

**CITY OF PORT ORANGE, FLORIDA
AND THE
COMMUNITY REDEVELOPMENT AGENCY FOR
PORT ORANGE TOWN CENTER**

REQUEST FOR PROPOSALS

**A Redevelopment Opportunity
Adjacent to U.S. 1 and the Halifax River in the
Riverwalk Redevelopment Project Area of Port Orange Town Center**

RFP NO. 11-14



**Release Date: June 6, 2011
Proposal return date and time: July 6, 2011 at 2:30 p.m.**

**COMMUNITY REDEVELOPMENT AGENCY FOR
PORT ORANGE TOWN CENTER**

City of Port Orange, Florida
1000 City Center Circle
Port Orange, FL 32129
(386) 506-5501



City of Port Orange

Purchasing Division
1000 City Center Circle
Port Orange, Florida 32129
Telephone (386) 506-5704
Fax (386) 506-5711

REQUEST FOR PROPOSALS PROPOSER ACKNOWLEDGEMENT FORM

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR PROPOSAL

RFP TITLE: A Redevelopment Opportunity Adjacent to U.S. 1 and the Halifax River in the Riverwalk Redevelopment Project Area of Port Orange Town Center.

RFP NUMBER: 11-14

RFP DUE DATE & TIME: July 6, 2011 at 2:30 p.m.

RFP OPENING LOCATION: Council Chambers at Port Orange City Hall

PRE-PROPOSAL MEETING DATE & TIME: June 15, 2011 at 10 a.m.(NON-MANDATORY)

PRE-PROPOSAL MEETING LOCATION: Council Chambers at Port Orange City Hall

Proposals Received After The Above Date And Time Will Not Be Accepted.

PROPOSER'S NAME: _____

PROPOSER'S MAILING ADDRESS: _____

CITY-STATE-ZIP: _____

PHONE NUMBER: _____ **EMAIL:** _____

ACKNOWLEDGMENT OF ADDENDA: (circle) None 1 2 3 4 5 6 7 8 9

If returning as a "No Proposal", please state reason (s): _____

I certify that this Proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Proposal for the same materials, supplies, or equipment, and is in all respects fair and made without collusion or fraud. I agree to abide by all conditions of this Proposal and certify that I am authorized to sign this Proposal for the Proposer. In submitting a Proposal to the City of Port Orange, the Proposer offers and agrees that if the Proposal is accepted, the Proposer will convey, assign or transfer to the City of Port Orange all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Antitrust laws of the United States and the State of Florida for price fixing relating to the particular commodities or services purchased or acquired by the City of Port Orange. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the Proposer.

X _____
AUTHORIZED SIGNATURE (MANUAL)

NAME (TYPED)

TITLE

DATED



City of Port Orange

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1000 City Center Circle
Port Orange, Florida 32129
Telephone (386) 506-5704
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OFFEROR'S RFP CHECKLIST

The 10 Most Critical Things to Keep in Mind When Responding to an RFP for the City of Port Orange

1. _____ **Read the entire document.** Note critical items such as: mandatory requirements; Supplies and/or services required; submittal dates; number of copies required for submittal; funding amount and source; contract requirements (i.e., contract performance security, insurance requirements, performance and/or reporting requirements, etc.).
2. _____ **Note the Purchasing Coordinator's name, address, phone numbers and e-mail address.**
This is the only person (or his designee) you are allowed to communicate with regarding the RFP and is an excellent source of information for any questions you may have.
3. _____ **Attend the pre-proposal conference** if one is offered. These conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the City of any ambiguities, inconsistencies, or errors in the RFP.
4. _____ **Take advantage of the "question and answer" period.** Submit your questions to the Purchasing Coordinator by the due date listed in the RFP and view the answers given in the formal "addenda" issued for the RFP. All addenda issued for an RFP are posted on www.demandstar.com website and will include all questions asked and answered concerning the RFP. It is the Proposer's responsibility to be sure all addenda were received.
5. _____ **Follow the format required in the RFP** when preparing your response. Provide point-by-point responses to all sections in a clear and concise manner.
6. _____ **Provide complete answers/descriptions.** Read and answer **all** questions and requirements. Don't assume the City or evaluator/evaluation ranking committee will know what your company capabilities are or what items/services you can provide, even if you have previously contracted with the City. The proposals are evaluated based solely on the information and materials provided in your response.
7. _____ **Use the forms provided**, i.e., cover page, proposer acknowledgment form, exhibits, etc.
8. _____ **Check the website for RFP addenda.** Before submitting your response, check the DemandStar website at www.demandstar.com whether any addenda were issued for the RFP. If so, you must circle for each addenda issued on the "proposer acknowledgement form".
9. _____ **Review and read the RFP document again** to make sure that you have addressed all requirements. Your original response and the requested copies must be identical and be complete.
10. _____ **Submit your response on time.** Note all the dates and times listed in the RFP and within the document, and be sure to submit all required items on time. Late proposal responses are never accepted.



City of Port Orange

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OFFEROR'S RFP CHECKLIST

This checklist is for the Proposer's use in preparing his RFP. It is not intended to include all details necessary to prepare a RFP and it is not intended as a substitute for the requirements of the Specifications. Use of this checklist does not relieve the Proposer from the responsibility of meeting all requirements of the Specifications concerning the preparation of an acceptable RFP.

Proposal Submittal Checklist:

1. _____ **Proposer Acknowledgement Form.** (Located on Page 1)

- ☐ All contact information filled in?
- ☐ Acknowledgement of all addenda circled? Confirmed receipt of all addenda?
- ☐ Authorized signature, title and date filled in?

2. _____ **Proposal Content & Requirements.** (located on page 21, 22, 23)

- ☐ (1) Unbound and (10) copies of the proposal
- ☐ (1) Electronic copy of all documents in .PDF format
- ☐ (10) DVD's of the Oral Presentation

Sections A-M (see RFP for detailed requirements)

- ☐ A: Identify project area seeking to develop and lands seeking to acquire or lease
- ☐ B: Identify lands for public use conveyed to the City
- ☐ C: State anticipated uses, square footage and letters of intent
- ☐ D: Submit a conceptual site plan and one elevation on sheets measuring 24x36 inches
- ☐ E: Identify incentives
- ☐ F: Submit proof of ownership
- ☐ G: Submit time schedule for initiation and completion of project
- ☐ H: Submit a total project cost analysis
- ☐ I: Submit preliminary operating pro forma
- ☐ J: Submit financing plan
- ☐ K: Submit organizational structure, qualifications and financial strength
- ☐ L: Submit video presentation on DVD format up to 15 minutes in length
- ☐ M: Sign and submit the "proposer acknowledgement form" (located on page 1) and "exhibits 1-4" (located on page 28, 30, 32, 34)

TABLE OF CONTENTS

PAGE #

SECTION I – INTRODUCTION

Scope of Request for Proposal	7
Separation and Distribution	8

SECTION II - GENERAL CONDITIONS

Proposal Submission and Withdrawal	10
Additional Information/Addenda	10
Late Proposals, Late Modifications and Late Withdrawals	11
RFP Postponement/Cancellation/Waiver of Irregularities	11
Costs Incurred by Proposers	11
Oral Presentation	11
Exception to the RFP	11
Proprietary Information	11
Minimum Qualifications of Proposer	12
Waiver/Rejection of Proposals	12
Negotiations of Proposals	12
Rules, Regulations and Licensing Requirement	12
Review of Proposals	12
Records/Audit	12
Investigation of Alleged Wrongdoings, Litigation/Settlements/Fines/Penalties	12
Conduct of Proposers	13
Evaluation Criteria	13
Conflict of Interest	13
Legal Requirements	13
Public Entity Crimes Statement	13
State Licensing Requirement	14
Use of Proposal Forms	14
Irrevocability of Proposal	14
Contract Awards	14
References	15
Insurance	16

SECTION III – COMMON CONTRACT PROVISIONS

Hold Harmless/Indemnification Provision	18
Termination and Non-Renewal Endorsement	18

TABLE OF CONTENTS

PAGE #

SECTION IV – SCOPE

Redevelopment project goals and objectives for Riverwalk area	20
City and CRA properties available for redevelopment	20
Land use regulations	20
Plans and studies	21
Economic development incentives & public/private partnerships opportunities	21

SECTION IV – SCOPE Cont.

Proposal content & requirements	21
Buy-Back provision	23
Pre-submittal meeting	23
Site visits	23
Selection criteria, basis for evaluation & other requirements	23
Conditions	24
Timeline	25

EXHIBITS

Exhibit 1: Public entity crime form	28
Exhibit 2: Anti-collusion statement form	30
Exhibit 3: Drug free / tie preference statement	32
Exhibit 4: Authorization for release of information	34

APPENDICES

A: Sketch & Legal of Riverwalk Project Area	36
B: Parcels owned by City and CRA	39
C: Conceptual Development Plan for Riverwalk Project Area	42
D: Comprehensive Plan Provisions regarding Riverwalk Project Area	45
E: Land Development Code Provisions regarding Riverwalk Project Area	55
F: Real property title restrictions	68

CITY OF PORT ORANGE



Section I

Introduction

SECTION I

INTRODUCTION

SCOPE OF REQUEST FOR PROPOSAL

The City of Port Orange, Florida, a municipal corporation organized under the laws of the State of Florida, (“City”), and the Community Redevelopment Agency for Port Orange Town Center, a body politic and corporate of the State of Florida created pursuant to Part III, Chapter 163, Florida Statutes, (“CRA”), invites proposals from private redevelopers or any persons interested in redevelopment to lease, buy, sell, exchange or otherwise transfer real property owned by the City and the CRA in furtherance of the redevelopment objectives of the City and the CRA within the area of Town Center designated as the Riverwalk Redevelopment Project Area. This RFP is issued in compliance with Section 163.380, Florida Statutes, which prescribes the procedures, requirements and conditions that must be met in order to sell, lease or dispose of CRA property with a redevelopment area. As used in this RFP, the term “City” shall be interpreted to include the CRA.

The Riverwalk Redevelopment Project Area lies between U.S. 1/Ridgewood Avenue and the Halifax River, north of S.R. 421/Dunlawton Avenue. This project area is approximately 35 acres in size and contains multiple parcels under differing ownership. A sketch and legal description of the Riverwalk Redevelopment Project Area is provided in Appendix “A” of this RFP. The parcels that are currently under the ownership of the City and/or Agency contain 17.25 acres, more or less. A listing of the individual parcels is provided in Appendix “B” of this RFP. Proposers may submit development proposals that utilize a portion of or all of these sites.

The CRA has adopted a Redevelopment Plan for Port Orange Town Center and has approved a Conceptual Master Plan, a copy of which is included in Appendix “C”, indicating the development pattern for the Riverwalk Project Area. The City has also adopted Comprehensive Plan provisions, provided in Appendix “D”, and Land Development Code regulations, provided in Appendix “E” specific to the Riverwalk Project Area. Collectively, these documents outline the permissible development for the Riverwalk Redevelopment Project Area. The City and CRA are receptive to proposals that deviate from previously adopted plans and regulations for Riverwalk, provided that the redevelopment goals and objectives stated in section IV of this RFP are met. The CRA is vested by the State of Florida pursuant to its powers under Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969 as amended, with the authority to request proposals for the redevelopment of any area within its district in order to effectuate redevelopment pursuant to the goals and objectives of the Agency’s adopted Community Redevelopment Plan. The City and CRA reserve the right to negotiate with any person(s) for the purchase or transfer of any real property previously acquired by the City and CRA in furtherance of the redevelopment goals and objectives of City and CRA.

The purpose of this Request for Proposals (RFP) is to set forth the project goals, selection criteria, statement of qualifications and submittal requirements that interested parties must address in response to this RFP. The City and CRA shall consider the proposals, including the financial and legal ability of the person(s) making such proposals to carry them out. Developers responding to this RFP must submit documentation to demonstrate their firm’s ability to perform. Developers must exhibit the necessary financial capabilities and development experience to successfully execute their proposed development through all development stages up to and including timely completion. This role includes responsibility for assembling a development team, managing team members and other developers, executing an agreement with the City and Agency, providing direction through the pre-development process, and implementing and completing the approved development.

Factors that the CRA will use in judging proposals include, but are not limited to, the jobs, services and/or economic benefit made available by the project to the surrounding community, the quality of planning, urban

design and architecture, the public access provided to the Halifax River, the percentage and pricing structure of the residential component (if proposed), and the proposal's consistency with or improvement upon, the City's plans for the Riverwalk Redevelopment. The City and CRA's desire is to select a one or more developers for one or more phases of the development. The City and Agency reserve the right to entertain multiple project-specific proposals if deemed in the best interest of the City. Developers must confirm in their submittals the ability to successfully design, build, finance and manage the development of their proposed Project. Selection criteria are discussed in more detail within this RFP.

Upon receipt of an acceptable proposal and a negotiated contract with the successful proposer(s), as well as the applicant's compliance with conditions precedent to closing, the City and CRA will close on the property as described in this RFP, or as agreed to pursuant to the contract negotiated between the proposer, the City and the CRA. The successful proposer(s) shall have one hundred twenty (120) days from the date of selection to enter into contract with the City/CRA. The City/CRA reserve the right to not close on property until the development has received all of the necessary approvals, including City building permits, and the construction is fully financed and secured by bonding.

