



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, September 28, 2017

Time: 5:30 PM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Pledge of Allegiance
2. Silent Invocation
3. Roll Call

B. DISCUSSION/ACTION

4. Consideration of Minutes
5. Case No. 17-60000002
ADMINISTRATIVE REZONING/3518 NOVA ROAD

A request to rezone +/- 1 acre from Multi-Family Residential (R-3M) to Community Commercial (CC).

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

6. Case No. 17- 25000003
LDC TEXT AMENDMENT/CHAPTER 14 AND 20 - RIDGEWOOD CORRIDOR IMPROVEMENTS

Amendment to Chapters 14 and 20 of the Land Development Code (LDC) related to architectural requirements for the Port Orange Town Center and economic development incentives. The proposed amendments would implement strategies from the Ridgewood Corridor Plan to remove the architecture limitation of only the Florida Vernacular architectural style and update the economic incentive requirements to encourage redevelopment along the Ridgewood Corridor.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

C. OTHER BUSINESS

7. Commissioner Comments

8. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **PLANNING COMMISSION** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-8771. UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

PLANNING COMMISSION MEETING MINUTES
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE
COUNCIL CHAMBERS
AUGUST 24, 2017

THE REGULAR MEETING OF THE PLANNING COMMISSION of the City of Port Orange was called to order by Chairman Lance Green at 5:30 p.m.

Pledge of Allegiance

Silent Prayer

ROLL CALL: Present: Lance Green
John Junco
Newton White
Mike Arminio
Bo Bofamy
Thomas Jordan
Maria Mills-Benat

Also Present: Matthew Jones, Deputy City Attorney
Michelle Cusella, City Clerk's Office

B. DISCUSSION/ACTION

4. Consideration of Minutes

Motion to approve the July 27, 2017 Minutes as corrected to change Commissioner Jordan seconding a motion instead of Vice Chair White was made by Commissioner Jordan, and Seconded by Vice Chairman White. Motion carried unanimously by roll call vote.

5. Case No. 17-90000001
VARIANCE/65 DUNLAWTON AVENUE

A request for variances from the Land Development Code to reduce the width of the drainage and utility easement along a right-of-way, reduce the side building setback along the west property line, reduce the minimum lot open space percentage, reduce the setback for a parking space from a right-of-way, reduce the dimensions for a parking space, and reduce the north landscape buffer to a variable width buffer. If the variance requests are approved, the applicant is proposing to redevelop the site as a restaurant. The subject property is located in the Port Orange Town Center CRA.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Penelope Cruz, Principal Planner, presented an overview of the proposed concept plan and variances.

Ms. Cruz informed that the applicant has made adjustments to the original concept plan to better address some concerns from neighboring residents.

Pete Zahn, Engineer and Designer, explained each request for variances as well as the adjustments that were made to accommodate some of the residents' concerns.

Some of the Commissioners had questions regarding noise surrounding neighbors and hours of operations in which it would affect nearby residents.

Public comments were made regarding concerns of the buffer for noise protection.

Chairman Green questioned the lighting of the parking lot.

Mr. Zahn explained the plans for lighting are not complete but they would like to keep low lighting, as there is a lot of natural light in the area.

Motion to approve with conditions as presented was made by Vice Chairman White, and Seconded by Commissioner Arminio. Motion carried unanimously by roll call vote.

6. Case No. 17-90000002

VARIANCE/79 DUNLAWTON AVENUE

A request for variances from the Land Development Code to reduce the side building setback along the west property line (adjacent to the Halifax River), and allow a thatched palm frond roof in lieu of a required metal roof. If the variance requests are approved, the applicant is proposing to build a pavilion over the existing outdoor seating area for the DJ's Deck restaurant. The subject site is located in the Port Orange Town Center CRA.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Ms. Cruz stated the applicant would like to construct a pavilion with a thatch roof over the existing outdoor seating which requires a variance for that material as well as to reduce the side building setback.

David Graham, Owner of DJ's Deck, stated his variance request is for a palm frond roof. He would also like to propose to reduce the side building setback in order to fix what the hurricane has destroyed last year. He advised neither revision would increase seating or space and it will help with lighting control as the lights would now be under the covering.

Motion to approve was made by Commissioner Junco, and Seconded by Commissioner Jordan. Motion carried unanimously by roll call vote.

7. Case No. 17-40000002

SECOND AMENDMENT TO THE GROVES PLANNED COMMERCIAL DEVELOPMENT (PCD) MASTER DEVELOPMENT AGREEMENT (MDA) AND CONCEPTUAL DEVELOPMENT PLAN (CDP)

West side of Clyde Morris Boulevard, south of Madeline Avenue

A request by the applicant to amend the Master Development Agreement (MDA) and Conceptual Development Plan (CDP) for The Groves Planned Commercial Development (PCD) to modify the minimum lot dimensional requirements, setbacks and permitted uses in the existing MDA, and to provide requirements for off-site signage and specific requirements for identification signs on lots without direct roadway frontage.

Staff Contact: Briana Conlan-King (386) [506-5676](tel:506-5676) / brking@port-orange.org

Tim Burman, Planning Manager, explained the applicants proposed amendment and modifications.

Mark Karet, Director of Planning and Landscape architecture of Zev Cohen and Associates, stated he is representing the applicant and his client purchased this property in 2002 when the economy was great. The original plan for the property was shown. The applicant now plans to market and develop the property with community-scale commercial uses commonly found at multi-use shopping centers and outparcels similar to other commercial developments located along Clyde Morris Boulevard and Nova Road.

Sarah Jones, citizen, believes any entrance on Clyde Morris will be a traffic problem. She also believes the vacant buildings in the city need to be filled before more structures are built.

Motion to approve was made by Commissioner Arminio, and Seconded by Commissioner Mills-Benat. Motion carried 6-1 with Commissioner Jordan voting no.

C. OTHER BUSINESS

8. Commissioner Comments- Vice Chairman White asked if Code Enforcement will ever change its policy of repetitive violations. He states that under the current policy if a homeowner is notified of a violation and cleans it up and a few months down the road the same violation occurs again, it will not be labeled a repeat violation, it will just be a new violation. He believes under this policy property owners keep letting their property fall in disrepair and they are never penalized for it.

Some of the Commissioners asked if there are any proposed plans for the old gas station on Taylor Road and Williamson Boulevard.

Mr. Burman advised there have not been any development proposals for the property yet.

9. Staff Comments – There were none.

D. PUBLIC COMMENTS There were none.

E. ADJOURNMENT 7:33 p.m.

Chairman Lance Green



STAFF REPORT

REZONING/3518 Nova Road

CASE NO. 17-60000002

REQUEST:	Rezone ± 1 -acre from Moderate Density Multifamily Residential (R-3M) to Community Commercial (CC)
OWNER:	George & Jean Littlefield
APPLICANT:	City of Port Orange
LOCATION:	3518 Nova Road
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Penelope Cruz, Principal Planner (386) 506-5671
PLANNING COMMISSION:	September 28, 2017

OVERVIEW

The proposed rezoning would change the subject property from Moderate Density Multifamily Residential (R-3M) to Community Commercial (CC) for a ± 1 -acre property located at 3518 Nova Road.

Figure 1. Location Map



DISCUSSION

The ± 1 -acre property has a Commercial Future Land Use designation, is currently zoned Moderate Density Multifamily Residential (R-3M), and is developed with a furniture retail store (Littlefield Furniture and Bedding). A building permit was issued in 1972 for the construction of the commercial building and a building permit was issued in 1998 for an addition to the existing commercial building. According to the Volusia

County Property Appraisers website, the subject property is designated as a commercial property. However, a commercial retail store is not a permitted use in the “R-3M” zoning district.

In July 2017, Staff met with the property owner of Littlefield Furniture and Bedding, regarding the current zoning of their commercial property. When preparing to sell the property, the property owner discovered that the property that has been used as a commercial business since the early-1970’s, is zoned Moderate Density Multifamily Residential (R-3M). According to the past Future Land Use maps available, the Future Land Use designation of the property is Commercial and has been since at least 1985. Staff reviewed past zoning maps and this commercial property appears to have been inadvertently rezoned to R-3M in the mid-1980’s when the zoning map was updated.

Staff has prepared the subject administrative rezoning application to correct this longstanding inconsistency, so that the subject property will have a zoning consistent with the Comprehensive Plan Future Land Use designation and its long-term use as a retail store since the early 1970’s.

The rezoning request was reviewed according to the criteria established in Chapter 3, Section 5 of the Land Development Code (LDC) in terms of consistency with the Comprehensive Plan and the surrounding land uses and zoning.

COMPATIBILITY WITH SURROUNDING USES AND ZONING

The Community Commercial (CC) zoning district is intended to provide typical community scale commercial uses commonly found at shopping centers and outparcels of this type such as retail stores (pharmacies, grocery stores, furniture stores, department stores, specialty stores, etc.), restaurants, personal services (hair salon, barber shop, nail salon, retail dry cleaning, etc.) offices, breweries, child care centers, convenience store/gas station, banks, and similar uses.

