



PORT ORANGE CITY COUNCIL & TOWN CENTER CRA

JOINT SPECIAL MEETING

Council Chambers

Tuesday, September 21, 2021 @ 6:30 PM

SPECIAL MEETING AGENDA

Pursuant to Section 3.06 of the Charter of the City of Port Orange, the Mayor has called a **Special Meeting** of the City Council to be held for the following purposes:

OPENING

1. Roll Call

DISCUSSION / ACTION

2. First Reading - Ordinance No. 2021-25 - Amendment to the Port Orange Town Center Community Redevelopment Plan (Case No. 21-15000001)
3. First Reading Ordinance No. 2021-26 - LDC Amendment/ Chapters 2, 17, and 18 (Case No. 21-25000005)
4. Third Amendment to the Property Exchange and Escrow Agreement (Cardwell Funeral Home Property)

ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) 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 OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, 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 OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

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.

City Council & Town Center CRA Joint Special Meeting

September 21, 2021

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ANY INVOCATION THAT IS OFFERED BEFORE THE OFFICIAL START OF THE CITY COUNCIL MEETING SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE PERSON, TO AND FOR THE BENEFIT OF THE CITY COUNCIL. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE CITY COUNCIL OR THE CITY STAFF, AND THE CITY IS NOT ALLOWED BY LAW TO ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER. PERSONS IN ATTENDANCE AT THE CITY COUNCIL MEETING ARE INVITED TO STAND DURING THE OPENING INVOCATION AND PLEDGE OF ALLEGIANCE. HOWEVER, SUCH INVITATION SHALL NOT BE CONSTRUED AS A DEMAND, ORDER, OR ANY OTHER TYPE OF COMMAND. NO PERSON IN ATTENDANCE AT THE MEETING SHALL BE REQUIRED TO PARTICIPATE IN ANY OPENING INVOCATION THAT IS OFFERED. A PERSON MAY EXIT THE CITY COUNCIL CHAMBERS AND RETURN UPON COMPLETION OF THE OPENING INVOCATION IF A PERSON DOES NOT WISH TO PARTICIPATE IN OR WITNESS THE OPENING INVOCATION.



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 9/21/2021

Consent item: No

SUBJECT: (2) First Reading - Ordinance No. 2021-25 - Amendment to the Port Orange Town Center Community Redevelopment Plan (Case No. 21-15000001)

DEPARTMENT: Community Development

GOAL: 4 - Economic Development

RECOMMENDED MOTION: CRA Motion: Move to approve the proposed amendments to the Port Orange Town Center Redevelopment Plan, as recommended by the Planning Commission

City Council : Move to approve Ordinance No. 2021-25, amending the Port Orange Town Center Redevelopment Plan, as recommended by the Planning Commission and Port Orange Town Center CRA

SUMMARY: Planning Commission Action (8/26/21): Recommended Approval (7-0)

The proposed amendment to the Port Orange Town Center (POTC) Redevelopment Plan is to modify the Riverwalk Planned Community Conceptual Development Plan (CDP) to further encourage the development of the Riverwalk area as a waterfront mixed-use destination along the Halifax River. At the April 28, 2021 City Council Workshop, the City Council provided direction to staff to make necessary changes to the CRA Plan and Land Development Code to support the redevelopment of the City's and CRA's ±10-acre site in the Riverwalk area. The proposed amendment is to clarify the development parameters of the CRA Redevelopment Plan:

1. Remove the three "Area" labels on the CDP and the maximum number of dwelling units and office and retail square-footage allowed for each area as shown on the CDP. According to the City's Comprehensive Plan, a maximum of 800 residential units, 240,000 square-feet of commercial, and 51,700 square-feet of office is allowed to be developed in the ±35-acre Riverwalk area. The CDP currently divides the Riverwalk area into three (3) areas and for each area there is a maximum number of dwelling units and maximum amount of retail and office square-footage allowed. However, the maximum number of dwelling units and retail and office square-footage listed on the CDP for each Area does not correspond with projects developed or developing in each Area. The CDP has been revised to remove the maximum number of dwelling units and non-residential square-footage allowed labels per area and a note has been added to the CDP that provides the overall maximum number of dwelling units and office/retail square-footage allowed in the ±35-acre Riverwalk area according to

the City's Comprehensive Plan.

2. Modify the area of the Recreation/Conservation project type for the southern portion of the Riverwalk Trail to be a dashed line along the shoreline and provide a note that the line identifies the general location of the required public use trail along the waterfront. The change is to identify the requirement to continue the public use trail from the current terminus to Dunlawton Avenue for potential developers, but also provide flexibility in where the trail can be constructed (on land, over the water, or a combination of both).
3. Expand the general area for the marina project type to extend further to the south to allow the opportunity to develop more water-based uses (marina, boat rentals, water taxi, etc.) along the Halifax River.

The Staff Report is attached for more information.

Project No.: N/A

Funding Account No.: N/A

Presenter: Penelope Cruz, Tim Burman

ATTACHMENTS:

1.	Ordinance 2021-25 with exhibit	922 Ordinance 2021-25 Town Center f.pdf
2.	Staff Report_2021 POTC Plan Amendments	Staff Report_2021 POTC Plan Amendments.pdf

Penelope Cruz

Created/Initiated - 8/30/2021

Tim Burman

Approved - 9/2/2021

Shannon Balmer

Approved - 9/16/2021

Wayne Clark

Approved - 9/17/2021

Robin Fenwick

New - 1/1/1900

ORDINANCE NO. 2021-25

AN ORDINANCE OF THE CITY OF PORT ORANGE,
VOLUSIA COUNTY, FLORIDA, RELATING TO
COMMUNITY REDEVELOPMENT; AMENDING THE
COMMUNITY REDEVELOPMENT AREA PLAN FOR
PORT ORANGE TOWN CENTER AND THE
RIVERWALK PLANNED COMMUNITY CONCEPT
DEVELOPMENT PLAN; REPEALING CONFLICTING
ORDINANCES AND RESOLUTIONS; PROVIDING
FOR SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 1998-78, the City Council approved a
Community Redevelopment Plan for Port Orange Town Center; and

WHEREAS, the City Council has amended Ordinance No. 1998-78; and

WHEREAS, pursuant to Resolution No. 98-18 adopted on May 26, 1998, the
City Council of the City of Port Orange, Florida, determined that a blighted area exists
within the City of Port Orange, and that the rehabilitation, conservation, or
redevelopment, or a combination thereof of such area is necessary in the interest of
the public health, safety, morals, or welfare of the residents of the City of Port Orange;
and

WHEREAS, pursuant to Resolution No. 98-18 adopted on May 26, 1998, the
City Council of the City of Port Orange, Florida, found that there is a need for a
Community Redevelopment Agency to function in the City of Port Orange to carry out
the community redevelopment purposes of Chapter 163, Part 111, Florida Statutes; and

WHEREAS, pursuant to Resolution No. 98-18 adopted on May 26, 1998, the City Council of the City of Port Orange, Florida, declare itself to be the Community Redevelopment Agency of the Community Redevelopment Area for Port Orange Town Center, and provided for the appointment of two (2) additional members of said agency; and

WHEREAS, the Planning Commission, sitting as the local planning agency, has reviewed and recommended approval of the Community Redevelopment Plan; as amended, as to conformity of said plan with the comprehensive plan for the City of Port Orange; and

WHEREAS, after due consideration, the Community Redevelopment Agency for Port Orange Town Center has reviewed and recommended approval of the Community Redevelopment Plan, as amended; and

WHEREAS, after due consideration and public hearing as required by law, the City Council of the City of Port Orange has reviewed and approved the Community Redevelopment Plan for Port Orange Town Center, as amended; and

WHEREAS, public notice has been provided and notices have been mailed by registered mail to all taxing authorities as required by Section 163.346 and Section 163.360, Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The City Council of City of Port Orange hereby approves and adopts the Riverwalk Planned Community Concept Development Plan as included for

the Community Redevelopment Plan for Port Orange Town Center as amended hereby which are attached hereto as **Exhibit "A"** and made a part hereof. Said plan is hereby designated as the official Community Redevelopment Plan for this part of the Community Redevelopment Area.

Section 2. Upon the effective date of this ordinance, the Community Redevelopment Plan for Port Orange Town Center, as amended, shall be deemed in full force and effect for the Community Redevelopment Area. The Community Redevelopment Agency for Port Orange Town Center shall carry out the Community Redevelopment Plan in accordance with its terms.

Section 3. All ordinances or resolutions or parts of ordinances or resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. If any part of this ordinance is held to be unconstitutional, invalid or unenforceable for any reason, such holding shall not affect the constitutionally, validity or enforceability of the remainder of this ordinance, which shall remain in full force and effect.

Section 5. This ordinance shall take effect upon final adoption by City Council.

MAYOR DONALD O. BURNETTE

ATTEST:

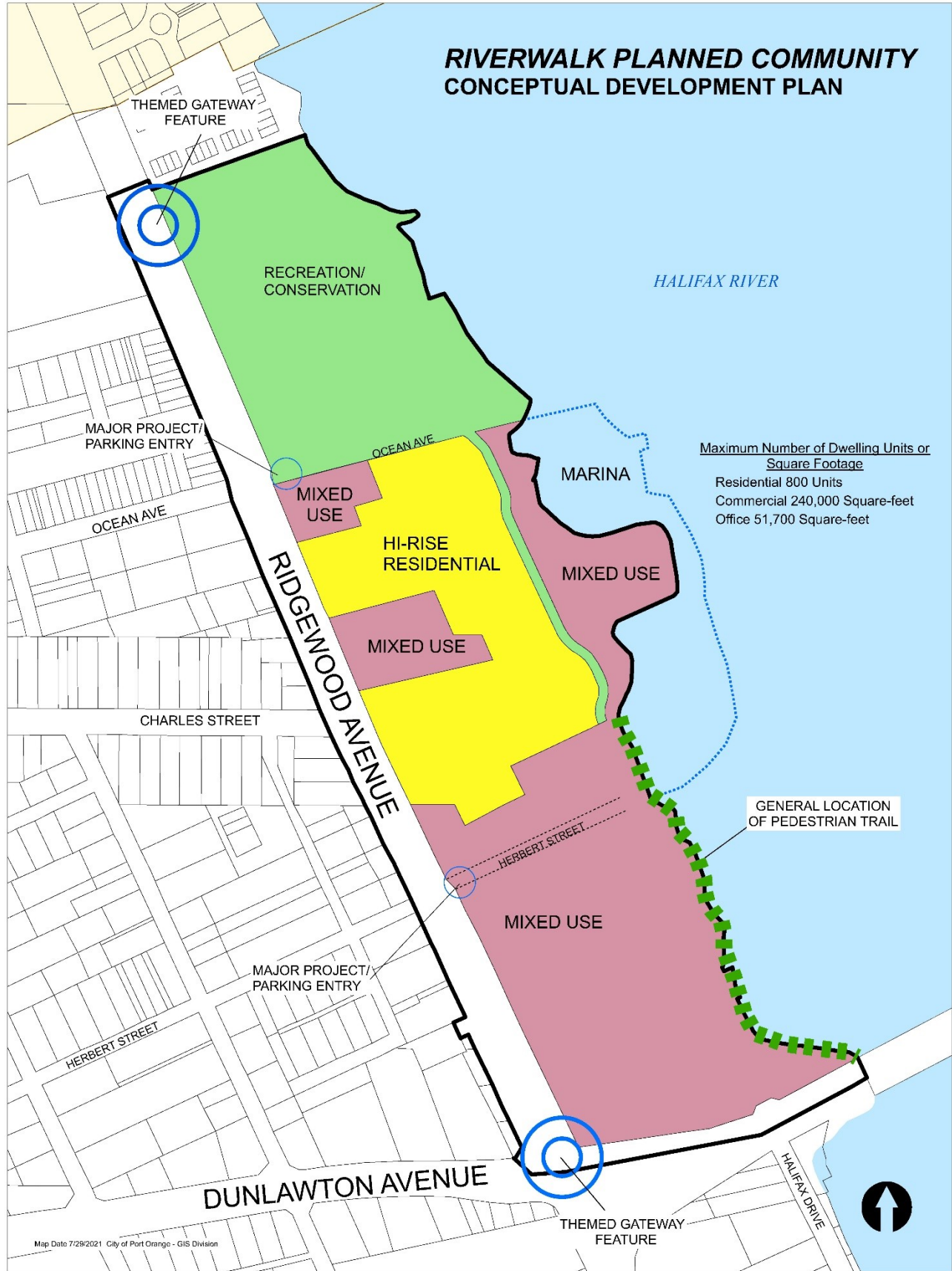
Robin L. Fenwick, MMC, City Clerk

Passed on first reading this _____ day of _____

Passed and adopted on second reading on the _____ day of _____

Reviewed and approved: _____
Shannon K. Balmer, Assistant City Attorney

EXHIBIT A





STAFF REPORT

Amendment to the Port Orange Town Center Community Redevelopment Plan Case No. 21-15000001

REQUEST:	Amend the Port Orange Town Center (POTC) Redevelopment Plan to modify the Riverwalk Planned Community Conceptual Development Plan (CDP) to further encourage the development of the Riverwalk area as a waterfront mixed-use destination along the Halifax River.
APPLICANT:	City of Port Orange
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Penelope Cruz, Planner Manager (386) 506-5671
PLANNING COMMISSION DATE:	Recommended Approval (August 26, 2021)
PORT ORANGE TOWN CENTER CRA & CITY COUNCIL JOINT MEETING DATE:	September 21, 2021

INTRODUCTION

The proposed amendments to the Port Orange Town Center (POTC) Redevelopment Plan would modify the Riverwalk Planned Community Conceptual Development Plan (CDP) to continue implementing the redevelopment in the Riverwalk area: 1) remove limits to the amount of residential units and non-commercial square-footage that could be developed in pre-determined areas within the Riverwalk; 2) identify the general location of a public use trail along the Halifax River, between the current terminus and Dunlawton Avenue; and 3) expand the area for the marina project type.

The POTC Redevelopment Plan (A Plan for Town Center) was originally adopted in 1998 and amended in 2007, 2014, and 2016. The Plan currently envisions the Riverwalk project area as a walkable development along the Halifax River that includes commercial, office, residential, civic, and entertainment uses. The original development concept for Riverwalk has changed in recent years from having one developer establish a master plan for the entire Riverwalk area to a City park and multiple developers developing specific areas within the +/- 35-acre Riverwalk area to achieve the Plan.

The current focus of the Riverwalk project is on development of the ±10 acres of land currently owned by the City and Port Orange Town Center Community Redevelopment District (CRA) located at the south end of the Riverwalk area. On July 20, 2021, the City Council and CRA entered into a Real Estate Brokerage Agreement with Colliers International Florida, LLC to market and list for sale the City's and CRA's ±10 acres to potential developers for the development of a waterfront mixed-use destination along the Halifax River.

At the April 28, 2021 City Council Workshop, the City Council provided direction to staff to make the necessary changes to the CRA Plan and Land Development Code to support

the development of the City's and CRA's ±10-acre site as a waterfront mixed-use destination along the Halifax River that completes the Riverwalk public trail, provides residents with access to the Halifax River, and provides a desired commercial, office, residential, civic, entertainment, and water-based uses.

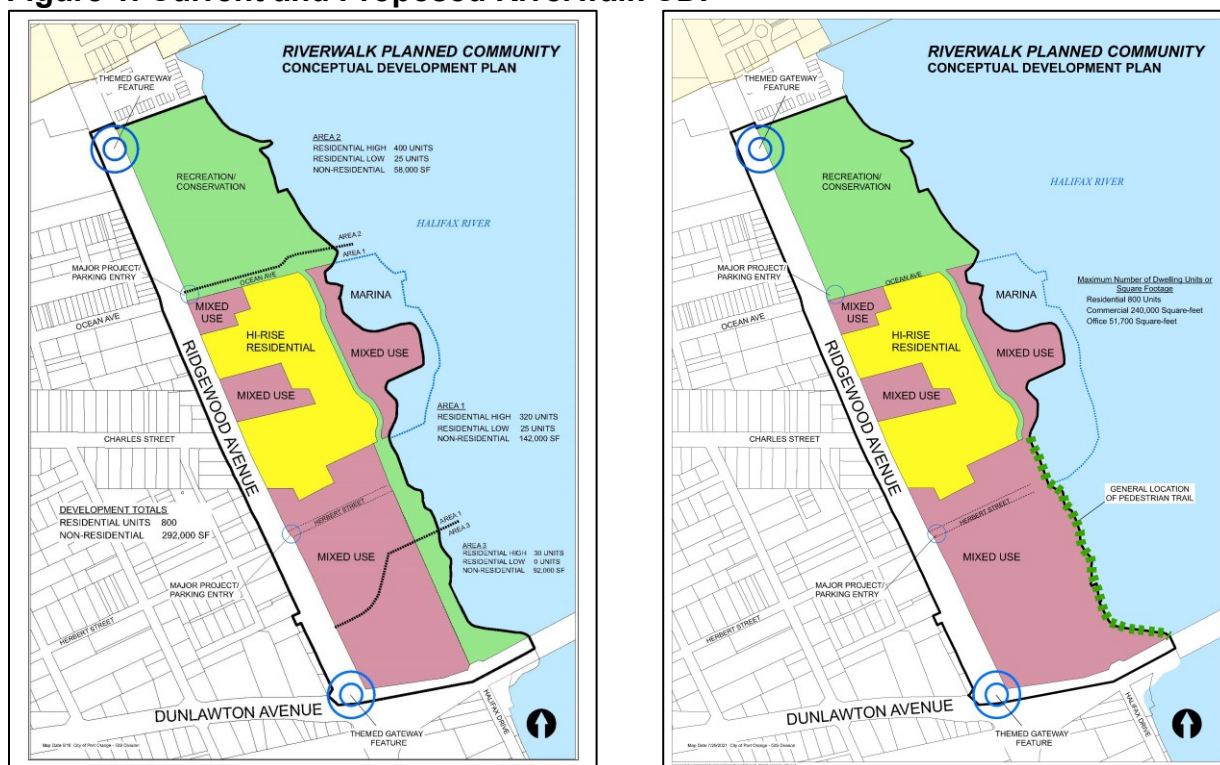
The proposed amendments to the CDP are intended to assist in the development of the last significant parcel within the Riverwalk area.