Proposers are required to submit one (1) unbound original and ten (10) paper copies, and one (1) electronic version of all documents in .pdf format, along with ten (10) DVD copies of the Oral Presentation, sealed and marked on the outside of the package, **"RFP 11-14, Riverwalk Redevelopment Proposal 2011"**, delivered to the City of Port Orange Purchasing Division, Att: Tom Cinefro, Finance Department, 1000 City Center Circle, Port Orange, FL 32129 on or before 2:30 p.m. on July 6, 2011. A pre-submittal meeting will be held at 10 a.m. on June 15, 2011 at the Port Orange City Hall, City Council Chambers/1st Floor, 1000 City Center Circle, Port Orange, Florida 32129. Attendance is on a non-mandatory basis. Pursuant to Section 163.380, Florida Statutes, notice is hereby given that proposals must be made within thirty (30) days after the date of this publication, and in no less than sixty (60) days from the date of this notice, the City and CRA may approve and execute one or more contracts to buy, sell, exchange or otherwise transfer real property owned by the City and/or CRA within the previously described Riverwalk Project Area.

All submitters or individuals acting on behalf of submitters are hereby prohibited from lobbying or otherwise attempting to persuade or influence any member of the City Council, CRA or staff at any time during the course of the solicitation process. Failure to comply with this procedure shall result in rejection/disqualification of said submittal without exception. All submitters or individuals acting on behalf of submitters are further prohibited from contacting or otherwise attempting to communicate with any member of the staff regarding the pending solicitation or its outcome until after the staff has arrived at a recommendation of the most qualified submitters. Until such recommendation is disclosed, any contact with the staff shall be channeled through the Office of Purchasing. Failure to comply with this procedure will result in rejection/disqualification of said submittal without exception.

For additional information, or to submit a question, please contact IN WRITING:

Tom Cinefro, Purchasing Coordinator, tcinefro@port-orange.org
1000 City Center Circle, Port Orange, FL 32129

SEPARATION AND DISTRIBUTION

This RFP has been designed for transmittal as a complete document to interested parties. It is recommended that it not be separated; however, it may be reproduced in its entirety as additional distribution might dictate.

The City will utilize Demand Star for distribution of RFP #11-14 at: www.demandstar.com

In addition, vendors may obtain a PDF version of the RFP Proposal by submitting an Email request directly to: Tom Cinefro, Purchasing Coordinator, E-mail: tcinefro@port-orange.org

CITY OF PORT ORANGE



Section II

General Conditions

SECTION II

GENERAL CONDITIONS

PROPOSAL SUBMISSION AND WITHDRAWAL

Proposers are required to submit one (1) unbound original and ten (10) paper copies, and one (1) electronic version of all documents in .pdf format, along with ten (10) DVD copies of the Oral Presentation, sealed and marked on the outside of the package, **“RFP 11-14, Riverwalk Redevelopment Proposal 2011”**, delivered to the City of Port Orange Purchasing Division, Att: Tom Cinefro, Finance Department, 1000 City Center Circle, Port Orange, FL 32129 on or before 2:30 p.m. on July 6, 2011. Pursuant to Section 163.380, Florida Statutes, notice is hereby given that proposals must be made within thirty (30) days after the date of the publication. The City and CRA may approve and execute one or more contracts to buy, sell, exchange or otherwise transfer real property owned by the City and/or CRA within the previously described Riverwalk Project Area upon notice by publication at least 30 days prior to execution of the contract.

Due to the timing of mail service, the City cautions proposers to assure actual delivery of proposals to the City prior to the deadline set for receiving proposals. Proposals received after the established deadline shall not be considered.

Proposals are due by 2:30 p.m. on July 6, 2011.

Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service. Any proposal received after 2:30 p.m. (local time), July 6, 2011 will not be considered and will be returned unopened. Proposals, once received, become the property of the City, cannot be withdrawn, and will not be returned to the proposers. Upon opening, proposals become subject to public disclosure in accordance with Chapter 119, Florida Statutes.

ADDITIONAL INFORMATION/ADDENDA

Requests for additional information or clarifications must be made IN WRITING no later than the date specified in the RFP. The request must contain the proposer's name, address, phone number, and email address.

All questions concerning this RFP must be submitted IN WRITING no later than 5:00 p.m. on June 29, 2011 to:

Tom Cinefro, Purchasing Coordinator
1000 City Center Circle, Port Orange, FL 32129
tcinefro@port-orange.org

Questions will not be accepted after 5:00 p.m. on June 29, 2011.

The City will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the Proposal Due Date. Proposers should not rely on any representations, statements or explanations other than those made in this RFP or in any addendum to this RFP. Where there appears to be a conflict between the RFP and any addenda issued, the last addendum issued will prevail.

It is the proposer's responsibility to be sure all addenda were received. The proposer should verify with the designated contact persons prior to submitting a proposal that all addenda have been received. Proposers are required to acknowledge the number of addenda received as part of their proposals.

Written responses, in the form of an addendum, will be provided via the Demand Star website at:
www.demandstar.com

LATE PROPOSALS, LATE MODIFICATIONS AND LATE WITHDRAWALS

Proposals received after the Proposal Due Date and time are late and shall not be considered. Modifications received after the Proposal Due Date are also late and shall not be considered. Letters of withdrawal received after the Proposal Due Date or after contract award, whichever is applicable, are late and shall not be considered.

RFP POSTPONEMENT/CANCELLATION/WAIVER OF IRREGULARITIES

The City may, at its sole and absolute discretion, reject any and all, or parts and all, proposals; re-advertise this RFP; postpone or cancel, at any time, this RFP process; or waive any irregularities in this RFP or in the proposals received as a result of this RFP.

COSTS INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of proposals to the City, or any work performed in connection therewith shall be borne by the proposer(s). No payment shall be made for any responses received, nor for any other effort required of or made by the proposer(s) prior to commencement of work as defined by a contract approved by the City Council and the Redevelopment Agency.

ORAL PRESENTATION

All Proposers are required to include in their submittal package ten (10) copies of a 10-15 minute Oral Presentation recorded on DVD . The Oral Presentation shall discuss the Proposer's capabilities and/or development proposal.

EXCEPTION TO THE RFP

Proposers may take exceptions to any of the terms of this RFP unless the RFP specifically states where exceptions may not be taken. Should a proposer take exception where none is permitted, the proposal may be rejected as non-responsive. All exceptions taken must be specific, and the proposer must indicate clearly what alternative is being offered to allow the City a meaningful opportunity to evaluate and rank proposals.

Where exceptions are permitted, the City shall determine the acceptability of the proposed exceptions and the proposals will be evaluated based on the proposals as submitted. The City, after completing evaluations, may accept or reject the exceptions. Where exceptions are rejected, the City may request that the proposer furnish the services or goods as described herein, or negotiate an acceptable alternative.

PROPRIETARY INFORMATION

Responses to this Request for Proposals, upon receipt by the City, become public records subject to the provisions of Chapter 119 F.S., Florida's Public Records Law. If you believe that any portion of your response is exempt, you should clearly identify the specific documents for which confidentiality is claimed, and provide specific legal authority of the asserted exemption. Any financial statement that an agency requires a prospective bidder to submit in order to prequalify for bidding or for responding to a proposal for a road or any other public works project is exempt from s. [119.07](#)(1) and s. 24(a), Art. I of the State Constitution.

MINIMUM QUALIFICATIONS OF PROPOSER

No proposal will be accepted by the City where insurance coverage is proposed by a person or organization which is not rated by at least one of the following rating firms or which has a rating from any one of the following rating firms which is less than the minimum rating specified below for that rating firm. Rating Firm Minimum Rating A. M. Best A.

WAIVER/REJECTION OF PROPOSALS

All reasonably responsive proposals will be considered. However, the City reserves the right to waive formalities or informalities in proposals, to reject, with or without cause, any or all proposals or portions of proposals, or to interview or not interview individual proposers, and to accept any proposal(s) or portions of proposals deemed to be in the best interest(s) of the City.

NEGOTIATIONS OF PROPOSALS

Based on the written proposals the City may elect to enter into negotiations with one or more of the proposers.

If the City and the selected proposer(s) cannot negotiate a successful contract, within one hundred and twenty (120) days after selection, the City may terminate said negotiations. No proposer shall have any rights against the City arising from such negotiations.

RULES, REGULATIONS AND LICENSING REQUIREMENT

The proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, including those applicable to conflict of interest and collusion. Proposers are presumed to be familiar with all Federal, State and local laws, ordinances, codes and regulations that may in any way affect the services offered.

REVIEW OF PROPOSALS

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. A responsive proposal is one which follows the requirements of the RFP, includes all required documentation, is submitted in the format outlined in the RFP, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may deem your proposal non-responsive. A Proposal Evaluation Committee has been established to review and evaluate all proposals submitted in response to this RFP. The committee shall conduct a preliminary evaluation of all proposals on the basis of the information provided with the proposal and other evaluation criteria as set forth in the RFP. Based on this review, the highest rated proposer(s) will be evaluated in detail.

RECORDS/AUDIT

The proposer shall maintain records sufficient to document their completion of the scope of services as a public record and as a requirement of the Contract. These records shall be subject at all reasonable time to review, inspect, copy and audit by persons duly authorized by the City. These records shall be kept for a minimum of three (3) years after completion of the Contract and in accordance with the requirements of public records retention as prescribed by general law. Records which relate to any litigation, appeals or settlements of claims arising from performance under this requirement shall be made available until a final disposition has been made of such litigation, appeals, or claims.

INVESTIGATION OF ALLEGED WRONGDOINGS, LITIGATION/ SETTLEMENTS/FINES/PENALTIES

The City Council and CRA specifically requests that responders to this document indicate in writing any investigations of wrongdoings, litigation and/or settlements, and fines or penalties (anywhere in the U.S) involving Proposer and any governmental entity.

CONDUCT OF PROPOSERS

All submitters or individuals acting on behalf of submitters are hereby prohibited from lobbying or otherwise attempting to persuade or influence any member of the City Council, Community Redevelopment Agency, or staff of the City and CRA at any time during the course of the solicitation process. Failure to comply with this procedure shall result in rejection/disqualification of said submittal without exception. All submitters or individuals acting on behalf of submitters are further prohibited from contacting or otherwise attempting to communicate with any member of the staff regarding the pending solicitation or its outcome until after the staff has arrived at a recommendation of the most qualified submitters. Until such recommendation is disclosed, any contact with the staff shall be channeled through the Office of Purchasing. Failure to comply with this procedure shall result in rejection/disqualification of said submittal without exception.

EVALUATION CRITERIA

Once received, Proposer submittals will be reviewed and evaluated by the City/CRA Ranking and Interview committee based upon the criteria set forth in the RFP and the following:

<u>Selection Criteria</u>	<u>Maximum points awarded</u>
Qualifications/Past Development Experience	25
Financial Capacity & Commitment to Project	25
Proposed Project Pro Forma (Marketability Feasibility)	20
Proposed Development Concept & Use of Public Resources	20
Video Presentation	10

CONFLICT OF INTEREST

The award hereunder is subject to the provisions of Chapter 112, Florida Statutes. All proposers must disclose with their proposal the name of any officer, director, or agent who is also an employee of the City. Further, all proposers must disclose the name of any employee who owns, directly or indirectly, an interest in the proposer's firm or any of its branches. The proposer shall not compensate, in any manner, directly or indirectly, any officer, agent, or employee of the City for any act or service that he/she may do, or perform for, or on behalf of any officer, agent or employee of the proposer. No officer, agent, or employee of the City shall have any interest, directly or indirectly, in any contract or purchase made, or authorized to be made by anyone for, or on behalf of the City. The proposer shall have no interest and shall not acquire any interest that shall conflict in any manner or degree with the performance of the services required under this RFP.

LEGAL REQUIREMENTS

Applicable provision of all Federal, State, county and local laws, and all ordinances, rules, and regulations shall govern development, submittal and evaluation of all proposals received in response hereto and shall govern any and all claims and disputes which may arise between person(s) submitting a response to RFP hereto and the City by and through its officers, employees and authorized representatives, or any other person, natural or otherwise; and lack of knowledge by any bidder shall not constitute a cognizable defense against the legal effect thereof.

PUBLIC ENTITY CRIMES STATEMENT

Proposers are hereby notified about Section 287.133(2)(a), Florida Statutes, which requires that:

“A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.”

STATE LICENSING REQUIREMENT

All entities defined under Chapters 607, 608, 617 or 620, Florida Statutes, seeking to do business with the City shall be on file and in good standing with the State Of Florida’s Department of State.

The offeror shall have, prior to making this offer, met the license, certification, and any other requirements of the state, county, city and/or other agency of authority with jurisdiction in such matters and should provide copies of documentation which evidence such qualifications with your response to this solicitation; and, that the offeror shall provide follow-up evidence that the contractor maintains such credentials throughout the period of the agreement.