The property is currently developed with a ±7,686 sq.ft. retail store. Located to the north of the subject property is the Shoppes at Tuscan Village. To the south and west is the Orange Isle Campground. Located to the east, across Nova Road, is the Springwood Square subdivision. The table below summarizes the land use and zoning of the adjacent properties and the Future Land Use and zoning maps are attached (Exhibit A and B).

Table 1. Surrounding Land Use & Zoning

Direction	Existing Land Use	Zoning District
North	Shoppes at Tuscan Village	Community Commercial
South	Orange Isle Campground	R-3M Multi-Family Residential
East	Nova Road, Springwood Square Subdivision	FDOT Right-of-Way R-3M Multi-Family Residential
West	Orange Isle Campground	R-3M Multi-Family Residential

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed Community Commercial (CC) zoning district is consistent with the Commercial Future Land Use designation. The Commercial designation is generally characterized by uses that provide for the retail sale of items and services to the general public. Based on compatibility with adjacent zoning districts and availability of

infrastructure, staff believes that the existing use (retail store) and requested zoning are appropriate at this location and consistent with existing land use designation.

RECOMMENDATION

Staff recommends approval of the request to rezone ±1-acre located at 3518 Nova Road from Moderate Density Multifamily Residential (R-3M) to Community Commercial (CC).

ATTACHMENTS

1. Exhibit A - Current and Proposed Zoning Map
2. Exhibit B - Future Land Use Map

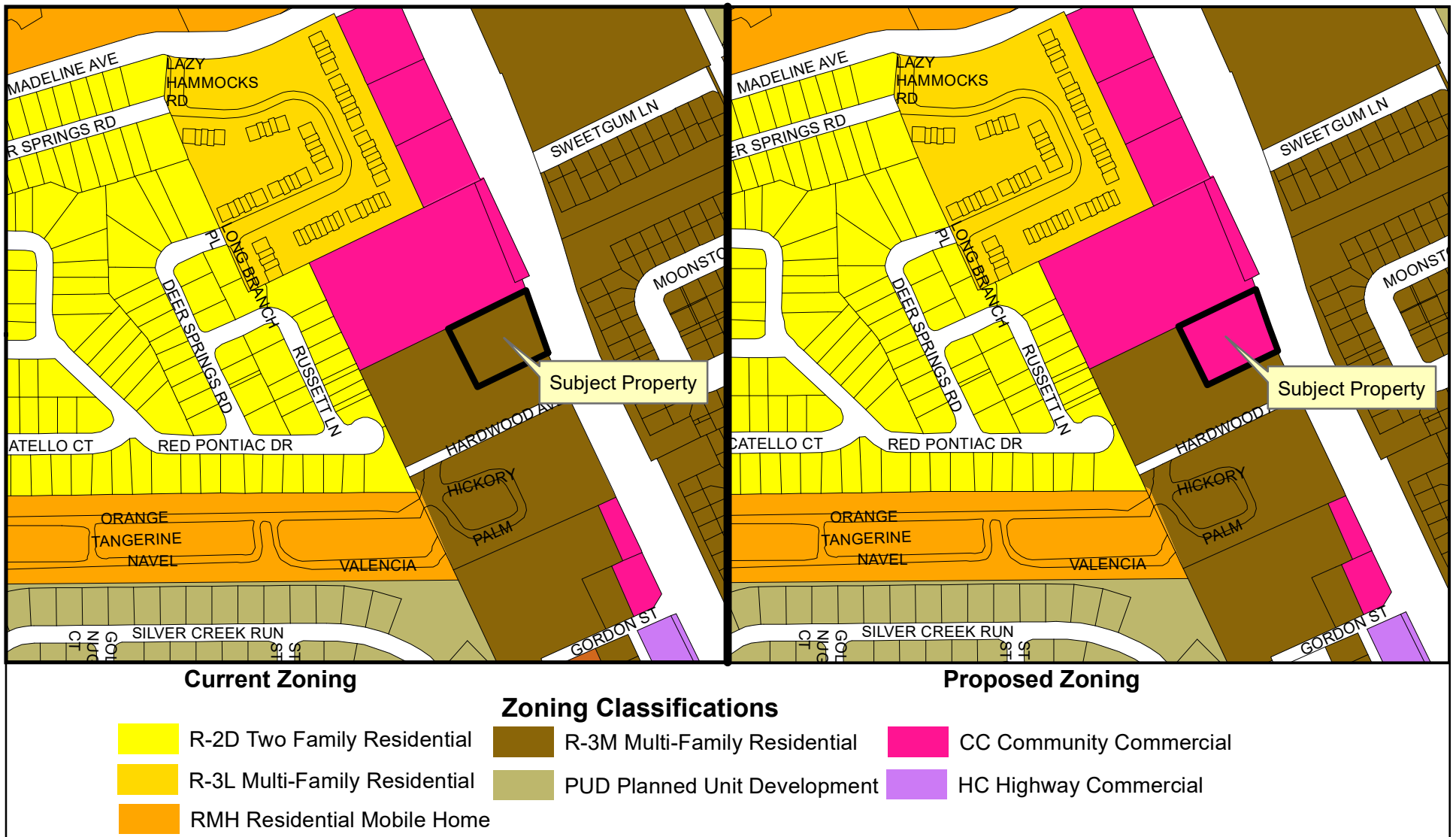
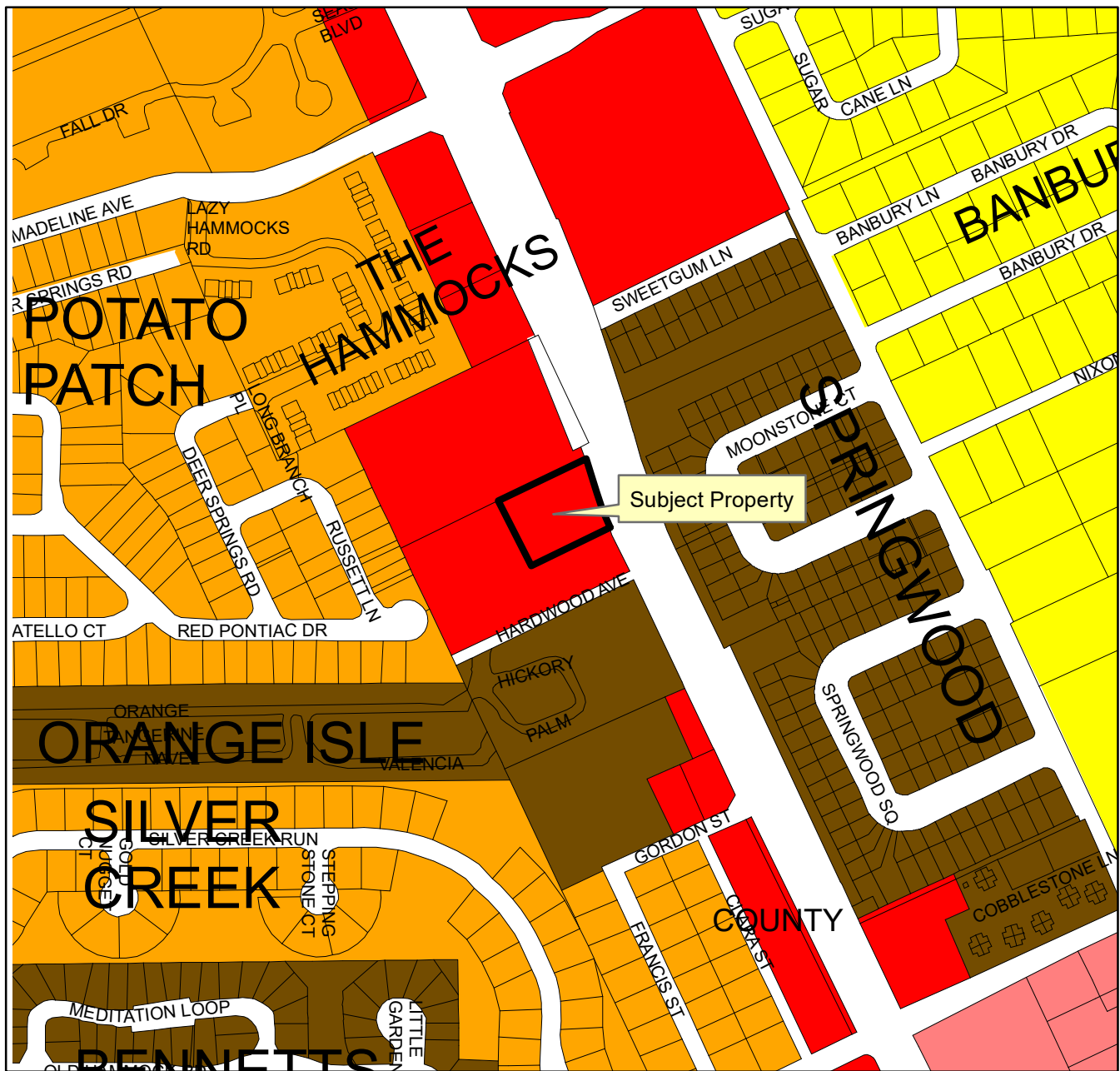


Exhibit A - Current and Proposed Zoning

DEPARTMENT OF COMMUNITY DEVELOPMENT





Future Land Use Designations

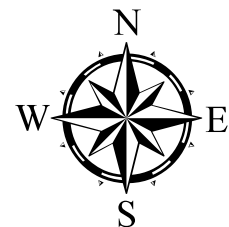
	Suburban Residential (2-4 Units/Acre)		Office/Residential Transition
	Urban Medium Density Residential (4-8 Units/Acre)		Commercial
	Urban High Density Residential (8-16 Units/Acre)		



Exhibit B - Future Land Use

CITY OF PORT ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT





STAFF REPORT

CASE NO. 17-25000003

LDC Amendment/Chapters 14 and 20
Ridgewood Corridor Improvements

REQUEST: Amendments to Chapter 14, Section 3 of the Land Development Code (LDC), regarding architectural requirements for the Port Orange Town Center; and amendments to Chapter 20 of the LDC regarding Economic Development.