SUMMARY OF PROPOSED AMENDMENTS

The proposed amendment is to clarify the development parameters on the CDP as follows:

- 1) Remove the three "Area" labels on the CDP and the maximum number of dwelling units and office and retail square-footage allowed for each area as shown on the CDP. According to the City's Comprehensive Plan, a maximum of 800 residential units, 240,000 square-feet of commercial, and 51,700 square-feet of office is allowed to be developed in the ±35-acre Riverwalk area. The CDP currently divides the Riverwalk area into three (3) Areas and for each Area there is a maximum number of dwelling units and maximum amount of retail and office square-footage allowed. However, the maximum number of dwelling units and retail and office square-footage listed on the CDP for each Area did not correspond with current project types in each Area. For example, on the CDP it identifies the area north of Ocean Avenue that is currently developed as Riverwalk Park as "Area 1" and allows for the development of 425 dwelling units and 58,000 square-feet of non-residential uses. The CDP has been revised to remove the labels that identified the three "Areas" and call outs for each Area as to the maximum number of dwelling units and non-residential square-footage allowed. A note has been added to the CDP that provides the overall maximum number of dwelling units and office/retail square-footage allowed in the ±35-acre Riverwalk area according to the City's Comprehensive Plan.
- 2) Modify the area of the Recreation/Conservation project type for the southern portion of the Riverwalk Trail to a dashed line located along the shoreline and provide a note that the line identifies the general location of the required public use trail. The change is to identify that it is a requirement to continue the public use trail from the current terminus to Dunlawton Avenue for potential developers, but also provide flexibility in the where the trail is constructed (on land, over the water, or combination of both).
- 3) Expand the general area for the marina project type to extend further to the south to expand the opportunity to develop more water-based uses (marina, boat rentals, water taxi, etc.) to achieve the development of Riverwalk as waterfront mixed-use destination along the Halifax River.

Figure 1. Current and Proposed Riverwalk CDP



CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed amendment is consistent with the intent of the Comprehensive Plan policies regarding the Riverwalk project being a walkable community along the Halifax River that includes commercial, office, residential, civic, and entertainment uses. The Comprehensive Plan states that development should create a unique riverfront location based on a healthy mix of entertainment, retail, office and housing uses and promote river-based activities and events to attract citizens and tourists.

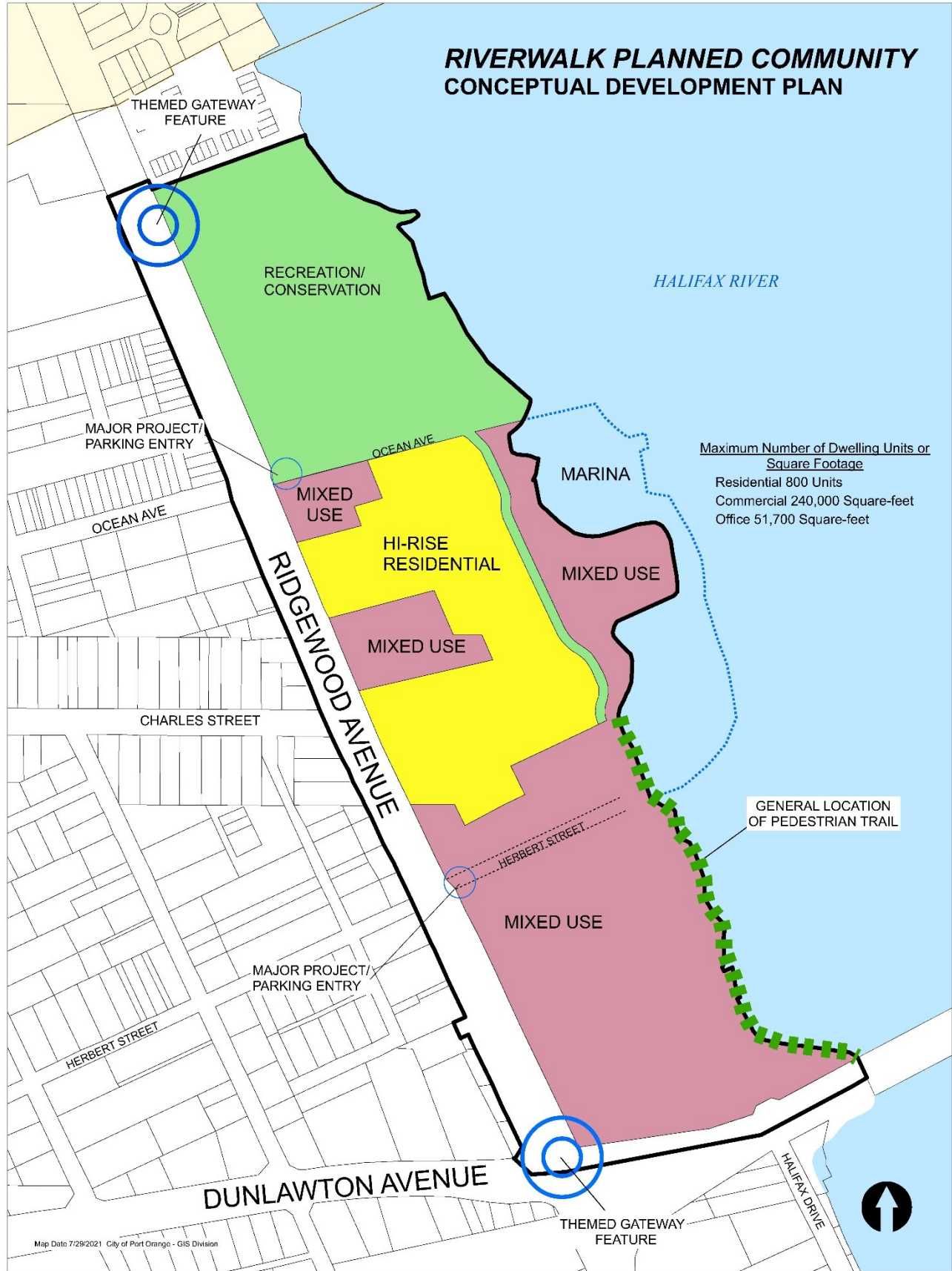
RECOMMENDATION

Approval of the proposed amendments to the Port Orange Town Center Redevelopment Plan.

ATTACHMENTS

Exhibit A – Proposed Port Orange Town Center Redevelopment Plan, Riverwalk Planned Community Conceptual Development Plan

EXHIBIT A





CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 9/21/2021

Consent item: No

SUBJECT: (3) First Reading Ordinance No. 2021-26 - LDC Amendment/ Chapters 2, 17, and 18 (Case No. 21-25000005)

DEPARTMENT: Community Development

GOAL: 4 - Economic Development

RECOMMENDED MOTION: CRA Motion: Move to recommend approval of the Ordinance 2021-26 amending to Chapters 2, 17, and 18 of the Land Development Code (LDC), as recommended by the Planning Commission.

City Council Motion: Move to approve Ordinance 2021-26, amending Chapters 2, 17, and 18 of the Land Development Code (LDC), , as recommended by the Planning Commission and POTC CRA.

SUMMARY: Planning Commission Recommendation (8/26/21): Recommended Approval (7-0)

The proposed amendments are intended to update the Riverwalk Overlay District (ROD) and the Planned Commercial-Riverwalk (PC-R) zoning district regulations in an effort to support the City's redevelopment efforts in the Riverwalk area. The Riverwalk Overlay District (ROD) was adopted in 2004 to limit the uses that could be developed on property adjacent to the City's ±35-acre Riverwalk area that would be inconsistent with the City's long-term vision of the Riverwalk area as a walkable mixed-used development along the Halifax River that includes commercial, office, residential, civic, and entertainment uses. The ROD is generally located on the west and east sides of Ridgewood Avenue, north of Meeker Place to the north City boundary. The proposed amendments to the ROD include adjustments to the overlay district boundary and minor changes that are simple clean-up items, address problems encountered when applying the code, or intended to support the City's redevelopment efforts within the overlay district, such as:

- Add the ROD boundary map to the Land Development Code (LDC).
- Update the list of permitted uses, uses with special development requirements, and prohibited uses.
- Clarify that a use not permitted in the ROD can be approved as a permitted use if the use is included in a Master Development Agreement (MDA) approved by the City Council.
- Update terms and uses that were revised with previously approved LDC

amendments for internal consistency.

The proposed amendments to the Planned Commercial Riverwalk (PC-R) zoning district include both minor changes, which are simple clean-up item amendments that address problems or issues encountered when applying the code, as well as changes that are intended to support the City's redevelopment efforts and the new approach to redeveloping the remaining vacant property within the ±35-acre Riverwalk area. The original development concept for Riverwalk has changed from having one developer establish a master plan for the development of the entire ±35-acre Riverwalk area to a City park and multiple developers developing specific areas within the ±35-acre Riverwalk area to achieve the Port Orange Town Center Plan objectives. However, the PC-R zoning district still has requirements based on the ±35-acre Riverwalk area being master planned that can impact redevelopment options for the remaining undeveloped areas. The proposed amendments to the PC-R zoning district are intended to support the City's redevelopment efforts within the ±35-acre Riverwalk area and include:

- Revise the total density and intensity (non-residential square-footage) entitlements to be consistent with the format in the City's Comprehensive Plan and the Port Orange Town Center Community Redevelopment Plan: 1) maximum of 800 residential units, 2) 240,000 square-feet of commercial, and 3) 51,700 square-feet of office. • Remove all references to a design manual and defer to the architectural requirements in Chapter 14 of the LDC.
- Remove references to master-planned infrastructure, such as a master stormwater management system and stormwater credits, as this was related to a prior vision for the entire ±35-acres to be master planned.
- Remove references to conditional certificates of occupancy and bonding of improvements and defer to the City's current process for issuing certificates of occupancy and bonding improvements.
- Remove references to the Riverwalk Parking Authority, parking standards manual, and parking credits as these items or requirements were related to a prior vision for the entire ±35 acres to be master planned.
- Remove duplicate text regarding public parks and recreation facilities.
- Add the following permitted uses for the Mixed-Use project type: outdoor fruit and vegetable or craft market, hotel, marina, water taxi, and medical office.
- Remove the section about interim conditional uses for the Mixed-Use project type that expired in 2014.
- Remove the list of prohibited uses in the Mixed-use and Hi-rise residential project types. This language is not needed as Chapter 17, Section 1 of the LDC states that if a use is not listed as a permitted use for a specific zoning district, the use is prohibited. Also, the other city zoning districts only list permitted uses and do not list prohibited uses.
- Revise dimensional requirements for mixed uses to remove requirements for the maximum and minimum number of stories a building must have and allow the existing maximum and minimum height requirements to regulate height; and reduce the minimum living area from 800 square-feet to 500 square feet based on current market trends and to add flexibility in design.
- Replace Figure 17:4 with the revised Riverwalk Planned Community Conceptual

Development Plan.

The Staff Report is attached for more information.

Project No.: N/A

Funding Account No.: N/A

Presenter: Penelope Cruz, Tim Burman

ATTACHMENTS:

1.	Ordinance 2021-26 with exhibit	Ord 2021-26.pdf
2.	Staff Report - ROD_PC-R Amendment	Staff Report - ROD_PC-R Amendment.pdf

Penelope Cruz

Created/Initiated - 8/30/2021

Tim Burman

Approved - 9/2/2021

Shannon Balmer

Approved - 9/17/2021

Wayne Clark

New - 1/1/1900

Robin Fenwick

ORDINANCE NO. 2021-26

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 2 OF CHAPTER 2 RELATING TO DEFINITIONS; AMENDING CHAPTERS 17 AND 18 RELATING TO RIVERWALK OVERLAY DISTRICT (ROD) AND THE PLANNED COMMERCIAL-RIVERWALK(PC-R) ZONING DISTRICT REGULATIONS FOR THE PURPOSE OF SUPPORTING REDEVELOPMENT EFFORTS IN THE RIVERWALK AREA; AMENDING THE BOUNDARY OF THE RIVERWALK OVERLAY DISTRICT (ROD); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, for purposes of this Ordinance words with underlined (underlined) type shall constitute additions to the original text and words with strikethrough ~~{strikethrough}~~ type shall constitute deletions from the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The City Council hereby amends Section 2 of Chapter 2 of the Land Development Code to read as follows:

Chapter 2 - DEFINITIONS AND INTERPRETATIONS

Section 2: - Definitions.

Outdoor fruit and vegetable or craft market. Outdoor market uses expressly permitted in the Riverwalk Overlay District. These uses are generally small-scale in nature, pedestrian oriented, tend to serve the everyday needs of residents of and visitors to the district, and are intended to occur within and help create an active streetscape environment in conjunction with outdoor seating, reduced or eliminated setbacks, and centralized off-site parking.

~~Riverwalk retail.~~ Retail uses expressly permitted in the Riverwalk Overlay District. These

~~uses are generally small scale in nature, and tend to serve the everyday needs of residents of and visitors to the district. The uses are typically pedestrian and/or entertainment oriented in nature, and are intended to occur within and help create an active streetscape environment in conjunction with outdoor seating, reduced or eliminated setbacks, and centralized off-site parking. Such uses may include, but are not limited to, bakeries, delicatessens, bookshops, and fruit and vegetable markets.~~

Section 2. The City Council hereby amends Section 25.5 of Chapter 17 of the Land Development Code to read as follows:

Chapter 17 – ZONING

Section 25.5: - Riverwalk Overlay District (ROD).

(a) *Purpose and intent.* The Riverwalk Overlay District is designed to promote the development and redevelopment of the Riverwalk Special Character District, in accordance with concepts outlined in the Port Orange Town Center Redevelopment Plan (POTCRP). The POTCRP calls for this area to be redeveloped as "an attractive, inviting and economically successful mixed-use environment that promotes a positive image and identify for the community." ~~More specifically, the Riverwalk Special Character District is envisioned as a mixed-use, water , pedestrian , and destination oriented district.~~

(1) The purpose of the Riverwalk Overlay District is to allow uses that support these goals, while prohibiting uses which, while normally permitted by the underlying zoning, would be contradictory to the stated goals and vision of the Riverwalk Special Character District and the POTCRP. It is also the intent of the Riverwalk Overlay District to continue to promote the modernization and beautification of the Ridgewood Avenue corridor and to protect the integrity of adjoining residential areas. The Riverwalk Overlay District is intended to accommodate a mixture of office and commercial uses , ~~and residential uses~~ based upon the redevelopment strategy for the Port Orange Town Center. The permitted ~~and special exception~~ uses shown are designed to be developed as a combination of uses on a single site, as opposed to conventional single-use, single-site development.

(2) It is acknowledged that certain properties lying within a portion of the Riverwalk Overlay District are already developed for uses that are prohibited from being established pursuant to the overlay district. It is the express intent of this provision to foster the continued economic viability of existing businesses in the Riverwalk Overlay District by allowing such existing developments to continue as legal, conforming uses. Therefore, properties that were developed with legal, conforming uses prior to the September 28, 2004 effective date of Ordinance No. 2004-28 establishing the Riverwalk Overlay Ordinance shall continue to be deemed and treated for purposes of zoning as legal conforming uses until such time as the underlying or overlay zoning is changed.

(3) The provision for legal conforming uses described in section 25.5, paragraph (a)(2) shall not apply to property within and east of Ridgewood Avenue and within and north of Dunlawton Avenue. Said property shall be governed by chapter 17, section 30 and the Land Development Code as otherwise applicable.

(b) *Location.* The boundaries of the Riverwalk Overlay District shall be as shown on Figure 17 below (Special Character Districts) of the Port Orange Town Center Redevelopment Plan, as may be amended from time to time.

Figure 17
Riverwalk Overlay District (ROD) Boundary



(c) *District regulations.* The type of permitted uses or special exceptions allowed shall be determined according to the underlying zoning classification. Additional requirements,

allowances and/or restrictions may be found within the regulations for the Riverwalk Overlay District. All proposed projects must comply with any other applicable regulations of the City of Port Orange. When regulations contained within the underlying zoning district conflict with regulations detailed in the Riverwalk Overlay District, the requirements in the Overlay District shall control. ~~Examples for applying the requirements of the Riverwalk Overlay District are found below.~~ For an example, a property owner within the Riverwalk Special Character District, whose property has an underlying zoning of "RD" (Ridgewood Development District) wants to open a motor vehicle service station. Motor vehicle service stations are a permitted use within the "RD" zoning district. However, the use is expressly prohibited within the "ROD" (Riverwalk Overlay District). Therefore, the use would not be allowed.

~~Example B: A property owner within the Riverwalk Special Character District, whose property has an underlying zoning of "CC" (Community Commercial), wants to construct a three-story building with retail on the first floor and residential units on the top two stories. Multifamily dwellings are not a permitted or special exception use within the "CC" zoning district. However, mixed-use multifamily dwellings are permitted with special development requirements in the Riverwalk Overlay District. Therefore, the regulations in the "ROD" would be applied and the property owner would be able to construct the proposed mixed-use building.~~

~~Example C: Bars, lounges and nightclubs are a special exception use within the "RD" (Ridgewood Development) Zoning District. The special exception criteria that must be met in order for approval to be granted are outlined in chapter 18, subsection 3(b)(3), LDC. Bars, lounges and nightclubs are also special exception uses within the "ROD." However, special, separate criteria have been developed specifically for this type of use within the overlay district. In this scenario, the criteria listed in chapter 18, subsection 3(b)(2.5), LDC, would apply.~~

~~(d) Permitted uses (RD, CC, PO, PCD, GPU).~~ In addition to the uses permitted by the above underlying zoning districts, the following additional uses are also permitted within the Riverwalk Overlay District. These additional uses only apply to those properties located within one of the above underlying zoning districts:

- ~~(1) Bed and breakfast inns.~~
- ~~(2) Internet cafes.~~
- ~~(3) Medical offices/clinics.~~
- ~~(4) Parking garages.~~
- ~~(5) Professional offices.~~
- ~~(6) Riverwalk Retail:~~
 - ~~(a) Antique shops.~~
 - ~~(b) Apothecaries.~~
 - ~~(c) Bakeries.~~
 - ~~(d) Bookshops.~~
 - ~~(e) Boutiques.~~
 - ~~(f) Coffee shops.~~
 - ~~(g) Delicatessens.~~
 - ~~(h) Fruit and vegetable markets.~~
 - ~~(i) Ice cream parlors/soda fountains.~~
 - ~~(j) Neighborhood markets.~~

~~(k) Newsstands.~~

(e) *Permitted uses with special development requirements (chapter 18, section 4) (RD, CC, PO, PCD without active MDA, GPU).*

In addition to the uses permitted by the above underlying zoning districts, the following additional use is also permitted with special development requirements within the Riverwalk Overlay District. ~~This~~These additional uses ~~only apply~~ies to those properties located having at least one of the above underlying zoning district designations:

- ~~(1) Mixed-use multi-family dwellings (subsection 9.6).~~
- (1) Motor vehicle and boat storage facilities, indoor (subsection 9.77).
- (2) Off-site parking lot (subsection 10.75).
- (3) Outdoor fruit and vegetable or craft markets. (subsection 12.3).

