

City of South Daytona

Office of the City Manager

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3014



MEMORANDUM

To: James L. Gillis, Jr., City Manager

From: Josh McEnany, Economic Development Director

Re: Consideration of Ordinance No. 2024-05 modifying the City Code of Ordinances and the City Land Development Code for a proposed Ordinance regarding the Planning and Appeals Board. **Second and Final Reading. Public Hearing.**

Date: July 26, 2024

The City Council approved the first reading of Ordinance No. 2024-05 on July 23, 2024.

The City has several boards which serve in an advisory capacity. The Planning and Appeals Board serves as the Local Planning Agency as defined in Florida Statute Chapter 163 as well as the Board of Appeals. Recent discussions with the City Attorney, members of the public, and members of various boards have prompted a review of this important board. During this review staff has taken the opportunity to provide consistency throughout both the Code of Ordinances and Land Development Code, remove outdated references, clarify the role of the board, Development Review Committee, and the processes followed for city planning and appeal functions.

The proposed changes to the Board include changing the name from the Planning and Appeals Board (PAB) to the Planning Advisory Board (PAB). In addition, the proposed Ordinance changes the decision-making authority for all variances from the PAB to the City Council. Variances will not be considered by the City Council unless the City Manager determines that all of the criteria for a variance request are met including the request not being a self-imposed hardship. The proposed Ordinance also changes the decision-making authority for all administrative appeals from the PAB to the City Council.

This clarification of our codes and the responsibilities of the PAB will help business owners, developers and residents navigate our approval processes faster. The revisions will also ensure that the PAB will remain as it was intended to be which is an advisory board to the City Council. As a result, staff is recommending approval of Ordinance No. 2024-05, attached, as written.

The Planning and Appeals Board recommended the City Council approve the proposed Ordinance at their regular meeting on July 17, 2024.