



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, February 27, 2025

Time: 5:30 PM

Location: Council Chambers, City Hall
1000 City Center Circle
Port Orange

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call

B. DISCUSSION/ACTION

3. Consideration of Minutes
4. APPLICATION: 1st Amendment to the Master Development Agreement for the Summer Trees Plaza Planned Commercial Development
CASE NO.: PRZA-25-0001
APPLICANT: Storch Law Firm c/o A. Joseph Posey, Jr.
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request by the applicant to approve the 1st Amendment to the Master Development Agreement for the Summer Trees Plaza Planned Commercial Development (PCD) to allow a broader range of commercial uses in the PCD, consistent with the uses allowed in the City's conventional commercial zoning districts and update outdated language related to signage and architecture.

5. APPLICATION: Small-Scale Comprehensive Plan Future Land Use Map Amendment / 4009 and 4084 Halifax Drive
CASE NO.: CPAM-24-0003
APPLICANTS: Brendan and Shannon Galbreath and Halifax 4084 LLC
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request by the applicants to amend the Comprehensive Plan Future Land Use (FLU) map to change the FLU designation for ±1.2 acres from *Commercial* to *Mixed-Use Center*.

6. APPLICATION: Planned Commercial Development Rezoning & Second Restatement of the Catfish Commons Master Development Agreement and Conceptual Development Plan
CASE NO.: PRZA-24-0008

APPLICANTS: Brendan and Shannon Galbreath, Halifax 4084 LLC, and Commons 4075 LLC

STAFF CONTACT: Penelope Cruz, Planning Manager (386) [506-5671](tel:3865065671)/pcruz@port-orange.org

A request by the applicants to rezone +/- 0.58 acres to Planned Commercial Development (PCD) and approve the Second Restatement to the Catfish Commons PCD Master Development Agreement (MDA) and Conceptual Development Plan (CDP).

C. OTHER BUSINESS

7. Commissioner Comments
8. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION 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.

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JANUARY 23, 2025

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Thomas Jordan at 5:30 p.m.

CALL TO ORDER

1. Pledge of Allegiance

2. Roll Call

Present: Chair Thomas Jordan
Vice Chair Bo Bofamy
Commissioner Stan Schmidt
Commissioner Maria Mills-Benat
Commissioner Scott Steger
Commissioner Mark Bowling
Commissioner Daniel Mallegol

Also Present: Shannon Balmer, City Attorney
Tim Burman, Community Development Director
Amanda Bonin, Deputy City Clerk

DISCUSSION/ACTION

3. Consideration of Minutes

Motion to approve the minutes as presented was made by Commissioner Maria Mills-Benat and Seconded by Commissioner Scott Steger. Motion carried unanimously by roll call vote.

4. APPLICATION: VARIANCE / SHOPPES AT SUMMER TREES PLAT
CASE NO.: VARC-24-0004
APPLICANT: Jessica Gow, Esq., Cobb Cole
STAFF CONTACT: Penelope Cruz, Planning Manager
(386) 506-5671/pcruz@port-orange.org

A request for a variance from the Land Development Code (LDC) to reduce the internal side building setback for a proposed subdivision from 20 feet to 0 feet. If approved, the 0-foot setback will allow for two commercial lots to be created with buildings that share a common wall.

Penelope Cruz, Planning Manager presented the application from Cobb Cole; a variance for the Shoppes at Summer Trees Plat Case No.: VARC-24-0004.

Motion to approve the variance to the Land Development Code, Case No.: VARC-24-0004, was made by Stan Schmidt and Seconded by Maria Mills-Benat. Motion carried unanimously by roll call vote.

Commissioner Bo Bofamy asked why this wasn't completed in the beginning and about the parking ratio.

Ms. Cruz mentioned the plat wasn't ready in the beginning phases of this project and the parking ratio doesn't change.

Commissioner Mark Bowling asked if this is for internal growth only or does it have an outside entrance.

Ms. Cruz advised there is future expansion for the grocery store only.

Commissioner Scott Steger mentioned this is preemptive for future expansion.

Commissioners asked for clarification on the ownership and tenants for each unit as well as the new lot line and if the new median is part of this project.

Ms. Cruz advised this is part of the offsite improvement of this project.

Jessica Gow, Esq. with Cobb Cole provided further details on this item.

5. APPLICATION: SUBDIVISION PLAT / SHOPPES AT SUMMER TREES PLAT
CASE NO.: CASE NO. SUBD-24-0001
APPLICANT: Jessica Gow, Esq., Cobb Cole
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request to subdivide ±5.83 acres located at the southwest corner of South Williamson Boulevard and North Summer Trees Road into two (2) commercial lots.

Ms. Cruz presented the application from Cobb Cole, subdivision Plat/Shoppes at Summer Trees Plat Case No.: SUBD-24-0001.

Motion to approve was made by Commissioner Maria Mills-Benat and Seconded by Commissioner Stan Schmidt. Motion carried unanimously by roll call vote.

Commissioner Bo Bofamy asked for ministerial review clarification to which one was provided.

6. APPLICATION: ADMINISTRATIVE MDA AMENDMENT/ 1st Amendment to Madeline Commons Master Development Agreement
CASE NO.: PRZA-24-0009
APPLICANT: Administrative (City of Port Orange)
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request to approve the 1st Amendment to the Madeline Commons Master Development Agreement to remove the requirement to install a fence adjacent to Sugar Mill Elementary School and for Safety Flashing Beacon and Stop signs at the Sugar Mill Elementary parent drop-off/pick-up driveway at Charles Street.

Motion to approve was made by Commissioner Bo Bofamy and Seconded by Commissioner Maria Mills-Benat. Motion carried unanimously by roll call vote.

Ms. Cruz presented an Administrative MDA Amendment/1st Amendment to Madeline Commons Master Development Agreement, Case No.: PRZA-24-0009

Members of the board asked for clarification on the City boundary, fence line and if anyone spoke with the school, not just the School Board. They also clarified the location of signs installed for safety improvement.

OTHER BUSINESS

7. Commissioner Comments

Happy New Year.

8. Staff Comments

Nothing further.

PUBLIC COMMENTS

Nothing further.

ADJOURNMENT - 5:55 p.m.



STAFF REPORT

1st Amendment to the Master Development Agreement for the Summer Trees Plaza Planned Commercial Development
CASE NO. PRZA-25-0001

REQUEST:	To approve the 1 st Amendment to the Master Development Agreement for the Summer Trees Plaza Planned Commercial Development (PCD) to allow a broader range of commercial uses in the PCD, consistent with the uses allowed in the City's conventional commercial zoning districts and update outdated language related to signage and architecture.
LOCATION:	Southside of Taylor Road, between Summer Trees Road and Williamson Boulevard (See location map below)
APPLICANT	Storch Law Firm c/o A, Joseph Posey, Jr.
PROPERTY OWNER:	Sun Glow Construction, Inc.
STAFF CONTACT:	Suzette Cameron, Senior Planner
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	February 27, 2025

INTRODUCTION

The property owner requests the proposed amendment to the Master Development Agreement (MDA) for the Summer Trees Plaza Planned Commercial Development (PCD) to allow a broader range of commercial uses in the PCD, consistent with the uses allowed in the City's conventional commercial zoning districts and update the signage and architectural requirements for the PCD to be consistent with the current requirements in the City's Land Development Code (LDC). The Summer Trees Plaza PCD is located on the south side of Taylor Road, between Summer Trees Road and Williamson Boulevard.

Figure 1. Location Map



PROPOSED AMENDMENT

The Summer Trees Plaza PCD was approved in November 2007, and the subject property has been zoned for commercial development since 1998 (27 years). The PCD was initially planned to be developed with a hotel, conference center, and commercial uses adjacent to Taylor Road. The PCD includes five (5) parcels/sites (Figure 2):

- Two (2) parcels (Site A and B) are developed with commercial uses (PNC Bank and a multi-tenant commercial building);
- Two (2) parcels are vacant (Site C and D); and
- The southernmost parcel (Site E) was sold to the City of Port Orange in 2007, and in 2010 a stormwater pond for the drainage associated with widening Williamson Boulevard was constructed.

The proposed 1st Amendment to the Summer Trees Plaza MDA only pertains to Sites A-D and **does not** include the city-owned parcel (Site E). Figure 2 shows the location of the five parcels and the approximate distance from the nearest residential lots to the two vacant sites that remain.

Figure 2. Summer Trees Plaza PCD Amendment Area



The MDA for the Summer Trees Plaza PCD currently allows commercial uses such as hotels, restaurants, retail, medical and professional offices, assisted living facilities, etc. The additional uses proposed to be added to the list of allowed uses on any of the four

sites (Sites A-D) include 1) craft food and beverage producers, 2) microbreweries, and 3) private schools. According to the applicant, the uses are being added to provide more flexibility for new development and/or redevelopment in the PCD. The three proposed additional uses listed above will be required to comply with all City development requirements in the Land Development Code (LDC). For the craft food and beverage producers and microbreweries, there are additional special development requirements, which include requirements for screening, storage, and parking that will need to be met if developed. The special development requirements for these two uses are consistent with the special development requirements for these uses in the LDC. The special development requirements are listed in Exhibit B of the MDA.

In addition to the uses proposed to be allowed on Sites A-D, listed above, the applicant also requests to add mini-warehouses and motor vehicle and boat storage to the list of allowed uses on Sites C and D (See Figure 2). The proposed 1st Amendment to the MDA requires the development of mini-warehouses and/or motor vehicle and boat storage use to meet the standard commercial site requirements (landscape buffers, screening, tree preservation, architecture, traffic concurrency, drainage and other infrastructure, parking, etc.) in the City's LDC, along with the additional special development requirements which include wider landscape buffers, screen walls/fences, and building orientation to provide sufficient screening of these uses from residential areas and/or major roadways. The special development requirements for these uses are listed in Exhibit B of the MDA.

According to the applicant, no proposed plans exist for any new development within the PCD, specifically Site C and D. The owner intends to continue to market the vacant sites for sale and has proposed the 1st Amendment to the MDA to make the sites more marketable by adding the uses listed above as possible options. While the vacant sites have been on the market for several years, the owner has recently been approached about developing a mini-warehouse facility with a motor vehicle and boat storage. Before any development within the PCD, a site plan must be submitted to the City and approved by the Staff Development Review Committee (SDRC). Any development in the PCD will be needed to meet the standard commercial site requirements (landscape buffers, screening, tree preservation, architecture, traffic concurrency, drainage and other infrastructure, parking, etc.) in the City's Land Development Code, along with any additional special development requirements listed in the MDA.

The Signage and Architectural/Design Standards sections of the MDA have been also updated to remove outdated signage and architectural requirements that are no longer consistent with the signage and architectural requirements in the LDC. The proposed amendments require all development within the PCD to comply with the City's current commercial signage and architectural requirements in the LDC that apply city-wide, simplify the MDA text, and ensure the standards remain current with current city regulations over time.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The property is designated *Office/Residential Transition* on the Future Land Use (FLU) map. The original MDA was found to be consistent with the Comprehensive Plan when it was approved in 2007. The proposed 1st Amendment does not change the FLU

designation for the subject property and is consistent with the general intent of the City's Comprehensive Plan.

PUBLIC NOTICE

Public Notice signs were posted along Taylor Road and Sumer Trees Road on January 30, 2025. As of the posting of this agenda, staff have received four (4) phone calls, which were general inquiries regarding the proposed PCD Amendment.

RECOMMENDATION

Staff recommends approval of the 1st Amendment to the Summer Trees Plaza PCD Master Development Agreement.

ATTACHMENT

Exhibit 1 - 1st Amendment to the Master Development Agreement for Summer Trees Plaza Planned Commercial Development

Exhibit 1

Document Prepared By
Storch Law Firm
420 South Nova Road
Daytona Beach, FL 32114

Return recorded document to:
City of Port Orange
1000 City Center Circle
Port Orange, FL 32129

FIRST AMENDMENT TO THE SUMMER TREES PLAZA MASTER DEVELOPMENT AGREEMENT FOR PLANNED COMMERCIAL DEVELOPMENT

THIS FIRST AMENDMENT TO THE SUMMER TREES PLAZA THE MASTER DEVELOPMENT AGREEMENT FOR PLANNED COMMERCIAL DEVELOPMENT (the “**First Amendment**”) is made this ____ day of _____, 2025, by and among the City of Port Orange, a political subdivision of the State of Florida (“**City**”) whose address is 1000 City Center Circle, Port Orange, Florida 32119; and Sun Glow Construction, Inc., a Florida corporation (“**Sun Glow**”), whose address is 230 N. Beach Street, Suite 4, Daytona Beach, Florida 32114.

WHEREAS, the City and Sun Glow previously entered into an agreement and covenant to bind their successors and assigns to the terms and provisions of a development agreement entitled “The Summer Trees Plaza Master Development Agreement for Planned Commercial Development”, recorded in Official Records Book 6165, Page 4012, of the Public Records of Volusia County, Florida (the “**Master Development Agreement**”), relating to property described therein; and

WHEREAS, the only property subject to this First Amendment are more particularly described in the legal description attached hereto and incorporated herein as Exhibit “A” (the “**Property**”);

WHEREAS, the City and Sun Glow wish to further amend the Master Development Agreement for the purposes of amending the permitted use in the Master Development Agreement.

NOW, THEREFORE, the parties, in consideration of the mutual and covenants contained herein, and with the intent to be legally bound and to bind their successors and assigns, due hereby agree as follows:

1. The recitals and premises set forth above are true and correct, form a material part of this Ninth Amendment and are incorporated herein by reference.

2. Section 4(a) of the Master Development Agreement is hereby amended by underline and strikethrough to read as follows:

4. PERMITTED USES FOR SUMMER TREES PLAZA.

(a) The Permitted Uses in Summer Trees Plaza shall include the following:

Appliance/Electrical Repair Shops;
Assisted Living Facilities/Nursing Homes;

Banks and Financial Services with drive-thru facilities;
 Business Services;
 Camouflaged and Monopole Communication Towers;
 Child Care;
 Clubs, lodges and fraternal organizations;
 Convenience Stores (without fuel operations);
Craft food and beverage producer (designed in accordance with the special development requirements in Exhibit B);
 Health/exercise clubs;
 Hotels/Motels;
 Fleet-based services;
 Funeral Homes;
 Furniture and Appliance Services
 Medical Offices/Clinics;
Microbrewery (designed in accordance with the special development requirements in Exhibit B);
Mini warehouses (limited to Parcel Nos. 631900000222 and 631900000220 and designed in accordance with special development requirements in Exhibit B)
Motor Vehicle and Boat Storage (limited to Parcel Nos. 631900000222 and 631900000220 and designed in accordance with special development requirements in Exhibit B)
 Municipal Uses, including Stormwater Retention;
 Office Supplies;
 Offices;
 Personal Services;
Private schools;
 Retail Home Building Materials;
 Retail Nursery and Garden Supplies;
 Retail Sales and Services;
 Restaurant (Type “A” Site Down Only);
 Veterinary Clinics; and
 Xerographic and Offset Printing.

3. Section 9 of the Master Development Agreement is hereby amended to read as follows:

9. SIGNAGE. The applicable City signage ordinances in effect at the time of development, as defined by the Code, shall control.

4. Section 10 of the Master Development Agreement is hereby amended to read as follows:

10. ARCHITECTURAL/DESIGN STANDARDS. The applicable City architectural standards in effect at the time of development, as defined by the Code, shall control.

5. Section 11 of the Master Development Agreement is hereby amended to read as follows:

11. EXPIRATION. Development of the Summer Trees Plaza shall commence within ten (10) years from the effective date of the First Amendment. Failure to comply with the schedule set out above shall cause this Agreement to lapse unless the schedule is modified by mutual agreement of the Owner and the City. The term “development” shall be as defined by the Code.

6. This First Amendment shall be effective upon the recording of the First Amendment in the Public Records of Volusia County, Florida at the expense of Sun Glow.

7. The Master Development Agreement, as previously enacted, shall remain in full force and effect except with respect to those matters specifically amended by this First Amendment.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have executed this Ninth Amendment, by and through their duly authorized representatives, on the respective dates below:

“CITY”

CITY OF PORT ORANGE, a Florida
municipal corporation

WITNESSES:

Print Name: _____

By: _____
Scott Stiltner, Mayor

Print Name: _____

Print Name: _____

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

Print Name: _____

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 _____, 2025, by _____ and Scott Stiltner, Mayor and Robin L. Fenwick, City Clerk, both of the City of Port Orange, a Florida municipal corporation, on behalf of the City. They are personally known to me and did not take an oath.

Notary: Type, Print or Stamp Name

My Commission Expires:

WITNESSES:

“Sun Glow”

SUN GLOW CONSTRUCTION, INC.,
a Florida corporation

Print Name: _____

By: _____

Print Name: _____

Its: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this ____ day of _____, 2025, by _____, as _____ of Sun Glow Construction, Inc., a Florida corporation. He/she is personally known to me or produced _____ as identification and did not take an oath.

(Seal)

Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION

SITE C

LEGAL DESCRIPTION:

A PORTION OF THAT UNPLATTED LAND LYING IN SECTION 19, TOWNSHIP 16 SOUTH, RANGE 33 EAST, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SUMMER TREES, UNIT I, AS RECORDED IN MAP BOOK 34, PAGES 10-11, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N63°59'01"E, ALONG THE NORTH LINE OF SAID SUMMER TREES, UNIT I, SAID LINE ALSO BEING THE SOUTH LINE OF TAYLOR ROAD (A 100 FOOT RIGHT OF WAY PER SAID SUMMER TREES, UNIT I), A DISTANCE OF 332.52 FEET TO THE NORTHEAST CORNER OF SAID SUMMER TREES, UNIT I; THENCE CONTINUE ALONG SAID SOUTH LINE OF TAYLOR ROAD, NORTH 63°59'01" EAST, A DISTANCE OF 175.99 FEET TO THE NORTHWEST CORNER OF CNB SUBDIVISION, AS RECORDED IN MAP BOOK 46, PAGE 91; THENCE SOUTH 00°27'55" EAST ALONG THE WEST LINE OF SAID CNB SUBDIVISION, A DISTANCE OF 267.38 FEET TO THE SOUTHWEST CORNER OF SAID CNB SUBDIVISION AND THE POINT OF BEGINNING; THENCE SOUTH 89°53'35" EAST ALONG THE SOUTH LINE OF SAID CNB SUBDIVISION AND THE SOUTH LINE OF TAYLOR / AIRPORT SUBDIVISION, AS RECORDED IN MAP BOOK 49, PAGE 1, A DISTANCE OF 231.68 FEET; THENCE DEPARTING SAID SOUTH LINE OF TAYLOR / AIRPORT SUBDIVISION, SOUTH 00°26'30" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°53'35" EAST, A DISTANCE OF 24.90 FEET; THENCE SOUTH 00°17'33" EAST, A DISTANCE OF 284.63 FEET; THENCE SOUTH 89°32'51" WEST, A DISTANCE OF 104.83 FEET TO A POINT ON THE EAST LINE OF SUMMER TREES UNIT III-A, AS RECORDED IN MAP BOOK 37, PAGE 62; THENCE THE NEXT THREE (3) COURSES ALONG SAID EAST LINE OF SUMMER TREES UNIT III-A; (1) NORTH 25°18'17" WEST, A DISTANCE OF 206.92 FEET; (2) THENCE SOUTH 62°33'25" WEST, A DISTANCE OF 82.00 FEET; (3) THENCE NORTH 27°26'35" WEST, A DISTANCE OF 145.00 FEET TO THE NORTHEAST CORNER OF SAID SUMMER TREES UNIT III-A; THENCE DEPARTING SAID BOUNDARY LINE OF SUMMER TREES, UNIT III-A, THENCE NORTH 69°27'44" EAST, A DISTANCE OF 79.76 FEET TO THE POINT OF BEGINNING.

CONTAINING: 65,165 SQUARE FEET OR 1.5 ACRES OF LAND, MORE OR LESS.

