

# DOWNTOWN BALLOUGH ROAD Redevelopment Area Plan



The City of Daytona Beach Community Redevelopment Agency

# **COMMUNITY REDEVELOPMENT PLAN**

for the  
**DOWNTOWN AND BALLOUGH ROAD REDEVELOPMENT PROJECT**  
**AREAS**

DAYTONA BEACH, FLORIDA

Amended August 4, 2010



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## **OVERVIEW**

This Downtown/Balough Road Redevelopment Plan updates two previously-adopted redevelopment plans: the Downtown Redevelopment Area Plan, which was originally adopted by City Ordinance No. 82-254 and amended by Ordinance No. 00-452, and the Balough Road Redevelopment Area Plan, which was adopted by City Ordinance No. 86-188. The Downtown/Balough Road Redevelopment Plan updates these plans in order to improve upon the redevelopment strategies for the Downtown and Balough Road redevelopment areas. These efforts focused in large part on: (i) leveraging the locational advantages to expand the mix of housing offered in these areas, (ii) expanding existing businesses and link them to appropriately scaled, mixed use development, and (iii) targeting infrastructure improvements in order to cluster business and civic uses.

This Downtown/Balough Road Redevelopment Plan combines these previously-adopted redevelopment plans in order to address the common characteristic of the Downtown and Balough Road redevelopment areas, which are adjacent to each other, including their proximity to the waterfront, their centralized location within the City, and their shared predominance of institutional uses. The treatment of both of these redevelopment areas in a single redevelopment plan document is intended to help ensure that planning for the Downtown and Balough Road Redevelopment Areas will be coordinated; thereby increasing the likelihood that the goals described above will be achieved. References within this plan to "Downtown/Balough Road" or the "Downtown/Balough Road Redevelopment Area" and similar references are to be read as references to both the Downtown and Balough Road Redevelopment Area as those Redevelopment Areas are previously described.

The Downtown/Balough Road Redevelopment Plan is an important component of a regional economic strategy that focuses on: industries and businesses; populations and markets; site locations; and economic development programs. Achieving the goals set forth in the Redevelopment Plan will require coordinated actions that restructure blighted, underutilized areas with economically viable uses; revitalize marginally viable areas and mitigate decline; and restore stable areas.

Updating the Downtown/Balough Road Redevelopment Plan is an opportunity to build on the City's progress to strengthen Downtown/Balough Road's role as the regional center of commerce, recreation and culture. It is an opportunity to capitalize on its river setting and other locational advantages to promote Downtown/Balough Road residential and business development. The intent of the Downtown/Balough Road Redevelopment Plan is to facilitate private and public participation consistent with a common vision and a balanced approach to foster community building, economic development and environmental conservation.

### **2008 Amendments**

The purpose of the 2008 amendments to this Plan is to clarify and reaffirm the past, present, and future actions of the City of Daytona Beach Community Redevelopment Agency to continue the authorized expenditures of tax increment funds for a variety of programs and activities that further the goals and policies of the Plan.

Notably, the amendments clarify that this Plan authorizes funding of promotional activities for cultural and special events that contribute to the economic success of redevelopment. In addition, effective enhanced law enforcement programs, including innovative community policing and systematic code enforcement, are proven to eliminate blight and create the safe environments necessary to attract private investment. Funding is also provided to address the additional costs to maintain streetscapes and other enhanced capital improvement projects that further the policies and goals of this Plan.

### **Strategic Priorities**

A key to strengthening Downtown/Balough Road's position as a residential, business and visitor address is to leverage its riverfront setting and unique collection of amenities to create a differentiated experience that showcases the advantages of living, working and visiting Downtown/Balough Road. Preserving and enhancing the riverfront experience as well as promoting public access to a range of uses and activities offers a distinct competitive advantage that is the foundation for the Downtown/Balough Road redevelopment strategy. The Redevelopment Plan is based on urban planning principles that encourage mixed use, mixed income and pedestrian-oriented development.