APPLICANT: City of Port Orange

STAFF RECOMMENDATION: **Approval**

STAFF CONTACT: Penelope Cruz, Principal Planner (386) 506-5671

PLANNING COMMISSION DATE: September 28, 2017

Introduction

On January 15, 2013, the Ridgewood Corridor Plan (RCP) was adopted by the City Council (Resolution 13-2). The main objectives of the RCP are to improve the corridor by making it more attractive, improving its economic position, and minimizing activities that discourage investment.

At the May 29, 2017 Workshop, Council discussed the Ridgewood Corridor improvement strategies and implementation actions to date. Based on that discussion, staff has prepared recommendations to move forward with implementing strategies of the RCP to encourage development along the corridor that can quickly be accomplished, including providing more flexibility with the architectural requirements and providing economic incentives for targeted businesses.

If approved, the proposed amendments would establish the regulatory framework to implement the following RCP strategies:

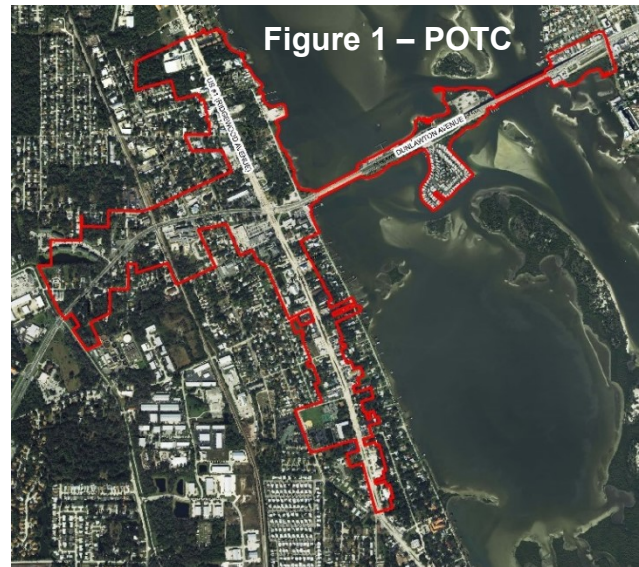
- Short Term Strategy #5 which states that the LDC should be amended to remove the architecture limitation of only Florida Vernacular;
- Short Term Strategies #11 -14 regarding various grants for targeted businesses; and
- Long Term Strategy #1 regarding incentives to encourage redevelopment.

Summary of Proposed Amendments to LDC - Chapter 14

The LDC currently only allows the Florida Vernacular architecture style in the Port Orange Town Center (POTC) Community Redevelopment Area (CRA). The Town Center CRA is generally located around Dunlawton Avenue at Spruce Creek Road east to south Peninsula Drive and Ridgewood Avenue from the Port Orange/South Daytona city limits, south to Rogers Avenue (see Figure 1). The concept of a uniform architectural theme derived from the development of the original POTC Plan adopted in 1998 that envisioned the Riverwalk project area as a master planned development to be developed by a single master developer. The original development concept for Riverwalk has changed in recent years from establishing a master plan for the entire Riverwalk area to approving smaller-scale plans for development of a specific area to achieve the Town Center Plan objectives.

Similarly, the one-size fits all approach to architecture throughout the entire CRA, which includes several small properties, has impacted redevelopment options.

The RCP Short-term Strategy #5 states that the LDC should be amended to remove the architecture limitation of only Florida Vernacular, while still requiring quality architecture pursuant to the architecture standards applicable city-wide. The architecture requirements within the POTC CRA restrict architectural options and can add additional cost and challenges to redevelopment. The proposed amendments to the LDC remove the requirement to use the Florida Vernacular architectural style within the Town Center CRA area, except within the Riverwalk District of the CRA. There are no proposed changes to the city-wide architecture requirements as part of these LDC amendments.



Example of buildings designed in the Florida Vernacular architectural style:



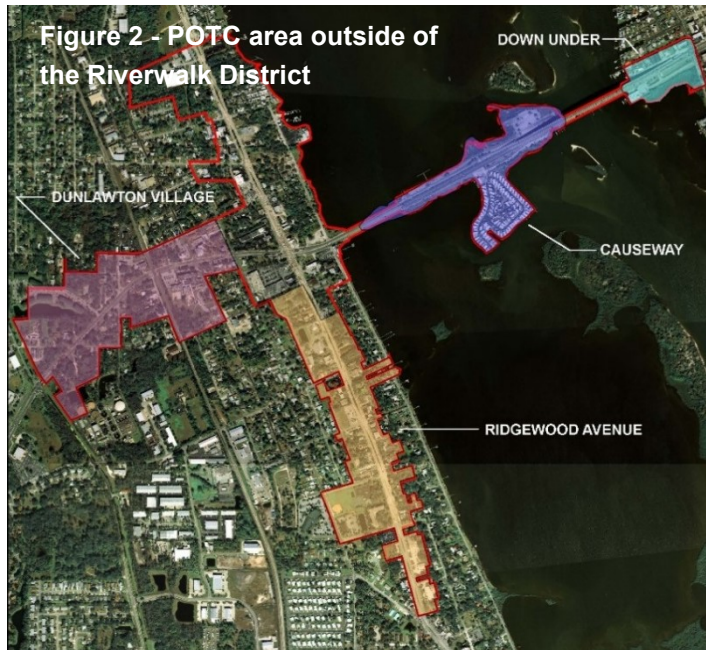
Examples of buildings designed according to the city-wide architecture requirements:



The City's Comprehensive Plan and the POTC CRA Plan specifically require the Florida Vernacular architecture style for the Riverwalk District of the CRA, so until these plans can be updated to allow more flexibility the existing architecture limitation of only allowing the Florida Vernacular style must be maintained in the Riverwalk District.

The proposed amendments to Chapter 14 of the LDC achieve the following:

1. *Apply city-wide architectural requirements to areas in the POTC CRA outside of the Riverwalk District.*



Applying city-wide architectural standards provides for quality appearance and allows for more flexibility to encourage redevelopment. Removing the Florida Vernacular architectural theme requirement for development within the POTC CRA area outside of the Riverwalk District (Figure 2) allows the city-wide architecture requirements to be applied to development in this area instead of limiting development to one architecture style. The city-wide architecture requirements include minimum roof slope of 4:12, use of parapet walls for buildings with a flat roof, exterior colors, exterior

building finishes (stucco, stone, brick, wood, or similar material), placement of doors and windows, etc.).

2. *Remove the Florida Vernacular Architectural theme requirement for the POTC CRA except for the Riverwalk District.*

The City's Comprehensive Plan and the POTC CRA Plan specifically require the Florida Vernacular architecture style for the Riverwalk District of the CRA, but neither plan dictates specific design requirements to achieve the architectural theme. These plans only state that the Riverwalk District shall have an architectural theme which reflects characteristics of the historic Florida waterfront or Cracker vernacular architectural style, including Key West, Marina/Coastal, and Mediterranean with nautical themes.

In 1998, the City adopted specific Florida Vernacular architectural style design requirements into the LDC. These requirements include four graphics and twelve subsections with specifications on materials, colors, proportions and dimensions with a level of detail that restricts flexibility and does not allow designers to incorporate variations to the Florida Vernacular architectural style.



The proposed amendment maintains the requirement for developments to use the Florida Vernacular architectural style for new development and redevelopment in just the Riverwalk District of the POTC CRA (Figure 3), consistent with the Comprehensive Plan and the POTC CRA Plan, but removes the detailed design requirements. Developments in the Riverwalk District area will still be required to incorporate Florida Vernacular architectural style elements such as pastel exterior colors, white trim, decorative roof brackets or rafters, exterior lights, roof materials etc. Over the past 15 years there have

been approximately 8 buildings within the POTC District that have been constructed or remodeled using the Florida Vernacular architectural style. A majority of the buildings within the POTC have some deviations from pure vernacular style but incorporate a majority of the required elements.

