ORDINANCE NO. 2021-41

AN ORDINANCE AMENDING THE PRINCIPAL USE TABLES LOCATED IN ARTICLE 5, § 5.2 OF THE LAND DEVELOPMENT CODE ("LDC"), TO ADD "FURNITURE OR APPLIANCE STORE" AS A PERMITTED USE IN THE BR-1, BR-2, BA, M-1, RDB-2, RDB-3, RDB-5, RDD-1, RDD-2, RDD-3, RDD-4, RDD-5, RDD-7, RDM-3 AND RDM-5 ZONING DISTRICTS, SUBJECT TO USE-SPECIFIC STANDARDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Land Development Code ("LDC") currently allows "Furniture or Appliance Store" as a principal permitted use only in the T-2 and T-4 zoning districts; and

WHEREAS, City Development Services staff propose to amend the LDC to add "Furniture or Appliance Store" as a permitted principal use in the following zoning districts: (BR-1), (BR-2), (BA), (M-1), (RDB-2), (RDB-3), (RDB-5), (RDD-1), (RDD-2), (RDD-3), (RDD-4), (RDD-5), (RDD-7), (RDM-3), and (RDM-5) zoning districts; and

WHEREAS, the Planning Board has reviewed Staff's proposal and recommends approval.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. The Principal Use Table for Residential, Business, Industrial, Tourist, and Specialty Districts, Article 5 § 5.2.A.2 of the Land Development Code ("LDC"), is hereby amended to add "Furniture or Appliance Store" use as a permitted use in the Business Retail-1 (BR-1), Business Retail-2 (BR-2), Business Automotive (BA), and Local Industry (M-1) zoning districts, as more fully described in Exhibit A, attached hereto and incorporated herein.

SECTION 2. The Principal Use Table for Redevelopment Districts, Article 5 §

5.2.A.3 of the LDC, is hereby amended to add "Furniture or Appliance Store" use as a permitted

use in the Redevelopment Beachside-Specialty Retail (RDB-2), Redevelopment Beachside-

Gateway Residential/Mixed Use (RDB-3), Redevelopment Beachside-Atlantic Retail (RDB-5),

Redevelopment Downtown-Beach Street Retail (RDD-1), Redevelopment Downtown-Central

Business District (RDD-2), Redevelopment Downtown-Commercial (RDD-3), Redevelopment

Downtown-Riverfront Mixed Use (RDD-4), Redevelopment Downtown-Ridgewood Corridor

(RDD-5), Redevelopment Downtown-Local Business Services (RDD-7), Redevelopment

Midtown-Activity Center Mixed Use (RDM-3), and Redevelopment Midtown-Neighborhood

Transition (RDM-5) zoning districts, as more fully described in Exhibit B, attached hereto and

incorporated herein.

SECTION 3. The City Commission has received the report of the Planning Board

and hereby finds that the amendment is consistent with the City's Comprehensive Plan.
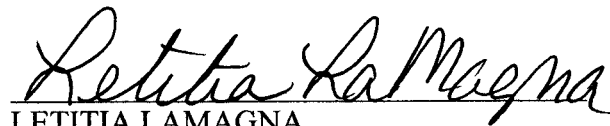
SECTION 4. Public Hearings at 6:00 p.m., January 20, 2021 and February 3, 2021

in Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida,

after notice published, are deemed to comply with the requirements of the LDC and Section

166.041(3)(c), Florida Statutes.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby
repealed.

SECTION 6. This Ordinance shall take effect as provided by law.

_____
DERRICK L. HENRY
Mayor

ATTEST:

_____
LETITIA LAMAGNA
City Clerk

Passed: January 20, 2020
Adopted: February 3, 2021

EXHIBIT A TO ORDINANCE

[underline indicates added text to Table 5.2.A.2]

Table 5.2.A.2: Principal Use Table for Residential, Business, Industrial, Tourist, and Specialty Districts

P = Permitted by Right   S = Allowed with a Special Use Permit   Blank Cell = Not Permitted By Right