AND

SITE D

LEGAL DESCRIPTION:

A PORTION OF THAT UNPLATTED LAND LYING IN SECTION 19, TOWNSHIP 16 SOUTH, RANGE 33 EAST, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SUMMER TREES, UNIT I, AS RECORDED IN MAP BOOK 34, PAGES 10-11, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N63°59'01"E, ALONG THE NORTH LINE OF SAID SUMMER TREES, UNIT I, SAID LINE ALSO BEING THE SOUTH LINE OF TAYLOR ROAD (A 100 FOOT RIGHT OF WAY PER SAID SUMMER TREES, UNIT I), A DISTANCE OF 332.52 FEET TO THE NORTHEAST CORNER OF SAID SUMMER TREES, UNIT I; THENCE CONTINUE ALONG SAID SOUTH LINE OF TAYLOR ROAD, NORTH 63°59'01" EAST, A DISTANCE OF 175.99 FEET

TO THE NORTHWEST CORNER OF CNB SUBDIVISION, AS RECORDED IN MAP BOOK 46, PAGE 91; THENCE SOUTH 00°27'55" EAST ALONG THE WEST LINE OF SAID CNB SUBDIVISION, A DISTANCE OF 267.38 FEET TO THE SOUTHWEST CORNER OF SAID CNB SUBDIVISION; THENCE SOUTH 89°53'35" EAST ALONG THE SOUTH LINE OF SAID CNB SUBDIVISION AND THE SOUTH LINE OF TAYLOR / AIRPORT SUBDIVISION, AS RECORDED IN MAP BOOK 49, PAGE 1, A DISTANCE OF 231.68 FEET; THENCE DEPARTING SAID SOUTH LINE OF TAYLOR / AIRPORT SUBDIVISION, SOUTH 00°26'30" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°53'35" EAST, A DISTANCE OF 24.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°53'35" EAST, A DISTANCE OF 362.76 FEET TO A POINT ON THE WEST LINE OF AIRPORT ROAD COMMERCIAL SUBDIVISION, AS RECORDED IN MAP BOOK 53, PAGES 135-138; THENCE SOUTH 00°27'55" EAST ALONG SAID WEST LINE OF AIRPORT ROAD COMMERCIAL SUBDIVISION, A DISTANCE OF 220.86 FEET TO THE SOUTHWEST CORNER OF SAID AIRPORT ROAD COMMERCIAL SUBDIVISION; THENCE NORTH 89°32'05" EAST ALONG THE SOUTH LINE OF SAID AIRPORT ROAD COMMERCIAL SUBDIVISION, A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF TAYLOR WOODS II, AS RECORDED IN MAP BOOK 42, PAGE 200; THENCE SOUTH 00°27'55" EAST ALONG THE WEST LINE OF SAID TAYLOR WOODS II, A DISTANCE OF 60.23 FEET; THENCE DEPARTING SAID WEST LINE OF TAYLOR WOODS II, SOUTH 89°32'51" WEST, A DISTANCE OF 378.60 FEET; THENCE NORTH 00°17'33" WEST, A DISTANCE OF 284.63 FEET; TO THE POINT OF BEGINNING.

CONTAINING: 103,632 SQUARE FEET OR 2.38 ACRES OF LAND, MORE OR LESS.

Exhibit B

Special Development Requirements

Craft food and beverage producer

- (a) Required to include one or more accessory uses such as a tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other use incidental to the brewery and open and accessible to the public.
- (b) Access and loading and unloading facilities are required to be internal to the site or development or located at the back (or side not adjacent to a single-family or duplex residential use or zoning district) of building.
- (c) Required parking is calculated based on square footage proposed for each use (example: manufacturing parking ratio + retail parking ratio based on square-footage).
- (d) All outdoor equipment and storage of materials, including silos, products for distribution, and other items requiring long-term storage shall be allowed in areas behind building, in enclosed buildings, or otherwise screened, using architectural features consistent with the principal structure, from the public right of way or a single-family or duplex residential use or residential zoning district. Spent or used grain or similar materials that can attract rodents shall be stored in sealed containers.
- (e) Off-site distribution via semi-trailer (articulated combination vehicle with a permanent or semi-permanent pivoting joint; does not include a straight or box truck with no articulation) is only permitted if the truck traffic is limited to streets classified as arterial on the Comprehensive Plan Roadway Functional Classification Map.
- (f) Outdoor seating is not permitted to be located on any side adjacent to a single-family or duplex residential use or residential zoning district.
- (g) Shall comply with all applicable federal, state and local laws.

Microbrewery

- (a) Required to include one or more accessory uses such as a tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other use incidental to the microbrewery and open and accessible to the public.
- (b) Decorative silos that are designed to be compatible and integral with the principal structure are permitted. No additional sign area is permitted for decorative silos; however, permitted wall sign area for the principal structure or building may be transferred to the silo, provided that silo signage is only situated on the sides of the silo visible from a right-of-way. The maximum height shall not exceed the maximum building height of the zoning district.
- (c) Access and loading and unloading facilities are required to be internal to the site or development or located at the back (or side not adjacent to a single-family or duplex residential use or zoning district) building.
- (d) Required parking is calculated based on square footage proposed for each use (example: manufacturing parking ratio + bar parking ratio based on square-footage).
- (e) Storage of materials, including silos, products for distribution, and other items requiring long-term storage shall be allowed in areas behind building (or a side not adjacent to a residential use or zoning district), in enclosed buildings, or otherwise screened from the public right of way or a single-family or duplex residential use or residential zoning district- Spent or used grain shall be stored in sealed containers.
- (f) Off-site distribution via semi-trailer (articulated combination vehicle with a permanent or semi-permanent pivoting joint; does not include a straight or box truck with no articulation) is only permitted if the truck traffic is limited to streets classified as arterial on the Comprehensive Plan Roadway Functional Classification Map.
- (g) Outdoor seating is not permitted to be located on any side adjacent to a single-family or duplex

residential use or residential zoning district.

- (h) Shall comply with all applicable federal, state and local laws.

Mini warehouses

- (a) Warehouse buildings shall be screened from any public rights-of-way by a six-foot high opaque fence or wall with a type 2 bufferyard planted along the street side of the fence or wall. Bufferyard requirements may be increased in accordance with chapter 13 of the Land Development Code.
- (b) All storage unit doors shall face interior to the development.
- (c) The proposed site shall front on or have driveway access to an arterial roadway.

Motor Vehicle and Boat Storage

- (a) The proposed site shall front on or have driveway access to an arterial roadway.
- (b) Buffering shall be provided based on a land use intensity factor of six for completely enclosed facilities and seven for fenced facilities.
- (c) Outside storage shall be completely enclosed within a six- to eight-foot-high opaque fence or wall.
- (d) Vehicles shall include automobiles, trucks, vans, boats, boat trailers, recreational vehicles, and other similar vehicles which are customarily owned, rented or leased by the average family. Such vehicles shall be licensed and fully operational at all times. Towing to and impoundment at the facility of any inoperable vehicle or appurtenance thereof shall not be permitted.
- (e) Vehicle washing shall be confined to a commercial facility on pervious surface in compliance with the water conservation regulations of the city.
- (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.
- (g) Living quarters for a resident manager may be permitted, provided such quarters are occupied by the manager.
- (h) Required parking shall be provided at a ratio of one space for each ten storage stalls or fraction thereof, plus one space for each employee at the largest shift and two spaces if resident manager living quarters are provided.



STAFF REPORT

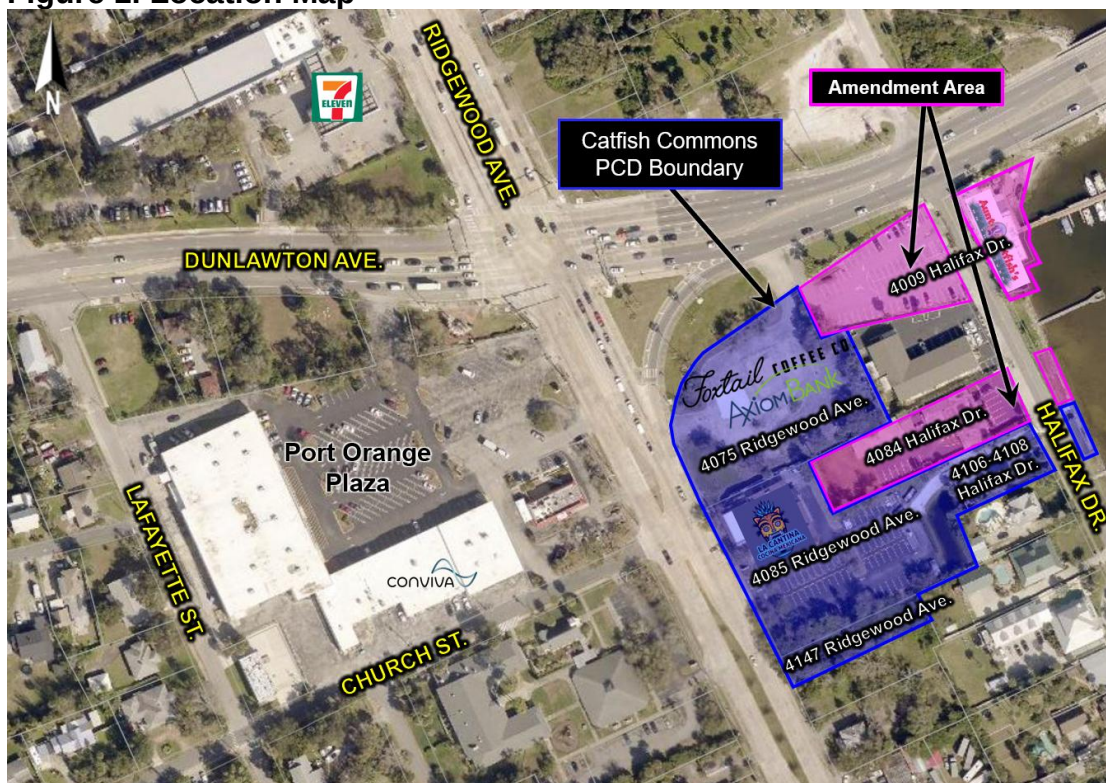
Small-Scale Comprehensive Plan Future Land Use Map Amendment / 4009 and 4084 Halifax Drive CASE NO. CPAM-24-0003

REQUEST:	Amend the Comprehensive Plan Future Land Use (FLU) map to change the FLU designation for ± 1.2 acres from <i>Commercial</i> to <i>Mixed-Use Center</i> .
LOCATION:	4009 and 4084 Halifax Drive
OWNERS/APPLICANTS:	Brendan and Shannon Galbreath and Halifax 4084 LLC
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	February 27, 2025

INTRODUCTION

The property owners are requesting to change the Future Land Use (FLU) map designation for ± 1.2 acres at 4009 (Aunt Catfish Restaurant) and 4084 (former Maloney Funeral Home) Halifax Drive from *Commercial* to *Mixed-Use Center*. The proposed FLU amendment is being processed concurrently with the restatement of the Master Development Agreement (MDA) for the Catfish Commons Planned Commercial Development (PCD) to add 4084 Halifax Drive into the PCD and establish the framework to redevelop 4009 and 4084 Halifax Drive. The two subject properties are shown in purple, and the current boundary of the Catfish Commons PCD is shown in blue in Figure 1.

Figure 1. Location Map



PROPOSED AMENDMENT

The request to change the FLU designation for the 1.2 acres from *Commercial* to *Mixed-Use Center* is to allow the inclusion of residential units within the PCD while maintaining the commercial uses on the subject properties. The *Mixed-Use Center* designation is an alternative to single-use categories, such as residential or commercial. The mixed-use designation allows a variety of land uses, which may include a combination or mixture of commercial, office, service, residential, and institutional development, and is focused around a point of high activity, such as an intersection of collector or higher-classified roads.

According to the applicants, the request to change the FLU designation of the subject properties to the *Mixed-Use Center* designation allows a combination of commercial, office, and residential uses, which is impossible with the current FLU designations that only allow single-use categories.

Concurrent with the FLU amendment, the property owners are requesting to restate the Catfish Commons MDA to provide the framework to redevelop the property at 4084 Halifax Drive as a mixed-use building with commercial uses on the first floor and up to eight residential units above and a 12-slip marina and allow the addition of two residential units above the existing Aunt Catfish's restaurant at 4009 Halifax Drive.

PROPERTY OVERVIEW

The following section will examine the proposed amendment and its impacts. The properties are located along the Ridgewood Corridor and within the Port Orange Town Center Redevelopment Area (CRA). The surrounding existing land uses, Future Land Use designations, and Zoning classifications are identified in Tables 1 and 2.

Table 1. 4009 Halifax Drive Surrounding Land Uses, Future Land Use Designation and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Dunlawton Avenue	N/A	N/A
South	Multi-Family Residential	<i>Commercial</i>	Ridgewood Development (RD)
East	Halifax River	N/A	N/A
West	Commercial	<i>Commercial</i>	Planned Commercial Development (Catfish Commons PCD)

Table 2. 4084 Halifax Drive Surrounding Land Uses, Future Land Use Designation and Zoning

Direction	Existing Land Use	FLU Designation	Zoning District
North	Commercial and Multi-family Residential	<i>Commercial</i>	Planned Commercial Development (Catfish Commons PCD) and Ridgewood Development (RD)
South	Single-family Residential & Commercial	<i>Commercial & Mixed-Use Center</i>	Planned Commercial Development (Catfish Commons PCD)
East	Halifax River	N/A	N/A
West	Commercial	<i>Mixed-Use Center</i>	Planned Commercial Development (Catfish Commons PCD)

The current FLU designation for the adjacent properties and proposed FLU designation for the subject properties are identified in Figure 2.

Figure 2. Current and Proposed FLU Map



The current zoning classifications for the adjacent properties and the proposed zoning classification for the subject properties are identified in Figure 3. The applicants submitted a PCD rezoning application that is being concurrently reviewed with the proposed FLU amendment to rezone the property at 4084 Halifax Drive from Community Commercial (CC) to Planned Commercial Development (PCD) (Case No. PRZA-24-0008). The property at 4009 Halifax Drive is already zoned PCD and in the Catfish Commons PCD.

Figure 3. Current and Proposed Zoning Map



The following table identifies the acreage for the current and proposed FLU designations by acreage (Table 3).

Table 3. Current & Proposed Future Land Uses – Acreage by Category

FLU Designation	Current FLU (acres)	Proposed FLU (acres)	Net Change in FLU (acres)
<i>Commercial</i>	1.2	0	-1.2
<i>Mixed-Use Center</i>	0	1.2	+1.2
Total Acreage	1.2	1.2	0

The following table identifies the maximum allowable density/intensity (Table 4) of current adopted and proposed FLU designations. The maximum residential density allowed in *Mixed-Use Center* FLU designation is 16 dwelling units per gross acre. The maximum Floor Area Ratio (FAR) for non-residential uses allowed in this category is 1.5. The allowable distribution of uses within the *Mixed-Use Center* FLU designation is within the following ranges, with the cumulative mixture of percentages equaling 100%:

- commercial (not including office) 50%-90%
- office 10% - 90%
- residential 0% - 50%
- institutional 0% - 35%

If approved, the proposed FLU designation will serve as an alternative to the single-use commercial node and promote the redevelopment of an existing commercial property within the Port Orange Town Center CRA, with access to existing infrastructure such as water, sewer, and roads.

Table 4. Current & Proposed Future Land Uses – Density/Intensity by Category

	Current FLU	Proposed FLU	Net Change in FLU
	[Theoretical Maximum Density (units)/Intensity (sq. ft.)]		
<i>Commercial (0.5 FAR for Community Node)</i>	26,136 sq. ft. commercial	0	-26,136 sq. ft. commercial
Scenario #1: <i>Mixed-Use Center</i> <i>50% Residential (16 units/acre)</i> <i>/50% Commercial (1.5 FAR*)</i>	0 units 0 sq. ft.	10 units 39,204 sq. ft. commercial	+10 units +39,204 sq. ft. commercial
Scenario #2: <i>Mixed-Use Center</i> <i>90% Commercial (1.5 FAR)/10% office (1.5 FAR)</i>	0 sq. ft.	70,567 sq. ft. commercial 7,841 sq. ft. office	+70,567 sq. ft. commercial +7,841 sq. ft. office
TOTAL	Scenario #1: 0 units 26,136 sq. ft.	Scenario #1: 10 units 39,204 sq. ft.	Scenario #1: +10 units +13,068 sq. ft.
	Scenario #2: 26,136 sq. ft.	Scenario #2: 78,408 sq. ft.	Scenario #2: +52,272 sq. ft.

* FAR - The Floor Area Ratio (FAR) is the ratio of a building's total floor area (gross floor area) to the size of land it is built upon.

INFRASTRUCTURE IMPACT ASSESSMENT

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based on the theoretical maximum development potential under the current future land use designation versus the designation proposed. The following seven public facilities and services were examined:

1. Transportation
2. Sanitary Sewer
3. Potable Water
4. Solid Waste
5. Stormwater Drainage
6. Recreation
7. Schools

Table 5. Impact Analysis (Theoretical Maximum)

Development Variable	Current Land Use	Proposed Land Use		Net Change	
	100% Commercial (0.5 FAR)	Scenario 1 (50% Residential/ 50% Commercial)	Scenario 2 (90% Commercial/ 10% Office)	Scenario 1 (50% Residential/ 50% Commercial)	Scenario 2 (90% Commercial/ 10% Office)
Residential Units	0	10	0	+10	0
Non-residential Buildable Sq. Ft.	26,136	39,204	78,408	+13,068	+52,272
Population ¹	0	24	0	+24	0
PM Peak Hour Trips/ Daily Trips ²	97 1,116	152 1,741	295 3,297	+55 +625	+198 +2,180
Sanitary Sewer (gallons/ day) ³	2,614	5,520	7,841	+2,907	+5,227
Potable Water (gallons/ day) ⁴	2,614	5,720	7,841	+3,107	+5,227
Solid Waste (lbs./day) ⁵	261	469	784	+208	+523
Stormwater Drainage ⁶	n/a	n/a	n/a	n/a	n/a
Recreation/ Open Space (acres) ⁷	0	0.07	0	+0.07	0

Notes:

1. Population: 2.39 persons per household (per 2020 Census)
2. Transportation: Multi-family Apartments (220) 0.62 PM peak hour trips per unit and 6.65 daily trips per unit; Shopping Center (820) trips per 1,000 sq. ft. - 3.71 PM Peak Hour; 42.70 Average Daily; Medical Office (720) trips per 1,000 sq. ft. – 4.27 PM Peak Hour, 36.13 Average Daily; ITE Trip Generation Manual, 11th Edition
3. Sanitary Sewer: 160 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
4. Potable Water: 180 gallons per day per Equivalent Residential Unit; 1/10 gallon per square foot per day of non-residential development
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 square feet of non-residential development per day
6. Stormwater Drainage: LOS standard = 25-year, 24-hour event; Drainage system will be designed to meet the requirements of the Land Development Code
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)

The proposed FLU amendment results in a net increase in the number of residential units and non-residential square footage, and it impacts public infrastructure based on the theoretical maximum analysis. However, all public facilities have adequate capacity to

accommodate the proposed amendment and anticipated development. The proposed Restated Catfish Commons MDA allows an overall maximum of 10 residential dwelling units on the two-subject property (4009 and 4084 Halifax Drive), and the commercial square footage allowed on 4084 Halifax Drive is anticipated to be ±11,000 square feet, which is significantly less than the theoretical maximum commercial square footage required to be analyzed.

As with all development, the specific site development proposal for the subject properties will be subject to concurrency regulations at the time of development, requiring adequate public facilities to be provided or to mitigate their impacts.

TRANSPORTATION

As indicated in the Impact Analysis (Table 5), there is an increase in the number of daily trips and P.M. peak hour trips from the current *Commercial* FLU designation to the proposed *Mixed Use Center* FLU designation based on the theoretical maximum analysis. Based on the ITE Trip Generation Manual, 11th Edition, the proposed FLU designation could generate a theoretical maximum of 295 P.M. peak hour trips and 3,297 daily trips.

As previously mentioned, in conjunction with the FLU amendment, a restatement of the Catfish Commons MDA is being processed by a separate application, and based on the allowed number of dwelling units and commercial square footage, the redevelopment of these two properties is anticipated to generate a slight increase in P.M. peak hour trips and daily trips above the traffic currently generated by the development on the subject properties. The proposed development will provide pedestrian connections to link to the other properties within the PCD. The property is also located along the VOTRAN bus route.