~~(f) *Special exception uses (chapter 18, section 3) (RD, CC, PO, PCD, GPU).* In addition to the special exception uses permitted by the above underlying zoning districts, the following additional uses are also permitted within the Riverwalk Overlay District. These additional uses only apply to those properties located within one of the above underlying zoning districts:~~

- ~~(1) Bars, lounges and night clubs (subsection 2.5).~~
- ~~(2) Game/recreation facilities (subsection 7.5.).~~
- ~~(3) Houses of worship (subsection 8.5).~~
- ~~(4) Manufacturing: craftsman shop (subsection 9.4).~~
- ~~(5) Tobacconists (subsection 20.5).~~

~~(g) *Prohibited uses.* The following uses, otherwise permitted within the RD, CC, PO, and PCD, without an executed master development agreement, and PC-R-GPU zoning districts, shall be expressly prohibited as principal uses, with the exception of drive-thru facilities, which shall be prohibited under any circumstance (either as a principal or accessory use), within the Riverwalk Overlay District, unless specifically approved by City Council as part of a PCD:~~

- (1) Appliance/electronic repairs shops.
- (2) Assisted living facilities.
- (3) Auction houses.
- (4) Boat repair.
- (5) Boat sales.
- (6) Cemeteries.
- ~~(7) Childcare centers.~~
- ~~(8) Commercial/industrial equipment and supplies.~~
- ~~(9) Construction contractor's yard and storage and home improvement contractor.~~
- ~~(10) Convenience stores, with or without fuel operations.~~
- ~~(11) Drive-thru facilities.~~
- ~~(12) Equipment rentals.~~
- ~~(13) Fleet-based services.~~
- ~~(14) Fortunetellers, astrologers, and palm readers.~~
- ~~(15) Funeral homes.~~
- ~~(16) Greenhouses and nurseries (wholesale and retail).~~
- ~~(17) Guyed, and lattice, camouflaged and monopole communication towers.~~
- (17) House of worship.
- (18) Hospitals.
- (19) Maintenance contractors.

- (20) Manufacturing: fabrication.
- (21) Mini-warehouses.
- (22) Mobile home sales.
- ~~(23) Motor vehicle and boat storage facilities~~
- ~~(24)~~ (23) Motor vehicle repair facilities.
- ~~(25)~~ (24) Motor vehicle sales.
- ~~(26)~~ (25) Motor vehicle service centers.
- ~~(27)~~ (26) Motor vehicle service stations.
- ~~(28)~~ (27) Nursing homes.
- ~~(29)~~ (28) Office/warehouse facilities.
- (29) Outdoor motor vehicle and boat storage facilities.
- (30) Pawn shops.
- (31) Public utility stations/plants.
- (32) Retail home building materials.
- (33) Tattoo parlors establishment.
- (34) Taxidermy.
- (35) Veterinary clinics.
- (36) Wholesalers and distributors.
- (37) Xerographic and offset printing.

Section 3. The City Council hereby amends Section 30 of Chapter 17 of the Land Development Code to read as follows:

Chapter 17 – ZONING

Section 30: - Planned community—Port Orange Riverwalk (PC-R) district.

(a) *Zoning and development.*

- (1) *District.* The following regulations provide the zoning and development framework for the Planned Community—Port Orange Riverwalk (PC-R) zoning district. This area is identified on the city's future land use map of the comprehensive plan as planned community no. 2. The PC-R zoning district meets the locational criteria identified in section 28(b) above, as well as in the future land use element of the city's comprehensive plan. The approved macro conceptual development plan for the PC-R zoning district is shown in Figure 17:4.
- (2) *Area.* The PC-R zoning district encompasses the approximately 35-acre area adjacent to the Halifax River inclusive of all lands lying east of U.S. 1/Ridgewood Avenue, north of S.R. 421/Dunlawton Avenue and south of the Intercoastal Villas at the city's northern corporate boundary. This area is part of the Riverwalk Special Character District as designated by the Port Orange Town Center Redevelopment Plan, adopted by Ordinance No. 1998-78 in December 1998. Essential to the realization of the redevelopment objectives for the Riverwalk Area is the transformation of the Halifax River shoreline into a linear park, inclusive of a boardwalk promenade, for the use and enjoyment of the public into perpetuity.
- ~~(3) *Project areas/micro regions.* The redevelopment within PC-R will occur in a series of three mixed-use micro regions or project areas. These areas are depicted in Figure 17:4. The developer, prior to the commencement of construction within a project area, shall prepare a~~

~~comprehensive project area plan consistent with the conceptual development plan and including subdivision and/or site plans. In the event that the developer does not have authority for all property owners within the project area, the project area plan shall identify such areas as future phases. The project area plan shall include the access, utility and other infrastructure connections and easements designed to serve the future phases of the project area plan. The developer shall be required to obtain city council overall development approval of the project area plan. Phasing of construction within a project area is permissible, if approved as part of the overall project area plan. To help achieve the redevelopment goals for the Riverwalk District as expressed in the Port Orange Town Center Redevelopment Plan, flexibility to transfer development entitlements between project areas is permissible. Up to ten percent of the development entitlements for the entire planned community may be transferred from one project area to another, if approved as part of the overall project area plan. The project area entitlements are shown in Figure 17-4. If an applicant submits a conceptual plan and master development agreement as permitted in section 30(a)(5), the submittal and approval by city council of a comprehensive project area plan is not required.~~

- (34) *Project types.* The zoning regulations within PC-R contain district-wide regulations as well as regulations that are differentiated among five project types. Each of these project types have specialized development guidelines to reflect the unique characteristics and goals for that type of development. The five project types within PC-R are:
- a. Hi-rise residential
 - b. Mixed-use (including low-rise residential)
 - c. Recreation/conservation
 - d. Marina
 - e. Streetscapes
- (45) *Application for conceptual plan and master development agreement.* The conceptual plan and master development agreement allows unique and innovative land development proposals for property, by establishing development parameters, conditions, and requirements. If the conceptual plan and master development agreement fails to address a particular subject or requirement, the requirements of the city's land development code shall control.
- (a) Application shall be made to the department utilizing the form provided by the department for that purpose and accompanied by the appropriate review fee.
 - (b) *Review of application materials.* Within two working days of the receipt of an application, the department shall determine whether the submittal is complete. Incomplete submittals shall be returned to the applicant with the deficiencies noted in writing. Re-application shall be accompanied by a re-application fee as adopted by resolution of the city council.
 - (c) *Initiation of development review.* When an application is determined to be complete or substantially complete, it shall be reviewed by the staff development review committee (SDRC).
 - (d) *Conceptual development plan.* The applicant shall provide a conceptual development plan, drawn at a scale of no smaller than one inch equal to 100 feet. The plan shall show the development potential of the site, including natural and manmade conditions,

constraints, and opportunities, and contain the following information, when applicable. An asterisk (*) denotes information which may be waived by the applicant for purposes of approval of the conceptual plan exhibit of the master development agreement. If any of the denoted information is not provided, the conceptual plan exhibit shall not be considered to satisfy the requirements for a site plan or subdivision plan submittal, and full compliance with the procedure for approval of the latter shall be required. The conceptual plan shall be prepared according to the following standards.

- (1) Project name, date, north arrow, and the legal description, boundary dimensions and area in acreage of the property;
- (2) Name and address of owner, surveyor, engineer, and any other professional consultants involved with the generation of the plan information. If the property is owned by a corporation, company or partnership, the name and address of the president and secretary, and the state of incorporation shall be provided;
- (3) A vicinity map drawn to scale showing the zoning of the area and the relationship of the subject property to surrounding development;
- (4) Proposed common areas, drainage areas, conservation areas, lot lines (*) and lot dimensions (*);
- (5) Proposed street names and lot numbers (*);
- (6) Acreage in lots, drainage areas, common areas, streets and other uses, and the minimum lot size, average lot size (*) and total number of lots (*);
- (7) Existing topography shown in one-foot contours and delineation of flood insurance rate map flood zones;
- (8) Environmental assessment providing delineation of all wetlands, wooded areas, vegetative communities and listed species habitats; general description of the character of such wetlands, wooded areas, vegetative communities and listed species habitats; and a tree survey in accordance with requirements of this code (*);
- (9) The location of existing and proposed buildings, utilities, roads, easements or other improvements on the property, and all roads, lot lines, and abutting property owners within 150 feet of the subject property;
- (10) A soils report including one percolation test per ten acres with one or more eight-foot deep soil boring(s) at each percolation test site (*);
- (11) Statement that compliance with the land development code may necessitate modification of the conceptual plan;
- (12) Soil types, drainage basins and natural drainage patterns;
- (13) General character, size and location of buildings, parking and loading areas, bufferyards and landscaped areas for each proposed land use;
- (14) Site data for each land use and parcel to verify that requirements of the master development agreement have been satisfied;
- (15) General location, size and function of open space areas to verify that requirements of the master development agreement and this section have been satisfied;

- (16) One copy of the computer disk(s) depicting the proposed development layout, including the streets and lots, for projects prepared on an appropriate computer-aided drafting (CAD) system; and
 - (17) Any other information deemed pertinent by the department, planning commission or city council.
- (e) *Master development agreement.* The agreement shall contain and/or address the following information, when applicable. The master development agreement shall be prepared according to the following standards.
- (1) Permitted uses and special exceptions.
 - (2) Minimum dimensional requirements. Such requirements shall include lot area and width, setbacks, building height, minimum floor area, spacing between buildings, maximum building coverage, minimum landscaped area and any other dimensional information pertinent to the project.
 - (3) Landscaping, parking and signage requirements when unique or different from those described in this development code.
 - (4) Architectural controls. Such controls shall provide for a common architectural theme to be applied to all structures.
 - (5) Project phasing.
 - (6) Landowners association. An association or unified collective of individual associations shall be established to provide for maintenance of common area facilities and to enforce the specific restrictions established by the association.
 - (7) Maximum number [of] building lots if applicable.
 - (8) Improvements to infrastructure which may be required in addition to those specified by this code or at an earlier time than would otherwise be determined by this code.
 - (9) Statement that compliance with the environmental preservation code may necessitate modification of the conceptual plan.
 - (10) Expiration date.
 - (11) Statement of ownership and legal description.
 - (12) Any other information deemed pertinent by the department, planning commission or city council.
- (f) *Application review process.*
- (1) Staff development review committee (SDRC). All applications shall be reviewed by the SDRC, and members' comments shall be delivered and discussed at a SDRC meeting. Formal comments of the SDRC shall be transmitted in writing to the applicant no later than three working days after the meeting.
 - (2) Resubmittal of the revised conceptual plan and master development agreement. The revised conceptual plan and master development agreement shall be submitted no later than 60 days after the original SDRC meeting review. The revised conceptual plan and master development agreement shall be reviewed by the SDRC members, with findings reported by the department to the planning commission for

their consideration.

(g) *Approval of application for conceptual plan and master development agreement.*

(1) *Planning commission action.* The planning commission shall consider the conceptual plan and master development agreement at a regularly scheduled meeting to determine if the application meets the requirements of this code. Upon consideration of the comments of the SDRC and public, the commission shall take one of the following actions:

(a) Table the consideration of the application until their next regularly scheduled meeting to allow for the resolution of outstanding issues. No application shall be tabled more than one time in the presence of the applicant by the planning commission.

(b) Recommend that the application be denied.

(c) Recommend that the application be approved.

(d) Recommend that the application be approved with conditions.

(2) *Community Redevelopment Agency (CRA) for Port Orange Town Center action.* The town center CRA shall consider the conceptual plan and master development agreement at a scheduled meeting. The town center CRA shall determine if the conceptual plan and master development agreement are consistent with the adopted community redevelopment plan for Port Orange Town Center.

(3) *City council approval.* The city council shall consider the conceptual plan and master development agreement at a regularly scheduled meeting, and determine if the application meets the requirements of this code. Upon consideration of the comments of the department, the public, the recommendation of the planning commission and the consistency determination by the Community Redevelopment Agency of Port Orange Town Center, the city council shall take one of the following actions:

(a) Table the consideration of the application to allow for the resolution of outstanding issues.

(b) Deny the application.

(c) Remand the application back to the planning commission.

(d) Approve the application.

(e) Approve the application with conditions.

(h) *Execution of master development agreement.* The second reading of the ordinance for the conceptual plan and master development agreement shall not take place until the developer has provided an executed copy of the master development agreement to the city clerk. The document shall be a fully corrected copy which addresses all issues

discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised conceptual plan exhibits. If there are no additional requirements, corrections or conditions attached by the city council at the second reading, the executed document shall be signed by the city clerk and mayor and forwarded to the county clerk for recording. If there are additional requirements, corrections or conditions attached by the city council at the second reading, the applicant shall revise the agreement and conceptual plan and return the documents to the department within 30 days for execution and recording. The requirement to return the document within 30 days shall be specified by the city council as a condition for approval of the conceptual plan and master development agreement.

- (i) *Failure to provide timely resubmission.* Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees.
 - (1) *Extension of resubmittal deadlines.* The administrative official may extend the deadlines cited above, when warranted by unforeseeable events. A request for extension shall be filed in writing with the department explaining the circumstances justifying the extension.
 - (j) *Final development plan approval.* Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PC-R shall be required in accordance with the general procedures established by this code. Conceptual plan exhibits of the master development agreement which fully satisfy the requirements for site plan or subdivision plan submittal shall be considered as such.
 - (k) *Expiration of master development agreement.* Any master development agreement executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, the installation of physical improvements, and any other factors pertinent to the specific proposal. If the city should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall be considered null and void, and approval of any additional final development plans for the PC-R shall not be permitted without resubmission and approval of a new development agreement in accordance with the procedures established in this development code.
 - (l) *Amendments to the master development agreement and/or conceptual development plan.* Subsequent to execution and recording, the master development agreement and/or conceptual development plan may be amended at any time upon mutual agreement of both the city and the appropriate amending party, unless otherwise provided in the agreement. Application for amendment of the master development agreement and/or conceptual development plan shall be made to the department utilizing the form provided by the department for that purpose and accompanied by the appropriate review fee. Amendment shall completely restate the original agreement along with the language for the requested amendment. Upon receipt of the application by the department, the amendment shall be placed on the next available SDRC agenda. Subsequent to action by the planning commission and town center CRA, final review and approval shall be requested by the city council.
- (b) *District-wide regulations for PC-R.*

- (1) *Development entitlements.* Consistent with the future land use element of the city's comprehensive plan, the maximum development entitlements granted by development orders within the Planned Community—Port Orange Riverwalk (PC-R) shall not exceed 800 residential units, 240,000 square feet of commercial uses, and 51,700 square feet of office uses. ~~and 292,000 gross leasable square feet of non-residential development. Of the maximum 800 total residential units, the maximum number of Hi-Rise Residential units shall be 720 units.~~ Parking garages and recreation facilities within public spaces shall not count towards overall development entitlements. Buildings for other institutional, civic and quasi-public uses shall count as part of the overall non-residential development.
- (2) ~~*Entitlement allocation.* Entitlements shall be allocated based upon an approved project area plan and in conformance to the entitlement allocation formula. The allocation shall not exceed the "Adjusted Ownership Entitlement" (AOE) calculated in accordance with the entitlement allocation formula. The entitlement allocation formula shall be computed using the following defined components:-~~

Acreage owned in project area-	(AO)-
Total acreage in project area-	(TA)-
Ownership percentage in project area-	(OP)-
Entitlement allocation for project area-	(EA)-
Existing uses in project area-	(EU)-
Adjusted ownership entitlements-	(AOE)-

~~Entitlement Allocation Formula:-~~

~~Step One:-~~

$$\text{---} = \text{---} \times \text{OP}$$

~~Step Two:-~~

$$\text{OP} \times (\text{EA minus EU}) = \text{AOE}$$

~~The property acreage owned (AO) divided by the total acreage in the project area (TA) shall equal the ownership percentage (OP). The ownership percentage (OP) times the remainder of the entitlement allocation to the project area (EA), after subtracting the existing uses in the project area (EU) shall equal the adjusted ownership entitlement (AOE).~~

- (23) *Design guidelines.* To realize the new-urbanism characteristics envisioned for the Riverwalk area, all development shall incorporate mixed-use concepts. ~~Infrastructure shall be master-planned by a master developer, subject to approval by the city, for the entire PC-R area to ensure adequate facilities to support the density/intensity of the private development as well as the civic functions and special events that will be staged in the public spaces along the Boardwalk and elsewhere in the district.~~ A compact, urban pattern, and the prioritization of pedestrian and public modes of transportation over private automobile use shall prevail. No drive-thru facilities, such as those commonly found at banks, fast-food restaurants and drug stores shall be permitted, unless approved by the City Council as part of a Master

Development Agreement. The design of buildings and public spaces shall convey a sense of quality, permanence and unique place-making. Waterfront views and a celebration of the city's riverfront through waterfront views and water-oriented uses are encouraged.