A copy of a current certificate of authority from the Secretary of State authorizing your company to do business in the State of Florida; or other evidence of legal authority to do business in the state, county, city and/or any other agency of authority should be provided with your response to this solicitation; however, the City may allow this responsiveness issue to be cured after submission of your offer within a reasonable period of time and prior to any recommendation for award. Information concerning certification with the Secretary of State can be obtained at <http://ccfcorp.dos.state.fl.us/index.html>.

Failure to provide evidence of current licensure, certification or other evidence of legal authority to do business in the matters of this solicitation may render your offer non-responsive.

USE OF PROPOSAL FORMS

Proposers should complete the appropriate Proposal Form(s) included in the RFP. All blanks on the Proposal Forms should be completed. If a question or confirmation is not applicable, it should be answered with an "N/A."

Supplemental information may be attached to the Proposal Forms. Failure to fully complete the appropriate Proposal Forms may result in disqualification of your proposal.

If additional space for a response is required, attach an additional page to the page on which the question is stated. Clearly identify the number of the question to which the response is attached. Further, if additional Proposal Form pages are needed, photocopy or replicate as appropriate, and attach such additional pages to the page on which the question or chart is stated.

The signature on the Authorized Person or Entity must be that of an officer, partner or a sole practitioner of the entity making the proposal. The original proposal, and each copy submitted, should contain an original signature on the Proposer's Acknowledgement Form contained in each Proposal Form.

IRREVOCABILITY OF PROPOSAL

Each proposer agrees that proposals shall remain open until the effective date of award, not subject to revocation, and shall be subject to the City’s acceptance.

CONTRACT AWARDS

The City anticipates entering into a contract with the proposer or proposers who submit the proposals judged by the City to be most advantageous. If a mutually agreeable contract cannot be reached within one hundred twenty (120) days after selection has been made, the City may terminate negotiations. The proposer understands that this RFP does not constitute an agreement or a contract with the proposer. An official contract or agreement is not binding until proposals are reviewed and accepted by the City and executed by all parties. The City reserves the right to reject all proposals, to waive any informality, to negotiate with vendors, and to solicit and re-advertise for other proposals.

REFERENCES

Proposers should provide at least two (2) references for whom similar services have been provided in the past ten (10) years. References from the City's general geographic area and from similarly sized Florida counties, municipalities and/or other governments are preferred.

INSURANCE

Proposers selected shall purchase and maintain the following insurance requirements:

Insurance	Standards	Comments
<p>Workers' <u>Limits:</u> Compensation</p> <p>Additional Coverage: Special Conditions:</p>	<p>Coverage A - Statutory Coverage B - \$100,000</p> <p>All States (Broad Form) Voluntary Compensation</p> <p>30 days notice of cancellation to Governmental Entity, Waiver of subrogation in lieu of additional insured will suffice.</p>	<p>If the contract requires work on or about navigable waters, require Longshoreman's and Harbor Workers' Coverage. If vessels involved, require Jones Act coverage with limits of \$500,000.</p>
<p>Comprehensive <u>Limits:</u> General Liability (including Completed Operations and Contractual Liability</p> <p><u>Special Conditions:</u></p>	<p>Combined Single Limit Bodily Injury and Property damage \$500,000 occurrence \$1,000,000. Aggregate</p> <p>30 day notice to Governmental Entity, Additional Insured, City to be added as Additional Insured</p>	<p>When the Contract work on or under Railroad rights of way or properties, the Contractor shall take out and maintain during the life of the Contract, Railroad protective liability and property damage insurance in amounts as requested by the Railroad.</p>
<p>Comprehensive <u>Limits:</u> Business, Automobile Liability to include all automobiles.</p> <p><u>Additional Coverage:</u></p> <p><u>Special Conditions:</u></p>	<p>Auto Liability Body Injury: \$100,000 each person \$300,000 each occurrence. Property Damage Liability \$100,000 each occurrence.</p> <p>Non-Owned, Hired Car</p> <p>30 days notice of cancellation to Governmental Entity.</p>	<p>Or \$500,000 Combined Single Limit for Bodily Injury and Property Damage</p>
<p>Property Insurance <u>Limits:</u> Builders Risk.</p> <p><u>Additional Coverage:</u></p> <p><u>Special Conditions:</u></p>	<p>Buildings - Completed value of contract.</p> <p>"All Risk" coverage on latest ISO form or its equivalent. Permission granted to occupy. Owner named as insured AIMA</p> <p>30 days notice of cancellation to Owner, Additional insured.</p>	<p>If the Contract requires handling or installation of Owner's equipment, coverage should be furnished on "All Risk" form, including transit and Owner shall be named.</p>
<p>Professional Liability Limits: (Errors & Omissions)</p> <p><u>Special Conditions:</u></p>	<p>Coverage- \$1,000,000.min.</p> <p>30 days notice of cancellation to Owner, Additional insured.</p>	

CITY OF PORT ORANGE



Section III

Common Contract Provisions

SECTION III

COMMON CONTRACT PROVISIONS

HOLD HARMLESS/INDEMNIFICATION PROVISION

The successful proposer shall hold harmless, indemnify and defend the City of Port Orange, its members, officials, officers and employees against any claim, action, loss, damage, injury, liability, cost and expense of whatsoever kind or nature (including, but not by way of limitation, attorneys' fees and court costs) arising out of or incidental to the performance of the contract or work performed thereunder, whether or not due to or caused by negligence of the City of Port Orange, its members, officials, officers or employees, excluding only the sole negligence of the City of Port Orange, its members, officials, officers and employees. This contract requirement shall be reflected in the insurance coverage certificate.

TERMINATION AND NON-RENEWAL ENDORSEMENT

Notwithstanding any provision in this Contract to the contrary, except with respect to cancellation of this Contract for non-payment (for which at least sixty (60) days' written notice shall be provided), the Company may not cancel, non-renew, restrict service, or restrict the Company's contractual obligations with respect to this Contract except:

A. as of the end of the twenty four month anniversary of this Contract; and

B. then only when such action is to be effective at least one hundred and twenty (120) days after receipt by the City of Port Orange of valid written notice from the Company of the Company's intention with respect to such cancellation, non-renewal, restriction of coverage, or restriction of the Company's contractual obligations. The Company may not effect cancellation of this Contract for non-payment of premium until at least sixty (60) days after receipt by the City of Port Orange of valid written notice from the Company of the Company's intention with respect to such cancellation.

The written notice of any cancellation, non-renewal or restriction of the Company's contractual obligations shall be delivered by certified mail to:

Donna J. Steinebach, AICP
Assistant to the City Manager
1000 City Center Circle
Port Orange, FL 32129

And

Robert Newell, Risk Manager
1000 City Center Circle
Port Orange, FL 32129

C. This Contract may be canceled at any time at the request of the City of Port Orange by written notice to the Company stating when thereafter cancellation is to be effective.

D. Proposer agrees to enter into contract negotiations on or before one hundred and twenty (120) days after selection unless otherwise extended by City Council and CRA.

CITY OF PORT ORANGE



Section IV

Scope

SECTION IV

SCOPE

SCOPE

I. Redevelopment Project Goals and Objectives for the Riverwalk Area

Consistent with all City and CRA approved plans and development regulations, the objectives for the Riverwalk Redevelopment Project area are to achieve a development that adds to the economic prosperity of the City, provides public open space and recreation along the Halifax River, and prevents the recurrence of slum and blight.

The City and CRA are seeking an initial redevelopment project in the geographic area between U.S. 1/Ridgewood Avenue and the Halifax River, from S.R. 421/Dunlawton Avenue to the northern City limits. The desired project shall be a catalyst for redevelopment in the Riverwalk Area and shall further the City and CRA's objective of securing a minimum six and one-half (6.5) acre waterfront park for access, use and enjoyment by the public into perpetuity. The City and CRA shall give preference to proposals that maximize the geographic and economic potential of the property, provide a "place making" development that reinforces a waterfront community image; minimize public infrastructure costs, employ "best practices", and preserve and enhance unique historic and natural features.

II. City and CRA Properties available for redevelopment

The subject properties are located within the area depicted in Appendix "B". Title to the City and CRA property shall be transferred by Special Warranty Deed subject to title exceptions as provided in Appendix G. The exceptions set forth in Appendix G shall not be deemed title defects. The costs of title insurance and preparation of the deed shall be the expense of the City. All other costs of closing shall be the expense of the proposer. The city reserves the right to incorporate in the negotiated contract, the standard Florida Association of Realtors and the Florida Bar contract terms and conditions to the extent that the standard form does not conflict with the terms of this RFP or the negotiated contract. The City and CRA make no representations or warranties regarding the status of title with respect to any of the real property that is the subject of this RFP. Also, please note that the City and CRA will be maintaining connectivity of all land areas east of Halifax Drive and all other lands slated for inclusion in the Riverwalk Park area as depicted on the Riverwalk Conceptual Development Plan.

In addition, the City owns other land within the City of Port Orange that it would consider for sale or exchange as part of this redevelopment proposal. This includes the 4.8 +/- acre parcel on Yorktowne Boulevard; a prime office/commercial tract with I-95 exposure.

III. Land Use Regulations

All development proposals are subject to the City of Port Orange development approval process, but shall be granted expedited review, permitting and inspection status by the City. Development of the property shall be subject to all City of Port Orange development related fees, unless payment of same is otherwise negotiated with the selected developer.

The property within the Riverwalk Project Area has a Mixed Use land use designation on the Future Land Use Map of the City's Comprehensive Plan. The property is zoned "PC-R", Planned Community - Port Orange Riverwalk district. For details regarding Comprehensive Plan, CRA Plan, and Land Development Code requirements, please reference Appendices "C", "D" and "E" to this RFP. The City and CRA are receptive to

proposals that deviate from previously adopted plans and regulations for Riverwalk, provided that the redevelopment goals and objectives stated in Section IV of this RFP are met.

The Riverwalk Project Area is also part of the Port Orange Town Center Transportation Concurrency Exception Area (TCEA), and is subject to the unique benefits and requirements associated with development within a TCEA. These benefits and requirements can be found in Appendices “D” and “E” to this RFP.

The developer shall be required to invite City and Agency representative(s) to all meetings with other permitting agencies to ensure adequate representation by the City.

IV. Plans and Studies

The CRA has copies of previous surveys, inventories, engineering plans, environmental, historical and other studies involving the properties within the Riverwalk Project-Area. These plans and studies are available to the Developer at no cost in electronic format.

V. Economic Development Incentives & Public/Private Partnership Opportunities

Economic Incentives, at the discretion of the City and CRA, may be offered to the successful Developer. Financial incentives are contingent on CRA funding availability, City and/or CRA Board approval, and the execution of an Agreement by the City and CRA and the Developer. All development reviews, permit approvals and inspections for projects within the Riverwalk Area resulting from this RFP shall be granted expedited status by the City.

In addition to local incentives, the City and Agency pledge to pursue County, State, Federal and other Agency funding sources to help facilitate the development program. This includes funding for public infrastructure, open space and recreational amenities, and waterfront improvements.

The entire 35+ acre Riverwalk Project Area has been designated by the City as a brownfield under the State of Florida Brownfields Program. Substantial economic incentives through the State of Florida are made available by this designation. Please visit <http://www.dep.state.fl.us/waste/categories/brownfields/default.htm> for more information.

VI. Proposal Content & Requirements

The following describes certain information that the City and Agency requires for submissions. **Failure to provide any of the information listed below may be cause for rejection of the proposal.** The proposer shall submit one (1) unbound original and ten (10) copies of the proposal, plus one (1) electronic copy of all documents in .pdf format, and ten (10) DVDs of the Oral Presentation describing the project and the proposer’s qualifications in the following format, with each section tabbed for ease of review:

- a) The proposer shall identify the portion or portions of the Riverwalk Redevelopment Project Area they are seeking to develop, and the lands owned by the City and/or CRA they are seeking to acquire or lease.
- b) The proposer shall identify any lands slated for public use that will be donated, sold, traded or otherwise conveyed to the City or Agency.
- c) The proposer shall state the anticipated uses within the redevelopment project. The total square footage of the project and the breakdown of each proposed use must be specified. Proposer is encouraged to submit letters of intent or commitments from tenants.