3. *Remove references to the Community Design Manual.*

The concept of a design manual was included in the LDC in 1998, but it was never drafted or presented to the City Council for adoption. The design manual idea is a remnant of the POTC Plan originally adopted in 1998 that envisioned the Riverwalk project area as a master planned development to be developed by a single master developer. The original development concept for Riverwalk has changed in recent years from establishing a master plan for the entire Riverwalk area to approving smaller-scale plans for development of a specific area to achieve the Plan. The requirements in the LDC and standard construction details for things such as landscaping, architecture, lighting, etc. have historically been used in place of a design manual.

Summary of Proposed Amendments to Chapter 20

Chapter 20 of the LDC was initially adopted in 2001 to, “promote positive forms of new development and redevelopment; reward the creation and retention of value-added jobs; attract targeted businesses; revitalize the Port Orange Town Center and Eastport Business Center redevelopment areas; increase the nonresidential tax-base; and foster a diverse employment base within the city.” The purpose and intent section of the chapter states that, “This Chapter is not intended to remain static. It is anticipated that the incentives listed herein shall be amended from time to time to improve upon their focus, delivery and impact.” The only amendment to the Chapter was in 2005 and that included a repeal of fee waivers for properties with direct frontage on Ridgewood Avenue; properties with industrial zoning located east of Clyde Morris Boulevard; and for all property located within the Port Orange Town Center and Eastport Business Center redevelopment areas.

During the public workshops and community meetings leading up to the development and adoption of the RCP, the business owners stated that the fees waiver and grants previously

offered are what encouraged some of the more positive redevelopment along the Ridgewood Corridor (e.g. The Clark Properties Corporate Building, Tavern and Chapel in the Garden, and Daytona Auto Tint). However, the fee waivers were repealed in 2005 and the grants were no longer funded.

In 2013, the City Council adopted the Ridgewood Corridor Plan (RCP), which includes Short Term Strategies #11 -14 regarding various grants for targeted businesses and Long-Term Strategy #1 regarding various incentives to encourage redevelopment such as fees waiver, impact fee credits, and grants. Based on Council discussion at the May 29, 2017 workshop, the proposed amendments to Chapter 20 of the LDC include the following:

1. *Reformat the Chapter so that the Targeted Business Program is a separate item, no longer under the Redevelopment Grants Program.*

The amendments to the Targeted Business Program reformat the text so that the existing text still applies city-wide, and adds new text for the Ridgewood Corridor Targeted Businesses. The Ridgewood Corridor Targeted Businesses are based on the adopted RCP and Council discussion at the May 29, 2017 workshop.

- Restaurants; professional offices; developments that assemble land to create a connection from Ridgewood to the riverfront; water-based businesses (e.g. watersports sales and rentals, such as kayaks, jet skis, paddle boards, etc., water taxis, boat tours, fish markets, bait and tackle shops); eco-tourism (e.g. guided tours); grocery store; craft food and beverage producer; microbrewery; and any other enterprise/project proposed and supported by the City Council.
2. *Revises the Redevelopment Grant text to establish the regulatory framework to implement the types of grants identified in the adopted RCP.* Types of grants include:
 - *Demolition grant.* Grants for demolition of existing structures that cannot efficiently be reused or properties with a history of code enforcement or crime problems. Priority may be given to motels and properties with repeat code enforcement and crime violations.
 - *Façade grant.* Grants for exterior improvements with priority given to targeted businesses.
 - *Interior improvement grant.* Grants for interior improvements to be used to assist with the cost of renovating or upfitting spaces in existing buildings, including improvements to meet accessibility and other Building Code requirements, with priority given to targeted businesses.
 - *Landscape grant.* Grants for the installation of landscape buffers along the right-of-way on existing sites that do not have them or that do not meet existing code requirements, with priority given to uses with outdoor storage/sales along the Ridgewood Avenue right-of-way.

If adopted, the proposed LDC amendments will set the framework for the grant program, while the funding will be allocated using the budget process each year.

3. *Revises the Phasing Agreement text to extend the timeframe for the phasing of improvements from three to five years.*

The LDC currently allows all businesses and multi-family properties with direct frontage on Ridgewood Avenue (regardless of zoning), all properties with industrial zoning located east of Clyde Morris Boulevard, and all property located within the Port Orange Town Center and Eastport Business Center redevelopment areas to phase the required site improvements of chapter 12 (road and vehicular use areas), chapter 13 (landscaping and buffers) and chapter 14 (architectural design) through a phasing agreement approved by City Council.

The proposed amendment would extend the timeframe for the phasing of improvements from three to five years based on review of prior redevelopment projects and feedback from the development community regarding realistic timeframes to finalize the required improvements on a constrained budget. The total cost to redevelop the site (buying the land, building upgrades, site upgrades, etc.) can be very costly and discourage investment. From the business investor's perspective, many of the required upgrades are not directly related to increasing the potential revenue a business can generate (paved parking, architecture enhancements, parking lot landscaping, etc.).

The proposed amendments also include a provision to waive the requirement for a site development plan and site improvements that are not required to meet accessibility, Building and Fire Code requirements if there is no increase in the area of the principal structure for three years as a pilot program for Ridgewood Corridor targeted businesses. This temporary waiver of required site improvements will terminate and expire on January 31, 2021, unless terminated earlier or extended by city council action extending the waiver or implementing a permanent regulation.

Some communities have successfully encouraged redevelopment by allowing incremental improvements that permit some items to be upgraded to current code over extended time or even allowing some site upgrades to be deferred until the areas have transformed and there is sufficient private market interest to drive the higher level of improvements. This encourages redevelopment of the area by allowing smaller "mom-and-pop" and local businesses to get started without a substantial amount of upfront costs. There is a risk that the improvements may never get done, but the current regulatory environment has not been successful at encouraging reinvestment in this area.

4. *Removes the section regarding fees in-lieu of required parking and stormwater retention.*

When the POTC Plan was originally adopted in 1998, it envisioned the Riverwalk project area as a master planned development to be built by a single master developer. The original development concept included a master stormwater system and parking garages for shared parking. The development concept for Riverwalk has changed in recent years from establishing a master plan for the entire Riverwalk area to approving smaller-scale plans for development of a specific area to achieve the Plan. The proposed amendment removes this provision because it has not been utilized and it is not feasible without the City or master developer constructing regional parking and stormwater infrastructure.

5. The amendments also include various other formatting and syntax revisions to clarify existing text. These include items such as removing a reference to an old resolution, revising a reference to the code enforcement board to refer to the code enforcement staff to be consistent with current practices, and renumbering the overall chapter accordingly.

Recommendation

Approval of the amendments to Chapter 14 and 20 of the Land Development Code, subject to review by the City Attorney as to legal form and content.

Attachments

- Exhibit A – Proposed LDC Amendments to Chapter 14
- Exhibit B – Proposed LDC Amendments to Chapter 20
- Figure 1 – Port Orange Town Center CRA Boundary
- Figure 2 – Port Orange Town Center CRA Districts except for Riverwalk District
- Figure 3 – Port Orange Town Center CRA - Riverwalk District

EXHIBIT A

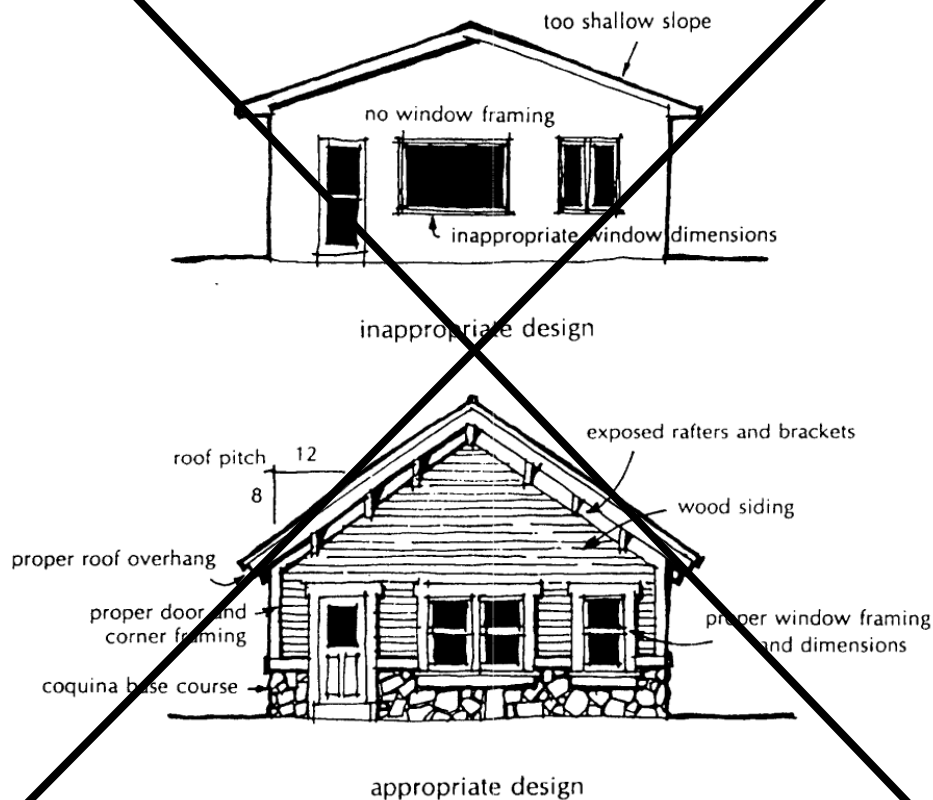
Chapter 14 - ARCHITECTURAL DESIGN Section 3: - Special provisions.

