

## **ORDINANCE NO.: 15-10**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA; AMENDING THE SECTION 2.2 (TERMS DEFINED) OF THE SOUTH DAYTONA LAND DEVELOPMENT REGULATIONS TO PROVIDE A DEFINITION OF MINI-STORAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, mini-storage facilities are intended to provide for the storage of personal items and equipment and materials used in a business. However, mini-storage facilities are not designed for occupancy nor are they designed as a location for operating a business.

**WHEREAS**, the City has had situations where the owner or tenant of a mini-storage unit has either occupied the unit or used the unit for conducting a business.

**WHEREAS**, to assist in the enforcement against inappropriate use of mini-storage units, the City has decided to adopt a definition of mini-storage unit to clearly provide the uses allowed for mini-storage units and those uses that are prohibited.

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

**Section 1.** The City Council hereby amends Section 2.2 (Terms Defined) of the South Daytona Land Development Regulations to provide a definition of mini-storage to read as follows:

*Mini-storage.* A mini-storage facility in a building consisting of individual self-contained units of varying size that are leased or owned for the storage of business and household goods, or for contractor's supplies. This category includes use types providing individual, self-contained units or areas leased to individuals, organizations, or businesses for self-service storage of household and personal property, business goods and contractor supplies. The storage units or areas are designed to allow private access by the tenant or owner for storing or removing personal property. Use of the

storage areas for sales, service, repair, or manufacturing operations is not considered accessory to self-service storage. Occupancy of the storage area other than for pick-up or dropping-off items that are stored is prohibited.

**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 8 day of December 2015.

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 26 day of January 2016.

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SIGNED  
George F. Locke III, Mayor

ATTEST:

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SIGNED  
JOSEPH W. YARBROUGH  
City Manager