- d) The proposer shall submit a conceptual site plan and at least one conceptual elevation on sheets(s) measuring 24 inches by 36 inches, at a scale of one inch equals twenty feet (1" = 20'). The conceptual site plan shall include, at a minimum, the location of the proposed building(s) and the public streets or other public space surrounding the site. The plans shall indicate building heights and identify a recognized architectural style. Parking, sidewalks and major landscaping features shall also be illustrated. The conceptual site plan should also be submitted in a reduced format measuring 8.5" by 11" or 11" x 17", as well as in electronic format (.pdf) for ease of distribution.
- e) The proposer shall identify any incentives or participation assumed by the City, CRA or other governmental agencies.
- f) The proposer shall submit proof of ownership and shall establish the authority to transfer real property interests by an irrevocable certificate of encumbrance for any properties proposed for sale or exchange with the City and/or CRA.
- g) The proposer shall submit a time schedule for initiation and completion of the project. If the project is proposed to be undertaken in phases, the time schedule should clearly note whether phases will be sequential or overlapping.
- h) The proposer shall submit a total project cost analysis stating, by category, the major elements of the project. The major cost items shall include, at a minimum, land costs, site development costs, permit and impact fees, tenant improvement allowances, architectural and engineering costs, marketing costs, financing costs, and any other significant costs to the project. If economic incentives from the City, CRA or other entity are assumed in the proposer's budget, those items and their associated cost shall be clearly noted.
- i) The proposer shall submit a preliminary operating pro forma estimating the development's operating income and expenses for a period of at least ten (10) years after completion to demonstrate the financial feasibility, and shall include:
- Projection of sales and/or leases over time.
 - Anticipated sale/lease rates, including vacancy contingency.
 - Estimates of project operating expenses, including taxes, insurance and maintenance.
 - Gross Income, Net Operating Income, Developer Cash-Flow before taxes, and Return on Investment to project partners and investors.
- j) The proposer shall submit a financing plan that includes a proposal for securing construction and permanent financing for the project. The financing plan shall account for all debt and equity investment required to fund the project as well as an analysis of the project's return on investment, debt service coverage ratio and other financial information that will indicate the financial strength of the proposed development. Third party evidence of an ability to secure financing such as a preliminary financing commitment letter or letter of interest from a lending institution or other primary source of investment financing must accompany the RFP response. A firm financing commitment from a lending institution or other source of investment financing shall be required prior to the closing of the sale of the land and within sixty (60) days after the execution of the contract.
- k) The proposer shall submit information that documents the proposer's organizational structure, its members, qualifications, and financial strength. The City and CRA reserve the right to research the background of each principal with respect to both credit and police records. The proposer shall submit a signed consent form, (authorization for release of information, exhibit 4) attached herein, as part of their proposal. The following information is required in the submission to comply with this paragraph:

- Description of the legal organizational structure of the proposer.
- Identification of the proposer's principals, partners, officers, or co-ventureres, including names, street and e-mail addresses, telephone and fax numbers and federal identification numbers.
- Information concerning the relevant experience of the proposer and key project personnel, including a listing and description of three (3) past projects.
- A minimum of three (3) professional references.
- The proposer shall make available for inspection at his or her place of business, a current (audited preferred) financial statement of the proposing entity which includes a balance sheet, a three-year statement of past income, and a projected one-year income statement for the current fiscal year for the proposer. If the proposing entity is to be created specifically for the intended project, or if the proposing entity is less than three (3) years old, then each partner or stockholder must submit its own financial statement as described above. Information regarding any legal or administrative actions, past or pending, that might impact the capacity of the proposer (or its principals or affiliates) to complete the project must be disclosed. Disclosure of any bankruptcies and legal actions by any of the above related entities during the past ten (10) years must be provide with the RFP response.

l) The proposer shall submit a video presentation on DVD format (up to 15 minutes in length) providing an overview of the proposer's proposal and/or capabilities.

m) The proposer shall sign and submit the "proposer acknowledgement form" and "exhibits 1-4".

VII. Buy-Back Provision

The City and the CRA reserve the right to impose conditions precedent to the transfer of title and post transfer to guarantee the completion of the project, including but not limited to performance bonds for the negotiated contract and payment and performance bonds for construction.

VIII. Pre-Submittal Meeting

A pre-submittal meeting will be held at 10:00 a.m. on June 15, 2011 at the Port Orange City Hall, City Council Chambers/1st Floor, 1000 City Center Circle, Port Orange Florida 32129. Attendance is on a non-mandatory basis. Please note: This will be the only opportunity for prospective respondents to directly address City and CRA staff regarding this RFP.

IX. Site Visits

Any interested party may visit the Riverwalk Project Area at any time. Please note that many of the parcels in the area are posted "No Trespassing" - although most can be viewed adequately from adjacent street rights of way and readily available aerial photography.

X. Selection Criteria, Basis for Evaluation & Other Requirements

The City and CRA seek a Developer that can meet stated minimum performance criteria as outlined in this and all other sections of this RFP, and who responds most favorably to the following:

- Project descriptions and plans, including imagery of final construction.
- Developer Experience – Priority shall be given to the Developer that has a history of successful real estate redevelopment and can demonstrate their multi-disciplinary expertise required for the type of

project described in this RFP. Developer must be able to demonstrate the ability to secure an appropriate development and tenant mix to ensure the success of the project.

- Project Experience - Experience with similar projects where the Developer has served as a Master Developer is highly desired.
- Team Organization – In addition to the Developer’s overall capabilities and experience, the selection of partner firms including planners, architects, engineers, general contractors and subcontractors, and other members that are integral to the project team will be considered. The Developer is encouraged to submit the resumes of the personnel that will manage the day-to-day activities and a brief description of the manner in which the Project Team will be organized and managed. Additionally, it is critical to include a plan of succession should critical personnel cease to be available during the Project.
- Financial Capacity – Confirmation of the financial capability of the Developer to successfully undertake and execute this Project over multiple phases and extended periods of time will be a major evaluation factor..
- Developer’s commitment to stated timeline for project design, regulatory approvals, commencement of construction and project completion.
- Developer’s required inducements/participation by the City and Agency.
- Developer’s acknowledgement and acceptance of existing options on property, archeological areas and other title matters.
- Video Presentation –Providing an overview of the proposer’s proposal and/or capabilities.
- Proposals shall be ranked in order of preference by a Selection Committee. Where proposals are not mutually exclusive, the City/CRA reserve the right to negotiate simultaneously with more than one proposer.

XI. Conditions

1. Proposer/Purchaser, successors and assigns shall be obligated to use the real property in accordance with the uses, design themes and redevelopment objectives specified in the Port Orange Town Center Community Redevelopment Plan. Proposers may include plan and regulatory changes as part of their proposal if necessary/desired for the development plan being proposed. The City and CRA are receptive to modifications to adopted plans and development regulations for the Riverwalk Project Area that achieve stated City /CRA redevelopment objectives.

2. City and/or CRA property within the Riverwalk Redevelopment Project Area may be sold, traded or exchanged subject to covenants, conditions and restrictions running with the land, recorded in the public records, to ensure compliance to the CRA plan. These may include restrictions that prohibit the purchaser from selling the property without the prior written consent of the City and/or CRA until the purchaser has bonded the construction of any or all of the improvements the purchaser may be obligated to construct.

3. Proposer/Purchaser, successors and assigns shall be obligated to comply with the requirements of the City and/or CRA to begin improvements within a time period established by and acceptable to the City and/or CRA.

4.. Proposer/Purchaser shall pay a value as determined to be in the public interest for uses in accordance with the CRA plan, taking into account and giving consideration to the long-term benefits to be achieved by the City and the CRA.

6. Purchaser shall comply with disposal procedures as prescribed by Florida Statutes, as well as any additional requirements imposed by the City and/or CRA. If disposal value is less than fair market value as determined by a MIA certified appraiser,, disposition shall require the approval of the City Council following a duly noticed public hearing.

XII. Timeline

The schedule for the Request for Proposals is as follows:

Release RFP to proposers	June 6, 2011
Pre-Proposal Conference (non-mandatory)	June 15, 2011 10:00 a.m.
Deadline for Questions	June 29, 2011 5:00 p.m.
Proposal Submission Deadline	July 6, 2011 2:30 p.m.
Interviews & Ranking of Proposals	July 19, 2011
Presentations to City & CRA	August 2, 2011
Approval of Selected Respondent	August 16, 2011

Negotiation of contract shall be within 120 days after approval of proposers or selected respondent.

CITY OF PORT ORANGE



Exhibit 1: Public Entity Crime Form

Exhibit 2: Anti Collusion Statement Bid Form

Exhibit 3: Drug Free/Tie Preference Statement

Exhibit 4: Authorization for Release of Information

EXHIBIT 1

Public Entity Crime Form

PUBLIC ENTITY CRIME FORM

Any person or affiliate who has been placed on the convicted vendor list following a conviction to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor supplier, subcontractor or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

_____ Authorized Agent or Official for _____ by
signing below hereby certifies that neither he/she nor the firm of _____ is or has been
placed on the convicted vendor list, now or within the period of thirty-six (36) months.

Signed By: _____

President/Authorized Agent or Official

Witnessed By: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by
_____, President, Authorized Agent or

Official of _____ a Florida Company, who is personally known to me or who has
produced _____ as identification and who did (did not) take an oath.

Notary Public, State of Florida

Commission No. _____

EXHIBIT 2

Anti-Collusion Statement Bid Form

ANTI-COLLUSION STATEMENT BID FORM:

By Signing this form, the bidder agrees that this bid is made without any other understanding, agreement, or connection with any person, corporation, or firm submitting a proposal for the same purpose and that the proposal is in all respects fair and without collusion or fraud.

SIGN in ink in the space provided below. Unsigned bids will be considered incomplete, and will be disqualified, and rejected.

IT IS AGREED BY THE UNDERSIGNED BIDDER THAT THE SIGNING AND DELIVERY OF THE BID REPRESENTS THE BIDDERS ACCEPTANCE OF THE TERMS AND CONDITIONS OF THE FOREGOING SPECIFICATIONS, CONTRACT AND PROVISIONS, AND IF AWARDED, THIS CONTRACT WILL REPRESENT THE AGREEMENT BETWEEN THE BIDDERS AND THE CITY OF PORT ORANGE.

NAME OF FIRM: _____

SIGNED BY: _____
(MUST BE SIGNED BY A COMPANY OFFICER OR AUTHORIZED AGENT)

PRINTED SIGNATURE: _____

TITLE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: _____ FAX: _____

COMPLETION TIME: _____

F.E.I.N. UMBER: _____

NO bid may be withdrawn for a period of sixty- (60) days subsequent to the submittal of the bids, without the consent of the City of Port Orange.

NO BID (REASON): _____

EXHIBIT 3

Drug Free/Tie Preference Statement

DRUG FREE/TIE PREFERENCE STATEMENT

In the event of a tie bid a preference is given to vendors submitting a certification with their bid/proposal certifying they have a drug-free workplace in accordance with Section 287.087, Florida Statutes. This requirement affects all public entities of the State and becomes effective January 1, 1991. The special conditions are as follow:

IDENTICAL TIE BIDS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drugfree workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

PROPOSER'S SIGNATURE

EXHIBIT 4

Authorization for Release of Information

CITY OF PORT ORANGE



Authorization for Release of Information

I, _____, do hereby authorize a review of and full disclosure of all records concerning myself to any duly authorized agent of the City of Port Orange, Florida, whether said records are of a public, private or confidential nature.

The intent of this authorization is to give my consent for full and complete disclosure of a criminal background check, financial or credit institution, including records of loans, the records of commercial or other financial statements and records wherever filed.

I understand that any information obtained by a personal history background investigation which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability as a contractor for the City of Port Orange. I also certify that any person(s) who may furnish such information concerning me shall not be held accountable for giving this information, and I do hereby release said person(s) from any and all liability which may be incurred as a result of furnishing such information.

I release the City of Port Orange and/or its agents and any person or entity, which provides information pursuant to this authorization from any and all liabilities, claims or law suits in regard to the information obtained from any and all of the above referenced sources used.

The following is my true and legal name and all information is true and correct to the best of my knowledge.

A photocopy of this Release Form will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

Full Printed Name

Other Name

Present Address

City, State, Zip

How Long?

Driver License Number

State Issued

Social Security Number

Date of Birth

Signature

Date

CITY OF PORT ORANGE

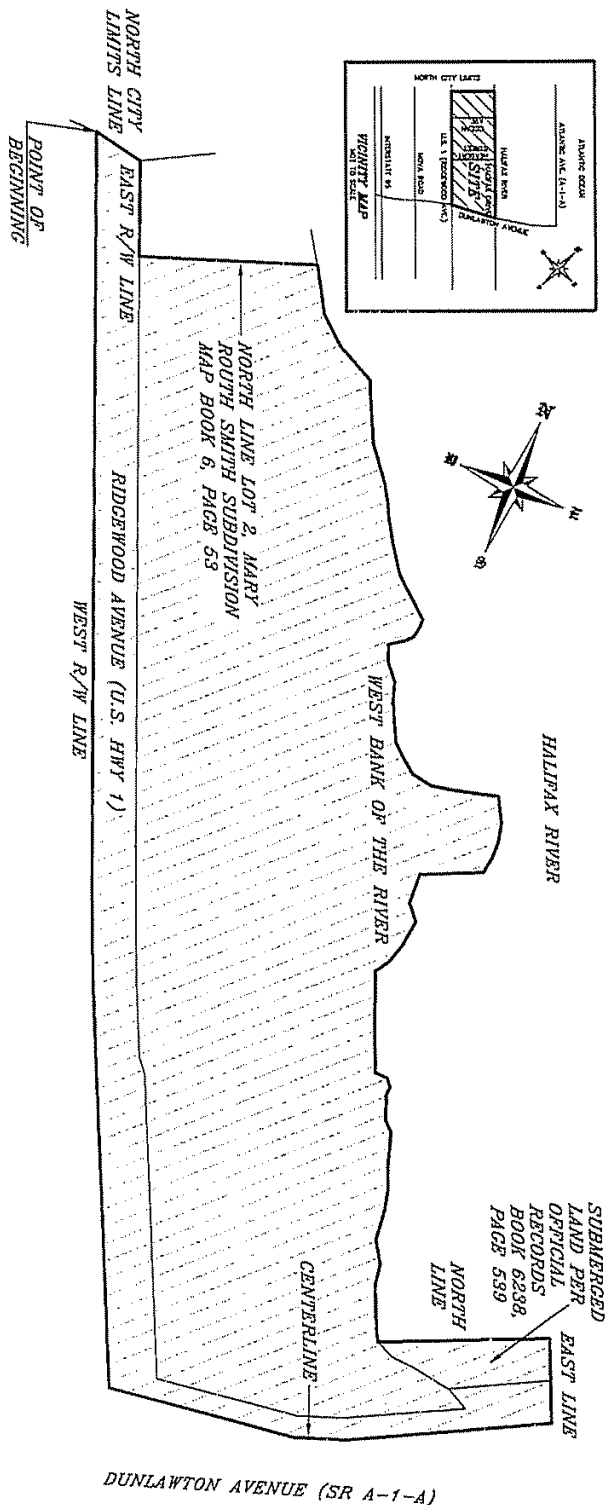
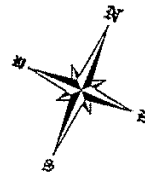
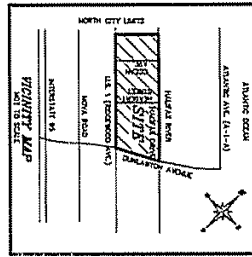


