or asphalt pavement with suitable sub-base as approved by the City Engineer. Property with aisles or driveways 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 aisles and driveways to be brought into compliance with the above requirement.

SECTION TWO. Subsection (B), Parking control of Section 7.5 Traffic Parking Management, of Article VII, Engineering Environmental Standards, of the *LDC* is hereby amended to add a new parking control requirement following number 7 to read as follows:

8. Required surface for accessways, driveways and drive aisles.

In addition to off-street parking and loading requirements required by Section 7.5(B)(1) of Article VII of the Land Development Code, in all industrial and commercial zoning districts, all accessways, driveways and drive aisles shall be concrete or asphalt pavement with a suitable sub-base as approved by the City Engineer. Property with aisles or driveways 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 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 aisles and driveways to be brought into compliance with the above requirement.

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

SECTION FOUR. 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 FIVE. 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