Table 6. Roadway Capacity

Road	Location	Volume	Capacity	V/C Ratio*	Remaining Capacity
Ridgewood Avenue	North of Dunlawton Ave.	25,000	39,800	0.63	37%
Ridgewood Avenue	Dunlawton Ave. to Oak Street	17,600	39,800	0.44	56%
Dunlawton Avenue	East of Ridgewood Ave.	26,500	39,800	0.67	33%
Dunlawton Avenue	Ridgewood Ave. to Spruce Creek Rd.	26,500	39,800	0.67	33%

* Volume/Capacity (V/C) Ratio - Volume-Demand-to-Capacity Ratio compares roadway demand (vehicle volumes) with roadway supply (carrying capacity). A V/C ratio of 1.00 indicates that the roadway is operating at capacity.

Source: 2024 Volusia County Traffic Engineering.

As with all development, the specific site development proposal for the subject property will be subject to concurrency regulations at the time of development, requiring adequate transportation facilities to be provided or to mitigate their impacts.

SANITARY SEWER

The City has available sewer capacity to accommodate the proposed FLU amendment. The City's adopted LOS standard is 160 gallons per day per Equivalent Residential Unit

(ERU) and 1/10 gallon per square foot per day of commercial, industrial, or institutional development. Using these standards, the proposed land use would theoretically generate a maximum of 7,841 gallons per day (gpd) of wastewater. This is a net increase of 5,227 gpd in demand between the current and proposed FLU designations.

POTABLE WATER

The City has potable water capacity (well and Consumptive Use Permit) to serve the proposed FLU amendment. The City's adopted LOS standard is 180 gallons per day per ERU and 1/10 gallon per square foot per day of non-residential development. Using these standards, the proposed land use would theoretically demand a maximum of 7,841 gallons of potable water per day. This is a net increase of 5,227 gpd in demand between the current and proposed FLU designations.

SOLID WASTE COLLECTION

The landfill has the capacity to address the city's solid waste disposal needs. The City's adopted LOS standard for solid waste is 3.21 pounds per person per day and 10 lbs. per 1,000 square feet of non-residential development per day. Using this standard, the proposed FLU designation would generate approximately 784 pounds per day of solid waste based on the theoretical maximum development analysis. This is a net increase of 523 pounds of solid waste between the current and proposed FLU. The solid waste generated within the City of Port Orange is delivered to the Volusia County landfill, a 3,000-acre Class I landfill with a projected life span to the year 2050.

STORMWATER DRAINAGE

The proposed land use is not anticipated to impact the City's drainage system. Stormwater management in the City of Port Orange deals with quality and quantity. The stormwater drainage system for this development will be required to comply with the stormwater requirements in the City's Land Development Code and hold about 9.5 inches of rain over 24 hours. More specifically, the stormwater facilities must be capable of treating and conveying the runoff from such a storm without causing flooding of adjacent properties or polluting any receiving water bodies. In addition, the Comprehensive Plan and Land Development Code require that there be no net loss of stormwater retention function as a result of development. In other words, a given parcel must have the same ability to store and discharge water after development as it does before development occurs. Any future redevelopment of the property will be required to address stormwater retention on the property in accordance with these City standards.

RECREATION AND OPEN SPACE

There is capacity at existing park facilities to accommodate the proposed FLU amendment. The proposed FLU designation would require 0.07 acres of parkland. According to the City's 2024 Concurrency Management Report, the city has over 66 acres of parkland, so no additional parkland is needed.

SCHOOLS

Pursuant to the Volusia County School District criteria, the School Board issued a letter of exemption for a finding of adequate capacity for the proposed ten residential units in the Catfish Commons PCD, as the proposed development is below the threshold for

requiring school concurrency review. If additional dwelling units are proposed, the Volusia County School Board will require additional concurrency review.

REVIEW CRITERIA AND STAFF FINDINGS

1. *The land use proposal is consistent with the goals, objectives, and policies of the adopted Port Orange Comprehensive Plan.*

Staff finding: The proposed FLU amendment is generally consistent with the City's Comprehensive Plan's pertinent Goals, Objectives, and Policies. The proposed FLU designation is compatible with adjacent parcels. Adequate capacity exists for portable water, sewer, schools, recreation, stormwater, and solid waste. As with all development, the specific site development proposals for the subject property will be subject to concurrency regulations requiring adequate public facilities to mitigate the impacts.

2. *Amendments shall not result in incompatible land use designations for adjacent parcels or a neighborhood. Compatibility shall be determined by the scale of development, intensity, density, type of use, and the juxtaposition of uses.*

Staff finding: The proposed FLU amendment is compatible with the adjacent properties (see Tables 1 and 2). Compatibility is defined in the Comprehensive Plan as a condition in which dissimilar land uses can co-exist in relative proximity to one another in a stable fashion over time, such that neither use is unduly negatively impacted by the other.

The subject property meets the locational criteria for a *Mixed-Use Center*, located near the intersection of two arterial roadways (Dunlawton Avenue and Ridgewood Avenue) with pedestrian access and bus service and being part of the Ridgewood/Dunlawton Community Commercial Node. The proposed amendment is consistent with the City's Port Orange Town Center CRA Plan redevelopment goals.

Any future development will be required to comply with all LDC requirements, including those pertaining to roadway landscape buffers and buffers and screening.

3. *An amendment shall not result in negative economic, social, or other impacts on the City of Port Orange.*

Staff finding: All public facilities have adequate capacity to accommodate the proposed amendment, and therefore, there are no negative impacts. A detailed use-specific concurrency analysis will be conducted as part of any future development of the properties to verify that adequate public facilities are provided to mitigate impacts.

4. *Whether the amendment increases the clearance time for evacuation of the population in the Hurricane Vulnerability Zone above twelve hours.*

Staff finding: The subject property is located within the Hurricane Vulnerability Zone; however, based on the theoretical maximum trip generation in Table 5 and adjacent roadway capacity in Table 6, the proposed FLU Amendment would not increase evacuation times within the Hurricane Vulnerability Zone above twelve hours.

5. *Whether the amendment discourages the proliferation of urban sprawl.*

Staff finding: The proposed amendment will not encourage sprawl. The proposed amendment will support the redevelopment of an infill property with access to existing infrastructure such as water, sewer, and roads.

PUBLIC NOTICE

On January 10, 2025, staff posted the property, notifying the public of the proposed amendment. The proposed amendment has also been advertised in the *News-Journal* pursuant to Florida Statutes. As of the time this agenda item was prepared, staff has received one (1) general inquiry regarding what was included in the proposed amendment, and there were no concerns after the discussion.

STAFF RECOMMENDATION

Staff recommends approval of the request to change the Future Land Use designation of approximately ±1.2 acres of land from *Commercial* to *Mixed-Use Center* and authorization for staff to send the amendment to the required review agencies.



STAFF REPORT

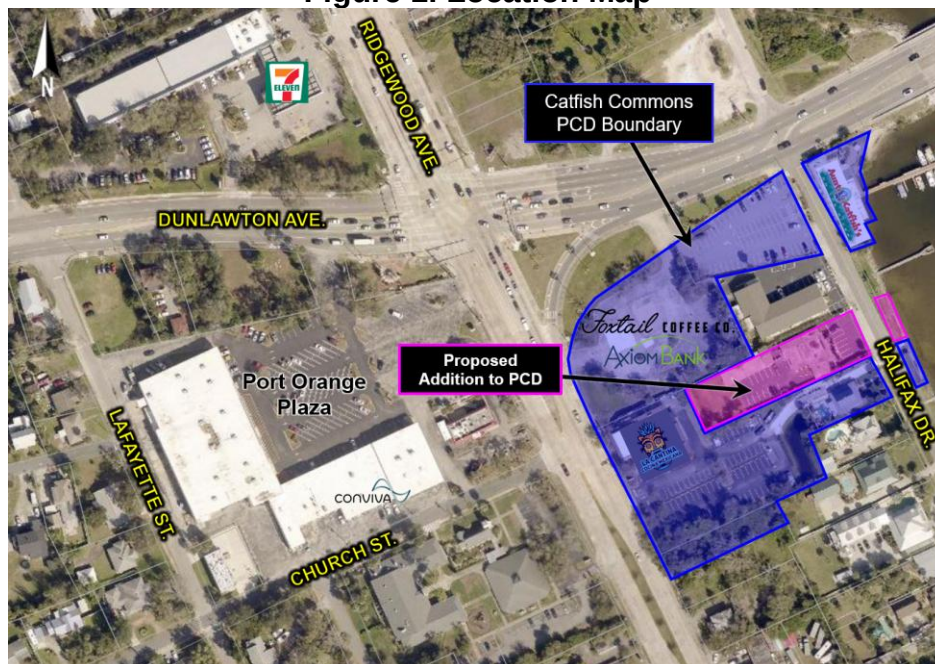
Planned Commercial Development Rezoning & Second Restatement of the Catfish Commons Master Development Agreement and Conceptual Development Plan CASE NO. PRZA-24-0008

REQUEST:	Rezone +/- 0.58 acres to Planned Commercial Development (PCD) and approve the Second Restatement to the Catfish Commons PCD Master Development Agreement (MDA) and Conceptual Development Plan (CDP).
LOCATION:	4009, 4084, 4106, and 4108 Halifax Drive and 4075, 4085, and 4147 Ridgewood Avenue (Location Map - Figure 1)
PROPERTY OWNERS AND APPLICANTS:	Brendan and Shannon Galbreath, Halifax 4084 LLC, and Commons 4075 LLC
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	February 27, 2025

INTRODUCTION

The property owners are requesting to rezone ± 0.58 acres from Community Commercial (CC) to Planned Commercial Development (PCD) and add the ± 0.58 acres into the existing Catfish Commons Planned Commercial Development (PCD), along with approval of the Second Restatement of the Catfish Commons PCD Master Development Agreement (MDA) and Conceptual Development Plan (CDP). The current PCD area is ± 3.4 acres. If approved, the overall area of the PCD would expand to ± 4.0 acres, and the Second Restatement of the MDA would provide the framework for development within the expanded PCD.

Figure 1. Location Map



DISCUSSION

The proposed Second Restatement to the Catfish Commons Master Development Agreement (MDA) and Conceptual Development Plan (CDP) would establish the following (See Exhibit 1 – Second Restatement to the Catfish Commons MDA and CDP):

1. Maintain the existing development requirements for 4106 and 4108 Halifax Drive and 4075, 4085, and 4147 Ridgewood Avenue. **These properties are already within the PCD, and the proposed restatement does not change any of the requirements for these properties.**
2. Add 4084 Halifax Drive (former Maloney Funeral Home site) into the PCD and provide the framework to redevelop the property with a mixed-use building with commercial uses on the first floor and up to eight residential units above and a 12-slip marina with on-street parking along Halifax Drive; and
3. Maintain the existing development parameters for 4009 Halifax Drive (Aunt Catfish's restaurant) and allow up to two residential units to be developed above the restaurant.

According to the property owners, the request for the Second Restatement of the MDA and CDP is to add property into the PCD, allow for mixed-use developments with residential units above commercial, and create a cohesive development that utilizes existing infrastructure on the developed properties, including buildings, parking, driveways, and utilities and provides opportunity for new development within the PCD with additional connection points into and between the properties within the PCD.

A Future Land Use (FLU) Amendment (Case No. CPAM-24-0003) to change the FLU designation at 4009 and 4084 Halifax Drive from *Commercial* to *Mixed-Use Center* is being processed concurrently to support the development in the proposed *Second Restatement of the MDA and CDP*.

The surrounding land uses, FLU designations, and zoning classifications are identified in Table 1.

Table 1. Surrounding Land Uses, FLU Designations, and Zoning Districts

4009 Halifax Drive			
Direction	Existing Land Use	FLU Designation	Zoning District
North	Dunlawton Ave. right-of-way	N/A	N/A
South	Multi-Family Apartments	<i>Commercial</i>	Ridgewood Development (RD)
East	Halifax River	N/A	N/A
West	Commercial	<i>Commercial</i>	Planned Commercial Development (Catfish Commons PCD)

4084 Halifax Drive			
Direction	Existing Land Use	FLU Designation	Zoning District
North	Commercial and Multi-family Residential	<i>Commercial</i>	Planned Commercial Development (Catfish Commons PCD) and Ridgewood Development (RD)
South	Single-family Residential & Commercial	<i>Commercial & Mixed-Use Center</i>	Planned Commercial Development (Catfish Commons PCD)
East	Halifax River	N/A	N/A
West	Commercial	<i>Mixed-Use Center</i>	Planned Commercial Development (Catfish Commons PCD)

The current and proposed FLU designations and zoning classifications are depicted in Figures 2 and 3.

Figure 2. Current and Proposed FLU Map

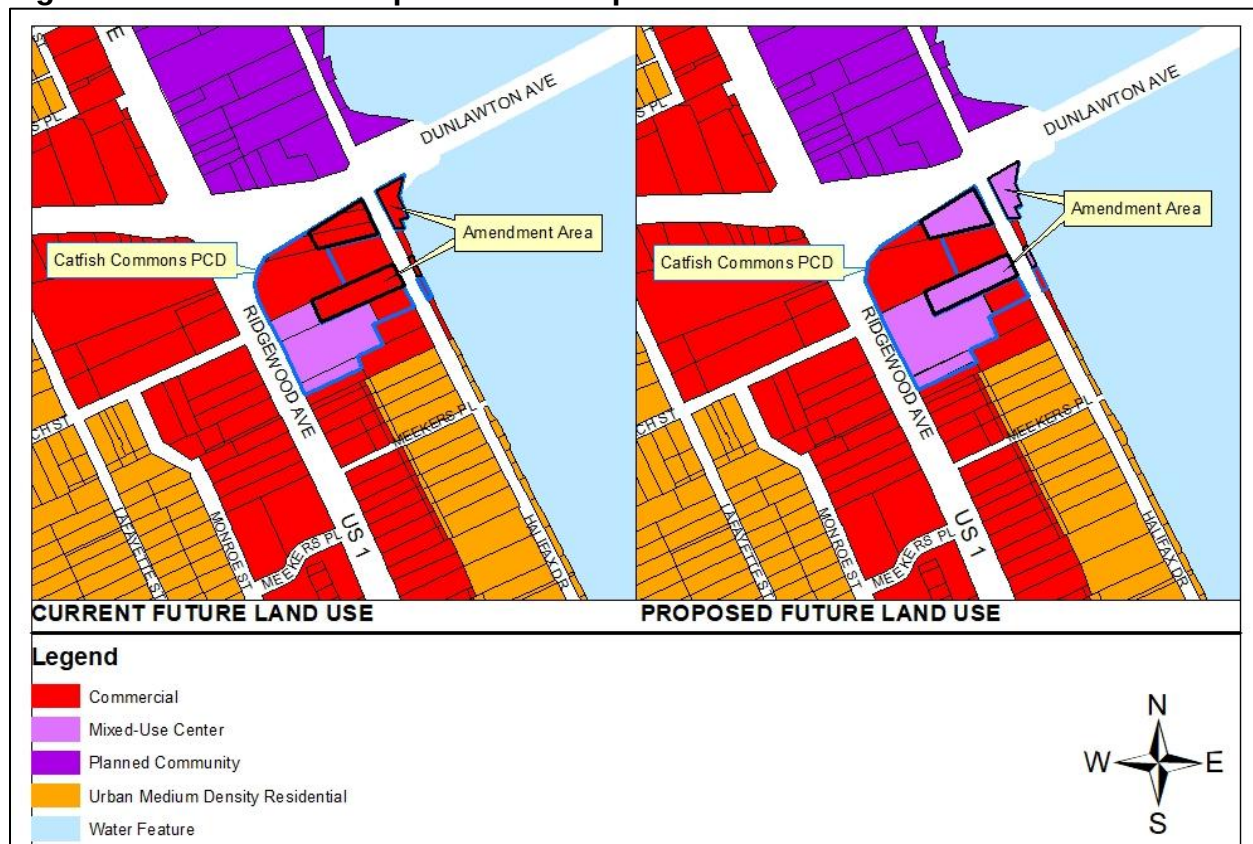
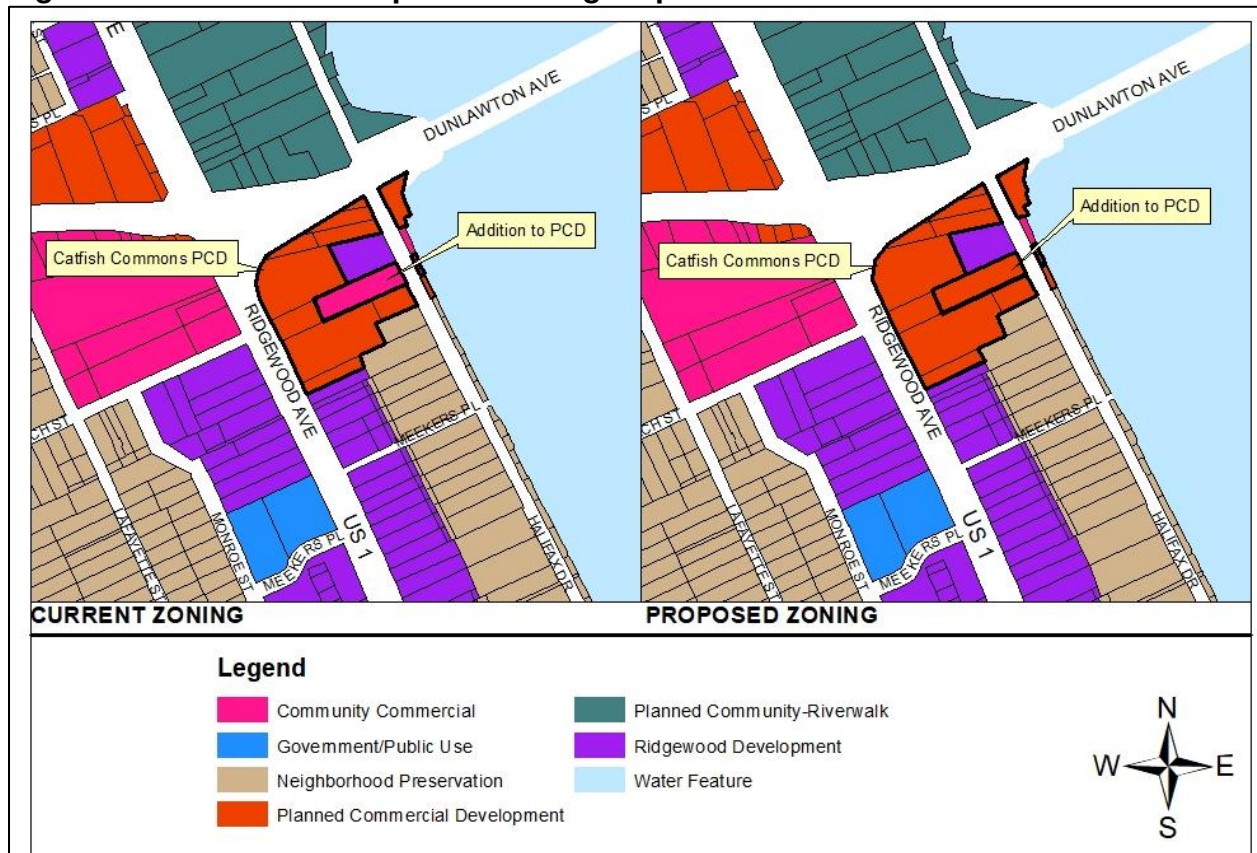