(f) *Port Orange Town Center – Riverwalk District*. New development, renovation, redevelopment, alterations and additions of any kind, including accessory structures and appurtenances, in the *Riverwalk District of the* Port Orange Town Center shall comply with the following requirements. These requirements are intended to provide a uniform architectural theme which reflects characteristics of the historic Florida waterfront or Cracker vernacular architectural style, including Key West, Marina/Coastal, and Mediterranean with nautical themes.

(1) Exterior building materials shall consist of or accurately resemble horizontal or vertical wood siding. Historically correct architectural details, such as door framing, window framing and corner framing, shall be provided. Alternative exterior building materials appropriate within the Port Orange Town Center shall include coquina stone/facing, shell-based stucco or brick, provided that such materials comprise no more than one third of any building elevation visible from a public right of way.

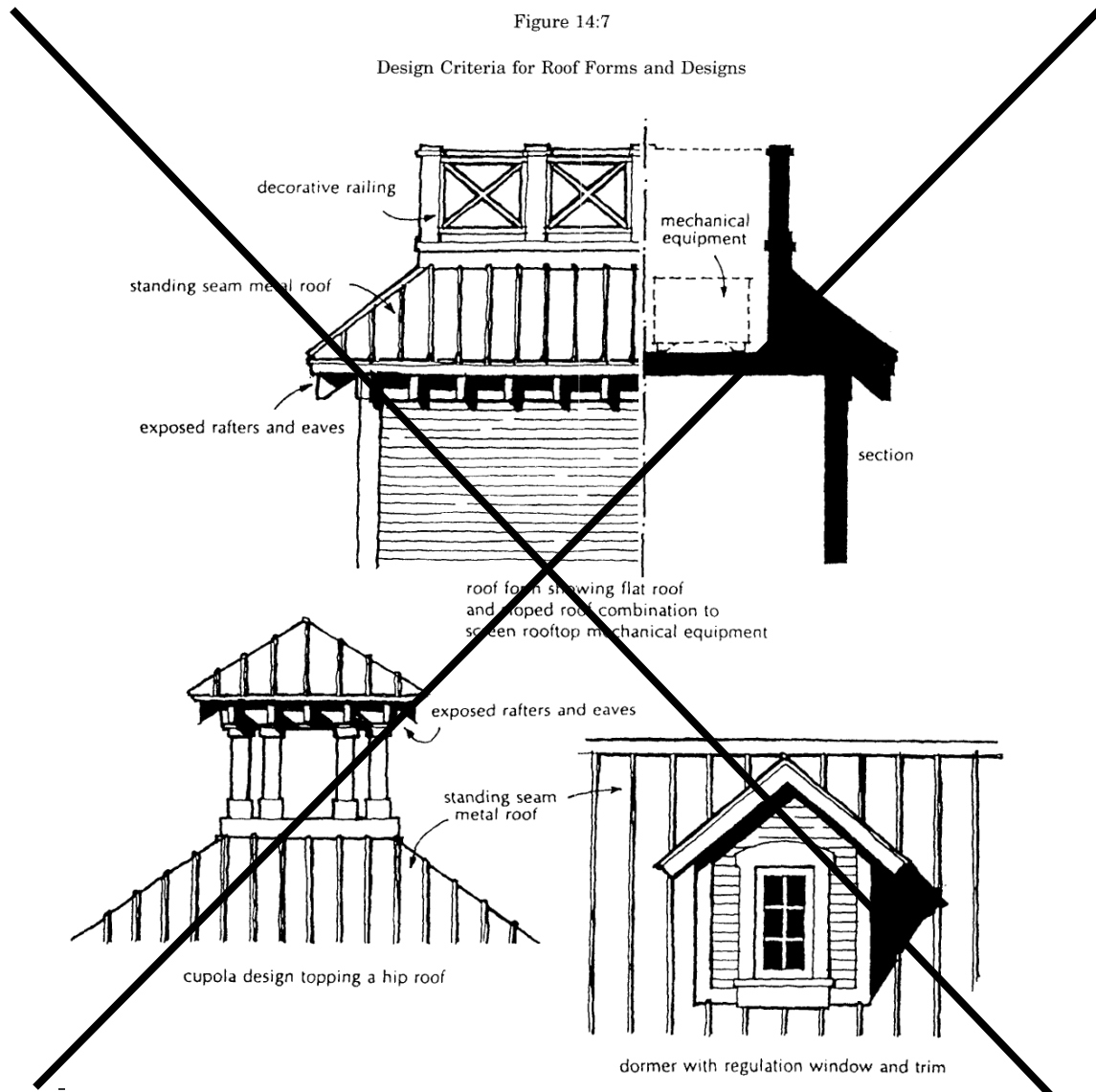
Figure 14:6

Design Criteria for Exterior Building Materials and Building Roof Form



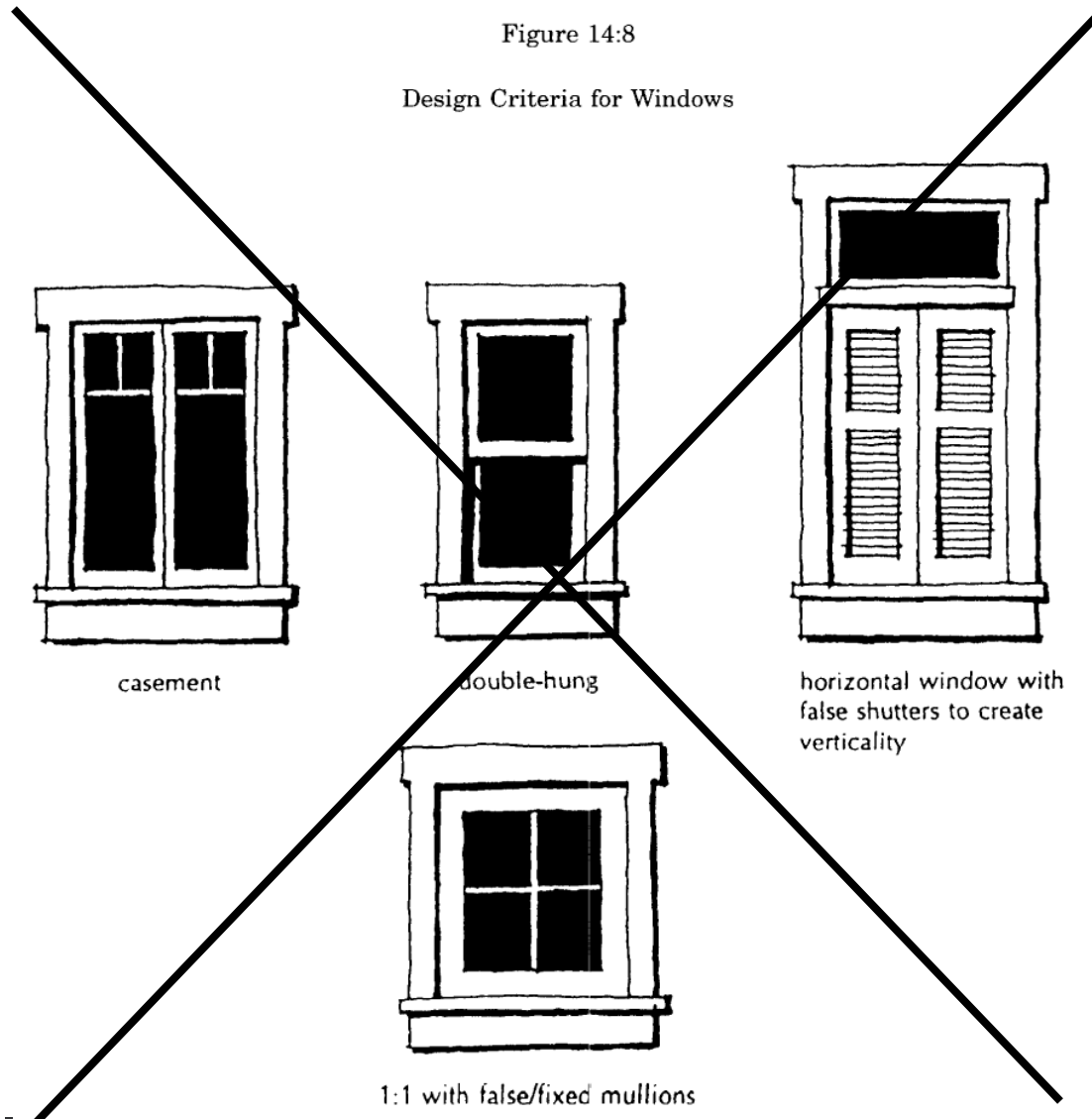
(2) All roof materials shall be made of metal shingles, corrugated metal sheet, V-crimp metal sheet or standing seam metal sheet. Metal roofs shall not be painted and the color shall be steel, tin or gray.

