

**ORDINANCE NO. 2013-02**

**AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ASSIGNING THE RMF-3 MULTI-FAMILY RESIDENTIAL DISTRICT (LOW DENSITY) ZONING CLASSIFICATION TO ANNEXED PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF THE 3800 BLOCK OF S. ATLANTIC AVENUE, SHORT TAX PARCEL ID 6302-05-07-0110; PROVIDING MODIFICATION OF THE OFFICIAL ZONING MAP; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Daytona Beach Shores is committed to planning and managing the future growth of the City; and

**WHEREAS**, the property described in Section One herein was annexed into the City of Daytona Beach Shores on July 28, 2004 and an appropriate City zoning classification must be assigned to the real property in accordance with the requirements of controlling law; and

**WHEREAS**, the City Council of the City of Daytona Beach Shores has received recommendation from staff and the Planning and Zoning Board for the assignment of zoning classification to said annexed property and has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

**WHEREAS**, the City Council of the City of Daytona Beach Shores finds such rezoning consistent with the *City of Daytona Beach Shores Comprehensive Plan* and deems it in the best interest of the inhabitants of said City to amend the Official Zoning Map as hereinafter set forth,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, as follows:**

**SECTION ONE: REZONING OF REAL PROPERTY.** The property described hereinafter which was annexed into the City of Daytona Beach Shores pursuant to Ordinance No. 2004-22 is hereby rezoned and assigned the zoning classification as follows:

Short Tax Parcel ID #6302-05-07-0110, as described in Exhibit "A" as attached, is assigned the RMF-3, Multi-family Residential District (Low Density) Zoning Classification.

**SECTION TWO: AMENDMENT OF OFFICIAL ZONING MAP.** The Official City Zoning Map is hereby amended to conform with the rezoning assigned herein.

**SECTION THREE. IMPLEMENTING ADMINISTRATIVE ACTIONS.** The City Manager, or designee, is authorized to take any and all required administrative actions to

implement the provisions of this Ordinance including, but not limited to, providing notice of this rezoning to the Volusia County Council in accordance with applicable law.

**SECTION FOUR. NON-CODIFICATION.** This Ordinance shall not be codified in the *City Code of the City of Daytona Beach Shores* or the *Land Development Code of the City of Daytona Beach Shores*; provided, however, that the actions taken herein shall be depicted on the Official Zoning Map of the City of Daytona Beach Shores by the City Manager, or designee.

**SECTION FIVE: EFFECTIVE DATE.** This Ordinance shall take effect immediately upon enactment.

**CITY OF DAYTONA BEACH SHORES, FLORIDA**

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**HARRY JENNINGS, MAYOR**

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**MICHAEL T. BOOKER, CITY MANAGER**

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**CHERI SCHWAB, CITY CLERK**

**Approved as to form and legality:**

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**LONNIE GROOT, CITY ATTORNEY**

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**EXHIBIT A**