Figure 3. Current and Proposed Zoning Map

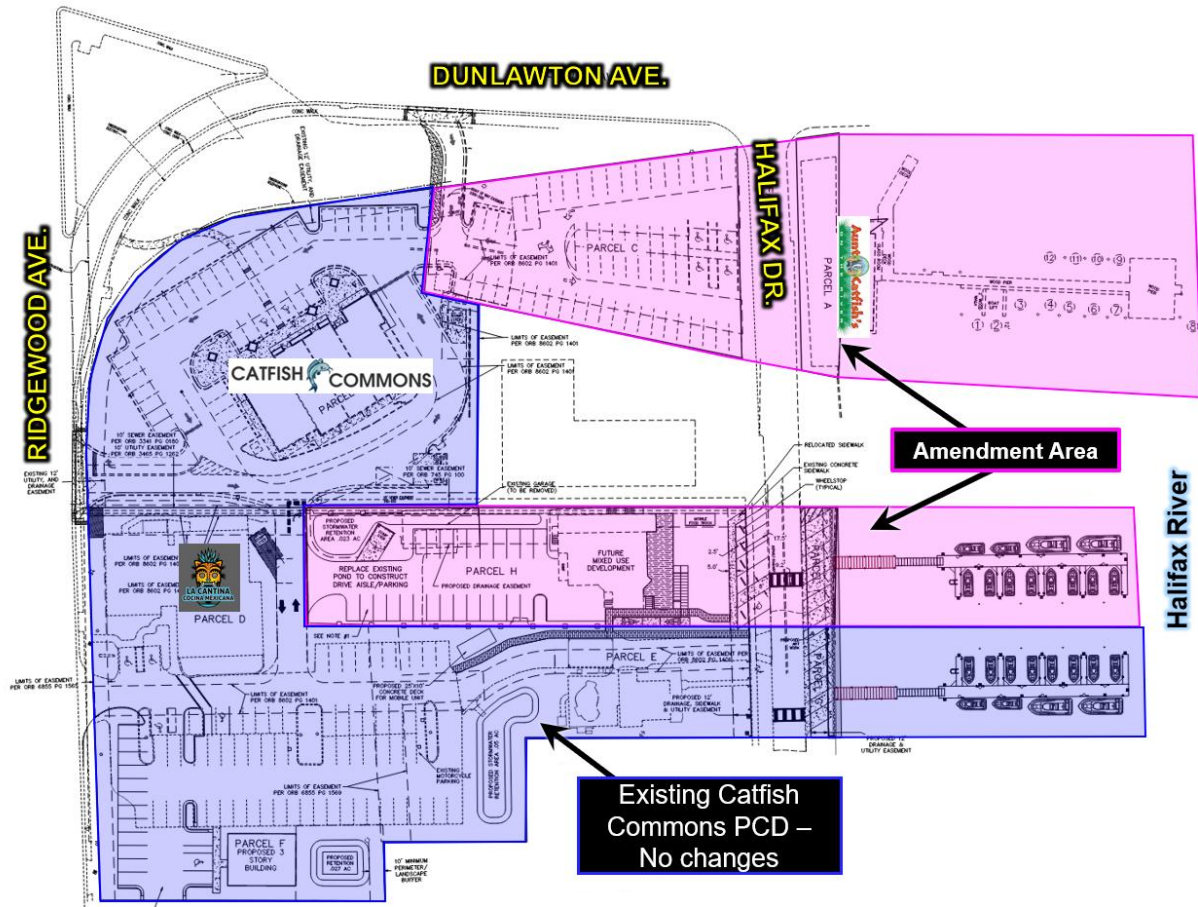


Any future development within the PCD will require development plans to be submitted and a detailed technical review by the Development Review Committee (SDRC) to determine that all requirements in the Land Development Code (LDC) and the Catfish Commons PCD MDA and CDP are met and the marina will also be required to comply with the Volusia County Manatee Protection Plan, Florida Department of Environmental Protection, and any other applicable local, state, and federal laws. As with all development, specific site development proposals for the subject property are subject to concurrency regulations at the time of development, requiring transportation facilities to be provided or for the developer to enter into a mitigation agreement for their impacts.

DEVELOPMENT PROPOSAL

The following discussion will focus on the significant aspects of the Second Restatement to the Catfish Commons MDA and CDP, such as general site layout, access, parking dimensional requirements, landscape buffers, utilities, and drainage areas. Planned Commercial Development (PCD) zoning, rather than conventional zoning, is used to create a cohesive development with efficient site and infrastructure design that allows flexibility in building setbacks, off-site signage, and parking. However, as is typical with PCDs, there are deviations from the LDC as part of the proposed Second Restatement to the Catfish Commons MDA and CDP, which are further discussed in the report.

Figure 4. Proposed Conceptual Development Plan (See Exhibit 1 for full size plan)



Dimensional Requirements

There are **no changes** to the previously approved dimensional requirements for the properties already part of the Catfish Commons PCD as part of the Second Restatement to the Catfish Commons MDA and CDP. The proposed Restated MDA provides the dimensional requirements for redeveloping 4084 Halifax Drive.

Table 2. Dimensional Requirements Comparison

Zoning	Dimensional Criteria					
	Front	Side	Rear	Maximum Building Height	Minimum Open Space	Maximum Building Coverage
Catfish Commons MDA – 4084 Halifax Drive	20 feet	North – 5 feet for new construction and 4 feet for existing structures South – 0 feet ((internal lot line))	0 feet (internal lot line)	45 feet	30%	35%
Ridgewood Development District	10 feet	15 feet	25 feet	45 feet	20%	35%

To redevelop the site with a new structure, the applicants are requesting the rear and south side setbacks be equal to 0 feet, the north setback be equal to 5 feet, and the front setback be equal to 20 feet. According to the applicants, the proposed setbacks for a new structure provide more flexibility for building placement when redeveloping a small infill property. For any structure built on the subject property or adjacent property, sufficient building separation requirements in the Florida Building Code (FBC) and Florida Fire Prevention Code would need to be met.

The Restated MDA also considers the repurposing of the existing building constructed in 1925 and establishes the setbacks for the existing building. According to the applicants, establishing the setbacks for the existing building allows it to be a conforming structure, and it can be expanded vertically (height) or toward the front or rear of the subject property. *Allowing the side and rear setbacks listed in Table 2 – Page 5 for 4084 Halifax Drive is a policy issue.*

Permitted Uses

There are **no changes** to the previously approved allowed uses for the properties already part of the Catfish Commons PCD as part of the Second Restatement to the Catfish Commons MDA and CDP. The proposed Second Restatement allows the same uses allowed in the City's Mixed-Use Center (MXU) zoning district to be developed at 4009 and 4084 Halifax Drive, which includes a combination of commercial, office, marina, and residential uses (Exhibit 2 – Uses allowed in the MXU district). The allowed uses for 4009, and 4084 Halifax Drive are consistent with the FLU designation for these properties.

The Second Restatement to the MDA and CDP provides the following density/intensity restrictions:

- Limits the number of residential units for 4009 Halifax Drive to a maximum of two (2) units.
- Limits the number of residential units for 4084 Halifax Drive to a maximum of eight (8) units. Limits the number of boat slips for 4084 Halifax Drive to 12 and prohibits overnight live-aboard vessels and the sale of gas.

Parking and Access

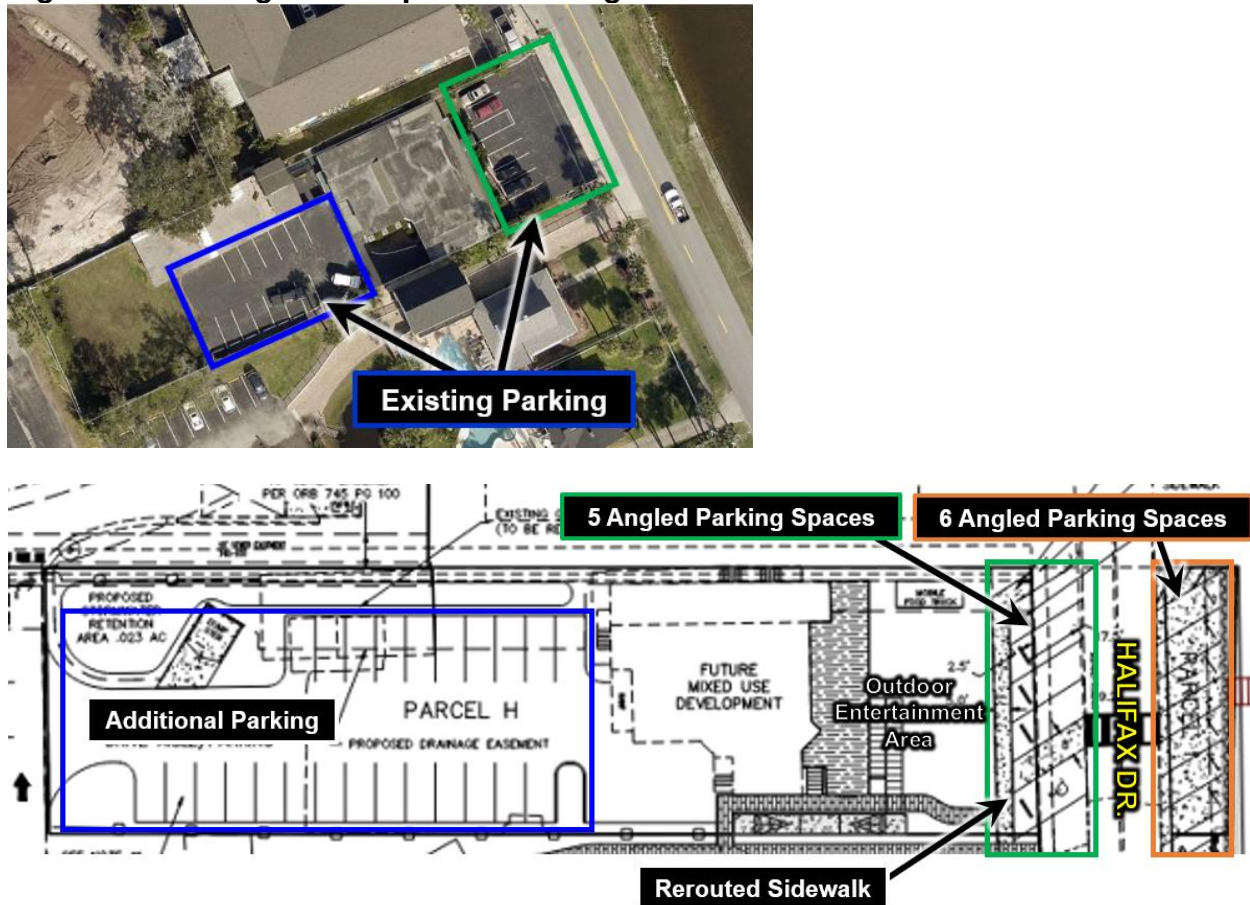
There are **no changes** to the parking or driveway requirements for the PCD with this Second Restatement to the Catfish Commons MDA and CDP, except a request to allow parking spaces along the east and west side of the Halifax Drive right-of-way that back out onto Halifax Drive for 4084 Halifax Drive. For the property located at 4084 Halifax Drive, the applicants are requesting to maintain the existing parking spaces along the west side of 4084 Halifax Drive that back directly onto a right-of-way and allow for parking spaces to be built on the east side of the Halifax Drive that back directly onto a right-of-way. The LDC does not permit parking spaces to back directly onto a right-of-way.

The applicants are proposing six (6) parking spaces on the east side of Halifax Drive to serve the future marina at 4084 Halifax Drive and to maintain the five (5) parking spaces on the west side of Halifax Drive that back directly onto Halifax Drive to serve the mixed-use development at 4084 Halifax Drive. Halifax Drive is a local, two-lane road with a posted speed limit of 25 MPH. The proposed parking spaces will be angled to provide

sufficient visibility for a vehicle exiting the parking spaces, and the space spaces will be accessed from the adjacent roadway.

As part of the MDA Amendment approved in 2022 for the Catfish Commons PCD, parking spaces that backed out onto Halifax Drive were approved to be built with the development of a marina at 4108 Halifax Drive (property south of 4084 Halifax Drive). According to the applicants, the marina spaces (east side of Halifax Drive) are not anticipated to be high-turnover spaces where vehicles continuously enter and exit; instead, vehicles are likely to park once for the day or half-day. *Allowing parking spaces that require a vehicle to back out directly onto the Halifax Drive right-of-way is a policy issue.*

Figure 6. Existing and Proposed Parking at 4084 Halifax Drive



Landscaping

There are **no changes** to the landscape requirements for the PCD as part of the Second Restatement to the Catfish Commons MDA and CDP, except a request to waive the 10-foot right-of-way landscape buffer for 4084 Halifax Drive and the 5-foot north side buffer if the existing building is repurposed.

According to the LDC, a 10-foot landscape buffer is required along the east and west sides of Halifax Drive right-of-way at 4084 Halifax Drive. Similar to the landscape buffer requirement waived for 4009 Halifax Drive and 4106/4108 Halifax Drive as part of the approval for the 1st Restated MDA, the applicants are requesting to waive the Halifax

Drive roadway buffer on the west and east sides of 4084 Halifax Drive. As discussed above, the applicants are requesting approval to construct parking spaces that back out into Halifax Drive, and if approved, the parking spaces along Halifax Drive will prevent the landscape buffer from being installed.

The applicants are requesting a varied-width landscape buffer along the north property line ranging in width from 4 feet to 5 feet. Currently, the LDC requires a 5-foot landscape buffer along the north property line. The applicants are requesting a reduced landscape buffer to maintain the existing building, which is set back 4 feet from the north property line. According to the applicants, the required side buffer cannot be met if the existing building is repurposed. The applicants also proposed to provide space for an entertainment area in front of the building with an enlarged covered front deck, a game yard, and a mobile food truck (see Figure 6). According to the applicants, some of the buffers could be installed east of the existing building, but that would require the proposed outdoor entertainment area to be reduced. The applicants are proposing to provide landscape plantings that are appropriately sized and located within the existing north property line buffer area. *Waiving the 10-foot landscape buffer requirement along Halifax Drive and allowing a varied-width buffer on the north side is a policy issue.*

Figure 7. Existing Conditions



Architecture

There are **no changes** to the architecture requirements for the PCD with the Second Restatement to the Catfish Commons MDA and CDP. The architecture style for the PCD is a Florida Vernacular style with features such as metal roofs, hardiboard siding, and other decorative elements typical of coastal architecture. All new buildings built in the PCD will be designed to comply with the Florida Vernacular architecture style along with the architectural standards in the LDC for non-residential buildings. Existing buildings within the PCD will remain in their current state, but if these existing buildings are redeveloped, the exterior will need to comply with the Florida Vernacular architecture style and the architectural standards in the LDC for non-residential buildings.

Signage

There are **no changes** to the signage requirements for the PCD Second Restatement to the Catfish Commons MDA and CDP. Signage within PCD will comply with the signage requirements of the LDC or prior approved signage requirements as part of the Catfish Commons PCD.

Fee Waiver

There are no changes to the previously approved language in the MDA that allow for the waiver of all city development review application submittal, site inspection, building permit, building inspection, and fees for future Comprehensive Plan Amendments, MDA Amendments, and all development-related applications within Catfish Commons PCD excluding impact fees, water and sewer development fees, and stormwater special assessment fees. However, the Restated MDA extends the period for this waiver to 5 years from the recording date of the subject Restatement.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

A Future Land Use (FLU) Amendment (Case No. CPAM-24-0003) is being processed concurrently with the subject PCD rezoning and MDA restatement application to change the FLU designation at 4084 Ridgewood Avenue and 4009 Ridgewood Avenue from *Commercial* to *Mixed-Use Center* to allow for a mixed-use building with commercial uses on the first floor and up to eight residential units above and a 12-slip marina on 4084 Halifax Drive and to allow for the addition of two residential units above the existing Aunt Catfish's restaurant at 4009 Halifax Drive. The remaining portion of the PCD area has a FLU designation of *Commercial*. The PCD is compatible with the current *Commercial* FLU and *Mixed-Use Center* FLU designations.

The proposed PCD rezoning and restated MDA is generally consistent with the intent of the Goals, Objects, and Policies of the Comprehensive Plan and supports infill redevelopment of parcels within an existing built commercial area that is already served by public infrastructure (water, sewer, roads, and schools). The proposed PCD is also consistent with the Ridgewood Corridor Plan as it promotes the redevelopment of properties in one of the identified Waterfront Linkage Zones, a long-term strategy listed in the plan (Figure 8). The proposed MDA and CDP will allow for a cohesive redevelopment, create additional cross-access between parcels, and provide opportunities for new businesses, which are also strategies identified in the plan.

Figure 8. Waterfront Linkage Zone from Ridgewood Corridor Plan



POLICY ISSUES

Three (3) requested deviations from the Land Development Code (LDC) in the proposed Restated MDA are discussed in detail above in the staff report discussion. The PCD zoning district allows the applicants to request flexibility from standard code requirements for unique and/or innovative design. The Planning Commission and City Council will need to consider the following policy issues requested by the applicants:

1. Allow the side and rear setbacks listed in Table 2 – Page 5 for 4084 Halifax Drive.
2. Allow parking spaces that require a vehicle to back out directly onto the Halifax Drive right-of-way.
3. Allow the 10-foot landscape buffer requirement along Halifax Drive to be waived and allow a varied-width buffer on the north side.

PUBLIC NOTICE

On January 10, 2025, staff posted the property, notifying the public of the proposed amendment. The proposed amendment has also been advertised in the News-Journal pursuant to Florida Statutes. As of the time this agenda item was prepared, staff has received one (1) inquiry regarding the proposed amendment.

RECOMMENDATION

Staff recommends approval of the rezoning of 4084 Halifax Drive from Community Commercial (CC) to Planned Commercial Development (PCD), and approval of the Second Restatement of the Catfish Commons PCD Master Development Agreement (MDA) and Conceptual Development Plan (CDP), subject to the approval of Future Land Use Amendment Case No. CPAM-24-0008, and subject to the three (3) policy issues:

1. Allow the side and rear setbacks listed in Table 2 – Page 5 for 4084 Halifax Drive.
2. Allow parking spaces that require a vehicle to back out directly onto the Halifax Drive right-of-way.
3. Allow the 10-foot landscape buffer requirement along Halifax Drive to be waived and allow a varied-width buffer on the north side.

ATTACHMENTS

Exhibit 1 – Second Restated Catfish Commons Master Development Agreement and Conceptual Development Plan

Exhibit 2 – Permitted Uses for the Mixed-Use Center (MXU) Zoning District

SECOND RE-STATED MASTER DEVELOPMENT AGREEMENT CATFISH COMMONS PLANNED COMMERCIAL DEVELOPMENT

THIS SECOND RE-STATED MASTER DEVELOPMENT AGREEMENT CATFISH COMMONS PLANNED COMMERCIAL DEVELOPMENT ("MDA") is entered into between the City of Port Orange, a Florida municipal corporation, having a mailing address of 1000 City Center Circle, Port Orange, Florida 32129 (hereinafter the "City"); and Brendan and Shannon Galbreath (husband and wife), having a mailing address of 4190 Halifax Drive, Port Orange, Florida 32127; and Commons 4075, LLC having a mailing address of 4190 Halifax Drive, Port Orange, Florida 32127 and Halifax 4084, LLC having a mailing address of 4190 Halifax Drive, Port Orange, Florida 32127 (the "Owner & Developer"), who hereby agree and covenant and bind their successors and assigns as follows:

WHEREAS, The City and Owner & Developer have previously entered into a Master Development Agreement for Catfish Commons Planned Commercial Development recorded in Official Record Book 6784, Page 970 ("Original MDA") as amended by the First Amendment to the Master Development Agreement for Catfish Commons Planned Commercial Development recorded in the Official Record Book 7684, Page 3350 ("First Amendment") as restated with a Re-Stated Master Development Agreement for Catfish Commons Planned Commercial Development recorded in Official Record Book 8278, Page 3843 (Restated MDA"), as amended by the First Amendment to the Restated Master Development Agreement for Catfish Commons Planned Commercial Development recorded in Official Record Book 8583, Page 4586 ("First Amendment to Restated MDA") all in Public Records, Volusia County, Florida; and

WHEREAS, the Parties hereto intend for this Second Re-stated Master Development Agreement Catfish Commons Planned Commercial Development to be an amendment to and restatement of, and shall supersede and replace the Original MDA, the First Amendment, the Restated MDA, and the First Amendment to Restated MDA .

NOW, THEREFORE, the City and Owner & Developer do hereby agree as follows:

1. THE PROPERTY

The property that is subject to this Agreement consists of approximately 3.98 acres of real property located at 4009 Halifax Drive (Parcels 6303-11-01-0022 and 6303-11-01-0030) Parcels A and C, 4075 Ridgewood Avenue (Parcel 6303-11-01-0012) Parcel B, 4085 Ridgewood Avenue (Parcel 6341-04-05-0020) Parcel D , 4106 and 4108 Halifax Drive (Parcel 6341-04-05-0050) Parcels E and G, 4147 Ridgewood Avenue (Parcel 6341-04-03-0010) Parcel F, and 4084 Halifax Dr. (6314-04-05-0010) Parcel H, all within the municipal limits of the City of Port Orange and described on Exhibit "A", which is attached hereto and by reference made a part hereof (the "Property").