APPENDICES

- A: Sketch & Legal of Riverwalk Project Area
- B: Parcels owned by City and CRA
- C: Conceptual Development Plan for Riverwalk Project Area
- D: Comprehensive Plan Provisions regarding Riverwalk Project Area
- E: Land Development Code Provisions regarding Riverwalk Project Area
- F: Real Property Title Exemptions
- G. Public records Exemption Statement

APPENDIX “A”

A: Sketch & Legal of Riverwalk Project Area



DESCRIPTION
A PARCEL OF LAND WITHIN THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
BEGIN AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF RIDGEWOOD AVENUE (U.S. HIGHWAY NO. 1) WITH THE NORTH LINE OF THE CITY LIMITS OF THE CITY OF PORT ORANGE, FLORIDA; THENCE EASTERLY ALONG SAID NORTH LINE TO THE EAST RIGHT OF WAY LINE OF SAID RIDGEWOOD AVENUE; THENCE SOUTHERLY SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE TO THE NORTH LINE OF LOT 2, MARY SOUTH SMITH SUBDIVISION, AS RECORDED IN MAP BOOK 6, PAGE 53, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE EASTERLY ALONG SAID NORTH LINE TO THE WEST BANK OF THE HALIFAX RIVER; THENCE SOUTHERLY ALONG SAID WEST BANK TO THE NORTH LINE OF SUBMERGED LAND PER DEED RECORDED IN OFFICIAL RECORDS BOOK 6238, PAGE 539, SAID PUBLIC RECORDS; THENCE EASTERLY ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SUBMERGED LAND; THENCE SOUTHERLY ALONG SAID EAST LINE AND ITS EXTENSION SOUTHERLY TO THE CENTERLINE OF DUNLAWTON AVENUE (STATE ROAD A-1-A); THENCE WESTERLY ALONG SAID CENTERLINE TO THE WEST RIGHT OF LINE OF SAID RIDGEWOOD AVENUE; THENCE NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

SLIGER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION NO. 2019

3921 NOVA ROAD
PORT ORANGE, FL 32127

(386) 781-5585

Copyright © 2010 Sliger & Associates, Inc.

FOR: **CITY OF PORT ORANGE**

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY JOB #10-0394

SCALE 1"= 300' FIELD BOOK

PAGE

SHEET 1 OF 2

LEGEND

- IRON ROD WITH CAP
- IRON PIPE
- CONCRETE MONUMENT
- PERMANENT REFERENCE MONUMENT
- ▲ PERMANENT CONTROL POINT
- (R) RADIAL LINE
- (R) NON-RADIAL LINE
- (H) EXISTING ELEVATION
- PROPOSED ELEVATION



SLIGER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION NO. 3019

3821 NOVA ROAD
PORT ORANGE, FL. 32127
(386) 761-5385

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www.sligerassociates.com

SURVEYOR'S NOTES

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY/SKETCH OF DESCRIPTION THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY/ SKETCH PREPARED WITHOUT BENEFIT OF AN ABSTRACT.
2. DESCRIPTION PREPARED BY SLIGER & ASSOCIATES, INC. MAY 7, 2010

NOTE:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REFERENCE: PORT ORANGE RIVER WALK

PLAT PREPARED FOR THE FOLLOWING: (ONLY THE LAST DATE IS CERTIFIED ON SEALED COPY)

THIS PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED BELOW. ON THE MOST CURRENT DATE. AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

TYPE OF SURVEY	CERTIFIED TO	DATE	JOB NUMBER
SKETCH OF	CITY OF PORT ORANGE, FLORIDA	5/7/10	10-0394
DESCRIPTION	NOT CERTIFIED TO ANY ENTITIES AND/OR INDIVIDUALS		
	OTHER THAN THOSE LISTED ABOVE.		

SHEET 2 OF 2

VALID WITH SIGNATURE & EMBOSSED SEAL ONLY

FOR: **CITY OF PORT ORANGE**

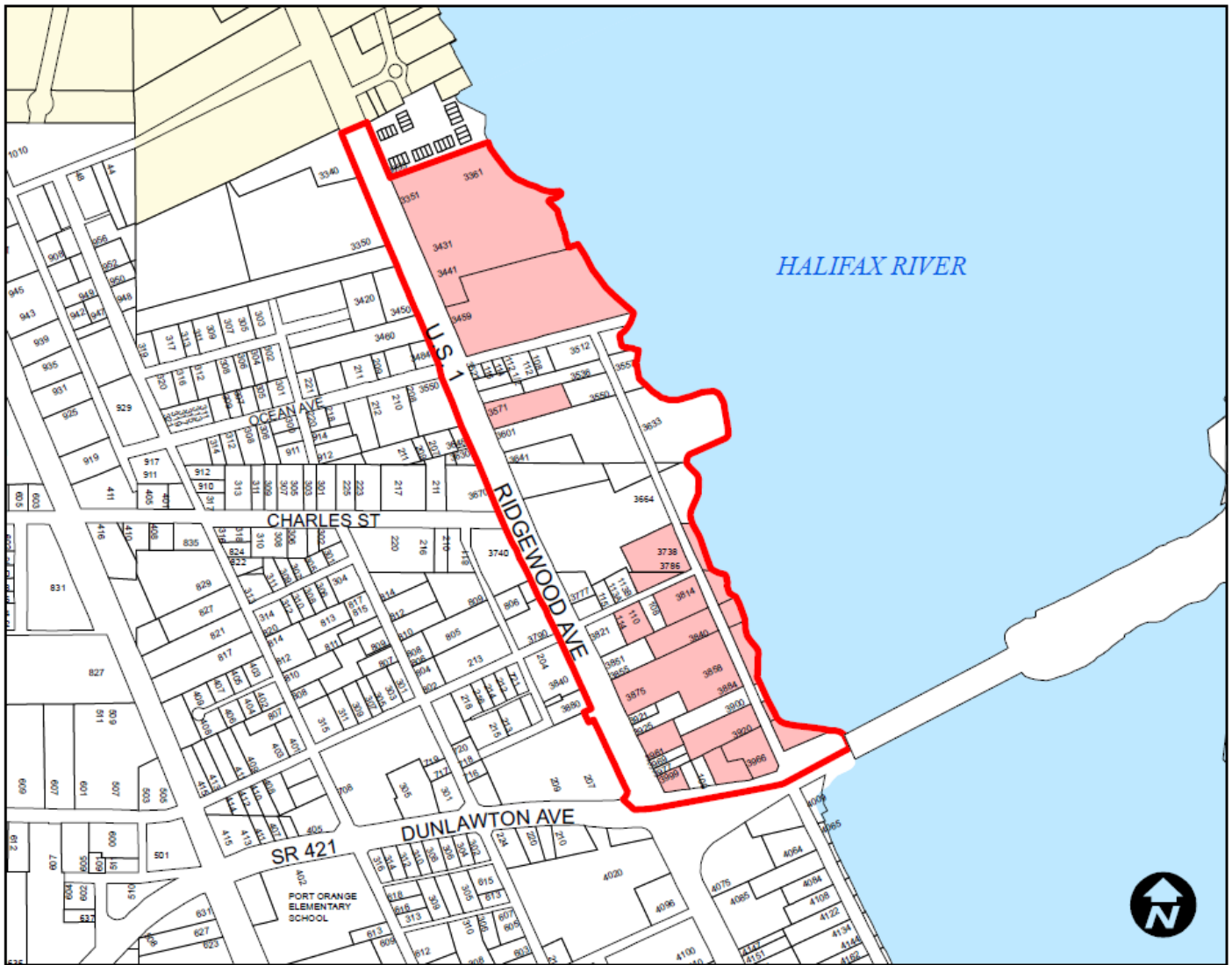
SKETCH OF DESCRIPTION	DATE	JOB NO.	P.C.	DRW.	CHECKED BY
BOUNDARY SURVEY	MAY 7, 2010	10-0394		JZ	JZ
TOPOGRAPHIC SURVEY					
FOUNDATION LOCATED					
FINAL IMPROVEMENTS					
RECERTIFICATION					
PROPOSED HOUSE LOCATION					

I HEREBY CERTIFY THAT THIS PLAT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

STEPHEN B. SLIGER, P.L.S. NO. 3794
J.E. ZAPERT, P.L.S. NO. 4046
CLYDE D. VAN KLEECK JR., P.S.M. NO. 6149
STEVEN T. KRUGER, P.L.S. NO. 4722
MICHAEL S. MURPHY, P.S.M. NO. 6208

APPENDIX “B”

B: Parcels owned by City and CRA



PARCEL ID	OWNER	ADDRESS
630310020024	HALIFAX RIVER PARTNERS LLC	3557 HALIFAX DR DAYTONA BEACH
630310020050	QUARTIER LINDA TRUSTEE &	3641 RIDGEWOOD AV DAYTONA BEACH
630311020010	COMMUNITY REDEVELOPMENT AGENCY	3966 HALIFAX DR PORT ORANGE
630311030010	MONTGOMERY JAMES E & HELENE W	3777 HERBERT ST DAYTONA BEACH
630316000010	HALIFAX RIVER PARTNERS LLC	3664 HALIFAX DR PORT ORANGE
630316000011	HALIFAX RIVER PARTNERS LLC	HALIFAX DR PORT ORANGE
630316000014	RIVER WALK MOBILE HOME PARK OF	RIDGEWOOD AV PORT ORANGE
630316000030	CITY OF PORT ORANGE	373 HALIFAX DR PORT ORANGE
630311020022	PORT ORANGE RIVER WALK LLP	3969 RIDGEWOOD AV PORT ORANGE
630311020030	CITY OF PORT ORANGE	RIDGEWOOD AV PORT ORANGE
630311020031	PORT ORANGE RIVER WALK LLC	3900 HALIFAX DR DAYTONA BEACH
630311020040	CITY OF PORT ORANGE	3884 HALIFAX DR PORT ORANGE
630311030040	SHANNON DOLORES	115 HERBERT ST PORT ORANGE
630311020041	WINTERS WILLIAM C & SHARON K	3925 RIDGEWOOD AV PORT ORANGE
630311020042	HEOTZLER RALPH & TAMMY	3921 RIDGEWOOD AV DAYTONA BEACH
630311020050	CITY OF PORT ORANGE	RIDGEWOOD AV PORT ORANGE
630311030050	SHERIDAN JOAN	113 HERBERT ST PORT ORANGE
630311020052	CITY OF PORT ORANGE	3858 HALIFAX DR PORT ORANGE
630311020060	ROAT ROBERT & JEAN	3855 RIDGEWOOD AV DAYTONA BEACH
630311020061	COMMUNITY REDEVELOPMENT AGENCY	3840 HALIFAX DR PORT ORANGE
630311020070	CITY OF PORT ORANGE	3814 HALIFAX DR PORT ORANGE
630311020071	PORT ORANGE RIVER WALK LLP	108 HERBERT ST PORT ORANGE
630311020072	CITY OF PORT ORANGE	110 HERBERT ST PORT ORANGE
630311020074	DB REAL ESTATE ASSETS I LLC	3821 RIDGEWOOD AV DAYTONA BEACH
630311020090	COMMUNITY REDEVELOPMENT AGENCY	3999 RIDGEWOOD AV PORT ORANGE

