

## ORDINANCE NO. 15-23

AN ORDINANCE ADOPTING A NEW LAND DEVELOPMENT CODE (LDC) TO REGULATE THE DEVELOPMENT AND USE OF LAND AND BUILDINGS WITHIN THE CITY OF DAYTONA BEACH; PROVIDING FOR ADMINISTRATION OF THE LDC; ADOPTING A ZONING MAP THAT RENAMES DISTRICTS AND REZONES CERTAIN PARCELS OF LAND THROUGHOUT THE CITY CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR THE APPOINTMENT OF BODIES WITH LAND DEVELOPMENT REGULATION AUTHORITY AND SETTING FORTH RESPONSIBILITIES FOR THOSE BODIES AND CITY STAFF; PROVIDING FOR VARIOUS LAND DEVELOPMENT ORDERS AND PERMITS, AND PROVIDING PROCEDURES AND CRITERIA FOR REVIEW AND APPROVAL; ESTABLISHING THE VARIOUS ZONING DISTRICTS AND OVERLAY CLASSIFICATIONS AND APPLICABLE INTENSITY AND DIMENSIONAL STANDARDS; PROVIDING USE-SPECIFIC STANDARDS FOR PRINCIPAL, ACCESSORY, AND TEMPORARY USES, AND PROHIBITING CERTAIN USES; PROVIDING DEVELOPMENT STANDARDS ON PARKING, MOBILITY AND ACCESS; PROVIDING LANDSCAPING AND BUFFER REQUIREMENTS; ESTABLISHING WILDFIRE PROTECTION ZONES AND OPEN SPACE SET-ASIDE REQUIREMENTS; PROVIDING STANDARDS FOR FENCES, WALLS, LIGHTING, AND SIGNAGE; PROVIDING STANDARDS FOR COMPATIBILITY WITH NEIGHBORING USES AND STANDARDS FOR BUILDING DESIGN AND MAINTENANCE; ESTABLISHING COMMUNITY FORM STANDARDS FOR CERTAIN AREAS OF NEW DEVELOPMENT; PROVIDING STANDARDS FOR DEVELOPMENT IN REDEVELOPMENT AREAS; ESTABLISHING ENVIRONMENTAL PROTECTION STANDARDS; PROVIDING STANDARDS FOR CONCURRENCY MANAGEMENT; ESTABLISHING THRESHOLDS AND REQUIREMENTS FOR ANALYSIS OF TRANSPORTATION IMPACTS; PROVIDING STANDARDS FOR DEMOLITION AND PROPERTY MAINTENANCE; ESTABLISHING SUSTAINABLE DEVELOPMENT INCENTIVES; PROVIDING STANDARDS RELATING TO SERVICE OF ALCOHOL; PROVIDING STANDARDS TO ENCOURAGE AFFORDABLE HOUSING; PROVIDING REGULATIONS FOR SUBDIVISION DEVELOPMENT AND REQUIRED INFRASTRUCTURE; PROVIDING FOR NONCONFORMING USES AND STRUCTURES; ADOPTING

CONSTRUCTION, MAINTENANCE, AND SAFETY CODES; PROVIDING VARIOUS ENFORCEMENT METHODS AND PENALTIES FOR VIOLATIONS; PROVIDING APPLICABLE DEFINITIONS AND RULES FOR INTERPRETATION; ESTABLISHING APPLICATION REQUIREMENTS AND FEES FOR REVIEW AND APPROVAL OF LAND DEVELOPMENT ORDERS AND PERMITS IN AN APPENDIX; REPEALING THE EXISTING LAND DEVELOPMENT CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, land development within The City of Daytona Beach is currently regulated by the City's Land Development Code (LDC), originally adopted and codified by Ordinance 93-187; and

WHEREAS, the current LDC has been amended frequently since its adoption; and

WHEREAS, the City has been working with Clarion Associates since 2009 on a complete overhaul to the LDC to make it a more modern code; and

WHEREAS, many workshops and public meetings have occurred with Clarion, City Staff, City Boards, and community groups resulting in a completely new LDC that is ready for adoption; and

WHEREAS, the Planning Board has reviewed the proposed new LDC and recommends approval.

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

SECTION 1. The Land Development Code (LDC), a copy of which is attached hereto and incorporated by reference herein, is hereby adopted, together with the zoning map referred to in Article 1. All uses and development of land within the City shall comply with the requirements of the LDC, beginning March 1, 2015.

SECTION 2. The Appendices attached to the LDC addressing application requirements and fees may be revised as necessary by Resolution of the City Commission.

SECTION 3. The City Commission has received the report of the Planning Board and has determined that the new LDC is consistent with and implements the Comprehensive Plan, and otherwise meets the requirements of § 163.202, Florida Statutes (2014).


SECTION 4. Public Hearings at 6:00 p.m., November 5, 2014, and January 21, 2015, 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 § 166.041, Florida Statutes.

SECTION 5. If any provision of the new LDC is found to be unconstitutional or invalid, such declaration shall not affect the validity of the remainder of the LDC.

SECTION 6. All applications for land development orders or permits submitted prior to the effective date of this Ordinance will be reviewed and determined under the Land Development Code in effect at the time the application was submitted. After the effective date, an applicant may request that the land development order or permit be reviewed and determined pursuant to the newly adopted code.

SECTION 7. The City's existing Land Development Code, originally adopted and codified pursuant to Ordinance 93-187, and amended thereafter, is hereby repealed. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall take effect beginning March 1, 2015.

  
DERRICK L. HENRY  
Mayor

ATTEST:

  
JENNIFER L. THOMAS  
City Clerk

Passed: November 5, 2014  
Adopted: January 21, 2015