The market positioning and place-making strategies guiding the Redevelopment Plan are based on adding and clustering uses to create a set of sub-district experiences that, taken together, create economic synergies that will revitalize Downtown/Balough Road. In order to build momentum, capitalize on current market opportunities and leverage strengths to incubate demand in niche markets, the Downtown/Balough Road strategy should focus on the following:

- Enhance the utilization of the riverfront as a recreational and leisure asset as well as improve public access.
- Leverage the river and other locational advantages to expand the mix of housing offered Downtown/Balough Road.
- Expand the marina business and strategically link, appropriately scaled, complementary, mixed-use development.
- Target infrastructure improvements, as well as cluster business and civic uses in a manner that strengthens Downtown/Balough Road's appeal.
- Address destabilizing influences (i.e. crime, poor public schools) that constrain Downtown/Balough Road's ability to be competitive in the region and attract new private investment.

### **Recommendation Highlights**

- In light of current market conditions, the public sector must continue to play a lead role in expanding and facilitating the development of amenities and services that will attract visitors and promote Downtown/Balough Road living.

- Downtown/Balough Road's most viable short-term market opportunity is the potential residential development of properties that have prime riverfront views. New river view housing can be a catalyst for promoting Downtown/Balough Road neighborhood revitalization and stabilization. Anchoring the Beach Street retail area on both the north and south ends have the highest priority for this use.
- Encourage the re-use of public riverfront land for activities that support public assembly, recreation, beautification and river access.
- Support the public library in its efforts to accommodate future growth, improve the delivery of services, promoting life-long learning, cross-programming that will appeal to the young and old and improving public access.
- The development of the Lively Arts Performance Center at a riverfront location is a key component of the Downtown/Balough Road marketing strategy to promote art, culture and recreation. This initiative, will contribute to re-branding Downtown/Balough Road by showcasing Daytona Beach's quality of life and lifestyle attributes.
- Promoting the proposed Manatee Island Environment Learning Center advances the policy of improving public access to the river and promoting environmental awareness.
- The Super Block between Palmetto Avenue, International Speedway Boulevard, Ridgewood Avenue and Bay Street is a major challenge and opportunity. If the public sector does not take action, it is reasonable to assume that these properties will not materially contribute to Downtown/Balough Road's redevelopment. Initiatives to consolidate City services in combination with the relocation of other civic functions, affords the opportunity to structure a public/private development project with public and private leases securing the financing.
- Long-term, the N. Balough Road sub-district has the potential to become a new marina residential community that takes advantage of: existing nearby marinas as well as existing and planned riverfront commercial uses; the unique character of existing neighborhoods; and the opportunity to provide boat access to an existing inlet. Plans of this scale and magnitude must take into consideration the need for a business retention and relocation program to address the displacement of existing local service businesses and jobs.
- Improving Downtown/Balough Road's image is increasingly important as more focus is placed on the overall resident, worker and visitor experience. To this end, further implementation must continue to focus on district identification, streetscape enhancements, signage and way finding improvements.

### **Policy Considerations**

- Enhancing Downtown/Balough Road's riverfront and surrounding district must be done in a manner that responds to the long-term policies set forth in the Comprehensive Plan with

special attention on environmental regulations that address natural habitat, storm water management and water quality issues.