PARCEL ID	OWNER	ADDRESS
533409000020	CITY OF PORT ORANGE	3351 RIDGEWOOD AV PORT ORANGE
630311020011	COMMUNITY REDEVELOPMENT AGENCY	DUNLAWTON AV PORT ORANGE
630311020012	PORT ORANGE RIVER WALK LLP	DUNLAWTON AV PORT ORANGE
630311020013	COMMUNITY REDEVELOPMENT AGENCY	DUNLAWTON AV PORT ORANGE
630311020014	PORT ORANGE RIVER WALK LLP	3979 S RIDGEWOOD AV DAYTONA BEACH
630311020020	COMMUNITY REDEVELOPMENT AGENCY	3920 HALIFAX DR PORT ORANGE
630311030020	MONTGOMERY JAMES E & HELENE W	3777 RIDGEWOOD AV PORT ORANGE
630310020030	COMMUNITY REDEVELOPMENT AGENCY	3571 RIDGEWOOD AV PORT ORANGE
630310020040	HALIFAX RIVER PARTNERS LLC	3601 RIDGEWOOD AV PORT ORANGE
630310020041	HALIFAX RIVER PARTNERS LLC	3633 HALIFAX DR DAYTONA BEACH
630300000070	CITY OF PORT ORANGE	RIDGEWOOD AV PORT ORANGE
630304000010	PORT ORANGE RIVER WALK LLP	3512 HALIFAX DR PORT ORANGE
630304000030	PORT ORANGE RIVER WALK LLP	108 OCEAN AV DAYTONA BEACH
630304000040	WISNIEWSKI JOSEPH & ANNE M	112 OCEAN AV PORT ORANGE
630304000050	WISNIEWSKI JOSEPH & ANNE M	114 OCEAN AV PORT ORANGE
630304000051	WISNIEWSKI JOSEPH & ANNE W	116 OCEAN AV PORT ORANGE
630304000052	WALLER DAVID W & CHERYL ALICE	3521 RIDGEWOOD AV DAYTONA BEACH
630304000060	WALLER DAVID W & CHERYL ALICE	RIDGEWOOD AV PORT ORANGE
630310010011	CITY OF PORT ORANGE	3441 RIDGEWOOD AV PORT ORANGE
630310010020	CITY OF PORT ORANGE	3459 RIDGEWOOD AV PORT ORANGE
630310020020	HALIFAX RIVER PARTNERS LLC	3536 HALIFAX DR PORT ORANGE
630310010021	CITY OF PORT ORANGE	3459 RIDGEWOOD AV PORT ORANGE
630310020021	WALLER DAVID W & CHERYL ALICE	RIDGEWOOD AV PORT ORANGE
630310020023	HALIFAX RIVER PARTNERS LLC	3550 HALIFAX DR PORT ORANGE

APPENDIX “C”

C: Conceptual Development Plan for Riverwalk Project Area

Conceptual Park Master Plan

The Riverwalk Park Master Plan shown here is a graphic representation of the basic components and concepts articulated by the Park Design Parameters and the Program. The Park Master Plan contains the ideas and elements developed during design workshops and interviews with the local City staff and Master Development Team consultants.

Following is a "walk-through" of the Plan from north to south starting at the relocated Riverside Pavilion site and concluding at the southern terminus of the Park.

- 1 Riverside Pavilion
- 2 Neighborhood Park with Overlook
- 3 Promenade with Harbor master
- 4 Public Marina Access
- 5 Riverside Pier
- 6 Event Lawn
- 7 Meadow
- 8 Gateway





APPENDIX “D”

D: Comprehensive Plan Provisions regarding Riverwalk Project Area

FUTURE LAND USE ELEMENT

Objective 5.2: *Port Orange Town Center Redevelopment Plan - Implementation.* The City of Port Orange shall implement the Port Orange Town Center Redevelopment Plan, which is made up of five special character districts: Riverwalk, Dunlawton Village, Down Under, Causeway, and Ridgewood. Each district will be redeveloped based upon policies specific to each district.

Policy 5.2.1: The Riverwalk district shall be the main focus of the Plan's public and private initiatives. The district will be characterized by the following elements that will be memorialized in an architectural design manual utilizing New Urbanist principles:

- Pedestrian-friendly pathways leading to public spaces
- Promenade from Dunlawton Avenue to Port Orange-South Daytona Chamber of Commerce
- Public waterfront with views and vistas
- "Sense of arrival" created by design improvements to the intersection of Dunlawton and Ridgewood Avenues
- Mixed-use: entertainment, retail, office and residential
- Florida vernacular styles of architecture including Key West, Marina/Coastal, and Mediterranean with nautical themes
- Shared parking with a "park-once" preference
- Master-planned stormwater facilities
- River-based activities and events

Policy 5.2.2: Dunlawton Village is recognized for its historical contribution and significance to the community and will be redeveloped utilizing the following principles:

- Protect and enhance the village character
- Promote the preservation of historic structures
- Stabilize the adjacent neighborhoods
- Enhance the multimodal transportation opportunities
- Promote redevelopment and beautification of the industrial properties along Lemon Street

Policy 5.2.3: Down Under serves as the main gateway to the City from the east, and will be redeveloped utilizing the following principles:

- Emphasize the prominence and character of the "gateway"
- Develop improved signage
- Install a promenade at the water's edge to connect recreational fishing piers to adjacent restaurants
- Extend and enhance the existing network of wood piers
- Promote infill of vacant properties
- Beautify parking lots
- Improve the streetscapes with street furnishings and landscaping

Policy 5.2.4: The Causeway district is a unique location within the center of the Halifax River and presents significant redevelopment opportunities. Seabird

Island requires sensitivity to the existing residents and the environmental issues that may be generated by redevelopment in this district. The City will carefully consider the costs and benefits to redevelopment proposals for this district. Potential future uses could generally include private marinas, recreational facilities including public boat launches, fishing, and other water-based activities, bird watching, multi-family development at the existing Future Land Use density of 8 units/acre, and limited commercial uses.

Policy 4.1.5: The Ridgewood district is envisioned as an aesthetically pleasing boulevard centered on US 1. The corridor will be redeveloped based upon the following principles:

- Beautify streetscapes
- Enhance multimodal transportation opportunities
- Promote redevelopment of non-conforming residential properties
- Modify the permitted uses and urban design requirements to de-emphasize the strip commercial nature of the corridor and create nodes
- Promote opportunities for shared parking, access, and stormwater retention
- Provide incentives for facade improvements and landscaping

Policy 5.2.6: The City will adopt a design manual for each of the five districts. Until such time as the City adopts the design manuals, developers will be required to present a design manual for consideration by the Port Orange Town Center Community Redevelopment Agency.. The City shall ensure that the development complies with the requirements of the approved design manual. In general, the design manuals shall require the following:

- Shared driveway connections with adjacent uses and shared access, where feasible
- Internal sidewalks to connect parking areas and building entrances with the public sidewalk system in a reasonably direct route that minimizes walking distance
- Buildings oriented toward the street minimizing the distance between the building entrance and the public right-of-way
- Limited continuous building frontages
- Ground floor retail uses where feasible
- Parking located to the side or rear of buildings
- Shade provided through colonnades, awnings, or trees
- Parking structures wrapped with liner buildings
- On-street parking where feasible

Policy 5.2.7: Developments of two acres or less will not be required to present a design manual. These developments will still be required to be consistent with the district's design principles and will be required to illustrate those principles in the site plan as appropriate.

Policy 5.2.8: Developments between two acres and 25 acres in size will be required to submit a design manual specific to the respective development

FUTURE LAND USE ELEMENT

consistent with the City's design manual, if available.

Policy 5.2.9: Developments of 25 acres or more will be required to submit an application for a comprehensive plan amendment and a rezoning for a Planned Community along with a design manual specific to the respective development consistent with the City's design manual, if available.

Objective 5.3: Port Orange Town Center Redevelopment Plan - Monitoring The City of Port Orange shall monitor the success of the Port Orange Town Center area to ensure that it is achieving the redevelopment purpose. The monitoring will include the amount of redevelopment by land use, implementation of mobility strategies, and adoption of design manuals. In addition, the City will evaluate the strategies to determine whether modifications are necessary.

Policy 5.3.1: The Port Orange Town Center shall be limited to the maximum allowable number of units, square footage, land use ratios, total daily trips, and total pm peak hour trips identified below. No new building permits will be issued for new developments within the Port Orange Town Center when the applicable maximum allowable limit for the land use density or vehicle trips is reached.

Port Orange Town Center Development Thresholds

Allowable Land Use Intensities	Residential	Hotel	Non-residential
Planned Land Use Totals	3,380	1,200	2,861,165
Allowable Variance (+)	25%	25%	15%
Maximum Allowable	4,225	1,500	3,290,340
Allowable Land Use Ratios	Residential/Non-residential		
Maximum Allowable	1.74		
Minimum Allowable	0.77		
Allowable Vehicle Trips	Daily Traffic	PM Peak Hour Traffic	
Planned Land Use Total Trips	121,699	11,592	

These thresholds apply cumulatively to the entire Port Orange Town Center.

Policy 5.3.2: The City shall prepare a monitoring report for the Port Orange Town Center Transportation Concurrency Exception Area (TCEA) every three years to determine the cumulative residential to non-residential ratio (as measured by one approved residential unit to 1,000 square feet of approved office and other non-residential)

Policy 5.3.3: In order to achieve a residential density within the Port Orange Town Center that adequately supports public transportation, the City shall require that the redevelopment of residentially designated lands results in a density of at least eight dwelling units per acre for developments within a ¼-mile walking distance from existing and planned transit stops or a comparable level of

FUTURE LAND USE ELEMENT

intensity/density for mixed-use projects. The City shall coordinate with VOTRAN to identify the most appropriate locations for transit stops during the process of considering development applications within the TCEA. Developments exceeding 200 net peak hour trips shall be required to demonstrate coordination with VOTRAN in regard to whether the site is appropriate for a transit stop location or would be within ¼ mile of a planned transit stop.

Objective 5.4: Planned Community-Westside. The City shall implement the overall Conceptual Development Plan (CDP) for the Planned Community-Westside Macro Region, which is intended to create a mixed-use, pedestrian-friendly community that increases the available inventory of commercial, industrial, and institutional land uses by integrating them with residential uses in a harmonious fashion, minimizes automobile trips, and promotes environmental protection.

Policy 5.4.1: A primary “town center” shall be created for the overall project that includes a mixture of uses (residential, commercial, institutional, and recreation), and a variety of housing types. The location of the town center shall be shown on the Conceptual Development Plan (CDP) for the Macro Region. The town center shall be relatively compact in design, and may be developed at the maximum density/intensity. High-density residential units should be clustered into the town center in order to support convenience/service uses, local employment, or mass transit use. A portion of overall project conservation/recreation area shall be in the form of a “town square” or public park.

Policy 5.4.2: Internal connectivity should be provided for pedestrian, bicycle, and automobile modes so as to reduce the number of external trips and provide transit service options.

Policy 5.4.3: Single-family housing may be constructed on a variety of lot sizes that are intermixed throughout each Micro Region.

Policy 5.4.4: Projects should be designed with special consideration given to compatibility with the surrounding uses and any adjacent developments. In general, density and intensity shall decrease toward the south and west. This will ensure that the higher intensity uses will be located where the infrastructure exists to serve them (adjacent to I-95), and where they will not impact lower intensity uses (adjacent to Tomoka Farms Road). In addition, buffering between areas of different intensity will be accomplished through a variety of mechanisms permitted by the City’s Land Development Code.

City of Port Orange Florida

PORT ORANGE TOWN CENTER

REDEVELOPMENT PLAN

Prepared for:

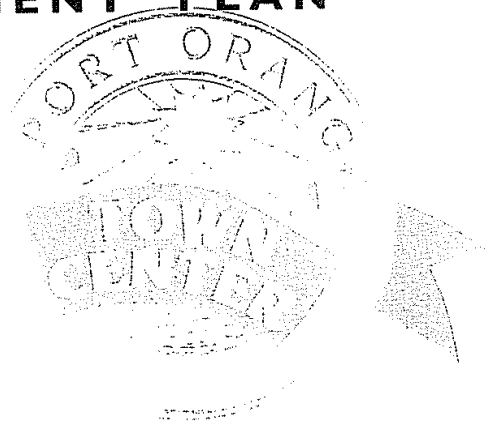
Community Redevelopment Agency
1000 City Center Circle
Port Orange, Florida 32119
(904) 756-5200

Prepared by:

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315 East Robinson Street, Suite 505
Orlando, Florida 32801

Real Estate Research Consultants, Inc.
200 East Robinson Street, Suite 690
Orlando, Florida 32801

December 1, 1998



EXECUTIVE SUMMARY

The creation of the Port Orange Town Center (hereinafter POTC) Community Redevelopment Plan is a significant benchmark for the city of Port Orange. The intent of the Plan is to provide the necessary framework for the redevelopment of the historic center of the community.

The city began the long process of creating a community redevelopment area with the POTC Study of Blight. Soon after the adoption of a resolution to accept the blight study, the City Commission created a seven-member community redevelopment agency to oversee all redevelopment activities within the target area, largely located along Ridgewood and Dunlawton Avenues.

The Community Redevelopment Agency (CRA) has held numerous meetings to provide public input to the development of the thirty (30) year plan. The Plan identifies a specific path to direct the community in realization of its vision, goals and objectives; primary to these is the redevelopment of Riverwalk (identified in Appendix B of this report). The Plan also directs the actions of the community redevelopment agency with regard to capital facility improvements and specific redevelopment projects to enhance the POTC. The Plan also identifies specific incentives for new and redeveloping projects. This Plan allows developers investing in the POTC to be assured of a consistent approach for redevelopment, adequate infrastructure to support it and a cohesive/coordinated approval process.