- ~~(4) *Design manual.* All construction within PC-R shall comply with the Riverwalk Planned Community Design Manual as formally adopted by the city council. Where conflict exists between the design manual and any other provision of the land development code or city standard construction details, the Riverwalk Planned Community Design Manual shall prevail. Where the Riverwalk Planned Community Design Manual is silent on an issue, the LDC or standard construction details shall apply. Any deviation from the adopted design manual shall be clearly noted as such on all plans, specification and shop drawings at the time of initial submittal. If inadvertent deviations in design are not so noted, the standards set forth in the Riverwalk Planned Community Design Manual shall prevail.~~
- (35) *Expedited review and approval.* All applications and requests for development related approvals, including building permits and inspections, shall be granted expedited status, pursuant to chapter 20 (2)(g) of this code. For each development within the Port Orange Riverwalk Planned Community, the city manager shall designate a staff person to serve as the city's project manager.
- ~~(6) *Certificates of occupancy.* Certificates of occupancy may be conditionally granted upon satisfactorily completing all final building and life safety code inspections, and when access to the building does not pose any public safety hazards and the structures and site facilities serving the structures are substantially completed. Landscaping of private spaces and public spaces adjacent to private developments may be phased as part of the overall project area approval. Bonding of remaining site and building improvements shall be required in accordance with the bonding provision in section 30(b)(6) of this code.~~
- ~~(7) *Bonding of code required improvements.* Bonding of remaining building, on-site and off-site improvements may be authorized to permit the issuance of a conditional certificate of occupancy. On or before the issuance of the conditional certificate of occupancy the developer shall execute a site improvement agreement in the form approved by the city attorney and shall bond the cost of completion in an amount equal to 150 percent of the engineer/architect/landscape architect's estimate of probable cost for all remaining improvements. On or before council's approval of the agreement, the developer shall provide the city with the appropriate easement(s) and/or other legal authority to enter the property to ensure that the required improvements can be constructed. In the event the developer fails to complete the improvements within 60 days of issuance of the conditional certificate of occupancy, then the city may notify the surety and demand completion of the improvements. The surety shall process of a rating from A.M. Best Company of at least AAA.~~
- (48) *Parking and access/mandatory purchase of parking credits.*
 - a. On-site parking may be allowed in the PC-R district based upon a site plan of one acre or more prepared by the developer, consistent with the urbanism goals of the Riverwalk Project and the city's ordinance adopting the parking standards manual. In the event that the developer desires to purchase parking credits from the Riverwalk Parking Authority, then the credits may be acquired from the Riverwalk Parking Authority based upon availability subject to all other committed uses. Each project area shall be evaluated for parking demand generation based upon the specific combination of uses proposed within that project area. All code required parking obligations not met by on-site parking shall be

~~met through the purchase of parking credits for access to spaces within multi-modal transportation facilities owned and operated by the Riverwalk Parking Authority.~~

- ~~a~~b. For Hi-Rise Residential developments, each residential unit shall be assessed a parking demand of 1.5 parking spaces per unit. Each Hi-Rise development shall be allowed to provide a portion of its parking in up to two levels of private parking between the finish grade and below the first floor of residential units, ~~and up to 12 surface spaces near the building entrance. No less than three tenths (.3) of one vehicular parking space per unit in each Hi-Rise Residential development shall be provided through the purchase of parking credits from the Riverwalk Parking Authority.~~
- b. Parking for other uses shall comply with Chapter 12 of the Land Development Code.
- ~~c. For Mixed-Use developments, each use shall be required to provide for the number of parking spaces as established in the parking standards manual.~~
- ~~d. Parking credits means the unit or price of a share of the parking facilities, including the costs of land as defined in the parking manual, design, permits, and construction of the parking facilities serving the Riverwalk Project Area. The price for parking facilities credits shall be determined at the time of construction. The formula for the credits shall be as follows: the total cost for the fair market value of land, design, permits and constructing the parking facility improvements plus accrued interest divided by the total number of parking spaces equals the cost of one parking space or one parking credit. To the extent available, the developer may purchase parking credits to provide the additional parking required for the private facilities.~~

(59) *Transportation concurrency exception area (TCEA) mobility enhancements.*

- a. Notwithstanding the exemption from the transportation concurrency review procedures of chapter 4, section 2 of this code, all developments within PC-R shall fund and/or construct operational improvements to the city's transportation system to ensure the continued safety and efficiency of the transportation system and to mitigate the transportation impacts of their proposed development. The city shall enact a special assessment or other funding mechanism specifying the TCEA programs and improvements. Prior to the adoption of the funding mechanism the developer shall pay a minimum of five percent above the applicable transportation impact fees (city and county). The developer shall be credited with the minimum payment in the special assessment. Developer participation in transportation system management (TSM) and transportation demand management (TDM) programs and improvements shall be required as part of the mitigation strategies for all developments.
- b. A traffic impact analysis (TIA), as required according to the latest adopted River two Sea Transportation Planning Organization TIA guidelines, ~~shall be submitted~~required for all developments to determine the level of impact for which mitigation shall be required. Operational improvements may include, but not be limited to, the addition of turn lanes, deceleration lanes, signage, signals and pavement markings. The TIA shall identify and analyze the multi-modal mobility enhancements that the developer intends to utilize to address impacts of the development, including but not limited to; new or expanded public transit facilities, ~~community trolley/shuttle facilities and services~~, water-taxi facilities and services, ~~and new or enhanced roadway system networks~~, and bike paths and sidewalks, including the Riverwalk Boardwalk/Urban Trail.

~~c. Additionally, all developments shall be required to adhere to the "complete streets" policy (Policy 4.1.9 of the Transportation Element of the Comprehensive Plan) design standards. All developments shall provide the following as required by the city:-~~

- ~~1. Safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings, parking areas and existing or planned public sidewalks;-~~
- ~~2. Cross access connections/easement and/or joint driveways;-~~
- ~~3. Dedication of land and/or easements for the construction of public sidewalks and mass transit facilities;-~~
- ~~4. Project entrances, bus shelters, bicycle facilities, sidewalks, and streetscape enhancements.-~~

~~cd.~~ Any developer-funded improvements required by this section shall be constructed prior to issuance of a certificate of occupancy for the development. When a cash payment is accepted by the city in lieu of actual construction of improvements, payment shall be submitted to the city prior to the issuance of development permits.

~~(10) Stormwater management/mandatory purchase of stormwater credits.~~

- ~~a. Each development in PC-R shall be required to participate in the master planned stormwater management system, and shall be required to purchase stormwater credits from the city to participate in that system.-~~
- ~~b. Stormwater credits means the unit or price of a share of the stormwater system planned for offsite mitigation. The stormwater credit price would be determined at the time of construction. The formula for the credits shall be as follows: the total cost of the improvements plus accrued interest divided by the total amount of impervious area needed to be treated equals the value of one credit. To the extent available, the developer shall purchase stormwater credits for the developer's share of impervious area in the entire Riverwalk Project Area. The total cost of improvements shall include the fair market value of land, design, permits and construction of the off-site stormwater system.-~~

~~(11) Signage/way finding. Signage of all types, including street banners, shall be regulated by the design standards of the Riverwalk Planned Community Design Manual. Where conflicts exist between chapter 14 of this code and the Riverwalk Planned Community Design Manual, the design manual shall prevail.-~~

~~(12) Construction signage. In addition to the construction signage otherwise authorized by this code, construction signage promoting site development within PC-R may be approved in accordance with the design manual. Such signage shall be designed with high quality images and lettering and shall be incorporated into the site construction fencing.-~~

~~(13) Landscaping. For developments within PC-R, the landscape design standards contained within the Riverwalk Planned Community Design Manual shall supersede all other landscape standards of this code, with the exception of countywide minimum standards.-~~

~~(14)~~ *Tree preservation.* Tree mitigation, as required by this code, shall be computed and shall be accounted for on a project area basis. Up to 50 percent of the required mitigation for tree removal may be authorized by the city for reforestation of public areas, as part of a project area plan. Required tree mitigation within a project area may be deferred from one phase to another, but shall be completed prior to the issuance of the certificate of occupancy for the last building or building shall within the project area.

~~(715)~~ *Lighting/illumination.* Lighting within PC-R shall be consistent throughout the district and shall be regulated by the design standards of the first approved development within the district ~~Riverwalk Planned Community Design Manual.~~

~~(16)~~ *Special roadway corridor provisions.* The U.S. 1/Ridgewood Avenue and S.R. 421/Dunlawton Avenue corridors shall be enhanced by a revitalized streetscape program that includes the placement of all overhead utility lines underground. The roadway segments adjacent to each project area shall be improved as offsite required improvements for the project area, consistent with the typical roadway cross sections contained within the Riverwalk Planned Community Design Manual.

~~(817)~~ *Finished floor elevation.* Elevation 9 mean sea level is hereby established as the minimum finished floor elevation for all structures within PC-R.

~~(18)~~ *Public parks and recreation facilities.*

- a. ~~Public parks and recreation facilities, including amenities such as open space, boardwalks, trails, plazas, open air theaters, historical displays, fountains, kiosks, piers, public art, kayak/canoe launches, water related uses, play areas, sensory gardens, trail heads, community centers, stages, picnic shelters and other related facilities also including accessory uses such as restrooms, concessions, storage areas, administrative offices, parking and other accessory uses shall be permitted in all project types.~~
 - b. ~~Public parks and recreation facilities shall be developed consistent with a project area plan approved by city council. If the city has not adopted a design manual, parking manual or infrastructure master plan for the PC-R district, public parks and recreation facilities shall be developed consistent with current standards in the recreation (REC) zoning district and other applicable standards in the city Code of Ordinances, Land Development Code, standard construction details and other existing regulations for items such as stormwater, water, sewer, parking, transportation, underground placement of overhead utilities, signage, landscaping, architecture/design requirements and for other improvements.~~
- (c) *Hi-Rise Residential.* The Hi-Rise Residential development shall comply with the district-wide regulations and the following regulations for on-site improvements.
- (1) *Permitted uses.* Multi-family residential dwelling units up to 60 dwelling units/acre and ancillary retail, office and personal service uses, including, but not limited to, cafe, snack bar, bakery, deli, newsstand, ATM, hair salon, fitness center and florist.
 - (2) *Permitted uses with special development criteria.* None.
 - (3) *Conditional uses.* None.
 - (4) *Prohibited uses.* Drive-thru lanes for ancillary uses.

Max. building height	15 stories of residential over two levels of parking (Not to exceed 175 feet from required finished floor elevation)
Min. building height:	4 stories (45 ft.)
Min. lot size:	5 acres
Min. lot width:	500 ft.
Min. living area:	1,200 sq. ft. per unit
Max. impervious coverage:	80 percent
Setbacks for all structures:	
West	100 ft. from U.S. 1
North	0 ft.
South	0 ft.

East	75 ft. min. from seawall
Streetscape	Min. 10 feet along street frontages and consistent with the design manual

(5) *Dimensional requirements.*

- (d) *Mixed-use.* The mixed-use development shall comply with the district-wide regulations and the following regulations for onsite improvements.

(1) *Permitted uses.*

Bars, lounges, and nightclubs

Hotel

Marina

Outdoor fruit and vegetable or craft market

Residential uses up to 32 dwelling units/acre

Professional and medical offices (2nd floor and above only)

Retail uses

Personal services

Restaurants

Public/civic facilities

Water taxi service

(2) *Permitted uses with special development requirements* (chapter 18, section 4).

(a) Craft food and beverage producer (subsection 5.15).

~~(b) Medical offices (subsection 9.7).~~

~~(be) Microbrewery (subsection 9.57).~~

~~(3) *Conditional uses.* Interim uses (chapter 18, section 1).~~

~~(a) *Interim uses.* Application for an interim use shall be made in the same manner as a conditional use as provided for in chapter 18 of this code. Notwithstanding anything to the contrary in this code, the following interim uses shall be permitted in the PC-R zoning district upon approval of the conditional use:~~

~~Boat and boat trailer storage~~

~~Commercial marinas~~

~~Concessionaires licensed by the city/CRA for nonmotorized water-based activity such as paddleboat, canoe, kayak and windsurfing~~

~~Farmers' market~~

~~Motor vehicle parking lot~~

~~Promotional sales of specified duration, such as weekend car, boat and tent sales~~

~~Public special events, subject to approval under [chapter 58,] article II, section 58-51, City Code of Ordinances~~

~~Private special events, subject to approval under [chapter 58,] article II, section 58-51, City Code of Ordinances-~~

~~Public boat ramp-~~

~~Public parks and recreational facilities-~~

~~Recreational vehicle park and recreational vehicle storage-~~

~~Ride share commuter lot or other transit program-~~

~~Water taxi station-~~

~~(b) *Development standards for interim uses-*~~

~~(1) In addition to the requirements of chapter 18 of this code, interim uses shall be subject to site review and recommendation by the CRA for consistency with the design, character and redevelopment objectives of the PC-R District-~~

~~(2) No interim uses shall degrade, destroy or otherwise negatively impact the property such that the cost of redevelopment is increased or important natural features are compromised-~~

~~(3) Signage for interim uses shall comply with the design, construction and permitting requirements of this code for temporary signs, but shall be allowed for the duration of the interim use permit-~~

~~(4) The CRA may recommend time limits, conditions and other requirements or variances as deemed necessary to further the redevelopment objectives of the CRA's adopted plan-~~

~~(c) All permitted interim uses shall terminate on December 31, 2014. Any interim use that continues past December 31, 2014, shall be conclusively deemed a nuisance and upon 30 days' notice, the city shall have the right to enter upon the property and remove or demolish the nuisance and place a lien on the property for all actual costs incurred to abate the nuisance including reasonable attorney fees-~~

~~(4) *Prohibited uses-*~~

~~Adult entertainment-~~

~~Automobile-oriented uses-~~

~~Discount and factory outlet stores-~~

~~Appliance/electronic repair shops-~~

~~Assisted living facilities-~~

~~Auction houses-~~

~~Boat repair-~~

~~Boat sales-~~

~~Cemeteries-~~

~~Childcare centers-~~

~~Commercial/industrial equipment and supplies-~~

~~Construction contractor's yard and storage-~~

~~Convenience stores with fuel operations-~~

~~Drive thru facilities-~~

~~Equipment rentals-~~

~~Fleet-based services~~
~~Fortunetellers, astrologers, and palm readers~~
~~Funeral homes~~
~~Greenhouses and nurseries (wholesale and retail)~~
~~Hospitals~~
~~Houses of worship~~
~~Maintenance contractors~~
~~Manufacturing: fabrication~~
~~Mini-warehouses~~
~~Mobile home sales~~
~~Motor vehicle and boat storage facilities~~
~~Motor vehicle repair facilities~~
~~Motor vehicle sales~~
~~Motor vehicle service centers~~
~~Motor vehicle service stations~~
~~Nursing homes~~
~~Office/warehouse facilities~~
~~Pawn shops~~
~~Public utility stations/plants~~
~~Retail home building materials~~
~~Tattoo parlors~~
~~Taxidermy~~
~~Veterinary clinics~~
~~Wholesalers and distributors~~
~~Xerographic and offset printing~~

(35) *Dimensional requirements.*

Max. building height	4 stories or not to exceed 65 ft. above finished floor elevation (excluding architectural appurtenances)
Min. building height	2 stories or min. 20 ft. above finished floor elevation
Min. lot size	1 acre
Min. lot width	0
Min. living area	500 800 sq. ft. per unit
Impervious coverage	100% max.
Max. building setbacks (build-to lines)	
Street frontages	10 ft. (All existing and planned street frontage) min. building setbacks (except for street frontages)
Front	10 ft.
Side	10 ft.

Corner side	10 ft.
Rear	10 ft.
Streetscape	Min. 10 feet along street frontages or consistent with the design manual

(e) *Recreation/conservation.*(1) *Permitted uses.*

Public parks and recreation facilities

Public open space

Public boardwalk/urban trail

Public plazas

Open air theaters

Historical displays

Fountains

Informational kiosks

Public fishing piers

Public art

Private uses allowed by vendor/concessionaire leases with the city or CRA (e.g. cafes, food/beverage carts, street musicians and artists)

~~(2) — Permitted uses with special development criteria. None.~~~~(3) — Conditional uses. None.~~~~(4) — Prohibited uses.~~~~Drive thru facilities.~~~~(25) Dimensional requirements. None.~~(f) *Marina.*(1) *Permitted uses.*

Public marinas and customary ancillary facilities including, but not limited to, harbor master's offices, fuel operations, restrooms and shower facilities.

Water taxi service

~~(2) — Permitted uses with special development criteria. None.~~~~(3) — Conditional uses. None.~~~~(24) Prohibited uses.~~

Liveaboards except for occasional overnight stays as allowed by chapter 9, section 29(a) of this code, and as allowed by section 82-44, Code of Ordinances.

Commercial fishing.

~~(35) Dimensional requirements.~~

Public marina development within PC-R shall be exempt from the provisions of chapter 9, section 27(a)(11) and section 27(a)(12) pertaining to width of finger pier and length from bulkhead.

~~(g) — Streetscapes.~~

~~(1) — Permitted uses within public lands.~~

~~Public utilities (underground)~~

~~Landscaping~~

~~"Street Furniture" including benches and trash cans~~

~~Way-finding signage~~

~~Informational Kiosks~~

~~Private uses allowed by vendor/concessionaire leases with the city or CRA (e.g. cafes, food/beverage carts, street musicians and artists)~~