(3) All buildings shall incorporate sloped roofs with a minimum slope of 8:12. All roofs shall be required to display exposed functional or non-functional rafters with an overhang. Where flat roofs are integrated into predominantly sloping roof structures, the top shall be finished with a decorative railing as shown in Figure 14:7. Where hip roofs are utilized, a cupola shall be provided as shown in 14:7. Dormers are strongly encouraged, particularly for residential uses.



(4) Window openings shall appear to be vertical in nature, with a minimum of 1½ feet of vertical height for every one foot of horizontal width. Secondary windows situated on the sides or rear of the building, in a clerestory with lower windows, in the gables or in dormers may have a proportion of one foot of vertical height for every one foot of horizontal width, provided that such windows are divided with fixed or false mullions on the exterior. False mullions on the interior of glass or mullions sandwiched between panes of glass is

prohibited. Windows shall appear to be casement or double hung. The use of fixed glass and/or false exterior mullions shall be permitted. The use of closed shutters, three-sided fabric awnings, spandrel glass, or other appropriate vernacular architectural features shall be permitted to achieve the vertical look as shown in Figure 14:8.



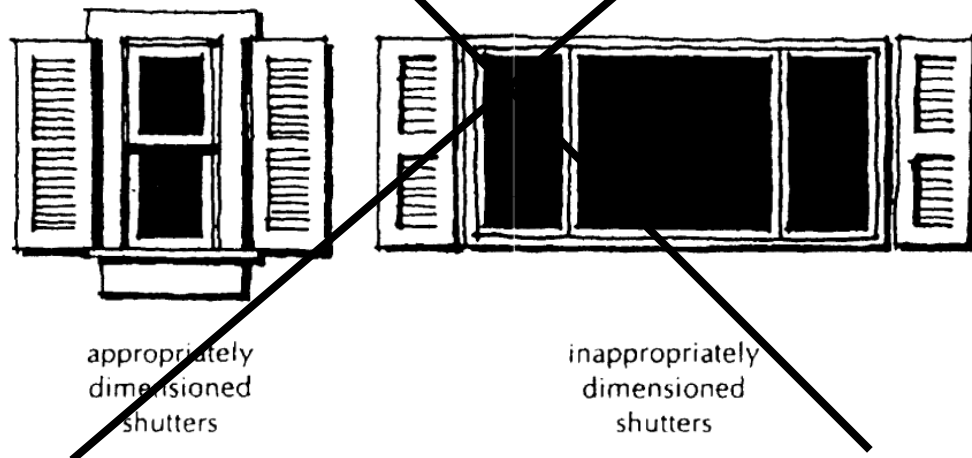
(5) Exterior building materials, unless natural stone or brick, shall be painted a pastel color. Where two or more exterior building materials are utilized, each shall be painted a different, yet complimentary, pastel color. Where building materials are used as a building base course, the materials shall be painted a dark color which may include the use of earth tones. All wood trim, rafters, eaves, corner trim, window trim, brackets, fences, and other wood trim or supporting components shall be white. Doors, garage doors, windows and shutters shall be painted a non-white color that is different from the exterior building materials. Roofs shall remain unpainted. No two buildings that share the same property line shall be permitted to have exterior building materials painted the same color.

(6) For windows with shutters, the shutter dimensions shall be appropriately scaled to the window so as to give the appearance of operable shutters as shown in Figure 14:9. If the

~~shutters are used to create verticality as required by paragraph (4) of this subsection, the shutters shall not be required to provide the appropriate vertical dimension to fully cover the height of the window.~~

Figure 14:9

Design Criteria for Shutters



~~(7) The Old Dunlawton Corridor walklight detail as specified in the standard construction details shall be required for all site lighting. Variations of the same style as to height and number of light fixtures shall be permitted as appropriate for specific site development, except in no case shall any site lighting exceed 20 feet in height. Alternative site lighting may be considered as prescribed by the Port Orange Town Center Design Manual, adopted by resolution of the city council and incorporated by reference in this code.~~

~~(8) False or real windows shall be provided on all elevations visible from the public right-of-way in sufficient size and number to complement the proportions of the building.~~

~~(9) Site furnishings, such as trash receptacles, benches and decorative fences, shall be required for all development as prescribed by the Port Orange Town Center Design Manual.~~

~~(10) A four foot high decorative fence shall be required along all rights-of-way for all residential, institutional and office uses, including the renovation and/or reuse of existing residences within the quadrant. The design of such fencing shall be as prescribed by the Port Orange Town Center Design Manual.~~

~~(11) Decorative pedestrian crossings utilizing paver blocks and environmental curb shall be required for all development as prescribed by the Port Orange Town Center Design Manual.~~

~~(12) Signs shall comply with the special provisions established by chapter 15, subsection 6(d), of this code.~~

EXHIBIT B

Chapter 20 - ECONOMIC DEVELOPMENT INCENTIVES

Sec. 1: - Purpose and intent.

(a) All of the city's economic development related incentives are described or referenced within this chapter. The purpose of the incentives is to accomplish the following within the city: promote positive forms of new development and redevelopment; reward the creation and retention of value-added jobs; attract targeted businesses; revitalize the Port Orange Town Center and Eastport Business Center redevelopment areas; increase the nonresidential tax-base; and foster a diverse employment base within the city.

(b) This chapter is not intended to remain static. It is anticipated that the incentives listed herein shall be amended from time to time to improve upon their focus, delivery and impact.

Sec. 2: - Overview of available city incentives.

(a) *Reduced development requirements on Ridgewood.* To encourage investment along the city's original main street, a series of reduced development requirements have been established for all properties zoned Ridgewood Development (RD). The development requirements shall apply within the Ridgewood Development (RD) zoning classification, as follows:

- (1) Chapter 12, section 6(f)(3), alternative surfaces for off-street parking and vehicular use areas.
- (2) Chapter 13, sections 3(c), 3(d)(1)(c), 3(d)(3), 3(e)(1)(b), 3(e)(2), 4(b) and 5(d), landscape buffers.
- (3) Chapter 14, sections 3(a)(2) and 3(f), special provisions.
- (4) Chapter 15, sections 3(f), 5(b)(5), 6(b), 6(d), 7(c)(1)(b) and 7(c)(2)(c), signs.
- (5) Chapter 17, sections 25 and 27, zoning district regulations.

(b) Reserved.

(c) *Deferment of impact fee payments.* Upon written request, payment of city water, sewer and recreation impact fees may be deferred to a later point in the development review process. Rather than being paid just prior to the issuance of the building permit(s), these fees may be paid just prior to the issuance of the certificate of occupancy. Payment of county road and school impact fees may be deferred in a similar fashion, pursuant to article III, section 70-75(2)(b) of the Volusia County Code of Ordinances.

(d) ~~Owner-occupied business establishments~~ **Live-work units**. Recognizing that many of the properties within the Port Orange Town Center redevelopment area and those with direct frontage on Ridgewood Avenue (regardless of zoning) have historically been developed with "mom and pop" and "homegrown" type businesses, the city shall permit ~~owner-occupied business establishments~~ **live-work units** in such areas, provided that these establishments comply with all other requirements of this code and adopted building and fire codes. ~~More specifically, the city shall permit given business owners/managers to reside in a dwelling unit which is set within the principal (business establishment) structure.~~

(e) *Phasing of required site improvements.* For all business and multifamily properties with direct frontage on Ridgewood Avenue (regardless of zoning); for all properties with industrial zoning located east of Clyde Morris Boulevard; or for all property located within the Port Orange Town Center and Eastport Business Center redevelopment areas, developers may be permitted to phase the required improvements of chapter 12 (road and vehicular use areas), chapter 13 (landscaping and buffers) and/or chapter 14 (architectural design) over a period not to exceed ~~three~~ **five** years from the date of issuance of the development order ~~approval of the phasing agreement~~. However, with respect to chapter 13

improvements, phasing shall not be permitted for landscaping and irrigation within required right-of-way buffers, and shall not be permitted within bufferyards adjacent to residential/institutional uses.

To secure permission to phase improvements, a letter of request shall be filed with the city ~~outlining the unique time sensitive conditions/circumstances. The request along with a proposed phasing agreement outlining the installation of improvements in annual installments, shall be scheduled for city council review and approval.~~ If the request is approved **by staff**, the phasing agreement shall be executed **by the mayor and attested by the city clerk** ~~between the city and the property owner(s),~~ and shall be recorded in the public records of Volusia County. In the event that the developer violates the recorded agreement and has not completed the required improvements by the time specified for each improvement in the agreement, the violation(s) may be referred to the code enforcement ~~board~~ **staff** and the city shall have the right to pursue such other remedies as provided in the agreement and as provided by law including but not limited to the city's right to enter upon the property and to complete the improvements and to record a lien for the costs of completing the improvements.