The community identified a vision to redevelop the POTC as an attractive, inviting, and economically successful mixed-use environment that promotes a positive image and identity for the community. The area shall consist of five (5) unique, yet interconnected special character districts. The most central of these districts, Riverwalk, will boast a Florida vernacular style of architecture; a compact built environment; a grid network of narrow streets; pathways leading to public spaces; attractive views and vistas and a nautical theme accentuating the Halifax riverfront. Other special character districts include Dunlawton Village, Down Under, Causeway and Ridgewood. Each district boasts a unique built environment and a mix of land uses.

Specific projects funded by tax increment are identified in the work program. In addition, a comprehensive list of proposed redevelopment projects to be funded through a combination of various sources has been included. Although many projects have been identified in the overall objectives, as well as the special character districts, it is anticipated only a few can be funded in the early years of the POTC's redevelopment. Projects identified in the Plan's early years have been selected as priorities for their ability to stimulate private market response throughout the POTC. These projects are outlined in recommended five and ten-year work programs. The community should update, or amend, the Plan on a regular basis to keep the Plan focussed and timely.

Ultimately, POTC will be reinstated as the city's traditional downtown and riverfront. Accessibility will be enhanced to the benefit of residents, visitors, business owners and property owners alike.

1.0 A VISION FOR THE PORT ORANGE TOWN CENTER

Port Orange Town Center (POTC) shall be redeveloped as an attractive, inviting and economically successful mixed-use environment that promotes a positive image and identity for the community. The area shall consist of five (5) unique, yet interconnected special character districts. The most central of these will boast a Florida vernacular style of architecture; a compact built environment; a grid network of narrow streets; pathways leading to public spaces; attractive views and vistas and a nautical theme accentuating the Halifax riverfront. An economic strengthening of this "heart" will result in a strengthening of the economic climate throughout the entire POTC.

2.0 HISTORY

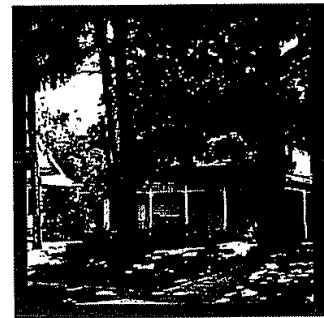
Much of the growth and development of the city now known as Port Orange occurred in the 1970s. The city, however, has a lengthy and colorful history dating back to 1804, the date of the earliest recorded settlement of the area. In 1804 Patrick Dean acquired 995 acres upon which he constructed a plantation for the production of sugar cane and cotton. This plantation is now referred to as the DunLawton Plantation. The ruins of this seminal plantation can be viewed at Sugar Mill Gardens.

Conflicts with the Seminole Indians restricted European settlement of the area until the end of the Civil War. About that time Dr. James Milton Hawks established the Florida Land and Lumber Company. Hawks is credited with naming the area "Port Orange" and attracting colonists, including freed black families. Settlements were located near DunLawton Plantation and on the peninsula. It was not until 1868 that the post office and a few businesses and homes were constructed in the historic heart of the community near Dunlawton Avenue and Ridgewood Avenue.

In the years that followed, Port Orange developed a reputation as a boat-building town with an economy also based on oystering, fishing, farming and citrus. Over time, Ridgewood Avenue became Port Orange's "original main street." This roadway evolved from a dirt road accommodating horse and buggy traffic to a major transportation corridor. Meanwhile the historic core of the city underwent a period of disinvestment as development moved west.

As in many cities throughout the United States, development in the mid-1900s moved away from compact urban to suburban development. Changes in industry, economic and housing preferences precipitated the suburbanization of Port Orange.

In recent years, the city has undertaken various initiatives to strengthen this core area including rezonings, property acquisition and public/private partnerships. However, the city determined that a more comprehensive and vision-based approach in the form of a community redevelopment plan would better accomplish needed physical and economic revitalization.



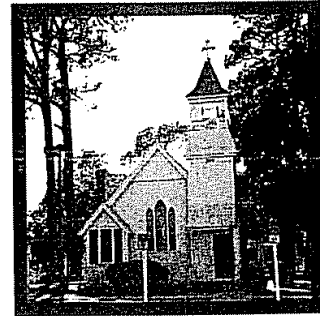
5.0 REDEVELOPMENT PLAN

5.1 District-Wide Goals and Objectives

In partnership with the private sector, the city shall reverse the process of blighting conditions and develop, redevelop and revitalize the area over a thirty (30) year period. Strategic initiatives will be identified and put into action. Ultimately, POTC will be reinstated as the city's traditional downtown and riverfront accessibility will be enhanced to the benefit of residents, visitors and business and property owners alike. POTC issues and opportunities are outlined in Figure 2.

Several strategic objectives common to each of the special character districts within POTC have been identified. Achieving these objectives will guide the community to the realization of their overall vision.

- Framework: develop five (5) special character districts recognizing that these areas are distinct in terms of uses and built environment;
- Land Use & Zoning: identify and promote land uses and zoning which are compatible with the special character districts and the overall POTC vision;
- Economic Development & Revitalization: introduce mixed-use development comprised of commercial, office and residential uses and active programming to draw people to POTC;
- Aesthetic Infrastructure: develop a coordinated design concept for open space, streetscape, furniture and recreation facilities in a manner that emphasizes the nautical history and location of POTC;
- Housing Opportunities: identify suitable locations for housing and promote a variety of dwelling types to complement the mixed-use nature of POTC;
- Architectural Design: establish architectural guidelines to provide architectural consistency within the special character districts over time;
- Pedestrian & Transportation Improvements: provide for an interconnected transportation network which aims at balancing the needs of pedestrians, cyclists and vehicles;
- Funding: identify and secure all feasible sources of funding including tax increment finance (TIF) revenues and other sources, that will aid in implementing the redevelopment Plan throughout both short and long term; and
- Incentives: identify and offer an array of initiatives to encourage the redevelopment and revitalization of POTC through realization of specific plan objectives over time



5.2 Special Character District Goals and Objectives

POTC is made up of five (5) distinct yet interconnected special character districts, namely; Riverwalk, Dunlawton Village, Down Under, Causeway and Ridgewood (Figure 3). Each district boasts a unique built environment and mix of land uses. A series of objectives have been adopted for each district and are outlined on the following pages.

5.2.1 Riverwalk

The Riverwalk district shall be the main focus of the Plan's public and private redevelopment initiatives. The area shall be recognized as a pedestrian friendly, mixed-use entertainment location, which boasts a Florida vernacular style of architecture; a compact built environment; a grid network of narrow streets; pathways leading to public spaces; attractive views and vistas and a nautical theme.

- develop a unique riverfront location based on a healthy mix of entertainment, retail, office and housing uses;
- install a promenade from Dunlawton Avenue to the Port Orange-South Daytona Chamber of Commerce property to enhance and promote both views and access to the Halifax River;
- evaluate and carry out design improvements to the Dunlawton Avenue and Ridgewood intersection to emphasize a true "sense of arrival";
- identify and promote suitable locations for shared parking and retention facilities;
- promote river-based activities and events to attract citizens and tourists;
- develop the district in a manner consistent with the principles of New Urbanism; and
- prepare an architectural design manual to be applied to development and redevelopment activity within the district.

Please refer to Appendix B for an overview of the approved conceptual design for this district.

5.2.2 Dunlawton Village

Dunlawton Village is recognized for its historical contribution and significance to the community.

- protect and enhance the village character through thoughtful site planning and design review;
- promote the preservation of structures recognized for their historical significance;
- stabilize adjacent single family residential neighborhoods;
- enhance multi-modal travel opportunities within the district; and
- promote the redevelopment and beautification of industrial properties along Lemon Street.

APPENDIX “E”

E: Land Development Code Provisions regarding Riverwalk Project Area

(d) Copies of the current and proposed capital improvements element of the city's comprehensive plan, capital improvements budget and five-year work programs of Port Orange, Volusia County, and FDOT.

(4) The above-mentioned analysis shall be used for the planning and development of financial feasible capital improvements. This monitoring program shall be done on an annual basis and shall continue until PC-A is built out.

(5) The city shall further notify Volusia County of future zoning changes to the macro CDP, pursuant to the interlocal planning agreement between the city and the county.

(Ord. No. 2002-21, § 8, 5-21-02; Ord. No. 2006-36, §§ 1, 2, 9-26-06; Ord. No. 2007-27, § 1, 7-17-07)

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

(a) Zoning and development

(1) *District.* The following regulations provide the zoning and development framework for the Planned Community--Port Orange Riverwalk (PC-R) zoning district. This area is identified on the city's future land use map of the comprehensive plan as planned community no. 2. The PC-R zoning district meets the locational criteria identified in section 28(b) above, as well as in the future land use element of the city's comprehensive plan. The approved macro conceptual development plan for the PC-R zoning district is shown in Figure 17.4.

(2) *Area.* The PC-R zoning district encompasses the approximately 35-acre area adjacent to the Halifax River inclusive of all lands lying east of U.S. 1/Ridgewood Avenue, north of S.R. 421/Dunlawton Avenue and south of the Intercoastal Villas at the city's northern corporate boundary. This area is part of the Riverwalk Special Character District as designated by the Port Orange Town Center Redevelopment Plan, adopted by Ordinance No. 1998-78 in December 1998. Essential to the realization of the redevelopment objectives for the Riverwalk Area is the transformation of the Halifax River shoreline into a linear park, inclusive of a boardwalk promenade, for the use and enjoyment of the public into perpetuity.

(3) *Project areas/micro regions.* The redevelopment within PC-R will occur in a series of three mixed-use micro regions or project areas. These areas are depicted in Figure 17.4. The developer, prior to the commencement of construction within a project area, shall prepare a comprehensive project area plan consistent with the conceptual development plan and including subdivision and/or site plans. In the event that the developer does not have authority for all property owners within the project area, the project area plan shall identify such areas as future phases. The project area plan shall include the access, utility and other infrastructure connections and easements designed to serve the future phases of the project area plan. The developer shall be required to obtain city council overall development approval of the project area plan. Phasing of construction within a project area is permissible, if approved as part of the overall project area plan. To help achieve the redevelopment goals for the Riverwalk District as expressed in the Port Orange Town Center Redevelopment Plan, flexibility to transfer development entitlements between Project Areas is permissible. Up to ten percent of the development entitlements for the entire planned community may be transferred from one project area to another, if approved as part of the overall project area plan. The project area entitlements are shown in Figure 17.4.

(4) *Project types.* The zoning regulations within PC-R contain district-wide regulations as well as regulations that are differentiated among five project types.

Each of these project types have specialized development guidelines to reflect the unique characteristics and goals for that type of development. The five project types within PC-R are:

- a. Hi-rise residential
- b. Mixed-use (including low-rise residential)
- c. Recreation/conservation
- d. Marina
- e. Streetscapes

(b) *District-wide regulations for PC-R.*

(1) *Development entitlements.* Consistent with the future land use element of the city's comprehensive plan, the maximum development entitlements granted by development orders within the Planned Community--Port Orange Riverwalk (PC-R) shall not exceed 800 residential units and 292,000 gross leasable square feet of non-residential development. Of the maximum 800 total residential units, the maximum number of Hi-Rise Residential units shall be 720 units. Parking garages and recreation facilities within public spaces shall not count towards overall development entitlements. Buildings for other institutional, civic and quasi-public uses shall count as part of the overall non-residential development.

(2) *Entitlement allocation.* Entitlements shall be allocated based upon an approved project area plan and in conformance to the entitlement allocation formula. The allocation shall not exceed the "Adjusted Ownership Entitlement" (AOE) calculated in accordance with the entitlement allocation formula. The entitlement allocation formula shall be computed using the following defined components:

TABLE INSET:

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

Entitlement Allocation Formula:

Step One:

$$AO/TA = OP$$

Step Two:

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

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

(3) *Design guidelines.* To realize the new-urbanism characteristics envisioned for the Riverwalk area, all development shall incorporate mixed-use concepts. Infrastructure shall be master planned by a master developer, subject to approval by

the city, for the entire PC-R area to ensure adequate facilities to support the density/intensity of the private development as well as the civic functions and special events that will be staged in the public spaces along the Boardwalk and elsewhere in the district. A compact, urban pattern, and the prioritization of pedestrian and public modes of transportation over private automobile use shall prevail. No drive-thru facilities, such as those commonly found at banks, fast-food restaurants and drug stores shall be permitted. The design of buildings and public spaces shall convey a sense of quality, permanence and unique place-making. Waterfront views and a celebration of the city's riverfront through waterfront views and water-oriented uses are encouraged.

(4) *Design manual.* All construction within PC-R shall comply with the Riverwalk Planned Community Design Manual as formally adopted by the city council. Where conflict exists between the design manual and any other provision of the land development code or city standard construction details, the Riverwalk Planned Community Design Manual shall prevail. Where the Riverwalk Planned Community Design Manual is silent on an issue, the LDC or standard construction details shall apply. Any deviation from the adopted design manual shall be clearly noted as such on all plans, specification and shop drawings at the time of initial submittal. If inadvertent deviations in design are not so noted, the standards set forth in the Riverwalk Planned Community Design Manual shall prevail.