~~(2) — Permitted uses with special development criteria. None.~~

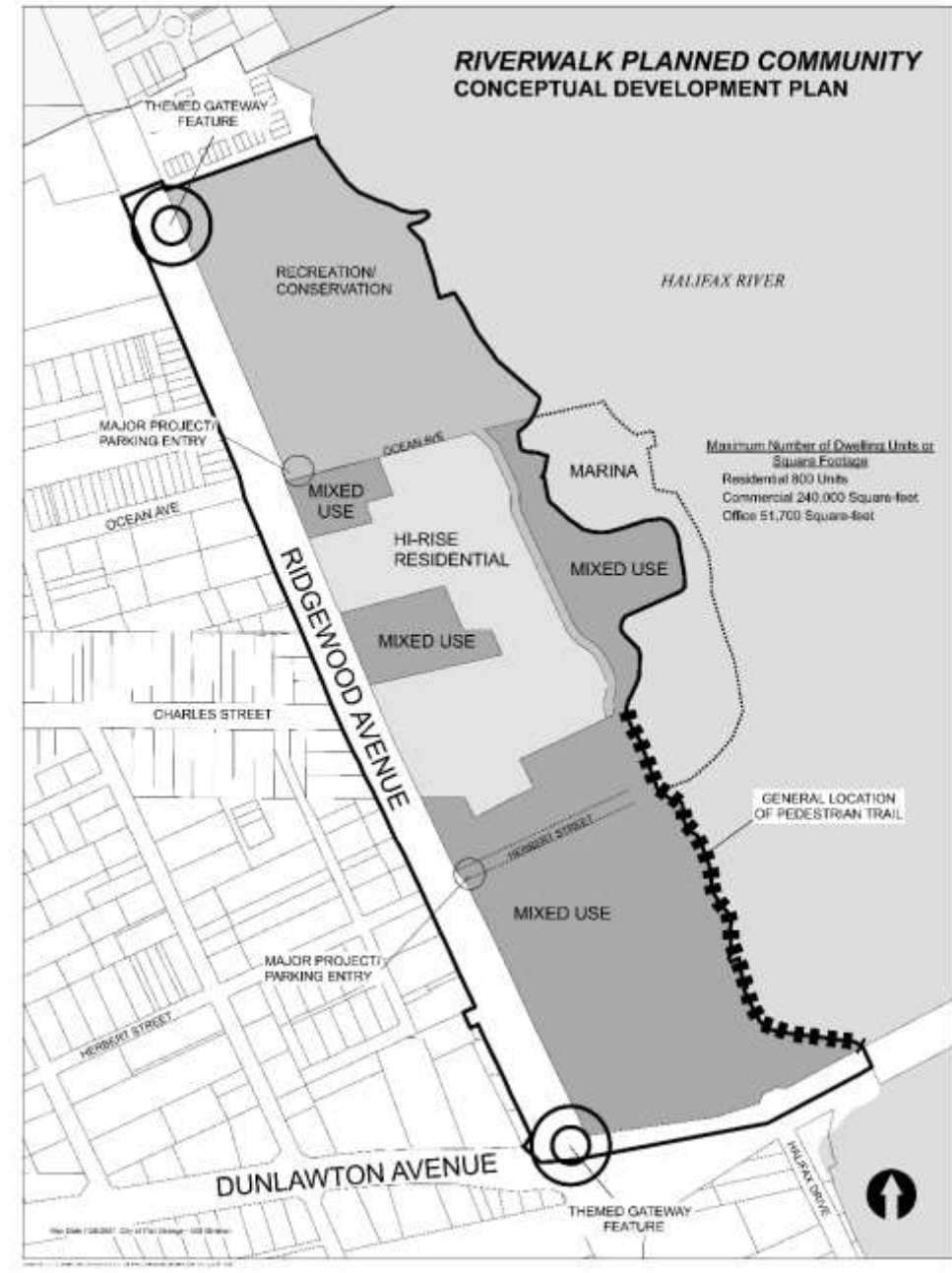
~~(3) — Conditional uses. None.~~

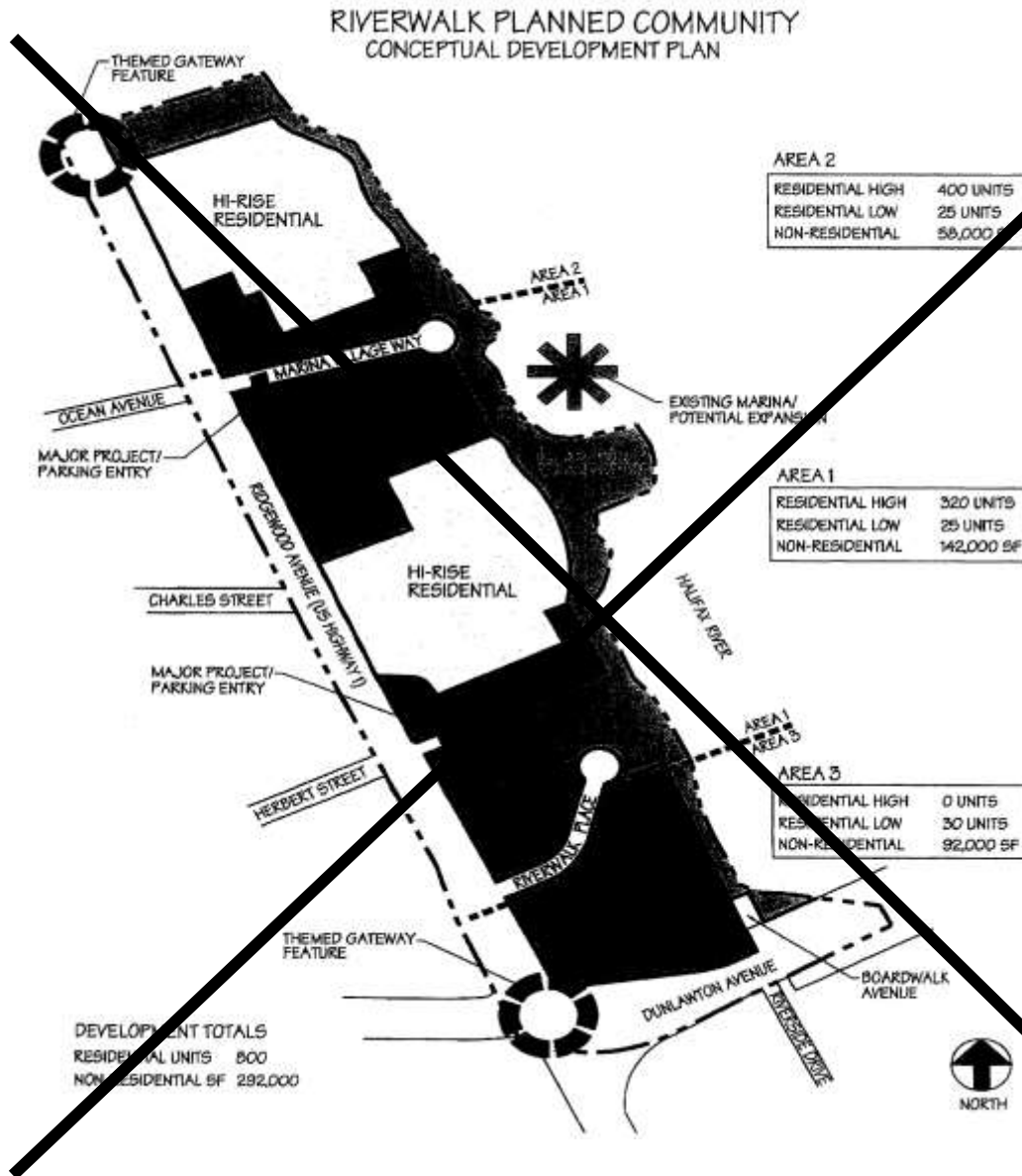
~~(4) — Prohibited uses. None.~~

~~(5) — Dimensional requirements. None.~~

Figure 17:4

[Editors note: Delete existing image and replace with new]





Section 4. The City Council hereby amends Section 3 of Chapter 18 of the Land Development Code to read as follows:

Chapter 18 - CONDITIONAL USES, SPECIAL EXCEPTIONS AND PERMITTED USES WITH SPECIAL DEVELOPMENT REQUIREMENTS

Section 3: - Special requirements for special exception uses.

(a) *In general.* For those special exception uses listed below, the following special requirements shall apply in addition to those described in section 2(d) above.

(b) *Special requirements.*

[No changes to subsections (1) and (2) and (3) through (7) and (8)]

~~(2.5) Bars, lounges, and night clubs (ROD).~~

~~(a) The proposed site shall be at least 500 feet from the nearest house of worship, school or childcare center.~~

~~(b) The proposed site shall be at least 300 feet from a residential zone measured along right-of-way centerlines. This condition shall not apply to mixed-use zoning districts that allow a combination of residential and non-residential uses.~~

[No changes to subsections (3) through (7)]

~~{(7.4)} Game/recreation facilities (ROD).~~

~~(a) The proposed site shall be at least 300 feet from the nearest house of worship, school or child care center.~~

~~(b) The proposed site shall be at least 1,000 feet from any other such use.~~

~~(c) The proposed site shall be at least 300 feet from a residential zone measured along right-of-way centerlines. This condition shall not apply to mixed-use zoning districts that allow a combination of residential and non-residential uses.~~

[No changes to subsections (7.5) through (8)]

~~(8.5) Houses of worship (ROD).~~

~~(a) The proposed site shall front on an arterial or major collector roadway.~~

~~(b) A separate special exception shall be required for other facilities developed in conjunction with a house of worship as may be listed herein.~~

[No changes to subsections (9)]

~~(9.4) Manufacturing, craftsman shop (ROD).~~

~~(a) The proposed use shall be ancillary to a permitted retail use.~~

~~(b) The proposed use shall not occupy more than 25 percent of the total gross leasable floor space within the permitted retail use.~~

~~(c) The proposed shop shall abide by the noise regulations established by article IV. of the City of Port Orange Code of Ordinances.~~

[No changes to subsections (9.5) through (20)]

~~(20.5) Tobacconists (ROD).~~

~~(a) The proposed site shall be at least 500 feet from the nearest house of worship, school or childcare center.~~

~~(b) The proposed site shall be at least 300 feet from a residential zone measured along right-of-way centerlines. This condition shall not apply to mixed-use zoning districts that allow a combination of residential and non-residential uses.~~

[No changes to subsections (21) through (24)]

Section 5. The City Council hereby amends Section 4 of Chapter 18 of the Land Development Code to read as follows:

Chapter 18 - CONDITIONAL USES, SPECIAL EXCEPTIONS AND PERMITTED USES WITH SPECIAL DEVELOPMENT REQUIREMENTS

Section 4: - Special development requirements for permitted uses.

(b) Special development requirements.

[No changes to subsections (1) through (9.57)]

~~(9.6) Mixed-use multifamily dwellings (ROD).~~

~~(a) First floor retail space, approved as part of the final site development plan, shall include, but not be limited to, neighborhood markets, personal services, retail stores, and restaurants (type A and seating no more than 50 persons).~~

~~(b) No outdoor living areas such as patios, balconies or screen enclosures shall be permitted to face Ridgewood Avenue.~~

~~(c) No outdoor activity areas such as pools, shuffleboard courts, tennis courts, or other similar areas shall be permitted within the front yard adjacent to Ridgewood Avenue.~~

[No changes to 9.7 and 9.75]

(9.77) Motor vehicle and boat storage facilities, indoor (ROD).

(a) The proposed site shall front on an arterial roadway.

(b) The proposed site shall be a minimum of two acres.

(c) No outside storage shall be permitted.

(d) Full architectural treatment shall be required on all sides. Such treatment shall include, but not be limited to, building finishes, roof design and materials, window and door styles, architectural details and colors.

(e) Vehicle washing shall be confined to a commercial facility or pervious surface in compliance with the water conservation regulations of the city, and fully screened from rights-of-way.

(f) Vehicle servicing shall be limited to regular maintenance items such as changing oil, tires, batteries, and other similar activities. Mechanical or body repair, painting, engine rebuilding, or other similar work which would customarily be performed at a motor vehicle service center shall not be permitted.

[No changes to 9.8 through 10.5]

(10.75) Off-site parking lot (ROD).

(a) The city may allow the use of alternative surfaces such as recycled concrete, aggregate concrete, paver blocks, or other semi-pervious material if determined by the Administrative Official to be acceptable.

(b) Stormwater, landscaping, buffer, setback, and other applicable provisions of this code shall be complied with regardless if parking lot is paved or finished with an alternative surface. Internal landscaping and buffer width may be reduced by the administrative official if there are site constraints.

(c) If finished with an alternative surface, that material is to be minimum of two inches deep, placed upon a porous weed barrier and effectively contained within a border of concrete, railroad ties, or other rigid material.

(c) Spaces shall be delineated in some manner, such as use of railroad ties, wheel stops, or other similar material.

(d) If non-paved areas become rutted, uneven, unable to drain properly, unsightly, or unmaintained, the City will require that the area be paved according to the City's Standard Construction Details.

(e) Approval of an off-site parking lot requires approval of a site plan.

(f) Designated pedestrian route from the off-site parking lot to the use it will serve is required, whether existing or to be constructed with the off-site parking lot.

(g) Chapter 12, Section 6(a)(1) and (2) shall not apply.

[No changes to 11 through 12.2]

(12.3) Outdoor fruit and vegetable or craft markets (ROD).

(a) Outdoor display areas shall be located entirely on private property outside any required fire lane or fire access way. Displayed merchandise shall occupy a location that does not disrupt the normal function of the site or its circulation and does not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas. These displays shall not obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.

(b) The merchandise in the outdoor display and sales area including but not limited to the display racks, tables, and stands, shall not exceed a height of 6 feet.

(c) The design of all improvements, sales racks, and furniture shall be of a quality to sustain weather and wear and shall be of commercial-grade materials.

(d) All display and sale merchandise, furniture and fixtures and other portable appurtenances shall be removed from outdoors at the end of each business day. No outside storage shall be permitted.

(e) Outdoor display and sales areas are exempt from the parking requirements of Chapter 12 but are prohibited in parking lots/areas.

(f) The business or property owner shall maintain the outdoor display and sales area and the adjoining street, curb, gutter and sidewalk in a neat, clean and orderly condition at all times, regardless of the source of the refuse and litter.

(g) If necessary, the business or property owner shall clean the surface of the sidewalk by washing or buffing to remove any stains, marks, or discoloration and in accordance with prevailing storm water and water quality regulations.

(h) Furniture, fixtures, and appurtenances shall be kept clean and in good condition.

Section 6. The City Council hereby revises the boundary of the Riverwalk Overlay District (ROD) to remove parcels zoned Neighborhood Preservation (NP) and Government Public Use (GPU) as graphically depicted and more particularly described in **Exhibit "A"**, attached hereto and made a part hereof as if fully set forth herein.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this

ordinance are hereby repealed to the extent of such conflict.

Section 7. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. This ordinance shall take effect upon final adoption by City Council.

MAYOR DONALD O. BURNETTE

ATTEST:

Robin L. Fenwick, MMC, City Clerk

Passed on first reading this _____ day of _____

Passed and adopted on second reading on the ____ day of _____

Reviewed and approved: _____
Shannon K. Balmer, Assistant City Attorney

Exhibit A

TAX PARCEL NUMBER 5334-14-00-0001

LOT 3 EXC N 80 FT OF E 132.5 FT & EXC W 175 FT OF N 20 FT & EXC R W & RIP
RTS MARY ROTH SMITH SUB PORT ORANGE & EXC BLDGS A TO G INC PER OR
2354 PG 0982 AKA INTRACOASTAL VILLAS COMMON AREA

TAX PARCEL NUMBER 5334-14-01-0010

E 17 FT OF W 47.22 FT OF N 45.5 FT OF S 186.07 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 1 BLDG A INTRA COSTAL VILLAS PER OR 4531 PG 4446
PER OR 6089 PG 2837 PER OR 6945 PG 0773 PER OR 6915 PG 0775

TAX PARCEL NUMBER 5334-14-01-0020

E 16.67 FT OF W 63.89 FT OF N 45.5 FT OF S 186.07 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 2 BLDG A INTRA COASTAL VILLAS PER OR 4605 PGS
2028-2029 PER OR 6528 PG 0979 & PER OR 6556 PG 1810 & PER OR 6560 PG 4918

TAX PARCEL NUMBER 5334-14-01-0030

E 16.67 FT OF W 80.56 FT OF N 45.5 FT OF S 186.07 FT OF LOT 3 MARY ROTH
SMITH SUB MB 6 PG 53 AKA UNIT 3 BLDG A INTRA COASTAL VILLAS INC PER OR
4158 PG 2026 PER OR 7250 PG 2323 & PER OR 7250 PG 2324 PER OR 7263 PG
3391 PER OR 7610 PG 2428 PER OR 7890 PG 3197 PER OR 8002 PG 3401

TAX PARCEL NUMBER 5334-14-01-0040

E 17 FT OF W 97.56 FT OF N 45.5 FT OF S 186.07 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 4 BLDG A INTRA COASTAL VILLAS PER OR 4093 PGS
1540-1541 PER OR 7971 PG 0662

TAX PARCEL NUMBER 5334-14-02-0050

N 17 FT N E 47.5 FT OF W 165.05 OF N 67.33 FT OF S 207.90 FT OF LOT 3 MARY
ROTH SMITH SUB MB 6 PG 53 AKA UNIT 5 BLDG B INTRA COASTAL VILLAS PER OR
4172 PGS 2714-2721 PER OR 6068 PG 1430 & OR 6580 PG 2517 PER OR 6929 PG
3972

TAX PARCEL NUMBER 5334-14-02-0060

PT OF E 47.5 FT OF W 165.05 FT OF N 67.33 FT OF S 207.90 FT OF LOT 3 MARY
ROTH SMITH SUB MB 6 PG 53 AKA UNIT 6 BLDG B INTRA COASTAL VILLAS PER OR
4762 PGS 1075-1076 PER OR 5739 PG 3406 & PER OR 6481 PG 158 PER OR 7757 PG
0445

TAX PARCEL NUMBER 5334-14-02-0070

PT OF E 47.5 FT OF W 165.05 FT OF N 67.33 FT OF S 207.90 FT OF LOT 3 MARY
ROTH SMITH SUB MB 6 PG 53 AKA UNIT 7 BLDG B INTRA COASTAL VILLAS PER OR
2446 PG 0815 PER OR 4741 PGS 3007-3008 PER OR 4871 PG 2678 PER OR 7143 0473

TAX PARCEL NUMBER 5334-14-02-0080

PT OF E 47.5 FT OF W 165.05 FT OF N 67.33 FT OF S 207.90 FT OF LOT 3 MARY
ROTH SMITH SUB MB 6 PG 53 AKA UNIT 8 BLDG B INTRA COASTAL VILLAS PER OR
4009 PG 3695-3696 PER OR 5562 PG 0768 PER OR 6668 PG 3097 PER OR 6696 PG
1825

TAX PARCEL NUMBER 5334-14-03-0090

N 19 FT OF S 181.26 FT OF E 48.50 FT OF W 350.40 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 9 BLDG C INTRA COASTAL VILLAS PER OR 4098 PGS
2178-2179 PER OR 7590 PGS 3016-3017

TAX PARCEL NUMBER 5334-14-03-0100

N 18.67 FT OF S 162.26 FT OF E 48.50 FT OF W 350.40 FT OF LOT 3 MARY ROTH
SMITH SUB MB 6 PG 53 AKA UNIT 10 BLDG C INTRA COASTAL VILLAS PER OR 4058
PGS 0760-0761

TAX PARCEL NUMBER 5334-14-03-0110

N 18.67 FT OF S 143.59 FT OF E 48.50 FT OF W 350.40 FT OF LOT 3 MARY ROTH
SMITH SUB MB 6 PG 53 AKA UNIT 11 BLDG C INTRA COASTAL VILLAS PER OR 2457
PG 1135

TAX PARCEL NUMBER 5334-14-03-0120

N 19 OF S 124.92 FT OF E 48.50 FT OF W 350.40 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 12 BLDG C INTRA COASTAL VILLAS PER OR 3536 PG
0699 & OR 6783 PGS 1027 & 1028

TAX PARCEL NUMBER 5334-14-04-0140

N 19.0 FT OF S 80.96 FT OF E 48.5 FT OF W 350.97 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 14 BLDG D INTRA COASTAL VILLAS PER OR 2446 PG 815
PER OR 7642 PG 3612 PER OR 7730 PG 3278

TAX PARCEL NUMBER 5334-14-04-0150

N 18.67 FT OF S 61.96 FT OF E 48.5 FT OF W 350.97 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 15 BLDG D INTRA COASTAL VILLA PER OR 3112 PG 0797
PER OR 7149 PG 4187 PER OR 7892 PG 0688 PER OR 7894 PG 1173

TAX PARCEL NUMBER 5334-14-04-0160

N 19 FT OF S 43.29 FT OF E 48.5 FT OF W 350.97 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 16 BLDG D INTRA COASTAL VILLAS PER OR 3721 PG
1740 PER UNREC D/C PER OR 6952 PGS 0168-171 PER OR 7532 PG 3496