2. CONFORMANCE WITH COMPREHENSIVE PLAN

The City has determined that the Property is suitable in size, location and character for the uses proposed, that the uses proposed meet the needs of the City, and that the uses proposed are consistent with the City's Comprehensive Plan as of the date of adoption of this Agreement enacting the zoning provided herein.

3. DEVELOPMENT

The Property shall generally be developed as a multi-tenant commercial and office project, with a long term residential component, short term "vacation rental" residential component, event venue and boat slips for rent to motorized boats and other water based activities, subject to permitting and compliance with the City's Land Development Code and the Volusia County Manatee Protection Plan, except where specifically deviated from in this PCD, as depicted on the Conceptual Development Plan ("CDP") prepared by Parker Mynchenburg and Associates, which is attached hereto and incorporated herein as Exhibit "B" and as more particularly described below.

4. DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN

A. Development of the Property shall be controlled by the terms and conditions of this Master

Development Agreement (the "Agreement") and the CDP, which is attached hereto and incorporated herein as Exhibit "B". The CDP generally depicts the planned layout of improvements to the Property. Collectively, this Agreement and the CDP for the Property may be referred to as the "Plan". In case of conflict between any textual provision of this Agreement and the CDP, the textual provision of this Agreement shall control. If the Agreement is silent regarding a particular subject or requirement, such silence shall not be construed as a conflict with the CDP. Except as otherwise provided in this Agreement, in the event of a conflict between the terms and provisions of the Plan and the City's ordinances, the requirements of the City's ordinances shall control. If the Plan fails to address a particular subject or requirement, the requirements of the applicable City ordinance(s) as defined by the Land Development Code of the City of Port Orange, Florida ("LDC"), shall control.

- B. The parties acknowledge that compliance with the environmental preservation requirements of the LDC may necessitate modifications of the CDP. In the event modifications to comply with the LDC are required, and modifications to the CDP are not in conflict with the textual provisions of this Agreement and LDC requirements are not superseded by this Agreement, the modifications shall be deemed "minor" and may be approved without formal amendment of this Agreement. Minor modifications shall require the written approval by the Administrative Official, who is defined in the LDC. If the Owner & Developer is not satisfied with the suggested resolution or the decision of the City Administrative Official categorizing the modifications as minor or major, the Owner & Developer may appeal the decision to the Planning Commission. Appeals from the Planning Commission may be made to the City Council.
- C. An administrative variance from the dimensional requirements in this MDA may be granted when such variance would be equal to or less than ten percent of the required dimension, when deemed appropriate by the Administrative Official, who is defined in the LDC. Application for administrative variances from the dimensional requirements shall be made on the appropriate forms provided by the Community Development Department for that purpose.

5. PERMITTED USES

- A. **4009 Halifax Drive (6303-11-01-0022 and 6303-11-01-0030) Parcels A and C**
Uses allowed within the Mixed Use Center ("MXU") zoning district and 2 Residential Units (Long Term or Short Term) shall be permitted.
- B. **4075 Ridgewood Avenue (Parcel 6303-11-01-0012) Parcel B**
Uses allowed within the Ridgewood Development ("RD") zoning district shall be permitted, along with one restaurant/food service with a drive thru.
- C. **4085 Ridgewood Avenue (Parcel 6341-04-05-0020) Parcel D**
Uses allowed within the Mixed Use Center ("MXU") zoning district, bike and run race staging (Special Events would need approval per the Code of Ordinances) and Mobile Commercial (for commercial uses as identified in the Mixed Use Center ("MXU") zoning district, see Exhibit "C") shall be permitted.
- D. **4147 Ridgewood Avenue (Parcel 6341-04-03-0010) Parcel F**
Uses allowed within the Mixed Use Center ("MXU") zoning district shall be permitted, with a maximum of 4 residential units.
- E. **4106 Halifax Drive (above drive thru feature) (Parcel 6341-04-05-0050) Parcel E**
One residential rental unit with no minimum or maximum rental time period to be occupied only by the business owner or manager of a business located within the PCD Property.
- F. **4108 Halifax Drive (Parcel 6341-04-05-0050) Parcel E and G**
The square-footage for uses within this structure is limited to the 1st floor until all the properties located on Halifax Drive, between 4108 Halifax Dr. and Meeker Place have been rezoned to a commercial or mixed-use zoning district*
 - Single family residence**
 - Restaurant – No Drive-thru

- Ice cream shop
- Retail
- Professional and medical office
- Bed and breakfast inn
- 12 slip Marina for Motorized watercraft slip rental and water related activities***

G. 4084 Halifax Drive (Parcel 6341-04-05-0010) Parcel H and I

- Uses allowed within the Mixed Use Center (“MXU”) zoning district
- 8 Residential Units (Long Term or Short Term)
- 12 slip Marina for Motorized watercraft slip rental and water related activities***
- Event Venue
- Mobile Commercial (for all commercial uses as identified in the Mixed Use Center (“MXU”) zoning district, see Exhibit “C”)

* The existing single-family dwelling at 4108 Halifax Dr. is a non-confirming use and will be subject to the provisions regarding non-confirming uses and structure outline in Chapter 3 of the LDC.

** Special owner-occupancy provisions. The City shall permit given business owners/managers to reside in a dwelling unit which is set within the principal (business establishment) structure, provided these establishments comply with all other requirements of the LDC and adopted building and fire codes.

*** Marina dock will be allowed to extend more than 100ft from the Halifax Drive bulkhead subject to the Volusia County Manatee Protection Plan and Florida Department of Environmental Protection permitting.

6. DIMENSIONAL REQUIREMENTS

Maximum Building Coverage of Total PCD Area: 35%

Minimum Open Space of Total PCD Area: 30%

Maximum Floor Area Ratio (FAR) of Total PCD: 1.0

Minimum Building Setbacks, Maximum Building Heights, and Drive Aisle Widths:

4009 Halifax Drive (Parcels 6303-11-01-0022 and 6303-11-01-0030) Parcels A and C

Dunlawton Avenue -0' **

East of Halifax Drive -0' **

West of Halifax Drive -0' **

Side -0' **

Maximum Height -45'

4075 Ridgewood Avenue (Parcel 6303-11-01-0012) Parcel B

Ridgewood Avenue -12'

Dunlawton Avenue -20'

Rear -10'

Side -10'

Maximum Height -45'

4085 Ridgewood Avenue (Parcel 6341-04-05-0020) Parcel D

Ridgewood Avenue -10'

Rear -10'

Side -10'

Maximum Height -45'

4147 Ridgewood Avenue (Parcel 6341-04-03-0010) Parcel F

Ridgewood Avenue -

12' Rear – 10'***

South Side -10'

North Side - 0'

Maximum Height -45'

4106/4108 Halifax Drive (Parcel 6341-04-05-0050) Parcels E and G

West of Halifax Dr – 40'*

East of Halifax Dr – 0'

North side of Entry Feature - 2.5'

South Side -5'***

Rear -10' ***

Rear of Entry Feature - 8'

Maximum Height - 35'

Driveway Setback - 5'

Marina Pier Access – 15' from side property lines

One Way Driveway Width - 10'

4084 Halifax Drive (Parcel 6341-04-05-0010) Parcel H and I

West of Halifax Dr – 20'

East of Halifax Dr – 0'

North Side - 5' for new construction and 4' for existing structures

South Side - 0'

Rear -0'

Maximum Height - 45'

Marina Pier Access – 15' from side property lines

(See Exhibit "H" for reference)

*Setback may be reduced to 10' once all the properties located on Halifax Drive, between Dunlawton Avenue and Meeker Place have been rezoned to commercial or mixed-use zoning district

**Setback takes into account the 4009 Halifax Drive existing building location and is designed to allow that as well as the parking lot at 4009 Halifax Drive to remain in its current location without change

***Commercial building rear setbacks adjoining residential zoning shall be equal to or greater than the building height

****Parcels D and F are proposed to be combined via Unity of Title or lot combination. The internal lot line will be eliminated and the proposed building on Parcel F may encroach onto Parcel D

7. MAINTENANCE OF COMMON AREAS AND AMENITIES

The owner of parcel 6303-11-01-0022, their successors and assigns shall be jointly and severally responsible for the maintenance of the common facilities of the Property. A declaration of covenants and restrictions addressing the obligations and rights of all the Property subject to this MDA shall be required at the time of site plan submittal.

8. LANDSCAPE BUFFER AND OPAQUE SCREENING

4009 Halifax Drive (Parcels 6303-11-01-0022 and 6303-11-01-0030)

Dunlawton Avenue -0'*

East of Halifax Drive -0'*

West of Halifax Drive -0'*

Rear -0'*

Side -0'*

4075 Ridgewood Avenue (Parcel 6303-11-01-0012)

Ridgewood Avenue -10'

Dunlawton Avenue -3'

Rear -5'

Side -1' minimum, average of 5'

4085 Ridgewood Avenue (Parcel 6341-04-05-0020)

Ridgewood Avenue -10'

Rear -5'

Side -5'

4147 Ridgewood Avenue (Parcel 6341-04-03-0010)

Ridgewood Avenue -10'

Rear -10'

Side -5'

4106/4108 Halifax Drive (Parcel 6341-04-05-0050)

West of Halifax Dr - 10'

East of Halifax Dr - 0'

Rear - 0'

North Side - 2.5'

South Side -5'

4084 Halifax Drive (Parcel 6341-04-05-0010)

West of Halifax Dr - 0'

East of Halifax Dr - 0'

Rear - 0'

North Side - 5' for new construction and 0' for existing structures

South Side - 0'

*Landscape buffer takes into account the 4009 Halifax Drive existing building location and is designed to allow that as well as the parking lot at 4009 Halifax Drive to remain in its current location without change

**Two (2) palm trees can be substituted for every one (1) required shade tree within the buffer to satisfy minimum buffer planting requirements.

***A minimum six-foot (6') opaque fence or wall is to be installed on south side of the 4108 Halifax Drive property when or if the property is converted into a non-residential use that abuts a residential zoning district. General location of the fence or wall is shown on the CDP.

****Landscape buffers may be reduced to 0' along internal PCD property lines.

*****Vehicle Use Area Landscaped Islands will be permitted to be 5% of all properties

9. ARCHITECTURAL/DESIGN STANDARDS

- A. All buildings and accessory structures in the PCD area shall be developed in compliance with the terms of Chapter 14 of the LDC as to architectural requirements.
- B. If the structure at 4108 Halifax Drive is demolished or expanded, the architectural design of the new or expanded commercial structure must be consistent with the architectural design of the structures located on Halifax Drive, south 4108 Halifax Drive. The architectural design requirement for 4108 Halifax will defer back to Chapter 14 of the LDC upon all the properties located on Halifax Drive, between 4108 Halifax Dr. and Meeker Place being rezoned to a commercial or mixed-use zoning district.

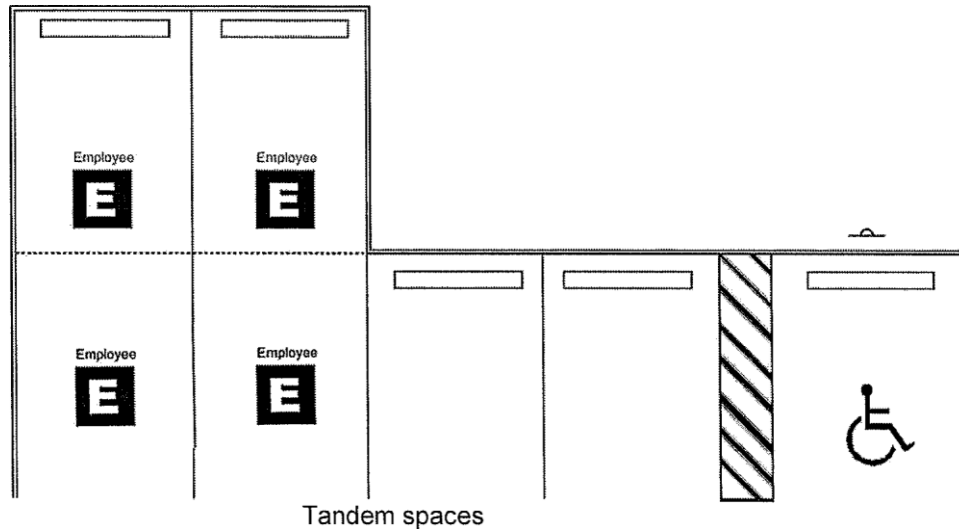
10. PARKING AND ACCESS

Per provided Catfish Commons Shared Parking Allocation in "Exhibit D", all parking is considered common and shared throughout the entire Catfish Commons PCD, regardless of the address it is constructed on.

- A. Parking spaces will be permitted to be 9' wide and 19' deep.
- B. Minimum number of off-street parking will be provided as required by Exhibit D.
- C. Per Case No., (11-70000002), 4085 Ridgewood Avenue provides 29 "off-site" parking spaces for 4009 Halifax Drive.
- D. The minimum 10ft wide one-way driveway shown on the CDP is for circulation of traffic from 4108 Halifax Drive west to the parking lot at 4085 Ridgewood Avenue. Eastbound vehicular traffic is not

permitted onto Halifax Drive.

- E. 4106 Halifax Drive residential unit parking ratio shall be 1 space for 1 unit.
- F. 4085 Ridgewood Avenue and 4084 Halifax Drive Mobile Commercial parking ratio shall be 3 spaces for 1 unit.
- G. 4009 Halifax Drive parking lot layout, space size and drive aisle size, dimensions and locations are considered existing non-conforming as shown on the CDP and shall be permitted to remain as is including but not limited to existing 10' one way drive aisle widths and existing 8.5" wide parking spaces.
- H. Riverfront Parking spaces at 4084 and 4108 Halifax Drive east of Halifax Drive for the Marina and the Parking Spaces on the West edge of Halifax Drive on 4084 Halifax Drive are permitted to back out onto Halifax Drive provided they are angled at a minimum of 60 degrees. (Exhibit "I")
- I. Parking spaces for mixed-use development at 4084 Halifax Drive are permitted to back out onto Halifax Drive provided they are angled at a minimum of 60 degrees and that the existing 4-foot wide public sidewalk is re-routed to the west side of the subject spaces as a public access 5-6 foot wide sidewalk (to be determined at site plan review). The subject space may also encroach into the portion of the Halifax Drive right-of-way, outside of the drive lanes, currently developed with a continuous concrete apron, subject to approval of a License Agreement.
- J. 4085 Ridgewood Avenue new two-way drive aisle width with no parking backing into it running north/south directly on the east edge of the building structure shall be permitted to be 20' wide.
- K. 4085 Ridgewood Avenue existing two-way drive aisle width with no parking backing into it on the east end of the parking lot between eastern most parking spaces and retention pond shall be permitted to be 16' wide.
- L. Tandem parking spaces: The spaces shall be reserved for use by employees. Such spaces shall be identified or designated for employee parking through the use of signage or pavement markings. Dimensions for tandem parking spaces are the same as required for standard parking spaces in this MDA.



- M. Landscape Curb will be permitted to angle into parking spaces that are located directly in front of the building on 4075 Ridgewood Avenue parcel only, to expand and enhance the landscape beds as shown for example in Exhibit "F". Parking spaces will have to meet ADA Code.
- N. Overall Parking provided for all properties located within the Catfish Commons PCD falls under the Land Development Code Chapter 12, Section 4, item d (3) Reduction for mixed or joint use of parking spaces.
- O. Any Dock within the Catfish Commons PCD area will be permitted to be a Water Taxi Docking location.

11. DOCK / WATER ACCESS

The properties at 4108 Halifax Drive (Parcel 6341-04-05-0050, Parcels E and G) and 4084 Halifax Drive (Parcel 6341-04-05-0010, Parcel H and I) shall be permitted to have a total of 24 boat slips for

rent to the public. The dock may be floating or stationary and constructed out of wood, composite material or cement and will be allowed to extend more than 100ft from the Halifax Drive bulkhead subject to the Volusia County Manatee Protection Plan and Florida Department of Environmental Protection permitting and as otherwise required by any other applicable local, state and federal laws. The slips may be rented to both motorized and non-motorized vessels at the owner/operator's discretion. The sale of gas and overnight live-aboard vessels shall be prohibited. The rental of motorized and non-motorized vessels to the public shall be a permitted use. Additionally, the dock may be used as an access point in and out of the water for any special event permitted on the property. Twelve (12) parking spaces shall be permitted east of Halifax Drive to support the Marinas.

12. ROAD & ACCESS WAYS

All roadways, drives, sidewalks, pathways, bike paths, and walkways providing access within and throughout the Property shall be private and privately maintained in accordance with declaration of covenants and restrictions recorded in the public records by the Owner & Developer.

13. PUBLIC UTILITIES AND STORMWATER MANAGEMENT

- A. Public utilities shall be designed to meet the City's specifications and requirements of the LDC and City Standard Construction Details.
- B. Stormwater shall be retained as generally depicted on the CDP. The Owner & Developer shall comply with the LDC, City Standard Construction Details and the rules and regulations of the St. John's River Water Management District concerning storm water drainage. The Owner & Developer shall provide all required easements to the City over the proposed retention area and related stormwater structures.
- C. There are existing structures that are nonconforming structures, as defined in the LDC prior to being rezoned into the subject PCD, which encroach over existing stormwater pipes and the area where a drainage easement is to be established pursuant to the LDC. These nonconforming structures, may remain in their current location as generally shown on the CDP; however, with the application for site plan approvals, the Owner & Developer shall be required to provide a drainage easement or document similar thereto, to include language substantially similar to the following:

"Grantee agrees that in the event the nonconforming structure is destroyed, damaged or repairs exceed the limits set forth in Ch. 3, Art. II, Section 8, LDC, the nonconforming structure shall not be re-installed or re-constructed in the location of the encroachment, pursuant to Ch. 3, Art. II, Section 8, LDC."

14. SIGNAGE

The signage for the PCD properties shall be in compliance with the terms of Chapter 15 of the LDC with the following exceptions:

- A. The tenant at 4009 Halifax Dr shall be permitted to have a sign panel on the monument sign at 4075 Ridgewood Avenue and 4085 Ridgewood Avenue. The multi-tenant monument signs at 4075 Ridgewood Avenue and 4085 Ridgewood Avenue may have a maximum sign area not to exceed 84 square feet.
- B. A Commemorative Sign (not to exceed 64 sq ft) located on the building at 4075 Ridgewood Avenue shall be permitted separate from the allowable square footage for wall signs on that building. The commemorative signage will not count towards the maximum wall sign area allowed for the building and will be similar to the signage depicted on Exhibit "G".
- C. The following signage is allowed for the property at 4108 Halifax Drive: 1 (one) "post" sign (see Exhibit "E" for example)
 - i. Max Height: 6'
 - ii. Max Sign Area: 24 SF
- D. Externally illuminated or non-illuminated wall signage shall be permitted when or if the existing single-family residence at 4108 Halifax Dr. is converted to a commercial use. The colors and material shall compliment and coordinate with the appearance of the structure. Maximum sign height and area as allowed by Chapter 15 of the LDC for an individual commercial use.

- E. Off-site signage on parcels within the PCD area is allowed for any business within the PCD. Signage shall otherwise be permitted as per the requirements in the LDC for directional signage.
- F. A Mural located on the buildings at 4075 Ridgewood Avenue and 4084 Halifax Drive shall be permitted separate from the allowable square footage for wall signs on each of those buildings. The Murals will not count towards the maximum wall sign area allowed for the buildings and will be similar to the signage depicted on Exhibit "H".

15. PHASING

The PCD Property can be re-developed in multi-phases or as a single phase as shown on the CDP. The phases can be developed in any order.

- 4085 Ridgewood Avenue Mobile Commercial
- 4075 Ridgewood Avenue multi-tenant building and associated parking improvements
- 4108 Halifax Drive Single Family Dwelling conversion to commercial
- 4147 Ridgewood Avenue 3 story building and associated parking improvements
- 4108 Halifax Drive 12 slip Marina and associated parking improvements
- 4084 Halifax Drive Mixed Use Center and associated parking improvements
- 4084 Halifax Drive 12 slip Marina and associated parking improvements
- 4084 Halifax Drive Mobile Commercial
- 4084 Residential units and associated parking improvements
- 4009 Halifax Drive Long Term or Short Term Residential Units

16. ENVIRONMENTAL CONSIDERATIONS

- A. Owner & Developer shall comply with all rules, statues, laws and regulations pertaining to protected wildlife species, including but not limited to the rules and permitting requirements of the Florida Fish and Wildlife Commission. Compliance with the City Environmental Preservation Code may necessitate modification of the CDP.