(5) *Expedited review and approval.* All applications and requests for development related approvals, including building permits and inspections, shall be granted expedited status, pursuant to chapter 20 (2)(g) of this code. For each development within the Port Orange Riverwalk Planned Community, the city manager shall designate a staff person to serve as the city's project manager.

(6) *Certificates of occupancy.* Certificates of occupancy may be conditionally granted upon satisfactorily completing all final building and life-safety code inspections, and when access to the building does not pose any public safety hazards and the structures and site facilities serving the structures are substantially completed. Landscaping of private spaces and public spaces adjacent to private developments may be phased as part of the overall project area approval. Bonding of remaining site and building improvements shall be required in accordance with the bonding provision in section 30(b)(6) of this code.

(7) *Bonding of code required improvements.* Bonding of remaining building, on-site and off-site improvements may be authorized to permit the issuance of a conditional certificate of occupancy. On or before the issuance of the conditional certificate of occupancy the developer shall execute a site improvement agreement in the form approved by the city attorney and shall bond the cost of completion in an amount equal to 150 percent of the engineer/architect/landscape architect's estimate of probable cost for all remaining improvements. On or before council's approval of the agreement, the developer shall provide the city with the appropriate easement(s) and/or other legal authority to enter the property to ensure that the required improvements can be constructed. In the event the developer fails to complete the improvements within 60 days of issuance of the conditional certificate of occupancy, then the city may notify the surety and demand completion of the improvements. The surety shall process of a rating from A M. Best Company of at least AAA.

(8) *Parking and access/mandatory purchase of parking credits.*

a. On-site parking may be allowed in the PC-R district based upon a site plan of one acre or more prepared by the developer, consistent with the urbanism goals of the Riverwalk Project and the city's ordinance adopting the parking standards manual. In the event that the developer desires to purchase parking credits from the Riverwalk Parking Authority, then the credits may be acquired

from the Riverwalk Parking Authority based upon availability subject to all other committed uses. Each project area shall be evaluated for parking demand generation based upon the specific combination of uses proposed within that project area. All code required parking obligations not met by on-site parking shall be met through the purchase of parking credits for access to spaces within multi-modal transportation facilities owned and operated by the Riverwalk Parking Authority.

b. For Hi-Rise Residential developments, each residential unit shall be assessed a parking demand of 1.5 parking spaces per unit. Each Hi-Rise development shall be allowed to provide a portion of its parking in up to two levels of private parking below the units, and up to 12 surface spaces near the building entrance. No less than three-tenths (3) of one vehicular parking space per unit in each Hi-Rise Residential development shall be provided through the purchase of parking credits from the Riverwalk Parking Authority.

c. For Mixed-Use developments, each use shall be required to provide for the number of parking spaces as established in the parking standards manual.

d. Parking credits means the unit or price of a share of the parking facilities, including the costs of land as defined in the parking manual, design, permits, and construction of the parking facilities serving the Riverwalk Project Area. The price for parking facilities credits shall be determined at the time of construction. The formula for the credits shall be as follows: the total cost for the fair market value of land, design, permits and constructing the parking facility improvements plus accrued interest divided by the total number of parking spaces equals the cost of one parking space or one parking credit. To the extent available, the developer may purchase parking credits to provide the additional parking required for the private facilities.

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

a. Notwithstanding the exemption from the transportation concurrency review procedures of chapter 4, section 2 of this code, all developments within PC-R shall fund and/or construct operational improvements to the city's transportation system to ensure the continued safety and efficiency of the transportation system and to mitigate the transportation impacts of their proposed development. The city shall enact a special assessment or other funding mechanism specifying the TCEA programs and improvements. Prior to the adoption of the funding mechanism the developer shall pay a minimum of five percent above the applicable transportation impact fees (city and county). The developer shall be credited with the minimum payment in the special assessment. Developer participation in transportation system management (TSM) and transportation demand management (TDM) programs and improvements shall be required as part of the mitigation strategies for all developments.

b. A traffic impact analysis (TIA) shall be required for all developments to determine the level of impact for which mitigation shall be required. Operational improvements may include, but not be limited to, the addition of turn lanes, deceleration lanes, signage, signals and pavement markings. The TIA shall identify and analyze the multi-modal mobility enhancements that the developer intends to utilize to address impacts of the development, including but not limited to, new or expanded public transit facilities, community trolley/shuttle facilities and services, water-taxi facilities and services, and new or enhanced roadway system networks, bike paths and sidewalks, including the Riverwalk Boardwalk/Urban Trail.

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

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

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

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

a. Each development in PC-R shall be required to participate in the master-planned stormwater management system, and shall be required to purchase stormwater credits from the city to participate in that system.

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

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

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

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

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

issuance of the certificate of occupancy for the last building or building shall within the project area.

(15) *Lighting/illumination.* Lighting within PC-R shall be regulated by the design standards of the Riverwalk Planned Community Design Manual.

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

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

(c) *Hi-Rise Residential.* The Hi-Rise Residential development shall comply with the district-wide regulations and the following regulations for on-site improvements.

(1) *Permitted uses.* Multi-family residential dwelling units up to 60 dwelling units/acre and ancillary retail, office and personal service uses, including, but not limited to, cafe, snack bar, bakery, deli, newsstand, ATM, hair salon, fitness center and florist.

(2) *Permitted uses with special development criteria.* None

(3) *Conditional uses.* None.

(4) *Prohibited uses.* Drive-thru lanes for ancillary uses.

(5) *Dimensional requirements.*

TABLE INSET:

Max. building height	15 stories of residential over two levels of parking (Not to exceed 175 feet from required finished floor elevation)
Min. building height.	4 stories (45 ft.)
Min. lot size.	5 acres
Min. lot width.	500 ft.
Min. living area:	1,200 sq. ft. per unit
Max. impervious coverage:	80 percent
Setbacks for all structures:	
West	100 ft. from U.S. 1
North	0 ft.
South	0 ft.
East	75 ft. min. from seawall
Streetscape	Min. 10 feet along street frontages and consistent with the design manual

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

(1) *Permitted uses.*

Bars, lounges, and nightclubs

Residential uses up to 32 dwelling units/acre

Professional offices (2nd floor and above only)

Retail uses

Personal services

Restaurants

Public/civic facilities

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

Medical offices (subsection 9.7)

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

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

Boat and boat trailer storage

Commercial marinas

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

Farmers' market

Motor vehicle parking lot

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

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

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

Public boat ramp

Public parks and recreational facilities

Recreational vehicle park and recreational vehicle storage

Ride share commuter lot or other transit program

Water taxi station

(b) *Development standards for interim uses*.

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

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

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

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

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

(4) *Prohibited uses.*

Adult arcade amusement centers

Adult entertainment

Automobile oriented uses

Discount and factory outlet stores

Appliance/electronic repair shops

Assisted living facilities

Auction houses

Boat repair

Boat sales

Cemeteries

Childcare centers

Commercial/industrial equipment and supplies

Construction contractor's yard and storage

Convenience stores with fuel operations

Drive-thru facilities

Equipment rentals

Fleet-based services

Fortunetellers, astrologers, and palm readers

Funeral homes

Greenhouses and nurseries (wholesale and retail)

Guyed and lattice communication towers

Hospitals

Houses of worship

Maintenance contractors

Manufacturing: fabrication

Mini-warehouses

Mobile home sales
 Motor vehicle and boat storage facilities
 Motor vehicle repair facilities
 Motor vehicle sales
 Motor vehicle service centers
 Motor vehicle service stations
 Nursing homes
 Office/warehouse facilities
 Pawn shops
 Public utility stations/plants
 Retail home building materials
 Tattoo parlors
 Taxidermy
 Veterinary clinics
 Wholesalers and distributors
 Xerographic and offset printing
 (5) *Dimensional requirements.*

TABLE INSET:

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

(e) *Recreation/conservation.*

(1) *Permitted uses.*

Public parks and recreation facilities

Public open space

Public boardwalk/urban trail

Public plazas

Open air theaters

Historical displays

Fountains

Informational kiosks

Public fishing piers

Public art

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

(2) *Permitted uses with special development criteria.* None.

(3) *Conditional uses.* None.

(4) *Prohibited uses.*

Drive-thru facilities.

(5) *Dimensional requirements.* None.

(f) *Marina.*

(1) *Permitted uses.*

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

Water taxi service

(2) *Permitted uses with special development criteria.* None.

(3) *Conditional uses.* None.

(4) *Prohibited uses.*

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

Commercial fishing

(5) *Dimensional requirements.*

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

(g) *Streetscapes.*

(1) *Permitted uses within public lands.*

Public utilities (underground)

Landscaping

"Street Furniture" including benches and trash cans

Way-finding signage

Informational Kiosks

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

(2) *Permitted uses with special development criteria.* None.

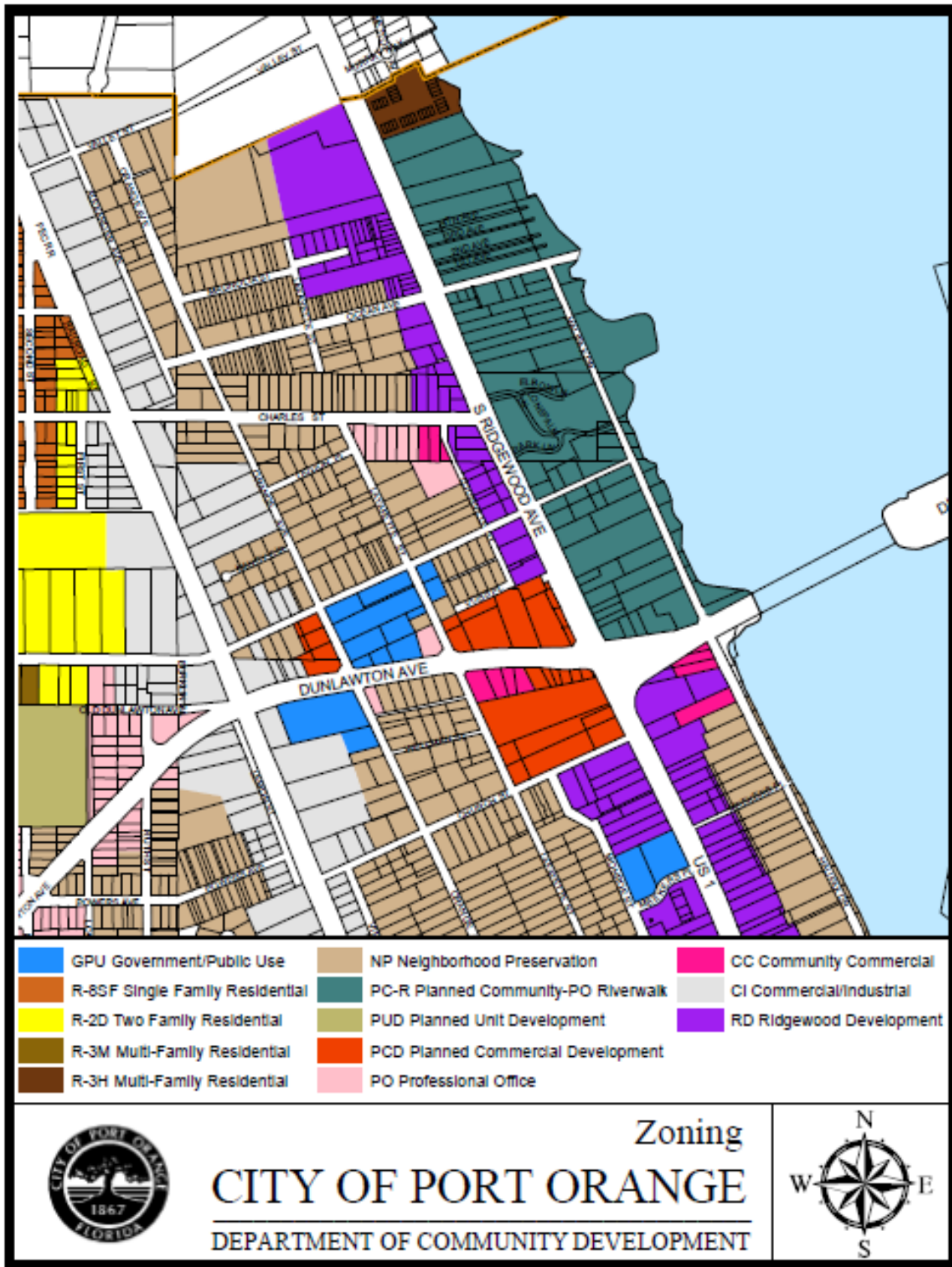
(3) *Conditional uses.* None.

(4) *Prohibited uses.* None.

(5) *Dimensional requirements.* None.

GRAPHIC LINK:[Click here](#)

(Ord. No. 2007-11, § 2, 3-20-07; Ord. No. 2010-1, § 1, 2-3-10)



APPENDIX “F”

REAL PROPERTY TITLE EXCEPTIONS

All Appendix “F” documents can be viewed at www.Demandstar.com or in the office of the Deputy City Clerk, City of Port Orange, 1000 City Center Circle, Port Orange, Florida 32129, phone 386-506-5566