- Special consideration must focus on the organizational structure and commitment level required to support (and sustain) the multiple start-up non-profit cultural/recreational uses that desire to locate in the riverfront district. Umbrella organizations should be considered to insure coordinated cross programming and cross marketing.
- Efforts must continue to focus on economic incentives required to attract the type of investment and private development desired. The consolidation of city services and other civic uses can be an opportunity to attract private investment and seed a potential public/private real estate venture. Public intervention to consider will include actions such as: leveraging public land disposition proceeds; special codes to encourage adaptive re-use; property tax incentives; gap financing; and infrastructure cost sharing models.
- The Redevelopment Plan is intended to insure that public intervention has a market focus that encourages private investment, long-term public benefit, and positions Downtown/Balough Road to develop as a place that has increasing competitive advantages for business, residents and visitors. The motivation for businesses to invest in expanding or relocating to an area is driven by decision-maker's assessment of true long-term competitive advantages.
- Developing a Master Storm Water Management Plan, phasing implementation, sharing costs, and environmental compliance are key issues that must be addressed or future development will be constrained or prevented.
- Future Downtown/Balough Road land uses will displace existing grade parking and require strategically locating deck parking as well as utilizing existing restricted garages for shared public parking.
- Achieving Downtown/Balough Road's future marketing and business recruitment objectives may require modifications to existing organizational approaches. Additional revenue sources will be required to implement a comprehensive Downtown/Balough Road marketing strategy that can materially contribute to achieving broader economic development objectives.

## **REDEVELOPMENT PLAN**

### **1.0 Introduction**

By the adoption of prior resolutions associated with the previously approved Downtown/Ballough Road Redevelopment Plan, the City Commission of the City of Daytona Beach made the finding that blighted conditions existed within the area currently designated the Downtown/Ballough Road Redevelopment Area; further, the rehabilitation, conservation, and redevelopment of blighted areas within the city is necessary, and is in the interest of public health, safety, welfare, and the expansion of economic opportunities for the residents of the City of Daytona Beach.

By the same resolution, the City Commission declared itself to be the Community Redevelopment Agency for the purpose of carrying out community redevelopment projects pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, as amended.

### **2.0 Purpose**

Contained herein is the Community Redevelopment Plan to be known as the Downtown/Ballough Road Redevelopment Plan.

The purpose of the plan is to provide the program framework for the elimination of blight within the Downtown/Ballough Road Redevelopment Area and to promote economic development to respond to the short and long term needs of the general public. All undertakings shall conform to the City's Comprehensive Plan as it exists now or as may be amended from time to time. The City upon adoption of this plan shall initiate a process of updating the Comprehensive Plan in an incremental manner so as to avoid the creation of non-conformities. Any activities conducted under this plan that are currently consistent with the Comprehensive Plan may be authorized by the City.

The specific undertakings and activities proposed to be carried out pursuant to this Redevelopment Plan may be periodically updated.

### **3.0 Boundaries**

The legal description and boundary maps for the Downtown/Ballough Road Redevelopment Area are set forth in Exhibits I-A, I-B, I-C and I-D. The Redevelopment Area is generally located as follows:

#### The Ballough Road Redevelopment Area

The Ballough Road Redevelopment Area is bounded on the south by Fairview Avenue and the Main Street Bridge approach. Bounded on the east by the Halifax River; on the north by the City's Corporate Limits; on the west by North Beach Street.

### The Downtown Redevelopment Area

The Downtown Redevelopment Area is bounded on the north by George Engram/Fairview Avenue and the Main Street Bridge approach. Bounded on the east by the Halifax River and on the west by the existing railroad right-of-way; and on the south by South Street.

### Location Rationale

Northern Sector (Vicinity of Ballough Road / N. Beach Street): The predominant land use in the northern sector consists of small local service businesses housed in small structures that are generally in fair to poor condition. This portion of the northern sector is sandwiched between N. Beach Street and Ballough Road. The north portion of this zone includes a waterway inlet that was initially constructed to accommodate a proposed residential project that was not built. This underutilized industrial zone is bordered on its east by: additional scattered commercial; a traditional residential neighborhood; active and underutilized marina and related commercial uses; and planned fishing and boating recreational uses beneath the Seabreeze Bridge.

This sector of the Redevelopment Area enjoys the advantages of being located in close proximity to the river, Downtown/Balough Road, the beach and nearby regional road networks. In general, this area was selected because of the blighted conditions, to insure there is adequate property for sound redevelopment, and the high potential for reinvestment that can be achieved through strategic government intervention.