(f) Waiver of required site improvements for Ridgewood Corridor Targeted Business. As a three-year pilot program, all Ridgewood Corridor targeted businesses, as identified in this Chapter, with direct frontage on Ridgewood Avenue (regardless of zoning) developers may be permitted to defer the requirement for a site development plan and site improvements that are not required to meet accessibility, Building Code, and Fire Code requirements (such as landscaping, architectural design, parking) if there is no increase in the area of the principal structure. This temporary waiver of required site improvements shall terminate and expire on January 31, 2021, unless terminated earlier or extended by city council action extending the waiver or implementing a permanent regulation.

(f) Fees in lieu of required parking and stormwater retention. Upon application to the city, individuals who own property in the Riverwalk District of the Port Orange Town Center redevelopment area may request a waiver (in full or partial) for providing the required number of parking spaces and/or stormwater retention area on-site. The city council in its sole discretion may approve the requested waiver thereby granting the constrained property shared use of an off-site publicly owned and maintained parking lot or stormwater retention area, as the case may be, in exchange for appropriately calculated fees. This incentive shall be available, only if the city owns appropriately designed improved land with available capacity within reasonable proximity to the subject property.

(1) Applications. Applications for in-lieu fees may be obtained from the department of community development. Applications pertaining to shared parking shall include, but shall not be limited to: the number of parking spaces required by code; the proposed on- and off-site number of parking spaces; the existing and proposed building use; the existing and proposed square footage of the building and property; a site plan; and a survey. Applications pertaining to stormwater retention shall include, but shall not be limited to: the existing and proposed square footage of the building and property; the existing and proposed amount of impervious area; a site plan; and a survey.

(2) Review. Upon acceptance, review and certification of applications as to completeness, the city shall notify the applicant of any special conditions or additional information that may be required, as the case may be.

(3) Contract required. If a request is approved, the terms by which shared parking and/or shared stormwater retention shall be provided shall be detailed in a contract to be signed by the mayor, the city manager, the applicant and appropriate witnesses thereto. The city shall provide the applicant with an appropriate template to follow for this purpose.

(4) Conditions and safeguards. In approving a request, the city council may prescribe appropriate conditions and safeguards to ensure compliance with this code or to satisfy the goals/objectives of the Port Orange Town Center Redevelopment Plan.

(5) Calculation. Upon calculation and receipt of the in-lieu payment from the applicant, the city shall issue credit for a specific number of parking spaces and/or for a specific cubic amount of stormwater retention, as the case may be.

(6) Shared fund. All in-lieu payments shall be deposited into the applicable shared parking or shared stormwater retention fund. All funds collected through the in-lieu payment process shall be utilized for the purposes of financing parking and/or stormwater retention capital improvements, and other expenses as may be necessary or incidental to the provision of such.

(7) In-lieu factors. In-lieu factors for shared parking and shared stormwater retention shall be established by resolution of the city council and shall reflect costs associated with, but not limited to: land acquisitions, design, legal, planning, engineering, construction, inspection and finance services. In-lieu factors may be amended from time to time to reflect changes in the above-noted variables.

(8) Payment collection. Payment may be made in full or in installments, and all the details pertaining to such shall be addressed in the contract between the applicant and the city.

(9) Rescinding approval. If a request is approved, the construction of the improvements has not commenced and the applicant then decides to significantly revisit the conditions/circumstances as approved, then the city manager shall have the right to rescind said approval, and the applicant shall be required to re-apply based on the revised set of conditions and circumstances.

(g) *Expedited review and approval.* Pursuant to a written request, the city manager may designate a given development or redevelopment project as one which is worthy of an expedited review and approval process. Designation by the city manager shall be purely discretionary and afforded only in the most extraordinary circumstances. Upon designation, a community development staff member shall be designated as project manager and shall work in close contact with the applicant and his/her agent(s). Once formal plans have been prepared and submitted to the city, the project manager shall oversee an expedited staff development review of the project. In so doing, the project manager may take the necessary steps to schedule a special meeting of the staff development review committee (SDRC), the planning commission and/or the city council in order to secure timely approvals.

(h) *Neighborhood Investment Program (NIP).* Pursuant to Resolution 00-30, ~~the~~ This program enables the city to partner with recognized neighborhood organizations to undertake meaningful physical, cultural and recreational initiatives. Under the program, an organization may apply for up to \$5,000.00 annually in grant money (to be matched by the city) to undertake specific initiatives in their neighborhood, including but not limited to: "landscaping, street lighting, benches, bike path and sidewalk construction, entrance improvements, youth/family literacy programs, after-school enrichment programs and art/music/dance training programs". Requests shall be reviewed and evaluated based on individual merit and the city reserves the right to reject any/all proposals. **Review and consideration of requests contingent on availability of funds.**

(i) *City assistance with state and federal grant applications.* Upon request, the city may provide assistance to given organizations/corporations in applying for available state and federal grants. Assistance may entail preparation/submission of grant applications, securing statements of local support and providing required local funding matches.

(j) *Redevelopment grants.* The redevelopment grants are hereby created to reverse blighted conditions and to stimulate reinvestment within the city's redevelopment areas, namely Port Orange Town Center, **and Eastport Business Center, and the Ridgewood Corridor.** To assist the private sector in this significant challenge, the city may extend grant monies to successful applicants pursuant to the following criteria and administrative processes.

(1) *Criteria.* The following criteria are to be applied to given requests to determine eligibility for financial assistance pursuant to the city's redevelopment grants. All requests shall demonstrate the application of each criterion in the affirmative.

(a) The subject property is located within the boundaries of the Port Orange Town Center CRA, or the Eastport Business Center CRA redevelopment area, or the Ridgewood Corridor.

(b) The applicant proposes to develop or redevelop the subject property, or to expand or renovate the building or accessory structure on such property, and the financial assistance requested shall be used in full or in part to initiate such improvements within the next 12 month period, barring all unforeseen obstacles.

(c) The proposed improvements ~~shall be substantive in scope/impact;~~ shall result in a ~~highly visible~~ aesthetic enhancement to the property; and may conceivably spur similar investment in surrounding properties.

(d) The proposed improvements pertain to the creation, retainment, or enhancement of a particular business/use which is expected to have a positive socio-economic impact on the corridor and neighborhood in question; or the proposed improvements pertain to the preservation and enhancement of a particular residential structure which was included in the city's Historic Survey (1996) and is visible from Dunlawton and/or Ridgewood Avenue (but not necessarily located thereon).

(e) The proposed improvements shall be in harmony with the general intent and purpose of the redevelopment area in question, shall not be injurious to surrounding properties and shall not be detrimental to the given corridor or neighborhood.

(2) *Types of assistance.*

(a) Demolition grant. Grants for demolition of existing structures that cannot efficiently be reused or properties with a history of code enforcement or crime problems. Priority may be given to motels and properties with repeat code enforcement and crime violations.

(b) Façade grant. Grants for exterior improvements. Priority shall be given to targeted businesses, as identified in this chapter.

(c) Interior improvement grant. Grants for interior improvements to be used to assist with the cost of renovating or upfitting tenant spaces in existing buildings, including improvements to meet accessibility and other Building Code requirements. Priority shall be given to targeted businesses, as identified in this chapter.

(d) Landscape grant. Grants for the installation of landscape buffers along the right-of-way on existing sites that do not have them or that do not meet existing code requirements. Priority may be given to uses with outdoor storage/sales along the Ridgewood Avenue right-of-way.

~~(a) Level One matching grants.~~ These grants are intended for small building renovation, site upgrade projects, or code required improvements which are expected to result in highly visible, aesthetic enhancements to the property/building in question. The construction value of projects shall be a minimum of \$2,000.00. Projects less than this

amount shall not be considered for funding. All matching grants shall constitute 50/50 public/private funding and the city shall fund no more than \$5,000.00 for any given project. Examples of projects that may be open to Level One grants include, but shall not be limited to: repainting a historic structure; the installation of pedestrian walklights, decorative re-roofing, replacing old siding with new and improved material and the installation of landscaping.

(b) Level Two matching grants. These grants are similar to Level One grants, yet more significant with respect to their scope and overall cost. This being the case, the construction value of projects for a Level Two grant shall be a minimum of \$5,001.00 and the city shall fund no more than \$10,000.00 for any given project.

(c) Level Three matching grants. These grants are similar to Level Two grants. However, rather than being available to any/all properties within the city's two redevelopment areas, Level Three grants are only available to properties within the Riverwalk District of Port Orange Town Center. The Level Three grant offers up to \$5,000.00 more for given projects in recognition that the city code requires an architectural style within the Riverwalk District that results in added costs. The construction value of projects for a Level Three grant shall be a minimum of \$5,001.00 and the city shall fund no more than \$15,000.00 for any given project. Furthermore, the city has recognized the Riverwalk District as an area of great potential and high priority with respect to long term redevelopment.