TAX PARCEL NUMBER 5334-14-05-0170

E 17 FT OF W 282.06 FT OF N 47.5 FT OF S 68.15 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 17 BLDG E INTRA COASTAL VILLAS PER OR 2907 PG
0321 PER OR 6519 PG 4931 PER OR 6759 PG 3180

TAX PARCEL NUMBER 5334-14-05-0180

E 16.67 FT OF W 265.06 FT OF N 47.5 FT OF S 68.15 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 18 BLDG E INTRA COASTAL VILLAS PER OR 2573 PG 803

TAX PARCEL NUMBER 5334-14-05-0190

E 16.67 FT OF W 248.39 FT OF N 47.5 FT OF S 68.15 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 19 BLDG E INTRA COASTAL VILLAS PER OR 4699 PG
1677-1679 PER OR 6990 PG 0520 PER OR 6990 PG 0523

TAX PARCEL NUMBER 5334-14-05-0200

E 17 FT OF W 231.72 FT OF N 47.5 FT OF S 68.15 FT OF LOT 3 MARY RATH SMITH
SUB MB 6 PG 53 AKA UNIT 20 BLDG E INTRA COASTAL VILLAS PER OR 4796 PG
4886 PER OR 7597 PG 4342

TAX PARCEL NUMBER 5334-14-06-0210

E 17 FT OF W 189.67 FT OF N 47.5 FT OF S 66.49 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 21 BLDG F INTRACOASTAL VILLAS PER OR 4833 PGS
2318-2319 PER OR 5405 PGS 2670-2671 PER OR 7074 PG 3685 PER OR 7220 PG 2778

TAX PARCEL NUMBER 5334-14-06-0220

E 16.67 FT OF W 172.67 FT OF N 47.5 FT OF S 66.49 FT OF LOT 3 MARY ROTH
SMITH SUB MB 6 PG 53 AKA UNIT 22 BLDG F INTRACOASTAL VILLAS PER OR 5131
PGS 4046-4047 PER OR 7451 PG 0271 PER OR 7451 PG 0280 PER OR 7919 PG 2369

TAX PARCEL NUMBER 5334-14-06-0230

E 16.67 FT OF W 156.00 FT OF N 47.5 FT OF S 66.49 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 23 BLDG F INTRACOASTAL VILLAS PER OR 4971 PG 1148
PER OR 6387 PG 0248 PER OR 7150 PG 1940

TAX PARCEL NUMBER 5334-14-06-0240

E 17 FT OF W 139.33 OF N 47.5 FT OF S 66.49 FT OF LOT 3 MARY ROTH SMITH SUB
MB 6 PG 53 AKA UNIT 24 BLDG F INTRA COASTAL VILLAS PER OR 3173 PG 1839
PER OR 7483 PG 3835

TAX PARCEL NUMBER 5334-14-07-0250

E 17 FT OF W 96.52 FT OF N 45.5 FT OF S 66.56 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 25 BLDG G INTRACOASTAL VILLAS INC PER OR 4579
PGS 3565-3567 PER OR 7451 PG 0271 PER OR 7455 PG 1862

TAX PARCEL NUMBER 5334-14-07-0260

E 16.67 FT OF W 79.52 FT OF N 45.5 FT OF S 66.56 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 26 BLDG G INTRACOASTAL VILLAS PER OR 4579 PGS
3565-3567 INC PER OR 5366 PG 3502 PER OR 7597 PG 2125 PER OR 7672 PG 1247

TAX PARCEL NUMBER 5334-14-07-0270

E 16.67 FT OF W 62.85 FT OF N 45.5 FT OF S 66.56 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 27 BLDG G INTRA COASTAL VILLAS PER OR 4844 PG
843 PER OR 7282 PG 4629 PER OR 7365 PG 3845

TAX PARCEL NUMBER 5334-14-07-0280

E 17 FT OF W 46.18 FT OF N 45.5 FT OF S 66.56 FT OF LOT 3 MARY ROTH SMITH
SUB MB 6 PG 53 AKA UNIT 28 BLDG G INTRA COASTAL VILLAS PER OR 3173 PG
1839 PER OR 7483 PG 3835

TAX PARCEL NUMBER 6303-10-01-0011

LOT 1 & N 90 FT OF W 110 FT OF LOT 2 BLK 1 E OF US 1 R/W & INC ADJ
SUBMERGED LAND BEING 154 FT ON N/L & 158 FT ON S/L HAND TRACT PORT
ORANGE MB 12 PG 16 & INC LOTS 1 & 2 E OF US 1 R/W & RIP RTS MARY ROUTH
SMITH SUB PORT ORANGE MB 6 PG 53 OR MB 15 PG 215 & INC N 100 FT OF GOV
LOT 1 IN 3 16 33 LYING S OF DOUGHERTY CANAL & E OF US 1 PER QC BOOK 6 PG
442 PER OR 3862 PG 1947

TAX PARCEL NUMBER 6303-10-01-0020

LOT 2 EXC N 90 FT OF W 110 FT & LOTS 3 & 4 BLK 1 EXC US 1 R/W & SUBMERGED
LAND LYING NE & ABUTTING LOTS 2 3 & 4 BEING 80 FT ON N/L & 165 FT ON S/L
HAND TRACT PORT ORANGE PER OR 4311 PG 1903

TAX PARCEL NUMBER 6303-00-00-0010

03 16 33 LOT 1 W OF RIDGEWOOD AVE & N OF CANAL EXC IRREG PARCEL BEING N 409.1 FT AS MEAS ON THE W/L & BEING 867.3 FT MEAS ON THE S/L & EXC IRREG PARCEL BEING 466.19 FT ON N/L & MEAS 200 FT ON THE W/L OF US HWY 1 & EXC THE W 1/2 OF THIS PARCEL MEAS 310 FT ON THE W/L & MEAS 380 FT ON THE N/L & MEAS 367.69 ON THE E/L PER OR 2261 PG 1226 PER OR 7309 PGS 4116-4117

TAX PARCEL NUMBER 6303-11-04-0010

LOTS 1 TO 4 INC & S 1/2 OF E 1/2 OF LOT 5 EXC PARTS IN ST & EXC W 1/2 OF LOT 4 BLK D WILSONS PORT ORANGE PER OR 4431 PGS 4691-4726 PER OR 6413 PGS 1470-1472 INC PER OR 7761 PG 3906

TAX PARCEL NUMBER 6303-00-00-0080

3-16-33 N 100 FT OF GOV'T LOT 1 LYING S OF DOUGHERTY CANAL & W OF U S HWY #1 PER OR Q C BOOK 6 PG 442

TAX PARCEL NUMBER 6303-02-01-0010

LOTS 1 TO 8 INC EXC PART IN ST RD 5 & LOT 9 & E 11 FT OF LOT 10 & E 36 FT OF LOTS 14 & 15 BLK 1 HERRICH TERRACE PORT ORANGE PER OR 3991 PG 3892 PER OR 5646 PG 0924 PER OR 6992 PG 0977 PER OR 7380 PG 0722 PER OR 7945 PG 2880

TAX PARCEL NUMBER 6303-02-01-0100

LOTS 10 TO 15 INC EXC E 11 FT OF LOT 10 & EXC E 36 FT OF LOTS 14 15 & INC VACATED ST W OF LOTS 13 14 & 15 BLK 1 HERRICH TERRACE PORT ORANGE PER OR 5213 PG 4025 PER OR 7143 PG 0480 PER OR 7957 PG 4413

TAX PARCEL NUMBER 6303-01-02-0010

BLK 2A EXC E 40 FT OF LOT 1 DEENS ORANGE PARK PORT ORANGE PER PROBATE #84-609-02D & OR 2739 PG 1884

TAX PARCEL NUMBER 6303-01-02-0020

ALL BLK 2 EXC E 40 FT OF LOT 1 DEENS ORANGE PARK PORT ORANGE PER PROBATE #84-609-02D & OR 2739 PG 1884

TAX PARCEL NUMBER 6303-10-03-0030

LOT 3 BLK 3 HAND TRACT PORT ORANGE EXC ST RD R/W PER OR 2730 PGS 1626-1627 PER OR 5556 PG 1804 PER OR 5606 PG 1619 PER OR 5928 PGS 4592-4594 INC

TAX PARCEL NUMBER 6303-02-03-0010

E 100 FT OF LOTS 1 TO 4 INC EXC PART IN ST RD 5 BLK 3 HERRICH TERRACE PORT ORANGE MB 5 PG 38 PER OR 4201 PG 4030

TAX PARCEL NUMBER 6303-02-03-0050

LOTS 1 TO 4 INC EXC E 100 FT & LOTS 5 TO 8 INC BLK 3 HERRICH TERR PORT ORANGE PER OR 2766 PG 0301 PER OR 6943 PG 2762

TAX PARCEL NUMBER 6303-10-04-0010

LOTS 1 & 2 EXC W 398 FT & EXC RD BLK 4 HAND TRACT PORT ORANGE PER OR 4404 PG 2287 PER OR 4740 PG 2257

TAX PARCEL NUMBER 6303-10-04-0034

N 90 FT OF E 100 FT OF LOT 3 BLK 4 EXC US 1 R/W HAND TRACT PORT PER OR 4404 PG 2287

TAX PARCEL NUMBER 6303-10-04-0035

W 100 FT OF E 200 FT OF LOT 3 BLK 4 HAND TRACT PORT ORANGE DB 373 PG 403 PER OR 5211 PG 2340 PER OR 5570 PGS 1749-1750 PER OR 5844 PG 2971 PER OR 6777 PG 2425 PER OR 6808 PG 0467

TAX PARCEL NUMBER 6303-10-04-0031

W 46 FT OF E 246 FT OF LOT 3 BLK 4 HAND TRACT PORT ORANGE PER OR 5274 PG 2422 PER OR 5699 PG 4289

TAX PARCEL NUMBER 6303-10-04-0041

W 56.27 FT OF E 141.96 FT OF LOT 4 BLK 4 HAND TRACT PORT ORANGE W OF RIDGEWOOD AVE & IRREG PARCEL IN LOT 8 RAWLINGS SUB MB 7 PG 33 BEING N 3.47 FT ON E/L & N 8 FT ON W/L & 24.9 FT ON S/L PER OR 4940 PG 0178 PER OR 5097 PG 1288 PER OR 6235 PG 1471 PER OR 7166 PG 3978

TAX PARCEL NUMBER 6303-10-04-0040

E 85.69 FT OF LOT 4 EXC N 1 FT & EXC PART IN ST RD 5 BLK 4 HAND TRACT PORT ORANGE & INC IRREG PARCEL IN LOTS 6 & 8 RAWLINGS SUB MB 7 PG 33 MEAS 3.47 FT ON E/L PER OR 4113 PG 4721 PER OR 8065 PG 3054

TAX PARCEL NUMBER 6303-03-00-0090

LOT 9 & E 25.65 FT OF LOT 10 RAWLINGS SUB PORT ORANGE & INC W 81 FT OF E 246 FT OF LOT 4 BLK 4 HAND TRACT MB 2 PG 185 PER OR 4690 PGS 2478-2479 PER D/C 6679 PG 4085 PER OR 6809 PG 4364 PER OR 8026 PG 0900

TAX PARCEL NUMBER 6303-03-00-0050

LOT 4 EXC PART IN ST RD 5 & LOTS 5 & 6 EXC US 1 R/W & EXC N 3.47 FT OF LOT 6 & LOT 7 RAWLINGS SUB PORT ORANGE & INC LOT 8 RAWLINGS SUB PORT ORANGE PER OR 1564 PG 0496 EXC IRREG PARCEL BEING N 3.47 FT ON E/L & N 8 FT ON W/L & 50.25 FT ON S/L PER OR 2291 PG 0107 PER OR 5457 PG 0168 PER OR 6559 PG 0412 PER OR 6623 PG 1849

TAX PARCEL NUMBER 6303-04-00-0052

W 70.1 FT OF LOT 5 THOMAS SUB HAND TRACT PORT ORANGE EXCPART IN ST RD 5 PER OR 2648 PG 0629 PER OR 5427 PG 0452 PER OR 5441 PG 2487-2490

TAX PARCEL NUMBER 6303-04-00-0040

E 100 FT OF LOT 4 THOMAS SUB HAND TRACT PORT ORANGE PER OR 2402 PG 1595

TAX PARCEL NUMBER 6303-04-00-0050

W 17 1/2 FT OF N 1/2 OF LOT 4 & E 24.7 FT OF LOT 5 THOMAS SUB HAND TRACT PORT ORANGE PER OR 2402 PG 1595

TAX PARCEL NUMBER 6303-04-00-0051

W 42 FT OF E 66.7 FT OF LOT 5 THOMAS SUB HAND TRACT PORT ORANGE PER OR 2184 PG 0628

TAX PARCEL NUMBER 6303-04-00-0030

W 70 FT OF LOT 3 THOMAS SUB HAND TRACT PORT ORANGE PER OR 2911 PG 1905 PER OR 5848 PG 1146 PER OR 5997 PG 2145 PER OR 7202 PG 0392

TAX PARCEL NUMBER 6303-04-00-0010

LOTS 1 & 2 & E 50 FT OF LOT 3 & INC FILLED LAND E OF SAME BEING 100 FT ON W/L & 75 FT ON N/L & 175 FT ON S/L & RIP RTS THOMAS SUB HAND TRACT PORT ORANGE MB 5 PG 143 MB 18 PG 18 & INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR 3846 PGS 0673 AND 0674 PER OR 5997 PG 2145 PER OR 7202 PG 0392

TAX PARCEL NUMBER 6303-10-02-0024

3 16 33 LOT 2 & N 1/2 OF LOT 3 E OF HALIFAX DR & RIP RTS & ACCRETIONS & FILLED LAND BLK 2 HAND TRACT PORT ORANGE MB 12 PG 16 EXC W 5 FT IN RD PER OR 6861 PG 1718 & INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR 2807 PG 1691 PER OR 5871 PG 2107 PER OR 5894 PG 2861

TAX PARCEL NUMBER 6303-10-02-0020

03 16 33 N 1/2 OF LOT 2 W OF HALIFAX DR EXC W 163 FT BLK 2 HAND TRACT PORT ORANGE MB 2 PG 185 MB 16 PG 16 EXC E 5 FT PER OR 6861 PG 1718 & INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR 4769 PGS 4537-4538 PER OR 5871 PG 2107

TAX PARCEL NUMBER 6303-10-02-0023

03 16 33 E 170 FT OF S 1/2 OF LOT 2 & OF N 1/2 OF LOT 3 BLK 2 W OF HALIFAX DR TRACT PORT ORANGE MB 2 PG 185 MB 12 PG 16 EXC E 5 FT IN RD PER OR 6861 PG 1718 & INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR 4197 PG 4005 PER OR 5871 PG 2107

TAX PARCEL NUMBER 6303-10-02-0030

W 316 FT OF S 1/2 OF LOT 2 & W 316 FT OF N 1/2 OF LOT 3 EXC RD BLK 2 HAND TRACT PORT ORANGE PER MB 2 PG 185 PER OR 4054 PG 4043 PER OR 6056 PG 1957 PER OR 6071 PG 2665 PER OR 6307 PGS 0426-0428 INC PER OR 6415 PGS 0082-0083

TAX PARCEL NUMBER 6303-04-00-0060

W 17 1/2 FT OF S 50 FT OF LOT 4 & LOT 6 EXC US 1 R/W THOMAS SUB HAND TRACT PORT ORANGE PER OR 1629 PG 647 PER OR 5441 PG 2433-2434

TAX PARCEL NUMBER 6303-10-02-0021

W 163 FT OF N 1/2 OF LOT 2 EXC PART IN HWY BLK 2 HAND TRACT PORT ORANGE PER OR 1785 PG 427 PER OR 5441 PG 2433-2434

TAX PARCEL NUMBER 6303-10-02-0040

03 16 33 S 1/2 OF LOT 3 & LOT 4 EXC US 1 R/W & E 216 FT OF LOTS 5 & 6 BLK 2 HAND TRACT PORT ORANGE MB 2 PG 185 MB 12 PG 16 EXC E 5 FT FOR RD PER OR 6861 PG 1718 & INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR 4395 PG 2270 PER OR 5560 PGS 0404-0406

TAX PARCEL NUMBER 6303-10-02-0041

03 16 33 LAND E OF HALIFAX DR & OF S 1/2 OF LOT 3 & OF LOTS 4 5 & 6 BLK 2
HAND TRACT PORT ORANGE EXC W 5 FT FOR RD PER OR 6861 PG 1718 & INC
ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR 837
PG 565 BEING 322.1 FT ON N/L & 289.52 FT PER OR 4255 PG 1542 PER OR 5560 PG
0402-0403

TAX PARCEL NUMBER 6303-10-02-0050

LOTS 5 & 6 EXC E 216 FT & EXC ST RD BLK 2 HAND TRACT PORT ORANGE PER OR
4201 PG 4029 PER OR 7408 PG 1700 PER OR 7847 PG 2827

TAX PARCEL NUMBER 6303-16-00-0010

03 16 33 LOT 1 E OF RIDGEWOOD AVE EXC N 60 FT OF E 150 FT & EXC R/W & INC
FILLED LAND N OF N/L OF LOT 4 EXT & E OF HALIFAX DR BEING 200 FT ON W/L &
270 FT ON N/L & 150 FT ON S/L PER OR 4549 PG 2322 RIP RTS DANIELS PORT
ORANGE MB 3 PG 129 MB 16 PG 31 EXC N 150.42 FT ON RIDGEWOOD OF W 358.83
FT ON N/L & INC E 175 FT OF W 275 FT EXC S 100 FT BLK C WILSON PORT
ORANGE MB 1 PG 154 MB 15 PGS 3-4 EXC THAT PART IN FOR RD PER OR 6861 PG
1718 & INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090
PER OR 4630 PGS 1173-1174 PER OR 5560 PG 408

TAX PARCEL NUMBER 6303-16-00-0011

03 16 33 N 60 FT ON E LINE OF E 150 FT OF LOT 1 & RIP RTS DANIELS PORT
ORANGE MB 3 PG 129 MB 16 PG 31 EXC THAT PART IN RD PER OR 6861 PG 1718 &
INC ADJ PORTION OF VAC ROW PER RES NO 16-42 PER OR 7624 PG 2090 PER OR
4062 PG 2357 PER OR 5373 PGS 3441-3443 INC PER OR 5560 PG 408

