

**City of South Daytona
Redevelopment Department**

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MEMORANDUM

To: James L. Gillis, Jr., City Manager
From: Patty Rippey, Redevelopment Director
Cc: John Dillard, Community Development Director
Date: February 6, 2019
Re: **ORDINANCE NO. 19-01: AMENDMENT TO REQUIREMENTS FOR
MINIMUM SIZE DWELLING UNITS IN A PLANNED UNIT
DEVELOPMENT**

AGENDA ITEM

QA DATE 02/12/19

The original development order created in 2012 through Ordinance No. 12-17 for the Val Fiano Venetian Apartment project at 3230 S. Ridgewood Avenue was approved for a minimum square footage of dwelling units that did not meet the code requirements.

As you are aware, the developer of that project did not move forward with construction of those apartments and has sold the property. The new property owner is planning on constructing apartments with more square footage per unit than the previous project however, they still do not meet the requirements outlined in our Code.

Minimum Dwelling Unit Sizes

Existing Approved PUD	Proposed PUD Amendment	Code Requirement
One bedroom studio: 633 sf	n/a	n/a
One bedroom: 650 sf	One bedroom: 736 sf	One bedroom: 900 sf
Two bedroom: 955 sf	Two bedroom: 1,079 sf	n/a
Three bedroom: 1,277 sf	Three bedroom: 1,356 sf	n/a
Average: 864 sf	Average: 972 sf	Average: 1,100 sf

To address the issue of the existing approved PUD not meeting the minimum square footage requirements, staff researched whether our minimum requirements are in line with other municipalities. We checked the requirements at the cities of Daytona Beach, Ormond Beach, Daytona Beach Shores and Port Orange and all do not list minimum square footage requirements of dwelling units for PUD projects. The intent, we believe, is to allow the square footage of the dwelling units to be negotiated during the PUD approval process.

Therefore, attached is Ordinance No. 19-01 amending Article V, Section 5.5 (O)(11)(h), of the South Daytona Land Development Code, eliminating the minimum size of dwelling units in a Planned Unit Development (PUD) so that they can be determined during the approval process.

ORDINANCE NO. 19-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA AMENDING SECTION 5.5 SCHEDULE OF ZONING DISTRICT REGULATIONS O. PUD PLANNED UNIT DEVELOPMENT DISTRICT 11. SUPPLEMENTAL STANDARDS FOR HIGH-DENSITY RESIDENTIAL DEVELOPMENT H. MINIMUM SIZE OF DWELLING UNITS OF THE SOUTH DAYTONA LAND DEVELOPMENT CODE INDICATING THE MINIMUM SIZE REQUIREMENT IS TO BE SET AS PART OF THE PUD PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has reviewed the Planned Unit Development (PUD) code of several cities including Daytona Beach, Daytona Beach Shores, Ormond Beach and Port Orange.

WHEREAS, other jurisdictions utilize the PUD process to negotiate standards for the development agreement.

WHEREAS, the PUD process is intended to provide a flexible approach for land development proposals.

WHEREAS, the City Council is adopting this ordinance to provide the ability to promote effective PUDs for development in South Daytona.

WHEREAS, words which are underlined (underlined) are additions to the text and words with strike through (~~strike through~~) the characters are deletions from the text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:

Section 1. The City Council of the City of South Daytona hereby amends Section 5.5 of the South Daytona Land Development

Code to read as follows:

Sec. 5-5. - Schedule of zoning district regulations.

O. PUD - planned unit development district.

11. Supplemental Standards for high-density development.

h. Minimum size of dwelling units: shall be determined as part of the development review process and set forth in the master development agreement.

~~(1) Projects of less than 25 units per gross acre: The minimum size of any dwelling unit shall be 900 square feet for a unit that has no more than one bedroom, and the average size of all dwelling units in a project shall be at least 1,100 square feet.~~

~~(2) Projects of 25 units per gross acre or more: The minimum size of any dwelling unit shall be 900 square feet for a unit that has no more than one bedroom; however, considering all of the dwelling units in a project, the calculated average size of the dwelling units shall be no less than 1,500 square feet.~~

Section 2. 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, 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 or application hereof.

Section 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 4. That this Ordinance shall become effective immediately upon its adoption.

PASSED upon first reading at a regular meeting of the City

Council of the City of South Daytona held in the City of South
Daytona, Florida, on the _____ day of _____, 2019.

PASSED AND ADOPTED upon second and final reading at a regular
meeting of the City Council of the City of South Daytona held in
the City of South Daytona, Florida, on the _____ day of
_____, 2019.

William C. Hall
Mayor

ATTEST:

James L. Gillis, Jr.
City Manager

Scott Simpson
City Attorney