17. EFFECTIVE DATE AND EXPIRATION

- A. This Agreement shall be effective upon recording by the City at the Owner & Developer's expense in the public records of Volusia County, Florida not later than thirty (30) days from the date the City Council approves the re-zoning. The restrictions on use and development imposed by this Agreement shall be binding upon all successors in interest in the Property, unless and until the City alters or eliminates such restrictions in the course of the City's actions as zoning authority or until this Agreement expires.
- B. Development of the Catfish Commons PCD shall commence within five (5) years from the date of executions of this Agreement. The term "Development" shall be defined by the LDC.

18. AMENDMENTS

- A. Amendments to this Agreement, other than minor modifications to the CDP as referred to in Section 3 of this Agreement, shall not be effective unless in writing and signed by all record title property owners of the land for which the amendment is to be applied, and the City.
- B. Before amending this Agreement, the City shall conduct one or more public hearings. At the City's option, one of the public hearings may be held by the Planning Commission.
 - 1. Notice of intent to consider an amendment to this Agreement shall be published by the City, at the Owners cost, in a newspaper of general circulation and readership in Volusia County, Florida.
 - 2. If applicable, notice of intent to consider an amendment shall comply with the requirements of Section 166.041(3)(c), Florida Statutes, as amended from time to time.
 - 3. The day, time, and place at which the second public hearing shall take place shall be announced at the first public hearing.
 - 4. The notices required above shall specify the location of the PCD Property, the location of that portion of the PCD Property subject to the proposed amendment, the nature of the proposed amendment, and the following information to the extent applicable:
 - i. Changes permitted, conditional, and/or prohibited uses proposed.
 - ii. Changes in building intensities and/or height proposed.
 - 5. All notices shall specify a place where a copy of the proposed amendment can be obtained.

19. CONFORMANCE WITH LAWS

A. The Owner & Developer agrees:

1. To develop the Property according to all regulations of the City to the extent those regulations are not inconsistent with the Plan for the Property.
2. To be bound by all City codes and ordinances that are not in conflict with the provisions of this Agreement.

20. ENFORCEABILITY

If any provision of this agreement is held by a court of competent jurisdiction to be invalid or otherwise unenforceable, such holding not affect the validity or enforceability of any other provision of this Agreement unless the holding so states.

21. PRIOR AGREEMENTS

This Agreement represents the complete understanding by and between the parties with respect to the development and continued use of the subject PCD Property. This Agreement shall be an amendment to and restatement of, and shall supersede and replace the Original MDA and First Amendment. Any and all prior agreements between the parties with respect to any subject comprehended by this Agreement is hereby voided and suspended by this Agreement. Any amendment to this Agreement shall be in writing and signed by the City and the Owner(s).

22. POLICE POWER

Nothing contained in this Agreement shall be construed as a waiver of or contract with respect to the regulatory and permitting authority of the City as it now or hereafter exists under applicable laws, rules and regulations. Further, nothing contained in this Agreement shall be construed as a waiver of the attempted waiver by the City of its sovereign immunity under the constitution and laws of the State of Florida.

23. WAIVER OF FUTURE CITY FEES

Any and all city development review application submittal, site inspection, building permit, building inspection, and approval fees for future Comprehensive Plan Amendments, MDA Amendments, and all development related applications within Catfish Commons PCD excluding impact fees and stormwater special assessment fee are hereby waived for a period of 5 years from the recording date of this Second Re-stated Master Development Agreement Catfish Commons Planned Commercial Development.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have executed this Restated Catfish Commons Planned Commercial Development Master Development Agreement, by and through their duly authorized representatives, on the respective dates below.

WITNESSES:

CITY OF PORT ORANGE, FLORIDA
a Chartered Municipal Corporation

Name: _____

By: _____
Scott Stiltner, Mayor

Name: _____

Date: _____

Name: _____

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

Name: _____

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this __ day of _____, 2025 by Scott Stiltner, as Mayor and Robin L. Fenwick, as City Clerk, both of the City of Port Orange, Florida, a chartered municipal corporation, who acknowledged that he is duly authorized to execute the foregoing agreement on behalf of the city. He is personally known to me.

Notary Public, State of Florida at Large
Printed name, commission and expiration of commission term:

WITNESSES:

BRENDAN AND SHANNON GALBREATH,
Property owners

Name: _____

By: _____
Brendan Galbreath, Property Owner

Name: _____

Date: _____

Name: _____

By: _____
Shannon Galbreath, Property Owner

Name: _____

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this __ day of _____, 2025 by Brendan and Shannon Galbreath property owners, who are ☐ personally known to me or ☐ who have produced _____ as identification and who did not take an oath.

Notary Public, State of Florida at Large
Printed name, commission and expiration of commission term:

WITNESSES:

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

COMMONS 4075 LLC,
Property owner

By: _____
Brendan Galbreath, Member,
Commons 4075 LLC,

Date: _____

By: _____
Shannon Galbreath, Member,
Commons 4075 LLC,

Date: _____

Eric Gaffka Revocable Living Trust dated
December 1, 1999

By: _____
Eric Gaffka, Trustee,
Member, Commons 4075 LLC,

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2025 by Brendan and Shannon Galbreath, property owners, who are ☐ personally known to me or ☐ who have produced _____ as identification and who did not take an oath.

Notary Public, State of Florida at Large
*Printed name, commission and expiration of
commission term:*

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2025 by Eric Gaffka, Trustee, who are ☐ personally known to me or ☐ who have produced _____ as identification and who did not take an oath.

Notary Public, State of Florida at Large
*Printed name, commission and expiration of
commission term:*

WITNESSES:

HALIFAX 4084 LLC,
Property owner

By: _____

Brendan Galbreath, Member,
Halifax 4084 LLC,

Name: _____

Name: _____

Date: _____

Name: _____

Name: _____

By: _____

Shannon Galbreath, Member,
Halifax 4084 LLC,

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2025 by Brendan and Shannon Galbreath, property owners, who are ☐ personally known to me or ☐ who have produced _____ as identification and who did not take an oath.

Notary Public, State of Florida at Large
*Printed name, commission and expiration of
commission term:*

Exhibit "A"

Legal Description

6 Parcels Combined West of Halifax Drive

ALL OF THE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6250 PAGE 4505,

ALL OF THE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8057 PAGE 4666,

ALL OF OFFICIAL RECORDS BOOK 6928 PAGE 1511, LYING WESTERLY OF THE WEST RIGHT OF WAY LINE OF HALIFAX DRIVE,

ALL OF THE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6598 PAGE 1462,

ALL OF OFFICIAL RECORDS BOOK 6598 PAGE 1462,

AND ALL OF OFFICIAL RECORDS BOOK 7781, PAGE 4878, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID OFFICIAL RECORDS BOOK 6250 PAGE 4505, THENCE, THE FOLLOWING:

THENCE S 26°05'26" E A DISTANCE OF 142.22 FEET;

THENCE S 76°48'21" W A DISTANCE OF 181.53 FEET;

THENCE S 24°27'17" E A DISTANCE OF 137.06 FEET;

THENCE N 65°14'09" E A DISTANCE OF 180.91 FEET;

THENCE S 26°20'47" E A DISTANCE OF 154.91 FEET;

THENCE S 65°18'12" W A DISTANCE OF 152.63 FEET;

THENCE S 25°41'50" E A DISTANCE OF 70.23 FEET;

THENCE S 65°14'55" W A DISTANCE OF 96.58 FEET;

THENCE S 26°19'51" E A DISTANCE OF 39.95 FEET;

THENCE S 65°25'49" W A DISTANCE OF 191.93 FEET;

THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHEAST, HAVING AN ARC LENGTH OF 44.55 FEET, A RADIUS OF 11509.20 FEET, A DELTA ANGLE OF 00°13'18", AND A CHORD BEARING OF N 26° 30'15" W, CHORD LENGTH OF 44.55 FEET,

THENCE N 26°36'54" W A DISTANCE OF 254.92 FEET;

THENCE N 21°45'31" W A DISTANCE OF 38.26 FEET;

THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHEAST, HAVING AN ARC LENGTH OF 178.87 FEET, A RADIUS OF 134.30 FEET, A DELTA ANGLE OF 76°18'37", AND A CHORD BEARING OF N 16°26'05" E, CHORD LENGTH OF 165.94 FEET,

THENCE N 57°26'23" E A DISTANCE OF 124.09 FEET;

THENCE N 57°29'48" E A DISTANCE OF 206.21 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 166,137 SQUARE FEET, 3.81 ACRES

4084 and 4108 Halifax Drive Upland Parcels East of Halifax Drive

ALL OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 6928, PAGE 1511, AND OFFICIAL BOOK 8335, PAGE 4257, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LYING EASTERLY OF HALIFAX DRIVE, A 40 FOOT WIDE ROAD PER DEEDS, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SAID OFFICIAL RECORD BOOK 6928, PAGE 1511, AND THE EASTERLY LINE OF SAID HALIFAX DRIVE;

THENCE N 26°20'47" W ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 79.93 FEET;

THENCE ALONG NORTH LINE OF SAID OFFICIAL RECORD BOOK 8335, PAGE 4257, N 65°14'09" E, A DISTANCE OF 21.52 FEET TO AN INTERSECTION WITH THE EAST FACE OF AN EXISTING CONCRETE SEAWALL;

THENCE THE NEXT THREE COURSES ALONG SAID EAST FACE OF CONCRETE SEAWALL:

1) THENCE S 23°45'20" E A DISTANCE OF 79.92 FEET;

2) THENCE S 65°15'37" W A DISTANCE OF 4.93 FEET

3) THENCE S 25°24'07" E A DISTANCE OF 75.01 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 6928, PAGE 1511

THENCE S 65°18'12" W ALONG SAID SOUTH LINE OF OFFICIAL RECORDS BOOK 6928, PAGE 1511, A DISTANCE OF 11.74 FEET TO AN INTERSECTION WITH SAID EAST LINE OF HALIFAX DRIVE ;

THENCE N 26°20'47" W ALONG SAID EAST LINE OF HALIFAX DRIVE, A DISTANCE OF 75.03 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 2,505 SQUARE FEET, 0.06 ACRES

4009 Halifax Drive Upland Parcel East of Halifax Drive

A PORTION OF SECTION 3, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF HALIFAX DRIVE, A 40 FOOT RIGHT-A-WAY, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DUNLAWTON AVENUE (S-421) RUN N57°37'14"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID DUNLAWTON AVENUE, A DISTANCE OF 29.11 FEET, THENCE S24°38'37"E CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 59.61 FEET; THENCE N62°03'04"E CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 32.74 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN S55°45'42"E, A DISTANCE OF 0.38 FEET TO AN INTERSECTION WITH THE SAFE UPLAND LINE (ELEVATION 1.50 FEET) ; THENCE ALONG SAID SAFE UPLAND LINE THE FOLLOWING COURSES AND DISTANCES: S28°52'21"W, A DISTANCE OF 16.40 FEET; THENCE S24°32'32"W, A DISTANCE OF 7.63 FEET; THENCE S27°35'16"W, A DISTANCE OF 13.28 FEET; THENCE S22°13'35"3E, A DISTANCE OF 79.19 FEET TO A POINT OF THE FACE OF A CONCRETE SEAWALL; THENCE S23°38'31"E ALONG SAID SEAWALL, A DISTANCE OF 25.45 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HALIFAX DRIVE; THENCE N26°04'47"W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 155.65 FEET TO THE POINT OF BEGINNING.

HAVING AND AREA OF 4839.18 SQUARE FEET, .11 ACRES

CATFISH COMMONS PCD CONCEPTUAL DEVELOPMENT PLAN

"EXHIBIT B"

LAND USE CALCULATION:

SITE AREA = 6 COMBINED PARCELS	= 3.81 AC
SITE AREA PARCEL A	= 0.11 AC
SITE AREA PARCEL G & I	= 0.06 AC
TOTAL SITE AREA PARCELS A-I	= 3.98 AC

PARCEL A & C #630311010030, #630311010022	= 27,179 SF (0.62 AC)
EXISTING PAVEMENT	= 20,575 SF (0.47 AC)
EXISTING BUILDING	= 4,792 SF (0.11 AC)
TOTAL IMPERVIOUS AREA	= 25,367 SF (0.58 AC) = 93.33%
TOTAL OPEN SPACE AREA	= 1,812 SF (0.04 AC) = 6.67%

PARCEL B #630311010012	= 47,693 SF (1.09 AC)
PROPOSED PAVEMENT	= 25,229 SF (0.58 AC)
PROPOSED PAVERS	= 613 SF (0.01 AC)
PROPOSED CONCRETE	= 476 SF (0.01 AC)
PROPOSED BUILDING	= 6,513 SF (0.15 AC)
TOTAL IMPERVIOUS AREA	= 32,831 SF (0.75 AC) = 68.84%
TOTAL OPEN SPACE AREA	= 14,863 SF (0.34 AC) = 31.16%
TOTAL BUILDING COVERAGE	= 6,513 SF/47,693 SF = 13.66%

PARCEL D #634104050020	= 55,236 SF (1.27 AC)
EXISTING PAVEMENT	= 27,324 SF (0.63 AC)
EXISTING CONCRETE	= 2,452 SF (0.06 AC)
EXISTING BUILDING	= 7,090 SF (0.16 AC)
PROPOSED PAVEMENT	= 550 SF (0.01 AC)
PROPOSED CONCRETE	= 155 SF (0.003 AC)
TOTAL IMPERVIOUS AREA	= 37,571 SF (0.86 AC) = 68.02%
TOTAL OPEN SPACE AREA	= 17,665 SF (0.41 AC) = 31.98%
TOTAL BUILDING COVERAGE	= 7,090 SF/55,236 SF = 12.84%

PARCEL E & G #634104050050	= 10,810 SF (0.25 AC)
EXISTING CONCRETE	= 2,740 SF (0.06 AC)
EXISTING BUILDINGS	= 2,124 SF (0.05 AC)
PROPOSED CONCRETE	= 910 SF (0.02 AC)
TOTAL IMPERVIOUS AREA	= 5,774 SF (0.13 AC) = 53.41%
TOTAL OPEN SPACE AREA	= 5,036 SF (0.12 AC) = 46.59%
TOTAL BUILDING COVERAGE	= 2,124 SF/10,810 SF = 19.65%

PARCEL F #634104030010	= 7,606 SF (0.17 AC)
PROPOSED PAVEMENT	= 2,148 SF (0.05 AC)
PROPOSED CONCRETE	= 249 SF (0.006 AC)
PROPOSED BUILDING	= 1,610 SF (0.04 AC)
TOTAL IMPERVIOUS AREA	= 4,007 SF (0.09 AC) = 52.68%
TOTAL OPEN SPACE AREA	= 3,599 SF (0.08 AC) = 47.32%
TOTAL BUILDING COVERAGE	= 1,610 SF/7,606 SF = 21.17%

PARCEL H & I #634104050010	= 25,225 SF (0.58 AC)
EXISTING CONCRETE & PAVEMENT	= 9,130 SF (0.21 AC)
EXISTING BUILDINGS	= 5,346 SF (0.12 AC)
PROPOSED PAVEMENT	= 4,747 SF (0.11 AC)
TOTAL IMPERVIOUS AREA	= 19,223 SF (0.44 AC) = 76.21%
TOTAL OPEN SPACE AREA	= 6,002 SF (0.14 AC) = 23.79%
TOTAL BUILDING COVERAGE	= 5,346 SF/25,225 SF = 21.19%

LAND USE SUMMARY:

TOTAL COMBINED SITE AREA	= 173,749 SF (3.98 AC)
TOTAL IMPERVIOUS AREA	= 124,773 SF (2.86 AC) = 71.81%
TOTAL OPEN SPACE AREA	= 48,976 SF (1.12 AC) = 28.19%
TOTAL BUILDING COVERAGE	= 27,475 SF/173,749 SF = 15.81%

ENGINEER/LANDSCAPE

ARCHITECT:

PARKER MYNCHENBERG & ASSOCIATES, INC.
PARKER MYNCHENBERG P.E. #32645
PARKER MYNCHENBERG L.A. #1553
CERTIFICATE OF AUTHORIZATION NUMBER:
00003910
1729 RIDGEWOOD AVENUE
HOLLY HILL, FLORIDA 32117
(386) 677-6891 FAX (386) 677-2114
EMAILS: info@parkermynchenberg.com
sbuswell@parkermynchenberg.com

ARCHITECT:

BPF DESIGN
BRIAN FREDLEY
207 FAIRVIEW AVENUE
DAYTONA BEACH, FLORIDA 32114 PHONE:
(386) 257-0502
FAX: (386) 257-1050
E-MAIL: BPFDESIGN@CFL.RR.COM

SURVEYOR:

CULLUM LAND SURVEYING, INC.
5889 S. WILLIAMSON BLVD. #205
PORT ORANGE, FL 32128
ph: 386-761-7666
fax: 386-761-7909
GREGGC@CULLUMLANDSURVEYING.COM

PROPERTY OWNERS:

PARCEL B #630611010012
OWNER: COMMONS 4075 LLC
ADDRESS: 4075 RIDGEWOOD AVE,
PORT ORANGE, FLORIDA 32127

PARCEL A & C #630311010030, #630311010022
OWNER: GALBREATH BRENDAN R & SHANNON
ADDRESS: DUNLAWTON AVE,
PORT ORANGE, FLORIDA 32127

PARCEL F #634104030010
OWNER: GALBREATH BRENDAN - TE- TENANCY IN THE ENTIRETY - 100
GALBREATH SHANNON - TE - TENANCY IN THE ENTIRETY - 100
ADDRESS: 4147 RIDGEWOOD AVE,
PORT ORANGE, FLORIDA 32127

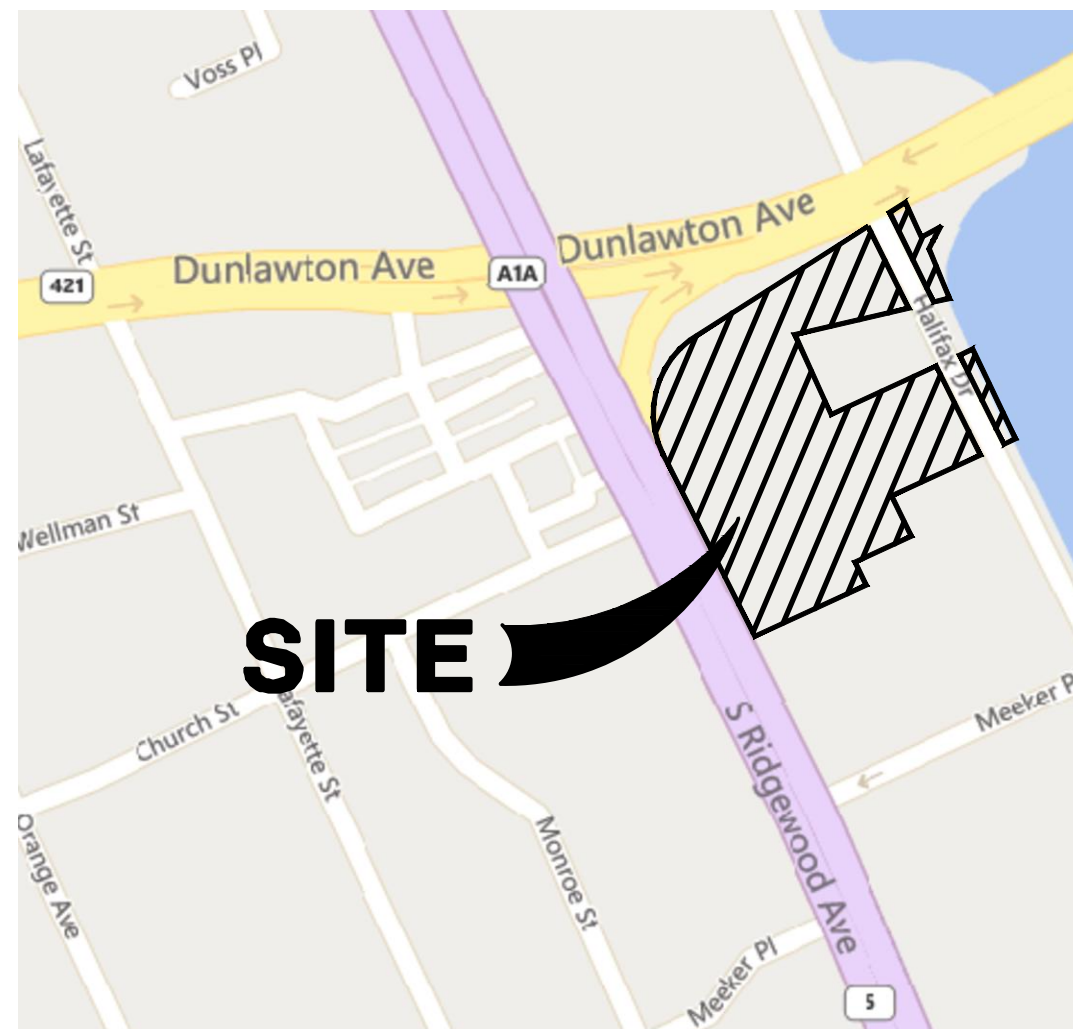
PARCEL D #634104050020
OWNER: GALBREATH BRENDAN & SHANNON - 100
ADDRESS: 4085 RIDGEWOOD AVE,
PORT ORANGE, FLORIDA 32127