TAX PARCEL NUMBER 6303-16-00-0030

LOTS 2 TO 4 INC RIP RTS DANIELS PORT ORANGE MB 3 PG 29 OR MB 16 PG 31

TAX PARCEL NUMBER 6303-11-03-0050

E 105 FT OF W 260 FT OF S 100 FT BLK C WILSONS PORT ORANGE PER OR 1901 PG
1389 PER OR 6220 PG 4926 PER OR 6993 PG 2437

TAX PARCEL NUMBER 6303-11-03-0040

E 55 FT OF W 155 FT OF S 100 FT EXC PART IN STREET BLK C WILSONS PORT
ORANGE MB 1 PG 154 PER OR 5038 PG 2633 PER OR 7075 PG 2256 PER OR 7164
PG 3545

TAX PARCEL NUMBER 6303-11-03-0020

N 140 FT MEAS ON W/S OF W 100 FT OF BLK C WILSONS PORT ORANGE PER OR
4609 PG 4113 PER OR 7289 PG 4214

TAX PARCEL NUMBER 6303-11-03-0010

S 60 FT OF W 100 FT OF BLK C WILSONS PORT ORANGE MB 1 PG 154 PER OR
4609 PG 4113 PER OR 7289 PG 4214

TAX PARCEL NUMBER 6303-03-00-0460

LOTS 45 TO 51 INC EXC ST RAWLINGS SUB PORT ORANGE PER OR 4824 PGS
0433-0434

TAX PARCEL NUMBER 6303-03-00-0520

LOT 52 RAWLINGS SUB PORT ORANGE PER OR 4360 PG 15748 PER OR 5351 PG
1873-1875 PER OR 6429 PG 2302 PER OR 7294 PG 4111

TAX PARCEL NUMBER 6303-03-00-0530

LOT 53 & LOT 54 W OF LOUISVILLE ST RAWLINGS SUB PORT ORANGE PER OR 4360
PG 3013 PER OR 6540 PG 1637

TAX PARCEL NUMBER 6303-03-00-0010

LOTS 1 TO 3 W OF US 1 R/W & INC VACATED STREET ADJ TO WEST AND INC ADJ
LOT 54 E OF LOUISVILLE ST RAWLINGS SUB PORT ORANGE MB 7 PG 33 OR MB 21
PG 60 & INC LOTS 5 TO 7 INC JOHNSON SUB WILSONS PORT ORANGE MB 4 PG
169 PER OR 4402 PG 2092 PER OR 5457 PG 1877 PER OR 6229 PGS 1225-1226 PER
OR 7738 PG 3589

TAX PARCEL NUMBER 6303-03-00-0030

LOT 3 MARY E JOHNSON SUB IN BLK E WILSONS PORT ORANGE MB 4 PG 169 PER
OR 4648 PG 1069 PER D/C 6679 PG 4085 PER OR 6809 PG 4361 PER OR 7100 PG
1389 PER OR 7289 PG 4049

TAX PARCEL NUMBER 6303-11-04-0051

N 1/2 OF E 1/2 OF LOT 5 BLK D EXC PART IN ST RD 5 WILSONS PORT ORANGE PER
OR 4431 PGS 4691-4726 PER OR 6413 PGS 1470-1472 INC PER OR 7761 PG 3906

TAX PARCEL NUMBER 6303-11-04-0050

W 1/2 OF LOT 5 & W 1/2 OF LOT 4 BLK D WILSONS PORT ORANGE PER OR 4431
PGS 4691-4726 PER OR 6413 PGS 1470-1472 INC PER OR 7761 PG 3906

TAX PARCEL NUMBER 6303-11-02-0074

W 140 FT OF LOTS 7 & 8 BLK B WILSONS PORT ORANGE MB 15 PG 3 EXC HWY PER
OR 5129 PG 0287 PER OR 5860 PGS 1424-1426 INC

TAX PARCEL NUMBER 6303-11-02-0072

E 101 FT OF W 241 FT OF LOTS 7 & 8 EXC N 5 FT IN STREET BLK B WILSONS
PORT ORANGE MB 1 PG 154 OR MB 15 PGS 3 & 4 PER OR 4538 PG 3552

TAX PARCEL NUMBER 6303-11-02-0071

E 51 FT OF W 292 FT OF LOTS 7 & 8 EXC N 5 FT IN STREET BLK B WILSON PORT
ORANGE MB 1 PG 154 OR MB 15 PGS 3 & 4 PER OR 4953 PG 3655 PER OR 6011
PGS 1100-1101 PER OR 7484 PG 4524

TAX PARCEL NUMBER 6303-11-02-0070

LOTS 7 & 8 EXC W 292 FT & RIP RTS BLK B WILSONS PORT ORANGE PER OR 5036
PG 1137

TAX PARCEL NUMBER 6303-11-02-0061

LOT 6 & RIP RTS EXC W 190 FT & EXC RD BLK B WILSONS PORT ORANGE PER OR
4333 PG 4738 PER OR 5999 PG 4044

TAX PARCEL NUMBER 6303-11-02-0060

W 190 FT E OF HWY OF LOT 6 BLK B WILSONS PORT ORANGE MB 1 PG 154 PER
OR 1905 PG 1886 PER OR 8071 PG 0514

TAX PARCEL NUMBER 6303-11-02-0050

LOT 5 & E 1/2 OF LOT 4 & RIP RTS BLK B WILSONS PORT ORANGE MB 1 PG 154 OR
MB 15 PGS 3 & 4 PER OR 4370 PG 0752

TAX PARCEL NUMBER 6303-11-02-0031

03 16 33 LOT 3 BLK B EXC W'LY 155 FT THEREOF & EXC PART LYING E'LY OF
HALIFAX DRIVE WILSON'S MAP OF PORT ORANGE MB 1 PG 154 PER OR 2143 PG
1829 PER OR 6127 PG 109 PER OR 6139 PG 1188 PER OR 7484 PG 4533

TAX PARCEL NUMBER 6303-11-02-0041

W 1/2 OF LOT 4 EXC N 33.6 FT OF W 123 FT BLK B WILSONS PORT ORANGE PER OR
4639 PGS 2819-2820

TAX PARCEL NUMBER 6303-11-02-0042

N 33.6 FT OF W 123 FT OF LOT 4 BLK B WILSONS PORT ORANGE PER OR 3882 PG
2148

TAX PARCEL NUMBER 6303-11-02-0030

W 155 FT OF LOT 3 & N 37 1/2 FT OF W 155 FT OF LOT 2 BLK B WILSONS PORT
ORANGE MB 1 PG 154 OR MB 15 PGS 3 & 4 PER OR 4131 PG 2884 PER OR 5674 PG
4692 PER OR 5826 PG 2126 PER OR 5826 PGS 2128-2130 INC

TAX PARCEL NUMBER 6303-11-02-0022

S 37 1/2 FT OF N 75 FT OF W 155 FT OF LOT 2 BLK B WILSONS PORT PER OR 3761
PG 773 PER OR 5676 PG 177 PER OR 7484 PG 4545

TAX PARCEL NUMBER 6303-11-02-0014

S 25 FT OF W 155 FT OF LOT 2 BLK B WILSONS PORT ORANGE MB 1 PG 154 PER
OR 3094 PG 1795 PER OR 5676 PG 4675 PER OR 7484 PG 4561

TAX PARCEL NUMBER 6303-11-02-0090

LOT 9 EXC S 3 FT & EXC HIWAY BLK B WILSON PORT ORANGE DB 473 PG 491
PER OR 3901 PG 1345 PER OR 6199 PG 1320

TAX PARCEL NUMBER 6303-11-02-0012

W 50 FT OF LOT 1 & E 3 FT OF LOT 9 ON S LINE TO POINT ON N LINE BLK B
WILSONS PORT ORANGE PE OR 2807 PG 1880 PER OR 5676 PG 230 PER OR 5676
PG 0230 PER OR 7484 PG 4563

TAX PARCEL NUMBER 6303-11-02-0013

E 1/2 OF W 100 FT OF LOT 1 BLK B WILSONS PORT ORANGE PER OR 4263 PG 0057
PER OR 6238 PG 0539

TAX PARCEL NUMBER 6303-11-02-0011

E 77 FT OF W 177 FT OF N/L OF LOT 1 & BEING 143 FT ON S/L PER OR 1590 PG 292
BLK B WILSON PORT ORANGE PER OR 4746 PGS 0048-0050 & PER OR 5545 PG
4642 PER OR 5641 PG 4197 PER OR 6238 PG 0640

TAX PARCEL NUMBER 6303-11-02-0020

LOT 2 EXC W 155 FT & RIP RTS BLK B WILSONS PORT ORANGE PER OR 4263 PG
0023-0027 PER OR 6238 PG 0539

TAX PARCEL NUMBER 6303-11-02-0010

E 174.1 FT ON S/L & 223 FT ON N/L OF LOT 1 & RIP RTS & W 425 FT OF RIVER
BOTTOM ABUTTING SAME PER DB 371 PG 369 BLK B EXC RWY WILSONS PORT
ORANGE PER OR 4263 PG 0021-0022 PER OR 6238 PG 0539

TAX PARCEL NUMBER 6303-11-06-0021

LOTS 1 & 2 & N 21.25 FT OF E 136.8 FT OF LOT 3 BLK F EXC R/W WILSONS PORT ORANGE PER OR 4370 PG 0753

TAX PARCEL NUMBER 6303-11-06-0030

LOT 3 EXC N 21.25 FT EXC US 1 R/W BLK F WILSONS PORT ORANGE PER OR 3395 PG 0844

TAX PARCEL NUMBER 6303-11-06-0050

LOT 4 EXC N 51.5 FT MEAS ON E/L OF E 104 FT & ALL LOTS 5 TO 12 INC BLK F EXC US 1 R/W & EXC R/O DUNLAWTON BLVD WILSONS PORT ORANGE MB 15 PG 63 PER OR 1608 PG 1357 & OR 4818 PG 3360

TAX PARCEL NUMBER 6303-11-06-0190

N 64 FT OF LOT 19 BLK F WILSONS PORT ORANGE PER OR 4356 PG 3153 PER OR 5979 PG 0195 PER OR 7019 PG 2852

TAX PARCEL NUMBER 6303-11-06-0180

LOT 18 BLK F WILSONS PORT ORANGE PER OR 2754 PG 0514

TAX PARCEL NUMBER 6303-09-00-0080

LOTS 8 & 10 & S 1/2 OF LOT 11 VASS SUB BLK F WILSONS PORT ORANGE PER D/C 6242 PG 1121 PER OR 6709 PG 1067 PER OR 6713 PG 0408 PER OR 6713 PG 0409 PER DC 6867 PG 4037 PER OR 7673 PG 2560

TAX PARCEL NUMBER 6303-09-00-0020

LOT 2 VASS SUB BLK F WILSONS PORT ORANGE MB 5 PG 4 OR MB 16 PG 136 PER OR 4098 PG 4228 PER OR 5358 PG 2971 PER OR 6429 PG 2302 PER OR 7294 PG 4111

TAX PARCEL NUMBER 6303-09-00-0010

LOT 1 VASS SUB BLK F WILSONS PORT ORANGE MB 5 PG 4 OR MB 16 PG 136 PER OR 3932 PG 3134 PER OR 5351 PG 1873-1875 PER OR 6429 PG 2302 PER OR 7294 PG 4111

TAX PARCEL NUMBER 6303-09-00-0030

LOT 3 VASS SUB BLK F WILSONS PORT ORANGE PER OR 4852 PGS 2807-2808 PER OR 5897 PG 3900

TAX PARCEL NUMBER 6303-09-00-0040

LOTS 4 & 6 VASS SUB BLK F WILSONS PORT ORANGE MB 5 PG 4 PER OR 5560 PG 0194 PER DC 6867 PG 4037

TAX PARCEL NUMBER 6303-09-00-0050

LOT 5 VASS SUB BLK F WILSONS PORTORANGE PER OR 2917 PG 0957

TAX PARCEL NUMBER 6303-09-00-0070

LOT 7 & E 3 FT OF LOT 9 VASS SUB BLK F WILSONS PORT ORANGE M B 5 PG 4 PER OR 5263 PG 2835 PER OR 5643 PG 4532

TAX PARCEL NUMBER 6303-09-00-0090

LOT 9 EXC E 3 FT & N 1/2 OF LOT 11 VASS SUB BLK F WILSONS PORT

TAX PARCEL NUMBER 6303-11-06-0160

LOTS 16 EXC N 5 FT IN STREET & LOT 17 BLK F WILSONS SUB PORT ORANGE

TAX PARCEL NUMBER 6303-11-07-0010

LOTS 1 & 3 EXC S 150 FT OF E 150 FT & LOTS 4 & 14 & LOTS 10 & 11 EXC PT IN
R/W BLK G WILSONS PORT ORANGE MB 1 PG 154 EXC STS PER OR 2815 PG 1692
PER OR 6940 PG 0785 PER OR 6957 PG 4191

TAX PARCEL NUMBER 6303-11-07-0070

LOTS 7 TO 9 INC BLK G WILSONS PORT ORANGE MB 1 PGS 154 OR MB 15 PG 3 & 4
EXC ST PER OR 4089 PG 2727

TAX PARCEL NUMBER 6303-11-07-0120

03-16-33 LOT 12 & IRREG PART OF LOT 13 BLK G MAP OF PORT ORANGE PB 1 PG
154 MB 15 PG 3 AS DESCRIBED IN OR 3394 PG 1901 & EXC PART LYING WITHIN
DUNLAWTON RD PER OR 6606 PG 1649 PER OR 6855 PG 0024

TAX PARCEL NUMBER 6303-11-07-0132

E 80 FT OF W 194 FT ON N/L & E 50 FT OF W 164 FT ON S LINE OF LOT 13 BLK G
WILSONS PORT ORANGE EXC ST MB 1 PG 154 PER OR 4113 PG 0077 PER OR 5249
PG 0792 PER OR 5427 PG 3482 PER OR 5430 PGS 3116-3117 PER OR 6529 PGS
2333-2334 PER OR 6549 PG 3232 PER OR 7527 PG 1014 & 1017

TAX PARCEL NUMBER 6303-11-07-0131

W 114 FT OF LOT 13 EXC ST BLK G WILSONS PORT ORANGE PER OR OR2725 PG 0814
PER OR 5429 PG 3329 PER OR 6493 PG 4385

TAX PARCEL NUMBER 6303-11-07-0020

LOT 2 BLK G WILSONS PORT ORANGE MB 1 PG 154 PER OR 4746 PGS 0046-0047
PER OR 5545 PG 4642 PER OR 5641 PG 4197 PER OR 6133 PGS 1326-1327 INC PER
OR 8007 PG 3349

TAX PARCEL NUMBER 6303-11-07-0030

S 150 FT OF E 150 FT OF LOTS 1 & 3 BLK G WILSONS PORT ORANGE MB 1 PG 154
PER OR 2815 PG 1692 PER OR 6940 PG 0785 PER OR 6957 PG 4191

TAX PARCEL NUMBER 6303-11-01-0022

LAND E OF ROAD IN FRONT OF LOTS 2 3 & 4 & RIP RTS BLK A WILSONS PORT
ORANGE PER OR 4055 PGS 2537-2539 & OR 4634 PG 1815 PER OR 6250 PG 4505

TAX PARCEL NUMBER 6303-11-01-0030

E 127.30 FT OF THAT PORTION OF LOT 2 LYING W OF HALIFAX AVE IN BLK A & E
178.5 FT OF LOTS 3 & 4 BLK A EXC PART LYING E OF WLY ROW LINE OF HALIFAX
DR AND N OF EXISTING SLY ROW OF DUNLAWTON AVE & INC IRREG PARCEL IN
LOTS 2 & 3 MEAS 80.04 FT ON N/L OF LOT 3 & MEAS 85.96 FT ON S/L OF LOT 2 BLK
A WILSONS PORT ORANGE MB 1 PG 154 OR MB 15 PGS 3 & 4 PER OR 4055 PGS
2534-2536 & OR 4634 PG 1815 PER OR 6250 PG 4505

TAX PARCEL NUMBER 6303-11-01-0010

E 219 FT OF LOT 1 & RIP RTS BLK A WILSONS PORT ORANGE PER OR 1824 PG 1814
PER OR 2451 PG 0267 PER OR 3075 PG 1045 PER OR 3360 PG 0719 PER OR 3873 PG
1101 PER OR 7219 PG 0298

TAX PARCEL NUMBER 6303-11-01-0012

PART OF LOTS 1 2 & 3 S & E OF BRIDGE APPROACH BEING W 239 FT ON S/L & INC E 100 FT OF W 255 FT OF LOT 3 EXC ROAD BLK A WILSONS PORT ORANGE PER OR 1564 PG 0390 PER OR 2368 PG 1098 PER OR 8057 PG 4666

TAX PARCEL NUMBER 6341-04-05-0010

LOT 5A EXC W 150 FT & N 5 FT OF LOT 5B EXC W 150 FT & RIP RTS ELIZABETH BUNCH GRANT PORT ORANGE PER OR 2380 PG 861

TAX PARCEL NUMBER 6341-04-05-0050

N 75 FT OF S 145 FT OF E 190 FT OF LOT 5B & RIP RTS FILLED LAND & ACCRETIONS ELIZABETH BUNCH GRANT PORT ORANGE EXC ST RD 5 PER OR 4746 PGS 0051-0052 PER OR 5545 PG 4642 PER OR 5641 PG 4197 PER OR 6100 PG 4982 PER OR 6343 PG 0795 PER OR 6928 PG 1511

TAX PARCEL NUMBER 6341-04-05-0040

S 70 FT OF E 210 FT OF LOT 5B & RIP RTS ELIZABETH BUNCH GRANT PORT ORANGE EXC ST RD 5 PER OR 1536 PG 0571 PER UNREC D/C PER OR 6963 PG 0015 PER OR 7124 PG 1251 PER OR 7268 PG 1942 PER OR 7401 PG 3696 PER OR 7412 PG 2633 PER OR 7777 PG 4619

TAX PARCEL NUMBER 6341-04-05-0020

W 150 FT LOT 5-A & W 150 FT OF N 5 FT LOT 5-B & S 145 FT LOT 5-B EXC N 75 FT OF E 190 FT & EXC S 70 FT OF E 210 FT EXC R/W ELIZABETH BUCH GRANT IN PORT ORANGE MB 3 PG 128 PER OR 4327 PG 1954 PER OR 6031 PGS 3505-3506 PER OR 6598 PG 1462