*** *[omitted text not affected by this ordinance]*

Use Category	Use Type	Residential Districts					Business Districts					Industrial Districts				Tourist Districts					Specialty Districts		Use-Specific Standards
		SFR-5	MFR-12	MFR-20	MFR-40	RP	OP	BP	BR-1	BR-2	BA	M-1	M-3	M-4	M-5	T-1	T-2	T-4	T-5	AG	HM	MS	
	Antique store								P	P	P								P				5.2.B.22.a
	Bank or financial institution without drive-through service								P	P								P					5.2.B.22.a / 5.2.B.22.c
Retail Sales and Service Uses	Dry cleaning or laundry drop-off establishment								P	P	P							P			P		5.2.B.22.a
	Dry cleaning or laundry establishment									P	P							P					5.2.B.22.a / 5.2.B.22.h
	Florist shop								P	P	P							P	P				5.2.B.22.a
	Furniture or appliance store									P	P	P	P					P	P				5.2.B.22.a

*** *[omitted text not affected by this ordinance]*

EXHIBIT B TO ORDINANCE

[underline indicates added text to Table 5.2.A.3]

Table 5.2.A.3: Principal Use Table for Redevelopment Districts

P = Permitted by Right   S = Allowed with a Special Use Permit   Blank Cell = Not Permitted By Right

*** *[omitted text not affected by this ordinance]*

Use Category	Use Type	Beachside											Downtown							Midtown						Use-Specific Standards
		RDB-1	RDB-2	RDB-3	RDB-4	RDB-5	RDB-6	RDB-7	RDB-8	RDB-9	RDB-10	RDB-11	RDD-1	RDD-2	RDD-3	RDD-4	RDD-5	RDD-6	RDD-7	RDM-1	RDM-2	RDM-3	RDM-4	RDM-5	RDM-6	
Retail Sales and Service Uses	Dry cleaning or laundry establishment			P											P	P			P			P				5.2.B.22.a 5.2.B.22.h
	Florist shop	P	P	P	P	P			P	P			P	P	P	P				P	P	P	P			5.2.B.22.a
	Furniture or appliance store		P	P		P							P	P	P	P	P		P			P		P		5.2.B.22.a

*** *[omitted text not affected by this ordinance]*

EXHIBIT A TO ORDINANCE

[<u>underline</u> indicates added text to Table 5.2.A.2]

		Residential Districts					Business Districts					Industrial Districts				Tourist Districts				Specialty Districts			
Table 5.2.A.2: Principal Use Table for Residential, Business, Industrial, Tourist, and Specialty Districts **P = Permitted by Right S = Allowed with a Special Use Permit Blank Cell = Not Permitted By Right**																							
Use Category	Use Type	SFR-5	MFR-12	MFR-20	MFR-40	RP	OP	BP	BR-1	BR-2	BA	M-1	M-3	M-4	M-5	T-1	T-2	T-4	T-5	AG	HM	MS	Use-Specific Standards
*** [omitted text not affected by this ordinance]																							
Retail Sales and Service Uses	Antique store								P	P	P								P				5.2.B.22.a
	Bank or financial institution without drive-through service								P	P	P								P				5.2.B.22.a 5.2.B.22.c
	Dry cleaning or laundry drop-off establishment								P	P	P								P	P			5.2.B.22.a
	Dry cleaning or laundry establishment									P	P							P					5.2.B.22.a 5.2.B.22.h
	Florist shop								P	P	P							P	P				5.2.B.22.a
	Furniture or appliance store								<u>**P**</u>	<u>**P**</u>	<u>**P**</u>	<u>**P**</u>						P	P				5.2.B.22.a
*** [omitted text not affected by this ordinance]																							

[underline indicates added text to Table 5.2.A.3]

Table 5.2.A.3: Principal Use Table for Redevelopment Districts

P = Permitted by Right   S = Allowed with a Special Use Permit   Blank Cell = Not Permitted By Right

Use Category	Use Type	Beachside											Downtown							Midtown						Use-Specific Standards
		RDB-1	RDB-2	RDB-3	RDB-4	RDB-5	RDB-6	RDB-7	RDB-8	RDB-9	RDB-10	RDB-11	RDD-1	RDD-2	RDD-3	RDD-4	RDD-5	RDD-6	RDD-7	RDM-1	RDM-2	RDM-3	RDM-4	RDM-5	RDM-6	
*** [omitted text not affected by this ordinance]*																										
Retail Sales and Service Uses	Dry cleaning or laundry establishment			P											P	P		P				P				5.2.B.22.a 5.2.B.22.h
	Florist shop	P	P	P		P			P	P			P	P	P	P				P	P	P	P	P		5.2.B.22.a
	Furniture or appliance store	**P**	**P**			**P**							**P**	**P**	**P**	**P**	**P**		**P**			**P**		**P**		5.2.B.22.a
*** [omitted text not affected by this ordinance]*																										