Central & Southern Sector (Vicinity of Beach Street & Ridgewood Avenue Core): The historical focus of Downtown/Balough Road Redevelopment efforts concentrated on: the Beach Street retail core; the Palmetto Street and Ridgewood Avenue government I commercial core; and the Halifax public marina area. The intent of initial redevelopment programs in this area were targeted at addressing: the concentration of structures and land that was under-utilized or experiencing physical decline; the lack of investment in the area at that time; as well as the potential for increasing blight combined with destabilizing factors that contribute to neighborhood decline.

## **4.0 Redevelopment Goals**

The establishment of goals and objectives set forth the specific direction and strategy for improving the area. Once adopted by the City, the goals and objectives establish the parameters for redevelopment program implementation. In addition, the goals and objectives assist the private sector in better understanding the City's intent and direction so property owners, businesses and residents can make appropriate decisions.

### Goals

1. It is the Redevelopment Agency's intent to facilitate public and private cooperative efforts to achieve appropriately scaled, aesthetically pleasing, and environmentally sensitive new development.

2. Rehabilitation projects that eliminate blight and destabilizing influences.
3. To stimulate and attract private investment in the Redevelopment Area by increasing business and employment opportunities; improving services for residents, Downtown/Balough Road workers and tourists; expanding public access to recreational and educational activities; and improving the City's tax base.
4. It is intended that new investment in housing and related infrastructure and services will be coordinated with City-wide efforts to revitalize and stabilize neighborhoods within the target area and promote mixed-income and affordable housing opportunities.

## **5.0 Redevelopment Strategic Objectives**

Land uses shall be consistent with the Generalized Future Land Use map as contained in the City's Comprehensive Plan today (Exhibit II) or as it may be amended pursuant to recommendations included herein (see Exhibit III). The City shall pursue amendments to the Comprehensive Plan in a manner that considers these prescribed future land uses and the goals, objectives and policies outlined herein.

### **5.1 Land Use Objective**

Annually complete at least one project that adds, mixes and clusters uses to create a critical mass of pedestrian-oriented experiences that are linked to each other in a manner that strengthens Downtown/Balough Road's appeal as a business residential address and differentiated visitor destination.

Policy 5.1.1 Preserve Downtown/Balough Road's unique river setting by implementing a balanced riverfront land use program that is consistent with the recommended Future Land Use plan map of the Redevelopment Plan.

Policy 5.1.2 Encourage riverfront uses, which are water dependent, water related or water enhanced.

Policy 5.1.3 Encourage appropriately scaled residential projects on land that is strategically located to take advantage of marina access and river views as well as proximity to existing marina housing and Downtown/Balough Road amenities.

Policy 5.1.4 Encourage infill housing projects that help to revitalize and stabilize existing neighborhoods as well as promote affordable and mixed income housing opportunities.

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*As amended August 4, 2010*

- Policy 5.1.5 Encourage mixed use projects that cluster compatible land uses and share infrastructure requirements.
- Policy 5.1.6 Encourage the adaptive re-use of existing buildings and the assembly of adjacent land to accommodate viable rehabilitation and expansion programs. Where appropriate encourage historic preservation.
- Policy 5.1.7 Encourage policies and programs that enhance the riverfront district's image, facilitate way-finding, and strengthen linkages to the river.
- Policy 5.1.8 Develop a master strategy for addressing long-term parking, storm water management and related infrastructure requirements to accommodate future Downtown/Balough Road growth consistent with the Redevelopment Plan.
- Policy 5.1.9 Encourage the strategic integration of civic and cultural uses in order to generate more traffic and activity along the Beach Street retail core, strengthen the connection between the retail district and the river, and enhance the district's sense of place.
- Policy 5.1.10 Through regulatory controls and incentives, encourage investment in new development and rehabilitation that by 2007 will improve assessed property values by 3% per year, create new jobs by 10% a year and maintain a minimum of 85% building occupancy in the City's Redevelopment Areas.
- Policy 5.1.11 Maintain and encourage investor confidence by continuing to enforce redevelopment area appearance standards for all commercial and residential structures in the redevelopment areas.
- Policy 5.1.12 Implement redevelopment category rezonings as requested to induce and enhance developments that are consistent with redevelopment plans and neighborhood policies.
- Policy 5.1.13 All new construction, exterior building and site renovations within the redevelopment zoning districts and areas shall meet redevelopment zoning districts and areas shall meet redevelopment appearance standards and design guidelines.
- Policy 5.1.14 Evaluate and update regulations affecting use of historic structures that encourages investment and stability in the historic residential districts.
- Policy 5.1.15 Future Land Use Categories for Downtown/Balough Road Areas. The following future land use categories are hereby established:

RESIDENTIAL (See Note 1)

Level 1 A residential area with densities of 1 to 8 units per acres.

Level 2 A residential area with densities ranging from 9 units per acre to 20 units per acre.

Such areas can be used as transitional areas between more intensive urban uses and less intensive uses.

Level 3 A residential area with densities 21 units per acre and over.

Note 1: This redevelopment plan recommends a Comprehensive Plan amendment that will require manufactured housing if located in this redevelopment area to resemble in appearance the Historic Housing stock.

COMMERCIAL

Commercial Mixed-Use - An area generally containing a mixture of land uses with commercial being the principal land use. Development in this area shall not exceed a floor area ratio of 3.

Office - An area containing primarily office uses. Development in this area shall not exceed a floor area ratio of 2.

Office/Residential Transitional - An area primarily for office and multi-family uses. Development in this area shall not exceed a floor ratio of 2.

INDUSTRIAL

Local Service Industry - An area generally containing industrial and service-related activities serving local markets. Development in this area shall not exceed a floor area ratio of 2.

GOVERNMENT / INSTITUTION

Public/Institutional - An area generally containing public and quasi-public office type support facilities. Development in this area shall not exceed a floor area ratio of 2.

## PUBLIC USE PARKS & RECREATION

An area generally set aside for park and recreational activities or having potential for the location of such use. The underlying zoning and land development regulations shall prevail, but acquisition should be emphasized.

The intensities or densities described below are to be interpreted to be maximums. Depending on conditions peculiar to specific locations the city may limit such densities and intensities through the application of zoning and other land development regulations to under the maximum allowed to ensure the goals, objectives and policies of this plan are achieved.

Depending on the nature of the facility, impervious surfaces should not exceed 80%.

## MIXED-USE

High Intensity - An area generally containing a mixture of high intensity land uses consisting of all the above categories except industrial. However, industrial may be approved as a conditional use in the Ballough Road Redevelopment area. Development in this area shall not exceed a floor area ratio of 10. (See Note 2)

Medium Intensity - An area generally containing a mixture of medium intensity land uses consisting of all of the above categories except industrial. However, industrial may be approved as a conditional use in the Ballough Road Redevelopment area. Development in this area shall not exceed a floor area ratio of 6. (See Note 2)

Policy 5.1.16 No existing City public facility shall be removed within the Downtown - Ballough Road Redevelopment Areas until there is funding reserved by the City Commission to replace the facility or a determination by the City Commission that the public facility is no longer needed. Such determination will be made after a public hearing.

Note 2: This Redevelopment Plan recommends a Comprehensive Plan amendment that would prohibit further industrial development in the Mixed Use categories in the redevelopment areas covered by this plan.

## **5.2 Transportation Objective**

Facilitate the development of an efficient traffic, parking and public transportation system that supports future land uses consistent with the Redevelopment Plan.

- Policy 5.2.1 Make improvements to the traffic system as needed to accommodate new development while reducing the impact on existing and planned residential areas.
- Policy 5.2.2 Develop a master Downtown/Ballough Road transportation & parking strategy that responds to the capacity, operational, and enforcement needs reflected in the Redevelopment Plan.
- Policy 5.2.3 Support the phased development of public structured parking that is strategically placed to support planned retail, civic attractions, and commercial.
- Policy 5.2.4 Evaluate and monitor peak parking demands and work with property owners to employ shared parking and other techniques to maximize the use of available spaces.
- Policy 5.2.5 Support the development of strategies that maximize access to Downtown/Ballough Road by different modes of transportation and incorporate the flexibility to add capacity at peak periods and seasons.
- Policy 5.2.6 Support the development of a water taxi system and associated docks intended to improve Downtown/Ballough Road access for visitors as well as enhance the visitor experience.
- Policy 5.2.7 Develop an integrated, high quality pedestrian network throughout the redevelopment area that connects existing and planned uses with a unified streetscape design.
- Policy 5.2.8 Evaluate the closing of the small bridge over the Ballough Road inlet in order to provide boat access to inland property as well as maximize the utilization of available land for a larger scale residential project.

### **5.3 Land Use Regulation Objective**

Utilize land use controls and incentives to encourage investment in new development and rehabilitation that is consistent with the Redevelopment Plan intent and Comprehensive Plan policies and procedures.

- Policy 5.3.1 Evaluate and update regulatory measures as needed in order to provide the flexibility required to encourage mixed use and planned unit developments that incorporate quality design standards consistent with the Redevelopment Plan.
- Policy 5.3.2 Implement Comprehensive Plan and Land Development Code amendments considering the recommendations in this plan and as the City Commission finds appropriate. Existing zoning and Comprehensive Plan designations shall serve as interim holding categories until the above amendments are considered, approved or rejected.
- Policy 5.3.3 Ensure that new riverfront and river view housing is appropriately scaled and compatible in design consistent with reasonable efforts to vary heights and massing and reflecting a high standard of design and workmanship.
- Policy 5.3.4 Support improvements, policy changes and upgraded standards to improve the image of Ridgewood Avenue especially at key intersections that are Gateways to Downtown/Balough Road.
- Policy 5.3.5 Encourage zoning policies and incentives that support the utilization of upper floors along Beach Street for residential use.
- Policy 5.3.6 Encourage zoning policies and incentives that support the clustering of dining and entertainment uses within close proximity in order to enhance Beach Street's appeal as an evening destination.
- Policy 5.3.7 Encourage zoning policies and develop standards that support outdoor dining (sidewalks and courtyards) and the innovative use of alleys.
- Policy 5.3.8 Encourage zoning policies that support controlled sidewalk vendor uses and market experiences (i.e. Farmer's Market) at strategic locations in accordance with an approved program governing operations and merchandise standards.

Policy 5.3.9 Encourage zoning regulations and incentives that support single-family occupancy and home ownership in traditional Downtown/Balough Road neighborhoods, and discourage the conversion of single-family dwellings to apartments and other uses, consistent with the land use map.

#### **5.4 Economic Development Objective**

Target public intervention and economic incentives to encourage private investment in new development and rehabilitation that will improve property values, promote Downtown/Balough Road housing, retain jobs, create new jobs, and expand the tax base consistent with the Redevelopment Plan and the regional economic development strategy.

Policy 5.4.1 Consider public incentives, including tax increment financing and other economic development tools, to close economic gaps and mitigate start-up risks that must be addressed in order to guide development consistent with the Redevelopment Plan.

Policy 5.4.2 Target loan, grant and technical assistance programs to help attract small businesses to Downtown/Balough Road.

Policy 5.4.3 Target aggressive public intervention to attract strategically important businesses (i.e. tourism, technology, research and development) and clusters of sizable employers.

Policy 5.4.4 Encourage the development of an Arts, Culture and Recreation District that takes advantage of Downtown/Balough Road's unique riverfront setting in order to create a differentiated experience that improves the areas competitiveness as a visitor destination.

Policy 5.4.5 Support efforts to update Downtown/Balough Road Marketing strategies in order to improve the coordination and cross promotion of all existing/planned cultural and special event attractions.

Policy 5.4.6 Support the coordinated development, promotion, and sustained operation of existing and proposed cultural and educational uses including but not limited to: The Jackie Robinson Stadium and Museum; the Lively Arts Performance Center; and the Manatee Island Environmental Learning Center.

Policy 5.4.7 Support current efforts to brand and strengthen Downtown/Balough Road's position as a specialty dining/retail district with a special emphasis on food, entertainment and special events anchoring the experience.

- Policy 5.4.8 Support current efforts to strengthen the Halifax Marina by adding capacity, services and amenities that distinguish it as a premiere Intra-Coastal boating destination.
- Policy 5.4.9 Evaluate the development of a Downtown/Balough Road Visitor Center that will serve as a communications and promotions hub within an integrated city and county marketing system. In addition, evaluate securing a central location that is highly visible and has accommodations for parking and nearby bus drop-off.
- Policy 5.4.10 Develop business recruitment strategies that showcase Downtown/Balough Road amenities, planned enhancements, and services in order to encourage new residential and commercial investment that will improve property values, add jobs and maintain building occupancies.
- Policy 5.4.11 Proposals that displace existing businesses must be coordinated with public business retention and relocation initiatives.
- Policy 5.4.12 Encourage the relocation of existing N. Beach Street car dealerships to areas that offer greater competitive advantages and afford the opportunity to attract replacement uses more compatible with the intent of the Redevelopment Plan.
- Policy 5.4.13 Support social service, education and public safety programs, including an innovative community policing program, that makes a difference in the quality of life for Downtown/Balough Road residents and business owners, and reinforce positive perceptions that make Downtown/Balough Road more appealing.
- Policy 5.4.14 Encourage public / private partnership projects using tax increment and other revenues as the public share.
- Policy 5.4.15 By the year 2007, evaluate the current grant programs and determine if the funding of grant incentives in redevelopment areas has been successful or if other financial assistance will achieve the objective.
- Policy 5.4.16 Continue to evaluate loan programs and small business development programs as incentives to expand or attract businesses to the redevelopment areas.
- Policy 5.4.17 Continue to assist the preservation of historically significant buildings and districts through national landmark, national register, local or individual historic district designations.

- Policy 5.4.18 Establish an assessment district to maintain public plazas, pocket parks, parking areas and pedestrian spaces in the Downtown/Balough Road Redevelopment Area.
- Policy 5.4.19 Study the feasibility and utility of creating a public parking authority and / or district to finance, operate and manage all public parking spaces with the Downtown/Balough Road Redevelopment Area by 2007.
- Policy 5.4.20 Support the relocation of the Armed Forces Reserve Center from the Halifax Harbor Marina and the development of a mixed use commercial project in the location consistent with the Riverfront Master Plan, Appendix B.

## **5.5 Public Amenity Objective**

Support public amenities that will enhance Downtown/Balough Road's sense of place and vitality as well as encourage new private investment in housing and commercial projects.

- Policy 5.5.1 The Riverfront Master Plan, Appendix B, shall guide improvements to the Downtown waterfront to create a balance between passive and active water-related uses to take advantage of the riverfront setting, implementing:
1. Capital improvement projects described in the Nature District of the Riverfront Master Plan, Appendix B, that complement the existing Manatee Island Environmental Learning Center and provide a passive, water-related park experience.
  2. Capital improvement projects described in the Arts District of the Riverfront Master Plan, Appendix B, that complement the existing News Journal Performance Arts Center and establish Downtown as an Arts, Cultural, and Education destination for the region.
  3. Capital improvement projects described in the Esplanade District of the Riverfront Master Plan, Appendix B, to enhance the overall public realm of the riverfront with additional public plazas and create a sense of place with complimentary uses and strengthened connection between the core Beach Street commercial and shopping district and the river.
  4. Capital improvement projects described in the City Docks District of the Riverfront Master Plan, Appendix B, to create greater use and public access to the Halifax River with water taxis, working waterfront, and public docks.