PARCEL E & G #634104050050
OWNER: GALBREATH BRENDAN R - TE- TENANCY IN THE ENTIRETY - 100
GALBREATH SHANNON M - TE - TENANCY IN THE ENTIRETY - 100
ADDRESS: 4108 HALIFAX DR,
PORT ORANGE, FLORIDA 32127

PARCEL H & I #634104050010
OWNER: HALIFAX 4084 LLC - FS - FEE SIMPLE
ADDRESS: 4084 HALIFAX DR,
PORT ORANGE, FLORIDA 32127

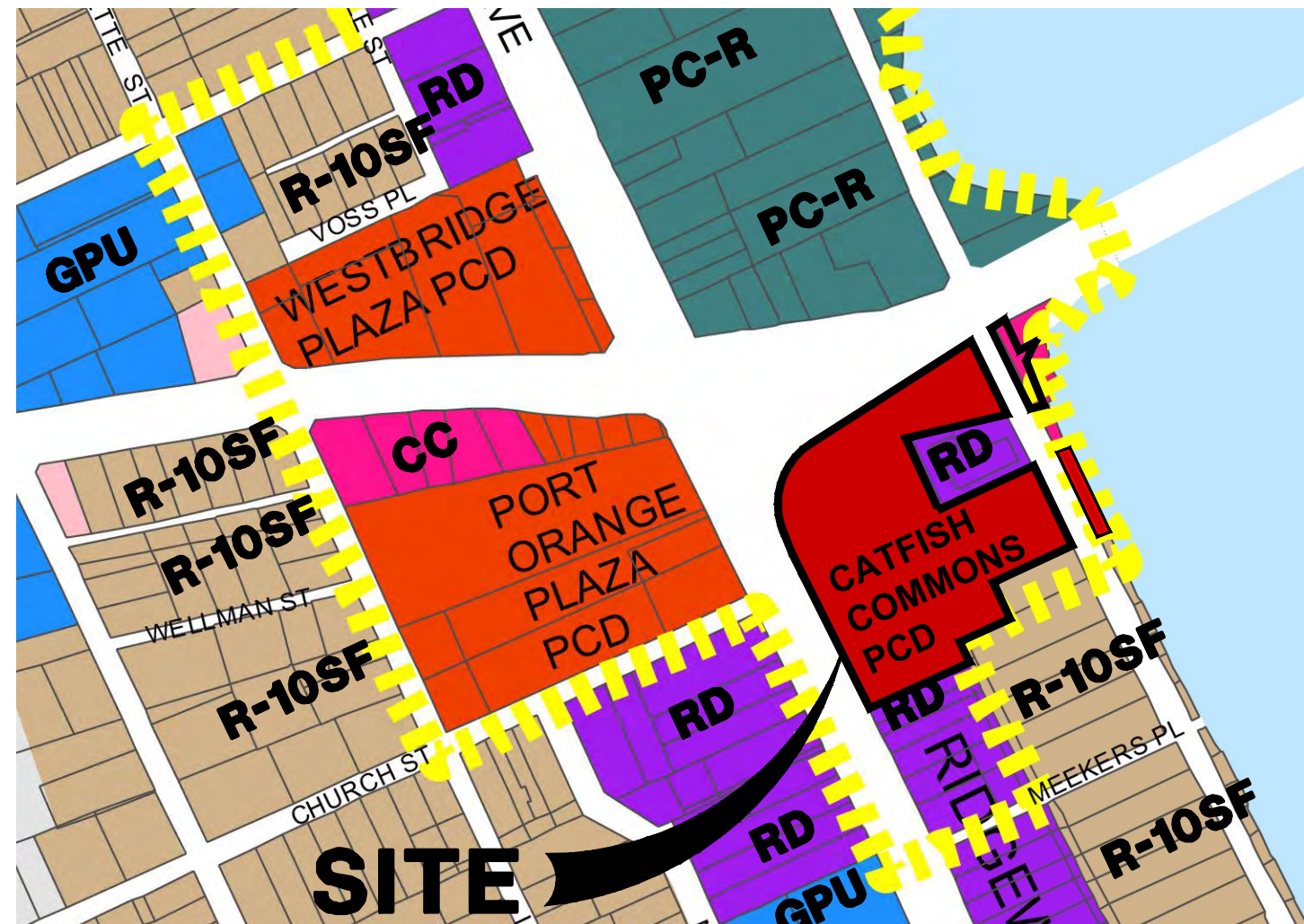
NOTES:

1. COMPLIANCE WITH THE LAND DEVELOPMENT CODE MAY NECESSITATE MODIFICATION OF THE CONCEPTUAL PLAN PER LDC CHAPTER 17, SECTION 18(G)(2)(K).



VICINITY MAP

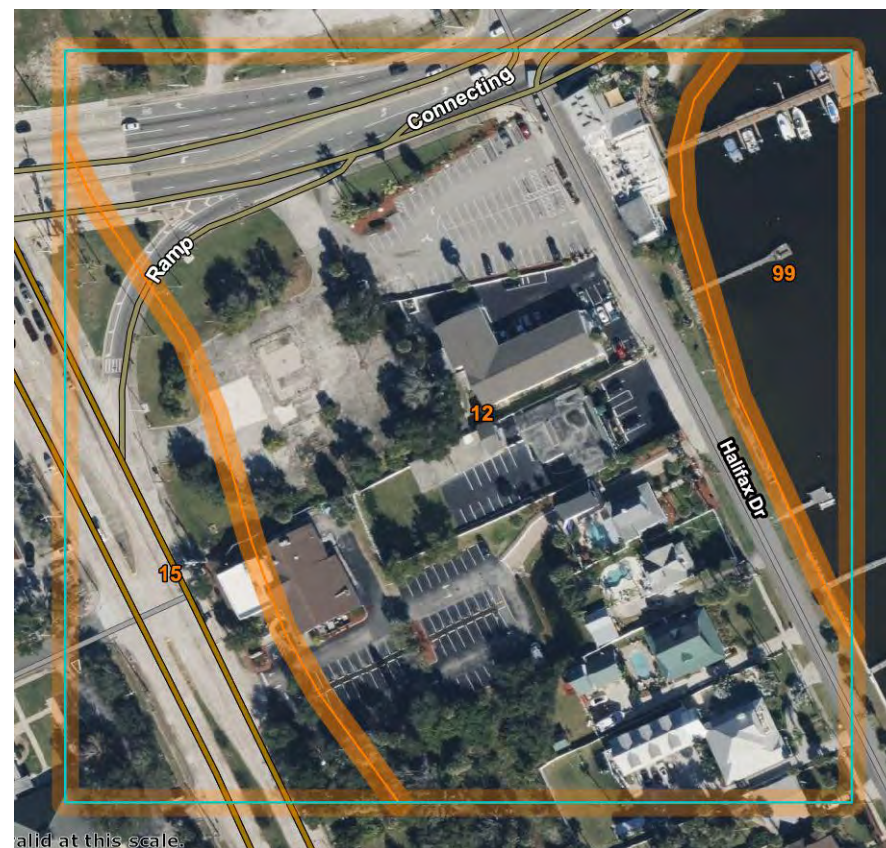
SCALE 1" = 300'



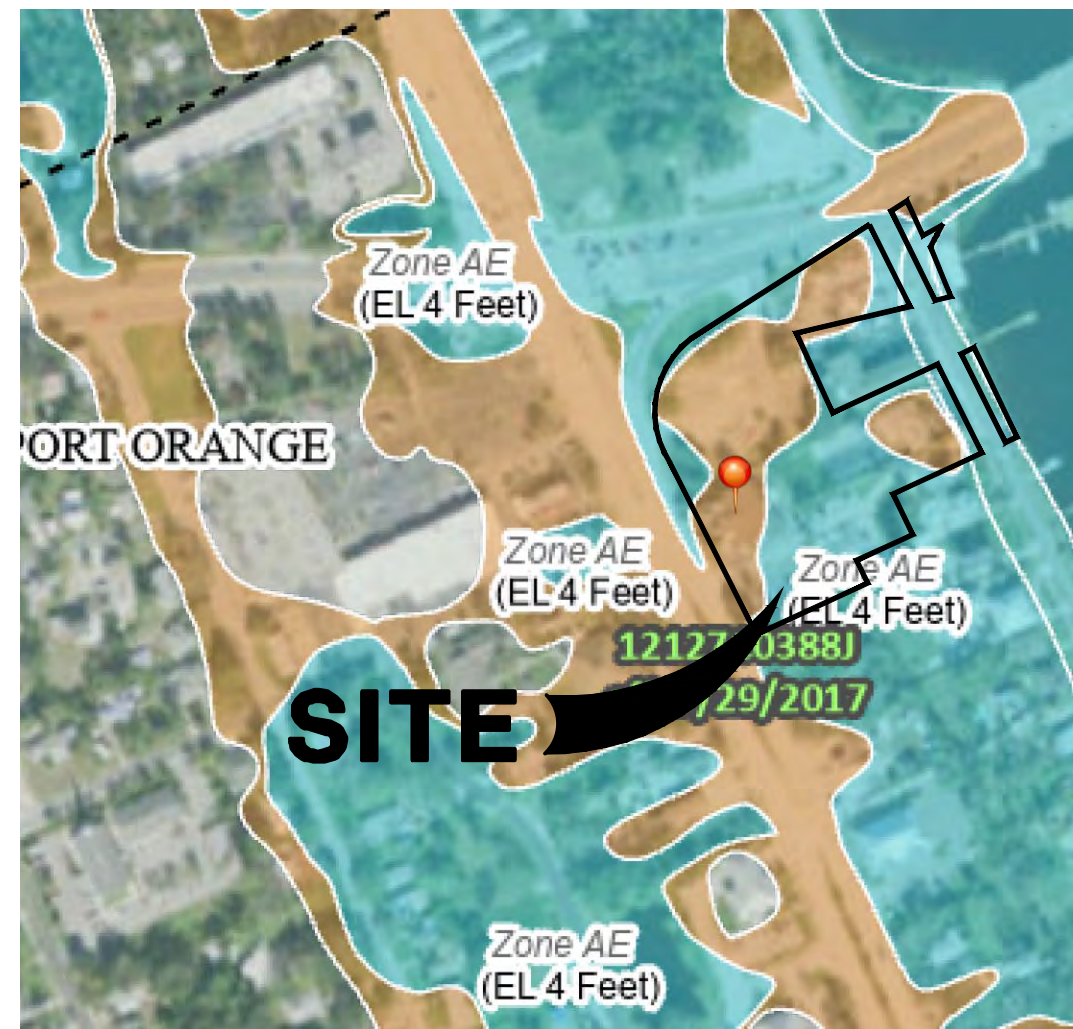
ZONING MAP

SCALE 1" = 300'

GPU Government/Public Use
PC-R Planned Community-PO Riverwalk
CC Community Commercial
RD Ridgewood Development
R-10SF Single Family Residential
Riverwalk Overlay District



SOIL MAP



FEMA FLOOD MAP

ZONES = X AND AE
MAP EFFECTIVE DATE 09/29/17

6 PARCELS (PARCELS B, C, D, E, F, & H) COMBINE WEST OF HALIFAX DRIVE LEGAL DESCRIPTION

A COMPOSITE LEGAL DESCRIPTION OF THE FOLLOWING, FOR INFORMATIONAL PURPOSES ONLY, BASED ON A FIELD SURVEY OF THE FOLLOWING OFFICIAL RECORDS BOOK AND PAGES,
ALL OF OFFICIAL RECORDS BOOK 6250 PAGE 4505,
ALL OF OFFICIAL RECORDS BOOK 8057 PAGE 4666,
ALL OF OFFICIAL RECORDS BOOK 6928 PAGE 1511, LYING WESTERLY OF THE WEST RIGHT OF WAY LINE OF HALIFAX DRIVE,
ALL OF OFFICIAL RECORDS BOOK 6598 PAGE 1462,
AND ALL OF OFFICIAL RECORDS BOOK 7781, PAGE 4878, BEING DESCRIBED AS FOLLOWS; BEGIN AT THE NORTHEAST CORNER OF SAID OFFICIAL RECORDS BOOK 6250 PAGE 4505, THENCE, THE FOLLOWING;
THENCE S 26°05'26" E A DISTANCE OF 142.22 FEET;
THENCE S 76°48'21" W A DISTANCE OF 181.53 FEET;
THENCE S 24°27'17" E A DISTANCE OF 137.06 FEET;
THENCE N 65°14'09" E A DISTANCE OF 180.91 FEET;
THENCE S 26°20'47" E A DISTANCE OF 154.91 FEET;
THENCE S 65°18'12" W A DISTANCE OF 152.63 FEET;
THENCE S 25°41'50" E A DISTANCE OF 70.23 FEET;
THENCE S 65°14'55" W A DISTANCE OF 96.58 FEET;
THENCE S 26°19'51" E A DISTANCE OF 39.95 FEET;
THENCE S 65°25'49" W A DISTANCE OF 191.93 FEET;
THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHWEST, HAVING AN ARC LENGTH OF 44.55 FEET, A RADIUS OF 11509.20 FEET, A DELTA ANGLE OF 00°13'18", AND A CHORD BEARING OF N 26°30'15" W, CHORD LENGTH OF 44.55 FEET; THENCE N 26°36'54" W A DISTANCE OF 254.92 FEET; THENCE N 21°45'31" W A DISTANCE OF 38.26 FEET; THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHEAST, HAVING AN ARC LENGTH OF 178.87 FEET, A RADIUS OF 134.30 FEET, A DELTA ANGLE OF 76°18'37", AND A CHORD BEARING OF N 16°26'05" E, CHORD LENGTH OF 165.94 FEET; THENCE N 57°26'23" E A DISTANCE OF 124.09 FEET; THENCE N 57°29'48" E A DISTANCE OF 206.21 FEET TO THE POINT OF BEGINNING.
HAVING AN AREA OF 166137 SQUARE FEET, 3.81 ACRES

4084 & 4108 (PARCEL G & I) HALIFAX DRIVE UPLAND PARCEL EAST OF HALIFAX DRIVE LEGAL DESCRIPTION

ALL OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6928, PAGE 1511, AND OFFICIAL RECORDS BOOK 8335, PAGE 4257, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, LYING EASTERLY OF HALIFAX DRIVE, A 40 FOOT WIDE ROAD PER DEEDS, BEING DESCRIBED AS FOLLOWS: BEGIN AT THE THE INTERSECTION OF THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 6928, PAGE 1511, AND THE EASTERLY LINE OF SAID HALIFAX DRIVE;
THENCE N 26°20'47" W ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 79.93 FEET; THENCE ALONG NORTH LINE OF SAID OFFICIAL RECORDS BOOK 8335, PAGE 4257, N 65°14'09" E, A DISTANCE OF 21.52 FEET TO AN INTERSECTION WITH THE EAST FACE OF AN EXISTING CONCRETE SEAWALL; THENCE THE NEXT THREE COURSES ALONG SAID EAST FACE OF CONCRETE SEAWALL: THENCE S 23°45'20" E A DISTANCE OF 79.92 FEET; THENCE S 65°15'37" W A DISTANCE OF 4.93 FEET; THENCE S 25°24'07" E A DISTANCE OF 75.01 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 6928, PAGE 1511; THENCE S 65°18'12" W ALONG SAID SOUTH LINE OF OFFICIAL RECORDS BOOK 6928, PAGE 1511, A DISTANCE OF 11.74 FEET TO AN INTERSECTION WITH SAID EAST LINE OF HALIFAX DRIVE; THENCE N 26°20'47" W ALONG SAID EAST LINE OF HALIFAX DRIVE, A DISTANCE OF 75.03 FEET TO THE POINT OF BEGINNING. HAVING AN AREA OF 2502 SQUARE FEET, 0.06 ACRES

4009 (PARCEL A) HALIFAX DRIVE UPLAND PARCEL EAST OF HALIFAX DRIVE LEGAL DESCRIPTION

(AS SUPPLIED BY CLIENT)
A PORTION OF SECTION 3, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF HALIFAX DRIVE, A 40 FOOT RIGHT-OF-WAY, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DUNLAWTON AVENUE (S-421) RUN N57°37'14"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID DUNLAWTON AVENUE, A DISTANCE OF 29.11 FEET, THENCE S24°38'37"E CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 59.61 FEET; THENCE N62°03'04"E CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 32.74 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN S55°45'42"E, A DISTANCE OF 0.38 FEET TO AN INTERSECTION WITH THE SAFE UPLAND LINE (ELEVATION 1.50 FEET) ; THENCE ALONG SAID SAFE UPLAND LINE THE FOLLOWING COURSES AND DISTANCES; S28°52'21"W, A DISTANCE OF 16.40 FEET; THENCE S24°32'32"W, A DISTANCE OF 7.63 FEET; THENCE S27°35'16"W, A DISTANCE OF 13.28 FEET; THENCE S22°13'35"E, A DISTANCE OF 79.19 FEET TO A POINT OF THE FACE OF A CONCRETE SEAWALL; THENCE S23°38'31"E ALONG SAID SEAWALL, 4.74 FEET; THENCE S76°49'56"W DEPARTING SAID SEAWALL, A DISTANCE OF 25.45 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HALIFAX DRIVE; THENCE N26°04'47"W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 155.65 FEET TO THE POINT OF BEGINNING. CONTAINING 4839.18 SQUARE FEET 0.11 ACRES

PARKER MYNCHENBERG & ASSOCIATES, INC.

PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6891 FAX (386) 677-2114 E-MAIL: info@parkermynchenberg.com
PARKER MYNCHENBERG P.E. #32645 R.L.A. #0001953 STEVE BUSWELL P.E. #3986 R.L.A. #A4667011
CERTIFICATE OF AUTHORIZATION NUMBER 00003910

CATFISH COMMONS * FLORIDA

PCD CONCEPTUAL DEVELOPMENT PLAN
"EXHIBIT B"

1 OF 2
SHEET NO.

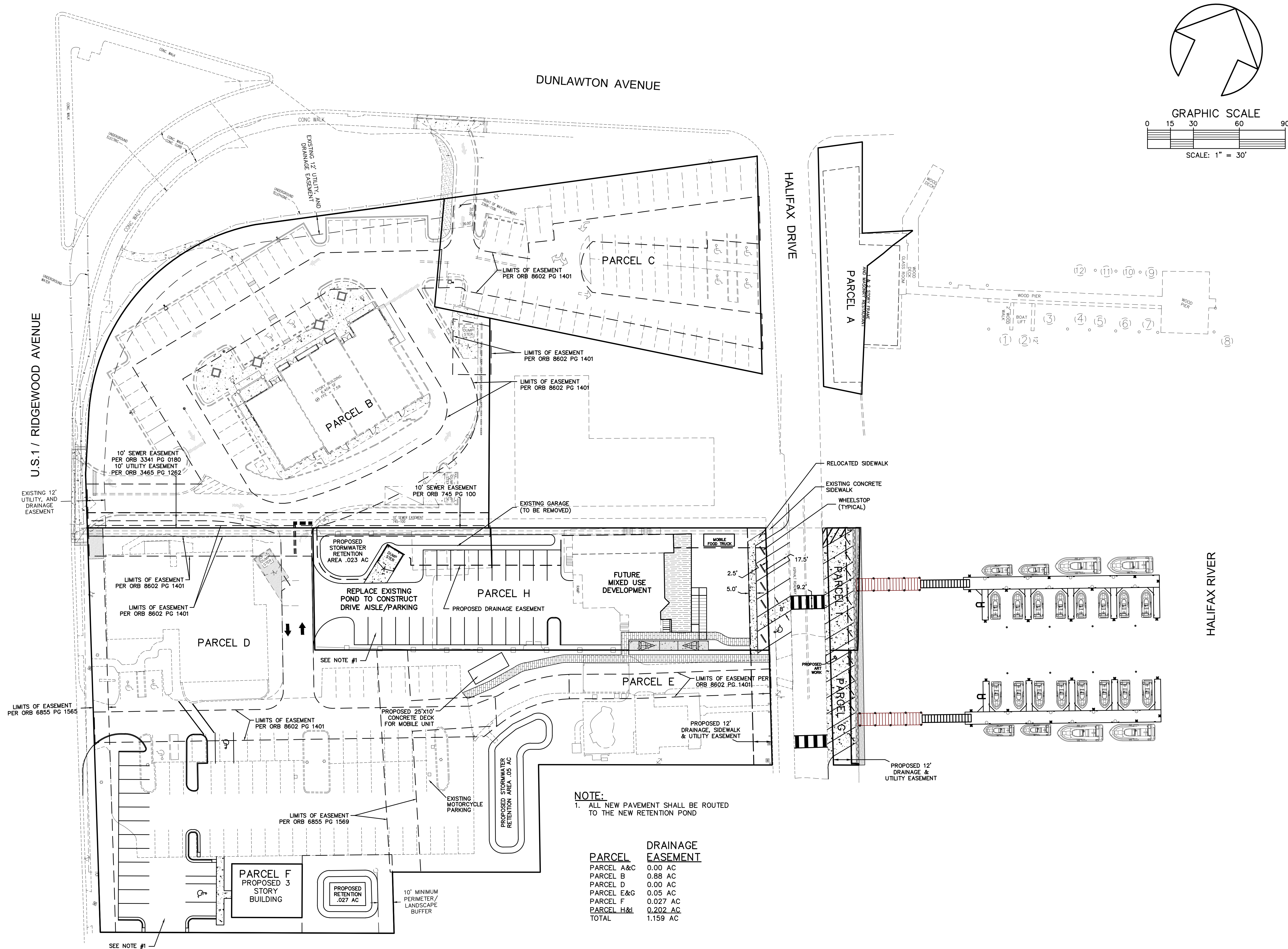
DRAWN BY: ADK

DATE: 11/20/2024

JOB NO. 24-02

SCALE: NONE

SEAL



NOTE:
1. ALL NEW PAVEMENT SHALL BE ROUTED TO THE NEW RETENTION POND

PARCEL	DRAINAGE EASEMENT
PARCEL A&C	0.00 AC
PARCEL B	0.88 AC
PARCEL D	0.00 AC
PARCEL E&G	0.05 AC
PARCEL F	0.027 AC
PARCEL H&I	0.202 AC
TOTAL	1.159 AC

PARKER MYNCHENBERG & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6891 FAX (386) 677-2114 E-MAIL: info@parkermychenberg.com
PARKER MYNCHENBERG P.E. #22645 R.L.A. #0001553 STEVE BUSWELL P.E. #3986 R.L.A. #A466701
CERTIFICATE OF AUTHORIZATION NUMBER 00003910

CATFISH COMMONS
PORT ORANGE * FLORIDA
PCD CONCEPTUAL DEVELOPMENT PLAN
"EXHIBIT B"

2 of 2
SHEET NO.
DRAWN BY: ADK
DATE: 11/20/2024
JOB NO. 24-02
SCALE: NONE

NO.	DATE	DESCRIPTION	REVISIONS
5	12.18.2024	REVISED	ADK
4	12.17.2024	REVISED	ADK
3	12.16.2024	REVISED	ADK
2	11.20.2024	REVISED PER SDRS COMMENTS	ADK
1	09/09/2024	REVISED	MAG
			BY

SEAL



valid at this scale.

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
12	Canaveral sand, 0 to 5 percent slopes	7.9	70.7%
15	Cocoa sand, 0 to 5 percent slopes	2.0	18.2%
99	Water	1.2	11.1%
Totals for Area of Interest		11.1	100.0%

SOILS MAP

PARKER MYNCHENBERG & ASSOCIATES, INC.

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 PARKER MYNCHENBERG P.E. #32645 R.L.A. #0001553, STEVE BUSWELL P.E. #53985 R.L.A. #LA6667011
 CERTIFICATE OF AUTHORIZATION NUMBER 00003910

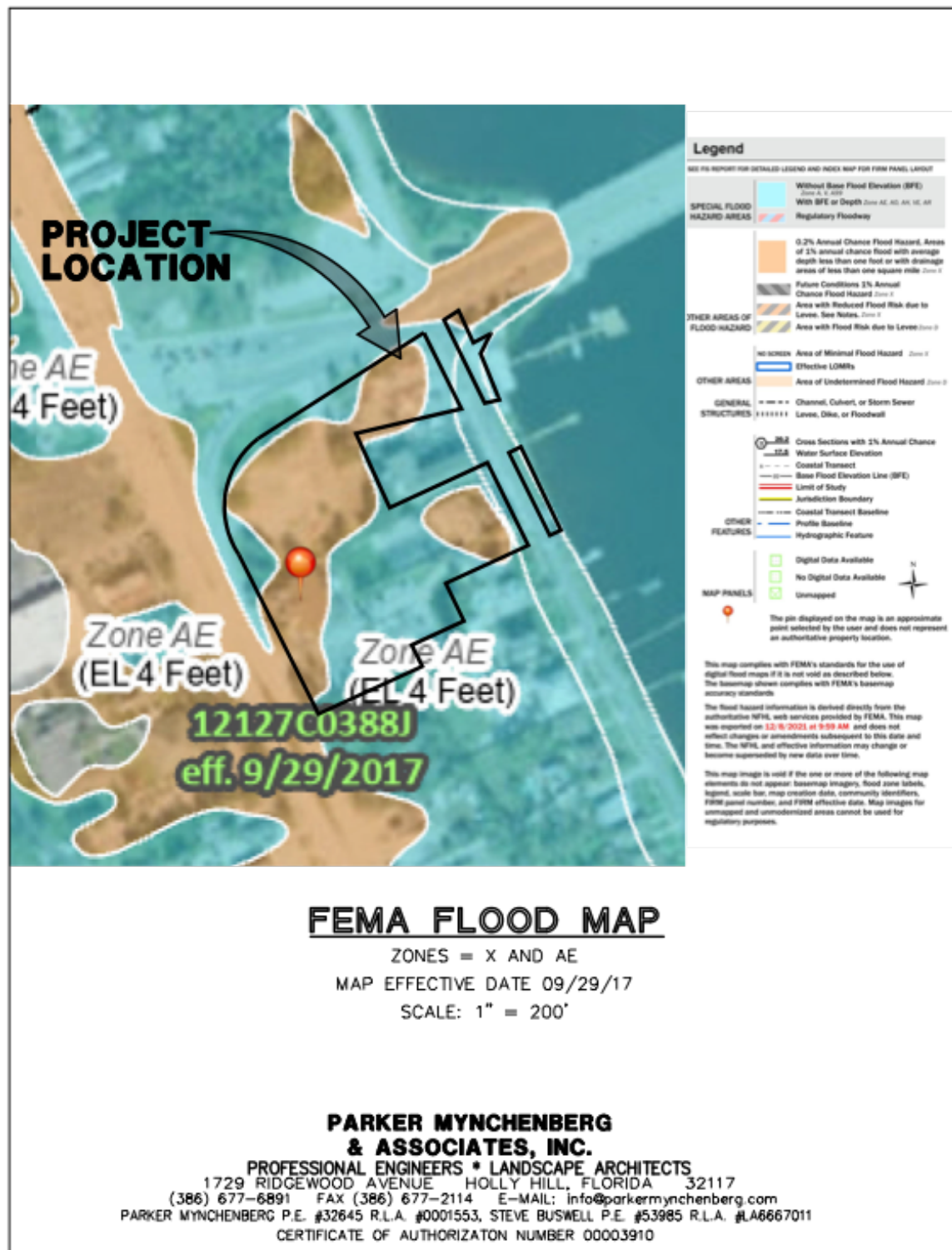


Exhibit “C”

General Appearance of Mobile Commercial Unit



Exhibit "D"
Catfish Commons Parking Allocation

Total Proposed Parking Provided per CDP

4009 Halifax Drive...63
4085 Ridgewood Avenue...77 (including new 3 story office/residential building site at 4147 Ridgewood Avenue)
4108 Halifax Drive...5
4075 Ridgewood Avenue...40
4084 Halifax Drive...35

Total Spaces Provided...220

Parking Required by Code per proposed use

Aunt Catfish's (4009 Halifax Drive)...88 (228 seats + 24 employees)
La Cantina...38 (4085 Ridgewood Avenue) (100 seats + 10 employees)
Loft Apartment...1 (4106 Halifax Dr)
Mobile Commercial...3 (4085 Ridgewood Avenue and 4084 Halifax Drive)
Office w/ 4 residential units above...8 (4147 Ridgewood Avenue) (1.5 per 805 square feet and 1 per residential unit)
Marina...8 (4084 and 4108 Halifax Drive) (1 parking space per 3 boat slips)
4075 Ridgewood multi-tenant commercial building (1 per 250 square feet)...35
Residential...8 (4084 Halifax Drive) 1 per unit
Commercial...6 (4084 Halifax Drive) 3 per unit
Restaurant...28 (4084 Halifax Drive) 1 per 3 seats and 1 per 2 employees (72 seats + 8 employees)

Total Spaces Required by Code...223

Overall Parking provided for all properties located within the Catfish Commons PCD falls under the Land Development Code Chapter 12, Section 4, item 3 (d) Reduction for mixed or joint use of parking spaces.

Exhibit "E"

Sign Design Options

Note: The Sign Design Options included are conceptual only and are intended to provide general examples of commercial signage that compliments and coordinates with the residential appearance of Halifax Drive. Final design drawings will be submitted for permitting at a later date.

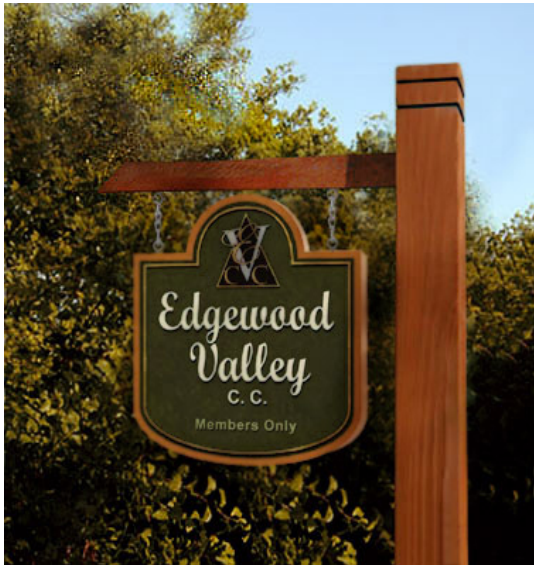


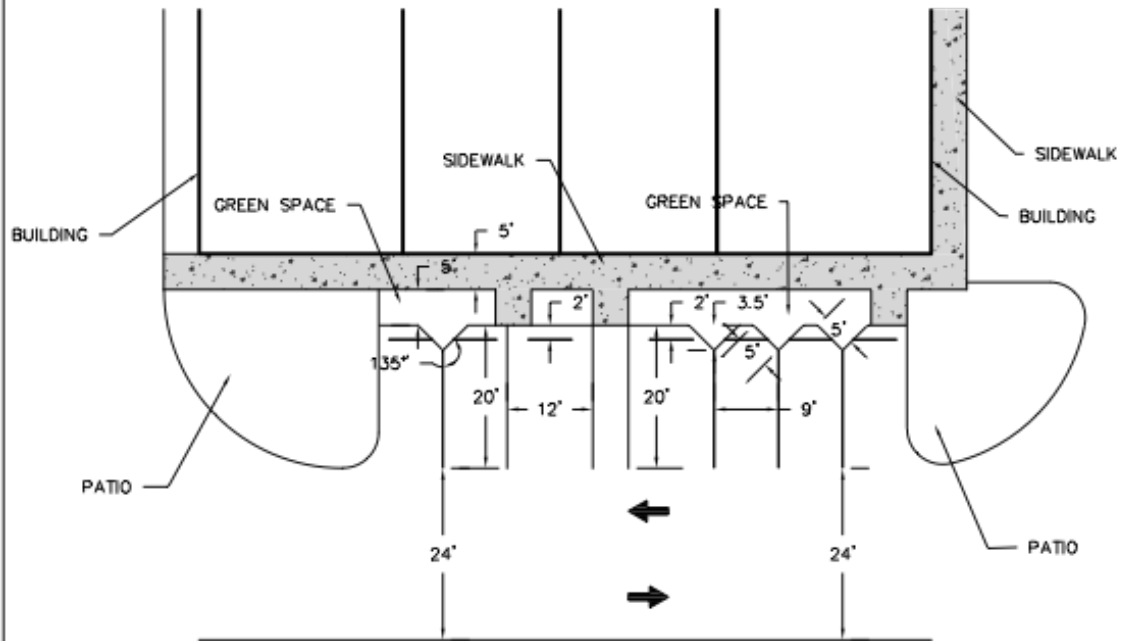
Exhibit "F"
Landscape Curb into Parking Space



GRAPHIC SCALE



SCALE: 1" = 20'



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Exhibit "G"



Exhibit "H"



Exhibit "I"

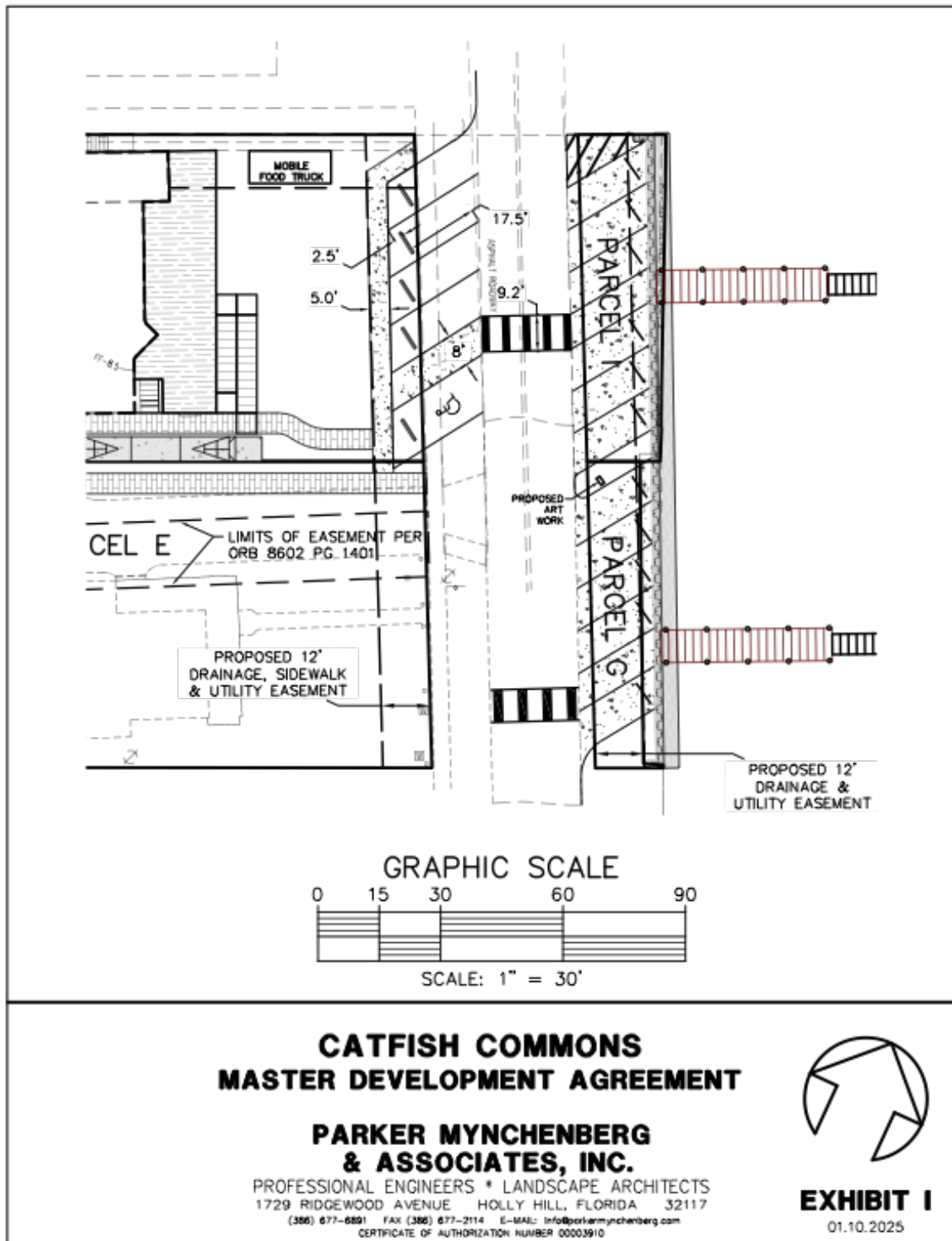


EXHIBIT 2

Section 32: Mixed Use Center (MXC) district.

- (a) *Purpose and intent.* The Mixed Use Center (MXC) district is intended to serve as an alternative to the single-use, community-level commercial node in certain settings. A mixed-use center contains a variety of land uses, which may include commercial, office, service, residential, and institutional development, and is focused around a point of high activity, such as an intersection of collectors or higher-classified roads. It is intended to provide a concentration of uses for adjacent neighborhoods and pass-by traffic. The land uses should be mixed, but commercial uses may dominate if necessary to achieve city redevelopment or economic development goals. Such centers may be located along arterial corridors, at intersections with collectors or significant local roads.
- (b) *Mix of uses.* The allowable distribution of uses within each mixed-use center unified development will be within the following ranges:

Commercial (not including office)	50%—90%
Office	10%—90%
Residential	0%—50%
Institutional	0%—35%

- (c) *Permitted uses.*
- (1) *Principal uses:* All uses in this list shall be permitted within the MXC district. Uses are categorized based on similar impacts and to ensure diversity of uses. Those uses with special development requirements are identified with an asterisk (*). These special development requirements are identified in Chapter 18, Section 4.
- (a) *Commercial category.*
- (1) Banks.
 - (2) Bars, lounges, and nightclubs *.
 - (3) Brewery*.
 - (4) Craft food and beverage producer*.
 - (5) Game/recreation facility.
 - (6) Health/exercise clubs *.
 - (7) Marina, recreational *.
 - (8) Microbrewery*.
 - (9) Office supplies.
 - (10) Personal services.
 - (11) Restaurants.
 - (12) Retail sales and service.
- (b) *Office category.*
- (1) Business services.
 - (2) Financial services.
 - (3) Medical office/clinics.

-
- (4) Offices.
 - (5) Public park and associated facilities. (This is a supportive use to the principal uses listed. It is allowed by right, but shall not count towards the minimum permitted mix of uses.)
 - (6) Veterinary clinics.
- (c) *Residential category.*
- (1) Reserved.
 - (2) Reserved.
 - (3) Reserved.
 - (4) Multifamily dwelling (16 units per gross acre maximum allowable density).
 - (5) Live-work units *.
 - (6) Bed and breakfast inn.
- (d) *Institutional category.*
- (1) Child care centers *.
 - (2) House of worship.
 - (3) Private schools.

(Ord. No. 2011-29, § 2, 11-8-11; Ord. No. 2016-19, § 9, 10-4-16)