TAX PARCEL NUMBER 6341-04-03-0010

N 40 FT OF W 203 FT OF LOT 3A EXC ROAD ELIZABETH BUNCH GRANT PORT ORANGE PER OR 4174 PG 1277 PER OR 7781 PG 4878

TAX PARCEL NUMBER 6341-02-00-0120

LOT 11 EXC N 20 FT & LOT 12 EXC ST RD 5 R/W & 1/2 VACATED ST E KERR & TOWNSLEY ADD PORT ORANGE PER OR 3878 PG 4051

TAX PARCEL NUMBER 6341-02-00-0130

W 132.5 FT OF LOTS 13 & 14 LYING E OF US 1 R/W KERR & TOWNSLEY ADD PORT ORANGE PER OR 3965 PG 0015

TAX PARCEL NUMBER 6341-02-00-0140

E 50 FT OF LOTS 13 & 14 & INC W 1/2 OF VAC ST E OF SAME KERR & TOWNSLEY ADD PORT ORANGE PER OR 3965 PG 0015

TAX PARCEL NUMBER 6341-04-03-0020

S 35 FT OF W 203 FT OF LOT 3A ELIZABETH BUNCH GRANT PORT ORANGE EXC R/W & INC N 20 FT OF LOT 11 EXC R/W & 1/2 VAC ST E KERR TOWNSLEY ADD PT ORANGE PER OR 4445 PG 1578

TAX PARCEL NUMBER 6303-11-06-0191

LOT 19 EXC N 64 FT BLK F WILSONS PORT ORANGE MB 15 PG 3 EXCST PER OR 5192 PG 2626

TAX PARCEL NUMBER 6303-00-00-0013

3 16 33 FROM NW CORNER SEC 3 THENCE S 409.1 FT THENCE E 401.11 FT TO POINT OF BEGINNING THENCE E 466.19 FT THENCE S 200 FT THENCE W 167.57 FT THENCE N 81.69 FT THENCE W 295.42 FT THENCE N 68.44 FT TO POINT OF BEGINNING PER OR 4700 PGS 2782-2783

TAX PARCEL NUMBER 6303-16-00-0014

N 150.42 FT ON RIDGEWOOD AVE OF W 358.83 FT ON N/L E OF RIDGEWOOD LOT 1 DANIELS PORT ORANGE MB 3 PG 29 PER OR 7847 PG 2827

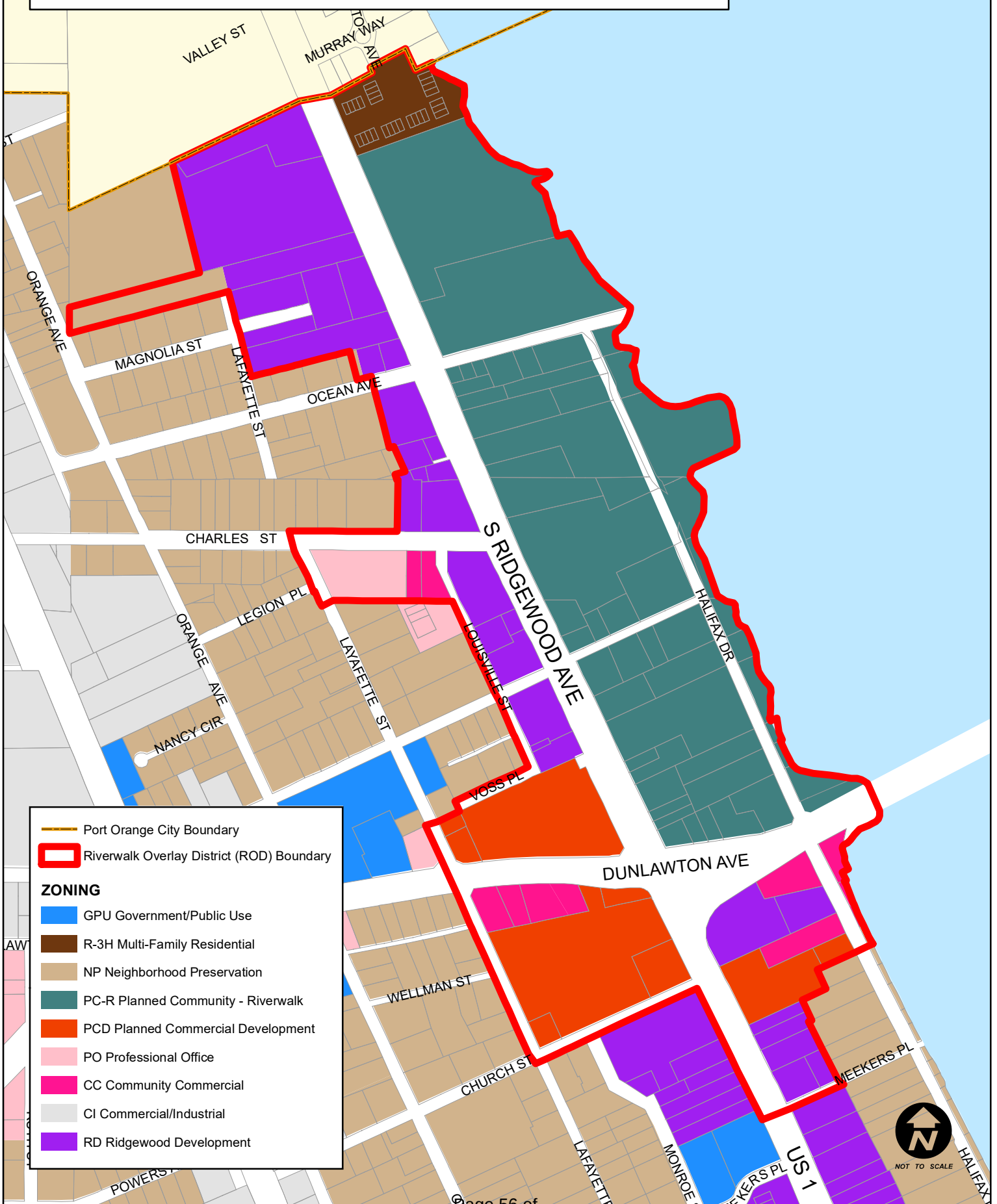
TAX PARCEL NUMBER 6303-11-02-0032

03 16 33 PART OF LOT 3 LYING E'LY OF HALIFAX DRIVE & RIPARIAN RIGHTS BLK B WILSONS MAP OF PORT ORANGE MB 1 PG 154 PER OR 2143 PG 1829 PER OR 6127 PG 109 PER OR 6139 PG 1188 PER OR 7066 PG 2271

TAX PARCEL NUMBER 6303-11-06-0031

N 21.25 FT OF LOT 3 EXC E 136.8 FT BLK F WILSON PORT ORANGE PER

RIVERWALK OVERLAY DISTRICT





STAFF REPORT

CASE NO. 21-25000005

LDC Amendment/ Chapters 2, 17, and 18

REQUEST:	Amendments to Chapters 2, 17, and 18 of the Land Development Code (LDC) regarding the Riverwalk Overlay District and the Planned Commercial-Riverwalk (PC-R) zoning district.
APPLICANT:	City of Port Orange
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	Recommended Approval (August 26, 2021)
PORT ORANGE TOWN CENTER CRA & CITY COUNCIL JOINT MEETING DATE: September 21, 2021	

INTRODUCTION

Staff has been updating the Land Development Code (LDC) in phases over the past several years. Prior amendments included updates to sign regulations, the “green” building initiative, erosion control, floodplain management, updates to Building Code references, county-wide Traffic Impact Analysis standards, school concurrency, Construction Standards modifications, fire impact fees, site plan and subdivision regulations, removal of select uses from the Ridgewood Corridor zoning district, zero lot line homes in the R-2D zoning district, microbreweries, architecture requirements, economic development – Ridgewood targeted businesses, tree preservation and others.

PROPOSED AMENDMENTS

The proposed amendments to Chapters 2, 17, and 18 of the Land Development Code (LDC) are intended to update the Riverwalk Overlay District (ROD) and the Planned Commercial-Riverwalk (PC-R) zoning district regulations in an effort to support the City’s redevelopment efforts in the Riverwalk area.

Riverwalk Overlay District (ROD) Amendments

The Riverwalk Overlay District (ROD) was adopted in 2004 to limit the uses that could be developed on property adjacent to the City’s ±35-acre Riverwalk area that would be inconsistent with the City’s long-term vision of the Riverwalk area as a walkable mixed-used development along the Halifax River that includes commercial, office, residential, civic, and entertainment uses. The ROD is generally located on the west and east side of Ridgewood Avenue, north of Meeker Place to the north City boundary.

The proposed amendments to the ROD include adjustments to the overlay district boundary and minor changes that are simple clean-up items, address problems encountered when applying the code, or intended to support the City’s redevelopment efforts within the overlay district, such as:

- Revise the boundary of the ROD to remove parcels zoned Neighborhood Preservation (NP) and Government Public Use (GPU). The uses listed as permitted uses in the ROD are not consistent with the uses and intent of the NP or GPU zoning district.
- Include the ROD boundary map in the LDC.
- Remove the additional permitted uses for property within the ROD. The uses removed are duplicate uses already listed as permitted for the properties within ROD by the underlying zoning.
- Update the list of permitted uses with special development requirements to include indoor motor vehicle and boat storage, off-site parking lot, and outdoor fruit and vegetable or craft markets, and established special development requirements to ensure these uses are developed within the City's current vision for the area surrounding the Riverwalk area.
- Remove the childcare facilities use from the list of prohibited uses, as this use can be developed in a manner consistent with the City's current vision for the area surrounding the Riverwalk area.
- Clarify that a use not permitted in the ROD can be approved as a permitted use if the use is included in a Master Development Agreement (MDA) approved by the City Council.
- Update terms and uses revised in previous LDC amendments for internal consistency.

Planned Commercial-Riverwalk (PC-R) zoning district Amendments

In 2007, the Riverwalk District property located on the east side of Ridgewood Avenue between the north City limit and Dunlawton Avenue was rezoned to Planned Commercial-Riverwalk (PC-R) and the City adopted the PC-R zoning district regulations. The original development concept for Riverwalk has changed in recent years from having one developer establish a master plan for the development of the entire ±35-acre Riverwalk area to a City park and multiple developers developing specific areas within the ±35-acre Riverwalk area to achieve the Port Orange Town Center Plan objectives. However, the PC-R zoning district still has requirements based on the ±35-acre Riverwalk area being master planned that can impact redevelopment options for the remaining undeveloped areas.

The proposed amendments include both minor changes that are simple clean-up items and amendments address problems or issues encountered when applying the code, as well as changes that are intended to support the City's redevelopment efforts and the new approach to redeveloping the remaining vacant property within the ±35-acre Riverwalk area:

- Revise the total density and intensity (non-residential square-footage) entitlements to be consistent with the format in the City's Comprehensive Plan and the Port Orange Town Center Community Redevelopment Plan: 1) maximum of 800 residential units, 2) 240,000 square-feet of commercial, and 3) 51,700 square-feet of office.
- Remove all references to a design manual and defer to the architectural requirements in Chapter 14 of the LDC.
- Remove references to master planned infrastructure, such as a master stormwater management system and stormwater credits, as this was related to a prior vision for the entire ±35-acres to be master planned.
- Remove references to conditional certificates of occupancy and bonding of improvements and defer to the City's current process for issuing certificates of occupancy and bonding improvements.

- Remove references to the Riverwalk Parking Authority, parking standards manual, and parking credits as these items or requirements were related to a prior vision for the entire ±35-acres to be a master planned.
- Remove duplicate text regarding public parks and recreation facilities.
- Add the following permitted uses for the Mixed-Use project type: outdoor fruit and vegetable or craft market, hotel, marina, water taxi, and medical office.
- Remove the section about interim conditional uses for the Mixed-Use project type that expired in 2014.
- Remove the list of uses not permitted in the Mixed-use and Hi-rise residential project types. This language is not needed as Chapter 17, Section 1 of the LDC states that if a use is not listed as a permitted use for a specific zoning district, the use is not allowed. Also, the other City zoning districts only list permitted uses and do not list uses not allowed.
- Revise dimensional requirements for mixed uses to remove requirements for the maximum and minimum number of stories a building must have and allow the existing maximum/minimum height requirements to regulate height; and reduce the minimum living area from 800 square-feet to 500 square feet based on current market trends and to add flexibility in design.
- Replace Figure 17:4 with the revised Riverwalk Planned Community Conceptual Development Plan.

RECOMMENDATION

Staff recommends approval of the amendments to Chapter 2, 17, and 18 of the Land Development Code (LDC).

ATTACHMENTS

Exhibit 1 - Proposed LDC Amendments to Chapter 2, 17, and 18



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 9/21/2021

Consent item: No

SUBJECT: (4) Third Amendment to the Property Exchange Agreement (Cardwell Funeral Home Property)

DEPARTMENT: Community Development

GOAL: 4 - Economic Development

RECOMMENDED MOTION: Move to approve Third Amendment to the Property Exchange Agreement

SUMMARY: The Third Amendment to the Property Exchange Agreement provides for the Escrow Agreement to be closed within 45 days of the completion and the City's acceptance of the Riverwalk Phase 1 site and building improvements in accordance with the timeline set forth in the Third Amendment to the Riverwalk Amended and Restated Master Development Agreement. According to the proposed Third Amendment to the Riverwalk Amended and Restated Master Development Agreement, the Phase 1 (site and restaurant) improvements are to be completed by March 21, 2022.

There are no other changes to the Property Exchange Agreement approved in 2016, as amended in 2019 and 2020.

Project No.: N/A

Funding Account No.: N/A

Presenter: Tim Burman

ATTACHMENTS:

1.	Third property exchange	Third property exchange.pdf
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Penelope Cruz

Created/Initiated - 9/3/2021

Tim Burman

Approved - 9/5/2021

Shannon Balmer

Approved - 9/17/2021

Wayne Clark

Approved - 9/17/2021

Robin Fenwick

New - 1/1/1900

THIRD AMENDMENT TO THE PROPERTY EXCHANGE AGREEMENT

THIS THIRD AMENDMENT TO THE PROPERTY EXCHANGE AGREEMENT (the “Third Amendment”), is entered into by and between HALIFAX RIVER PARTNERS, LLC, a Florida limited liability company, (“HRP”) Josif Atanasoski, Manager, having a mailing address of 1800 No. U.S. Highway 1, Ormond Beach, FL 32174 and the CITY OF PORT ORANGE, a Florida municipal corporation, having a mailing address of 1000 City Center Circle, Port Orange, FL 32129 (the “City”) and the COMMUNITY REDEVELOPMENT AGENCY OF PORT ORANGE TOWN CENTER, a special purpose unit of local government organized and existing under Chapter 163, Part III, the laws of the State of Florida (the “CRA”), (collectively the “Parties”), who hereby agree and covenant as follows:

WHEREAS, the Parties previously entered into that certain Property Exchange Agreement dated September 20, 2016 for the exchange of real property as amended by the First Amendment to the Property Exchange Agreement dated September 17, 2019 (“First Amendment”) and as further amended by the Second Amendment to the Property Exchange Agreement dated September 15, 2020 (“Second Amendment”) (collectively the “Agreement”); and

WHEREAS, the Parties previously entered into that certain Riverwalk Amended and Restated Master Development Agreement dated September 20, 2016 and recorded in Official Records Book 7306, Page 1188, Public Records of Volusia County, Florida as amended by that certain First Amendment to The Riverwalk Amended and Restated Master Development Agreement dated September 17, 2019 and recorded in Official Records Book 7750, Page 1657, and as further amended by the Second Amendment to The Riverwalk Amended and Restated Master Development Agreement dated September 15, 2020 and recorded in Official Records Book 7912, Page 2562, and further amended by the Third Amendment to The Riverwalk Amended and Restated Master Development Agreement dated September 8, 2021 and recorded in Official Records Book 8117, Page 2760, all in Public records, Volusia County, Florida (collectively the “MDA”); and

WHEREAS, the Parties desire to further amend the Property Exchange Agreement, as amended, as more particularly set forth below.

NOW THEREFORE, the Parties hereby agree as follows;

1. The recitals stated above are true and correct and are incorporated herein by reference.
2. Paragraph 1 d. of the Agreement is hereby deleted in its entirety and replaced with the following:

“d. The Escrow Agreement shall be closed within 45 days after completion and acceptance of the Phase 1 Improvements unless otherwise extended by City Council in accordance with the MDA or terminated pursuant to the terms of this Agreement or the Escrow Agreement. The City Manager shall be authorized to act on behalf of Port Orange to authorize

the final language of the Escrow Agreement, in accordance with the requirements of Chapter 286, Florida Statutes.

3. This Third Amendment shall be effective on the date set forth below.

4. All the provisions of the Property Exchange Agreement, as amended by the First Amendment to the Property Exchange Agreement, and as further amended by the Second Amendment to the Property Exchange Agreement, not in conflict herewith shall remain in full force and effect and shall be supplemented for the matters specifically amended herein by this Third Amendment. The Agreement, First Amendment, and Second Amendment shall survive the execution of this Third Amendment.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the Parties have executed this Third Amendment to the Property Exchange Agreement, by and through their duly authorized representatives, on the respective dates shown below.

PORT ORANGE TOWN CENTER
COMMUNITY REDEVELOPMENT AGENCY

WITNESSES (as to both):

Signature

By: _____
Stan Schmidt, Chairman

Printed Name

Signature

Attest: _____
Robin L. Fenwick, Agency Clerk

Printed Name

(SEAL)

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of [XX] physical presence or [] online notarization this _____ day of _____, 2021, by Stan Schmidt, as the Chairman of the Port Orange Town Center Community Redevelopment Agency and Robin L. Fenwick, as Agency Clerk of the Port Orange Town Center Community Redevelopment Agency, both on behalf of the Agency. They are [XX] is personally known to me or [] has produced _____ as identification.

[Notary Stamp]

Notary Public, State of Florida at Large

My Commission Expires:

WITNESSES (as to both):

**CITY OF PORT ORANGE, a Florida
Municipal Corporation**

Signature

By: _____
Donald O. Burnette, Mayor

Printed Name

Signature

Attest: _____
Robin L. Fenwick, MMC, City Clerk

Printed Name

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of [XX] physical presence or [] online notarization this _____ day of _____, 2021, by Donald O., Burnette, Mayor of the CITY OF PORT ORANGE, FLORIDA, a Florida municipal corporation and ROBIN L. FENWICK, City Clerk of the CITY OF PORT ORANGE, FLORIDA, a Florida municipal corporation, both on behalf of the City. They are personally known to me and did not take an oath.

Notary Public, State of Florida at Large

My Commission Expires:

HALIFAX RIVER PARTNERS, LLC

WITNESSES:

Signature

Printed Name

Signature

Printed Name

By: _____
Josif Atanasoski, Manager

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of [XX] physical presence or [] online notarization this _____ day of _____, 2021, by JOSIF ATANASOSKI, Manager of HALIFAX RIVER PARTNERS, LLC. He is personally known to me or has produced _____ as identification.

Notary Public, State of Florida at Large

My Commission Expires: