



# City of Daytona Beach Shores

*"Life is Better Here"*

*"A Premier, Friendly Place to Be"*

## AMENDED AGENDA CITY COUNCIL MEETING

**October 10, 2017**

**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 26, 2017 City Council Meeting**

#### **3. CONSENT AGENDA:**

#### **4. REPORTS OF THE CITY ATTORNEY:**

Adoption of 2 resolutions relating to alternative conflict resolution in disputes with Volusia County under Chapter 164, Florida Statutes, and authorization to initiate

litigation relative to the enactment of Ordinance Number 2017-24 by the County Council.

**5. REPORTS OF THE CITY MANAGER:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**6. Ordinance 2017-12** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO BUILDING HEIGHT AND PERMITTED AND PROHIBITED USES; AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*; AMENDING APPENDIX “G”, AMENDING CHAPTER 2 ENTITLED “DEFINITIONS,” BY AMENDING SECTION 2-2 ENTITLED “GENERAL DEFINITIONS” TO PROVIDE A DEFINITION FOR LARGE LOTS AND AMENDING THE DEFINITION OF BUILDING HEIGHT; AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS,” BY AMENDING SECTION 14-18 ENTITLED “RMF-1 MULTI-FAMILY RESIDENTIAL DISTRICT (HIGH DENSITY),” SECTION 14-21 ENTITLED “T HOTEL/MOTEL DISTRICT,” SECTION 14-24 ENTITLED “PUD PLANNED UNIT DEVELOPMENT,” SECTION 14-32 ENTITLED “TC-MUPUDE TOWN CENTER MIXED USE PLANNED UNIT DEVELOPMENT EAST DISTRICT,” AND SECTION 14-26, ENTITLED “P PUBLIC/QUASI PUBLIC,” TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM PERMITTED BUILDING HEIGHT ON LARGE LOTS IN SOME OF THE AFOREMENTIONED ZONING DISTRICTS AS WELL AS TO PROVIDE FOR MINIMUM AND MAXIMUM DENSITIES AND TO PROVIDE FOR THE PROHIBITED USE OF OFF BEACH PARKING; PROVIDING FOR ENFORCEMENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A SAVINGS PROVISION INCLUDING, BUT NOT LIMITED TO RATIFICATION OF ACTIONS OF THE CITY COUNCIL AS WELL AS ALL FINDINGS RELATING THERETO; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. **First Reading.**

**7. Ordinance 2017-13** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES; PROHIBITING/BANNING SUCH FACILITIES AS A LAWFUL USE WITHIN THE BOUNDARIES OF THE CITY AS AUTHORIZED BY SECTION 381.986, *FLORIDA STATUTES*; AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*, TO PROHIBIT/BAN ALL SUCH USES IN ALL ZONING DISTRICTS OF THE CITY; PROVIDING FOR IMPLEMENTING PROVISIONS AND A DEFINITION; PROVIDING FOR A MORATORIUM CONTINGENCY; PROVIDING FOR ENFORCEMENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. **First Reading.**

**8. Approval to award bids for dune walkovers**

**9. COUNCIL COMMENTS:**

**10. AUDIENCE REMARKS/PUBLIC COMMENTS:**

**11. ITEMS RECOMMENDED FOR THE NEXT AGENDA:**

**12. 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.