(3) Conditions of approval.

(a) [Review and consideration of requests contingent on availability of funds.] The review and consideration of grant requests pursuant to this program shall be contingent on the availability of funds during given fiscal years. If the city council determines that funds are limited in any given fiscal year, then the city council shall have the full right and authority to limit the number of requests to be considered during that fiscal year, and/or to limit grant monies to be extended to given requests.

(b) Approval level. All Level One grant requests shall be reviewed and approved by the city manager. ~~Given the increased scope and cost implications, all Level Two and Three grant requests shall be reviewed and approved by the city council.~~

(c) Matching grants. Only the cost of construction for a given project shall establish the basis for the 50/50 public/private funding. ~~Costs associated with surveying, engineering, architectural, landscaping or similar design services shall not be eligible for the 50/50 public/private funding.~~

(d) Design services. If a request for a matching grant (any level) is approved by the city, ~~the applicant may opt to utilize the services of one of the city's contract engineering, landscaping, surveying or architectural design firms subject to an agreement to hold the city harmless for its selection and the performance of the individual professional. Notwithstanding, the reimbursement of cost of services by one of the city's design firms shall not exceed the dollar amount approved by the city for the matching grant.~~

(e) Contract Agreement required. If a request is approved, the terms by which financial assistance shall be provided shall be detailed in a redevelopment grant agreement contract to be signed by the ~~mayor~~, the city manager, the applicant and appropriate witnesses thereto. The city shall provide the applicant with an appropriate template to follow for this purpose. ~~The contract,~~ which shall be signed by all parties prior to issuance of a development order.

(fd) Conditions and safeguards. In approving a request, the city council may prescribe appropriate conditions and safeguards to ensure compliance with this code or to satisfy the goals/objectives of the applicable redevelopment plan and/or corridor plan. Such conditions may include time limits for the initiation of the improvements, or any other conditions reasonably related to the criteria listed in the above sections.

(ge) After-the-fact reimbursement. If a request is approved, actual reimbursement shall not occur until close-out of the project in accordance with the plans and/or permits which were approved for construction.

(hf) Window for requests. For new business operations, It is preferable that requests shall be filed with the city prior to the issuance of a certificate of occupancy (C/O); however, they will be accepted up to one year after receiving the C/O. For the expansion/renovation of existing business operations, requests shall be filed prior to the issuance of a development order. No requests for financial assistance pursuant to the redevelopment grant shall be accepted after the applicable deadline.

(i) Limit to requests. If financial assistance pursuant to the redevelopment grant is requested and approved by the city, then the subject business thereby waives their right to request any additional assistance pursuant to the redevelopment grant, for the subject property for a period of 12 months.

(jg) Rescinding approval. If a request is approved, the construction of the improvements has not commenced and the applicant then decides to significantly revisit the conditions/circumstances as approved, then the city manager shall have the right to rescind said approval, and the applicant shall be required to re-apply based on the revised set of conditions and circumstances.

(kh) Transfer of approvals. Approvals run with the business and property. An approval may only be transferred to another individual, for that same business on that same property, subject to an appropriate amendment to the redevelopment grant agreement contract with respect to the signatories.

(li) Expiration of approval. Matching g Grants shall expire if within 12 months of the request being filed, the development order or the principal building permits as applicable have not been issued, or if at the discretion of the administrative official, are not imminent. Notwithstanding, the council may approve language within the redevelopment grant contract provides for the terms relating to the expiration of approval.

(m) (k) *Targeted businesses program.* The targeted businesses program (TBP) is hereby created to provide assistance to unique business ventures which, from time to time, may be targeted by the city by virtue of the anticipated socio-economic benefits. Targeted businesses may be extended incentives to aid in retaining their operations within the city; to aid in enhancing/expanding their operations in the city, or to aid in relocating their operations to viable property within the city. The city council shall retain the sole discretion to award or decline incentives in whole or in part and shall be under no obligation to enter into an incentive agreement with any particular business whether or not listed in subsection (1) as stated hereafter. In arriving at a decision the council shall consider the critical factors, including but not limited to the following: number of jobs, number of value added jobs, average wage, type of business venture, how the business venture addresses the critical needs within the city, location of business venture, value of construction, significance of improvements, anticipated tax revenue, multiplier

implications on the local economy, health of the economy, availability of city funds and other factors deemed essential by the city council. To be considered by council, a written request providing a detailed overview of the business/project and the circumstances surrounding the need for assistance, shall be submitted to the city. If approved, a contract shall be prepared outlining the given incentives, their allocation and the conditions applicable thereto. The contract shall then be executed and carried out in accordance with its terms.

(1) *Targeted businesses – City-wide*. The following businesses shall be targeted businesses *City-wide* and may be extended assistance by the city pursuant to review and approval by the city council: marina; full service hotel with multi-room conference center serving not less than 500 conference participants; college/university; aviation operations; professional sport operations; entertainment industry operations; regional distribution facility; Fortune 500 company; corporate headquarters; master developer(s) for the riverwalk, causeway or down under districts; master developer(s) for the Eastport Business Center redevelopment area; commercial or industrial venture(s) promising extensive value-added jobs; any other enterprise/project referenced within the city's vision statement; and any other enterprise/project proposed and supported by ordinance of council.

(a) *City Council approval*. The city council shall retain the sole discretion to award or decline incentives in whole or in part and shall be under no obligation to enter into an incentive agreement with any particular business whether or not listed in subsection (1) as stated hereafter. In arriving at a decision the council shall consider the critical factors, including but not limited to the following: number of jobs, number of value added jobs, average wage, type of business venture, how the business venture addresses the critical needs within the city, location of business venture, value of construction, significance of improvements, anticipated tax revenue, multiplier implications on the local economy, health of the economy, availability of city funds and other factors deemed essential by the city council. To be considered by council, a written request providing a detailed overview of the business/project and the circumstances surrounding the need for assistance, shall be submitted to the city.

(2b) *Possible incentives*. Possible city incentives which may be extended to a targeted business as defined herein include, but shall not be limited to, one or more of the following: waive fees for applications, permits and/or inspections; grants/loans; water/sewer impact fee credits/deferrals; wetland mitigation; engineering, landscaping, surveying, architectural design services; pre-permitted sites; dollars for value-added jobs; utility cost-sharing; and expedited review and approval.

(3c) *Accountability*. In situations where the city council elects to issue a grant based on the type, number and/or wages associated with jobs to be created then the required contract shall specify; a) by what time (e.g. 18 months from commencement of construction) the targets must be met; b) the penalty specifics if the targets are not met, such as reimbursing the city to a prorated dollar amount based on the number/type/wage of jobs falling short of the respective targets, with interest; and c) when the city's grant shall be issued meaning at the time the certificate of occupancy is issued, half now/half later or when the targets are met. Incidentally, the city shall verify whether targets have been met by reviewing an audit of the business in question at their expense. In situations where the city council elects to issue a grant based on the size and/or value of the physical improvements to the property, then the contract shall address similar specifics.

(2) Targeted businesses – Ridgewood Corridor. The following businesses shall be targeted businesses along the Ridgewood Corridor and may be extended assistance by the city: restaurants; professional offices; developments that assemble land to create a connection from Ridgewood to the riverfront; water-based businesses (e.g. watersports sales and rentals, such as kayaks, jet skis, paddle boards, etc., water taxis, boat tours, fish markets, bait and tackle shops); eco-tourism (e.g. guided tours); grocery store; craft food and beverage producer; microbrewery; and any other enterprise/project proposed and supported by the city council.

(a) Approval. All targeted business incentive requests for properties in the Ridgewood Corridor shall be reviewed and approved by the city manager.

(b) Possible incentives. Possible city incentives which may be extended to a targeted business as defined herein include, but shall not be limited to, one or more of the following: waive fees for Planning and Engineering applications, permits and/or inspections; grants/loans; water/sewer impact fee credits/deferrals; dollars for value-added jobs; utility cost-sharing; phased site improvements; and expedited review and approval.

(b) Request. It is preferable that requests shall be filed with the city prior to the issuance of a certificate of occupancy (C/O); however, they will be accepted up to one year after receiving the C/O.

(c) Rescinding approval. If a request is approved, the construction of the improvements has not commenced and the applicant then decides to significantly revisit the conditions/circumstances as approved, then the city manager shall have the right to rescind said approval, and the applicant shall be required to re-apply based on the revised set of conditions and circumstances.

(e) Transfer of approvals. Approvals run with the business and property. An approval may only be transferred to another individual, for that same business on that same property, subject to an appropriate amendment to the incentive agreement.

(d) Expiration of approval. Incentives shall expire if within 12 months of the request being filed, the development order or the principal building permits as applicable have not been issued, or if at the discretion of the administrative official, are not imminent.

Figure 1 – Port Orange Town Center CRA Boundary



Figure 2 - Port Orange Town Center CRA Districts except for Riverwalk District



Figure 3 - Port Orange Town Center CRA - Riverwalk District

