

**PLANNING AND ZONING BOARD
MEETING**

January 5, 2026

Video and Agenda Packet of the meeting can be found [HERE](#)

Present: Thomas Bien, John Causey, Jon Hall, David McKenna, Larry Wheatcraft and Jesse Thompson.

Absent: Deb Denny and Steven Yates

CHANGE TO AGENDA:

5.D ZT-11-25: Review and give a recommendation to the City Commission on a proposed zoning text amendment to the Land Development Regulation to allow Porte Cochères in the R-1 Zoning District. **Continued to Feb 2, 2026.**

5.F ZT-12-25: Review a proposed zoning text amendment to the Land Development Regulation Section 504.02, Zoning Districts, on building setbacks for Special Exception uses and Land Development Regulation Section 505.05, Non-Conforming structures, for rebuilding a non-conforming structure that has a Special Exception Use. **Continued to March 2, 2026.**

Minutes for the December 1, 2025 were approved.

OLD BUSINESS

4.A ZT-0010-2025: Review and give a recommendation to the City Commission on a proposed amendment to the Subdivision Plat Process.

Staff provided the text amendments to the Land Development Code that are mandated per Senate Bill 784 that eliminates any public review of plats submitted that meet the City's standards. Review and approval will be by staff without public hearings or City Commission review. Time limits are placed on the staff review process and the staff cannot require an extension to the review process. Only the applicant can request an extension.

Public Participation: Concern that citizens are actively being eliminated from public participation, referencing the actions provided by the Charter Review Commission. Staff advised that this is a State requirement of all jurisdictions. The City can still review PUD applications. If the City doesn't amend the current review requirements, the State can take legal action against the City.

Board Discussion Highlights: Is there any way that the public will be notified of the proposed plat? At this time, only through review of the City's monthly development calendar. Stated that the motion should request the City Commission implement some notification process to the residents.

MOTION: A motion to recommend approval to the City Commission including the requested notification was made, seconded and approved unanimously.

NEW BUSINESS

5.A SE-3-25: Request for a Special Exception at 1311 North Dixie Freeway to allow auto sales in the B-3 Highway Service Business District

Staff advised that the applicants are requesting indoor auto sales on the old Mullinax property and the request meets the requirements for a special exception. There will be no outside display and small dealers will be able to sell their vehicles online at this site. Staff requested including the conditions requiring obtaining a business tax receipt (BTR) prior to opening and the approval be good for two years unless annual BTR's are obtained.

Public Participation: None.

Board Discussion Highlights: The applicant isn't sure when the business will open.

MOTION: A motion to recommend approval to the City Commission, including the requested citizen notification, was made, seconded and approved unanimously.

5.B SV-4-25: The applicant is seeking a positive recommendation from the Planning and Zoning Board for a proposed right-of- way vacation for a portion of Citron Street that dead ends at the overpass for SR 44 The City of New Smyrna Beach

Staff reported that the applicant is requesting that the 40' wide by 267' long right of way of Citron Street be vacated. Street vacations require City Planning and Utility Commission review prior to City Commission approval. The property is owned by a private individual who wants to include it in the development of their property.

Public Participation: None.

Board Discussion Highlights: None.

MOTION: A motion to recommend approval to the City Commission was made, seconded and approved unanimously.

5.C A-0014-2025: Review and give a recommendation to the City Commission on an overall annexation application for property located on Doster Drive.

Staff advised of the voluntary annexation request from the City of New Smyrna Beach for the 2.75 acres includes a change from the Volusia County small scale future land use designation and zoning to City future land use designation of Conservation and a City zoning of Conservation with an "A" attached for Airport Height notification.

Public Participation: None.

Board Discussion Highlights: Did the City consider using some of the property for public use and not just conservation. Since the property is adjacent to the creek and other funding was utilized to purchase the property, it is all to be conservation.

MOTION: A motion to recommend approval to the City Commission was made, seconded and approved unanimously.

5.E 5.F SV-3-25: The City of New Smyrna Beach is seeking a positive recommendation from the Planning and Zoning Board for the proposed right-of- way vacation of Buck Lane (Second Street) for the future expansion of Fire Station #50.

Staff advised that City had already vacated a portion of this right of way. The City purchased an adjacent residential property with the remaining portion of the designated right of way. The City plans to expand the Fire Station and include this property within the project.

Public Participation: None.

Board Discussion Highlights: None.

MOTION: A motion to recommend approval to the City Commission was made, seconded and approved unanimously.

5.G Nominate and vote on 2026 Planning and Zoning Board Chairperson and Vice Chairperson.

Larry Wheatcraft was nominated as chairman. A motion was made, seconded and approved unanimously.

A motion was made that the nomination of vice chair be made at the February 2, 2026 meeting.