



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA CITY COUNCIL MEETING

October 28, 2014

**7:00 p.m., Community Center, 3048 S. Atlantic Ave.
Daytona Beach Shores, FL 32118**

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Council Meeting Hall. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

CEREMONIAL MATTERS:

PRAYER

PLEDGE OF ALLEGIANCE

1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

BUSINESS OF THE CITY COUNCIL:

ORDER OF BUSINESS

2. APPROVAL OF THE MINUTES: September 23, 2014 City Council Meeting

3. CONSENT AGENDA:

- **Monthly Departmental Reports**
- **Board Member Appointment**
- **Approval to transfer \$25,000 from Contingency**
- **Approval of Ash Brit Agreement for Disaster Recovery**

END CONSENT AGENDA

4. REPORTS OF THE CITY ATTORNEY:

5. REPORTS OF THE CITY MANAGER:

OLD BUSINESS:

6. Ordinance 2014-05 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA ENACTING A STATUTORY DEVELOPMENT AGREEMENT RELATING TO THE PROPERTY OWNED BY DIMUCCI COMPANY OF DAYTONA BEACH SHORES TOWER 14, LLC AND GENERALLY LOCATED AT 3797 SOUTH ATLANTIC AVENUE AND ASSIGNED TAX PARCEL IDENTIFICATION NUMBER 02-16-33-05-05-0340 BY THE VOLUSIA COUNTY PROPERTY APPRAISER SAID AGREEMENT BEING IN ACCORDANCE WITH THE PROVISIONS OF THE “FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT” AS SET FORTH AT SECTIONS 163.3220 - 163.3243, *FLORIDA STATUTES*; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR NON-CODIFICATION AND IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. First reading.

NEW BUSINESS:

7. Ordinance 2014-11 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*; AMENDING APPENDIX “G”, AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS;” BY CREATING A NEW SECTION ENTITLED “ADMINISTRATIVE VARIANCES;” PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. First Reading.

If approved, Ord. 2014-11 would empower the Building Official to grant minor relief from the dimensional and landscape requirements of the City’s Land Development Code. Relief would be limited to no more than 10% of the standard in question. In addition, building height and setback relief in hotel and residential zoning districts would not qualify for administrative variances. Administrative variances would have to meet a similar legal test as do regular variances. However, administrative variances would be more cost and time effective than the regular variance procedure.

8. Ordinance 2014-12 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*; AMENDING APPENDIX “G”, CHAPTER 6 ENTITLED “SIGNS AND ADVERTISING;” BY AMENDING SECTION 6-9 ENTITLED “DISTRICT REGULATIONS;” AMENDING CHAPTER 8 ENTITLED “ENVIRONMENTAL IMPACT, ARCHITECTURAL GUIDELINES, MANDATORY EXTERIOR COLOR STANDARDS

AND TOWN CENTER DEVELOPMENT,” BY AMENDING ARTICLE III ENTITLED “TOWN CENTER DEVELOPMENT;” AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS,” BY AMENDING SECTION 14-15 ENTITLED “ESTABLISHMENT OF ZONING DISTRICTS,” BY AMENDING SECTION 14-31.1 ENTITLED “GC-RD GENERAL COMMERCIAL REDEVELOPMENT DISTRICT,” BY AMENDING SECTION 14-32 ENTITLED “TC-MUPUDE (TOWN CENTER MIXED USE PLANNED UNIT DEVELOPMENT EAST),” BY AMENDING SECTION 14-32.1 ENTITLED “TC-MUPUDW (TOWN CENTER MIXED USE PLANNED UNIT DEVELOPMENT WEST),” BY AMENDING SECTION 14-48.11 ENTITLED “OFF-STREET PARKING IN REDEVELOPMENT DISTRICTS;” PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. First Reading.

If approved, Ord. 2014-12 would amend the City’s Land Development Code to eliminate unnecessary and obsolete requirements associated with the area formerly known as the Community Redevelopment Area and Town Center.

9. Resolution 2014-10 A RESOLUTION SUPPORTING THE DESIGNATION OF THE HALIFAX HERITAGE BYWAY INCLUDING PORTIONS OF STATE ROAD A1A FROM THE NORTH CITY LIMIT TO DUNLAWTON AVENUE IN THE CITY OF DAYTONA BEACH SHORES AS A FLORIDA SCENIC HIGHWAY; SUPPORTING THE CORRIDOR MANAGEMENT PLAN (CMP); AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. Public Hearing.

- 10. Approval to extend SPEX 12013028 Oceanside Inn Temporary Parking**
- 11. Approval for Sign Grant Application for Krajina Inc 3344 S. Atlantic Avenue**
- 12. Approval for Sign Grant Application for Atlantic Ocean Palm Inn 3247 S. Atlantic Avenue**
- 13. Approval for Wells Fargo Paint Appeal**
- 14. Approval for IHOP Paint Appeal**
- 15. Discussion on Marijuana Regulation options**
- 16. COUNCIL COMMENTS:**
- 17. AUDIENCE REMARKS/PUBLIC COMMENTS:**
- 18. ITEMS RECOMMENDED FOR THE NEXT AGENDA:**
- 19. ADJOURNMENT:**

Notice is hereby given to all interested parties that if a person should decide to appeal any decision made at the aforementioned meeting of the City Council, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Please be advised that all City Council Meetings are recorded. Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at 2990 S. Atlantic Avenue, Daytona Beach Shores, FL 32118, or telephone 386-763-5364 at least seven working days prior to the meeting.