5. Capital improvement projects described in the Halifax Harbor District of the Riverfront Master Plan, Appendix B, that complement and expand the Halifax Marina.
6. Recreational opportunities that link with regional and national recreational trails for linear park development.
7. Programs to complement resident and regional visitor experience in the Downtown Riverfront.

Policy 5.5.2 Ensure that the development of non-profit civic uses located on the riverfront are subject to a development agreement respecting planning, development and operations to insure that implementation is carried out in a manner consistent with the Redevelopment Plan and the Riverfront Master Plan, Appendix B.

Policy 5.5.3 Evaluate the development of an Arts, Culture & Recreation District that encourages public access to parks and riverfront areas. Promote education by conveniently locating learning experiences in close proximity to each other and shared parking.

Policy 5.5.4 Ensure that provisions are made to locate and improve public plazas, parking, roads and pedestrian ways in a manner that is consistent with the intent of the Redevelopment Plan to create a more unified district that is perceived as an inviting, safe place day and night.

Policy 5.5.5 Ensure that provisions are made to enhance primary vehicular and pedestrian Gateways that frame vistas to the river as well as define the Downtown/Balough Road district.

Policy 5.5.6 Encourage the creative use of existing alleys, courtyards, and sidewalks, landmarks, parks and gateways to enhance Downtown/Balough Road's sense of place and appeal as a special dining, shopping and recreation district.

Policy 5.5.7 Expand the Master Plan for the improvement of Downtown and Balough Road waterfront with emphasis on greater use and public access to the Halifax River, water taxis, cultural and historic sites.

Policy 5.5.8 Expand and improve access to recreational, cultural and historic amenities in Riverfront Park, Memorial Plaza, Manatee Island, City Island and Halifax Harbor through grants and redevelopment capital improvement funds.

Policy 5.5.9 By the year 2007, facilitate the preservation of Jackie Robinson Ball Park as a National Landmark and enhance it as a tourist destination.

Policy 5.5.10 Utilize incentive development code regulations and the developer negotiation process to create plazas and park areas aesthetically and functionally related to adjacent uses and the pedestrian and open space network and connect parking areas to public spaces.

## **5.6 Infrastructure & Streetscape Objective**

Utilize infrastructure improvements to encourage private investment in new development and rehabilitation consistent with the Redevelopment Plan. This will improve assessed property values, retain jobs, create new jobs, and expand the tax base.

Policy 5.6.1 Develop a short and long term Master Storm Water Management policy that addresses the economics of phased implementation and cost sharing. Establish clear, realistic expectations that will guide public and private sector participation.

Policy 5.6.2 Require the integration of storm water facilities into project design as necessary to enhance the physical environment consistent with the Redevelopment Plan.

Policy 5.6.3 Evaluate the anticipated demand for additional parking in the future to identify probable deficiencies that will materially impact Downtown/Balough Road's ability to provide the customer convenience and service.

Policy 5.6.4 Plan and phase the installation of new streetscape / signage improvements in Downtown/Balough Road consistent with the Redevelopment Plan and the Riverfront Master Plan, Appendix B, standards.

Policy 5.6.5 Encourage the placement of utility lines underground at strategic locations (where feasible) to achieve the aesthetic intent of the Redevelopment Plan.

Policy 5.6.6 Encourage and assist the development of an Amtrak/Florida East Coast Rail Station in the Downtown/Balough Road Redevelopment Area.

**5.7 Environmental Objective**

By 2005, adopt and implement plans necessary for the protection of manatees and the improvement of water quality in the Halifax River.

Policy 5.7.1 Work with Volusia County and neighboring cities to adopt and implement an acceptable manatee protection plan.

Policy 5.7.2 Develop innovative financing techniques for funding stormwater improvements.

## **REDEVELOPMENT PLAN ADMINISTRATION**

### **6.0 Development & Controls**

#### **GENERAL TERMS OF CONTROLS / LIMITATIONS**

The type, size, height, number and proposed use of buildings in the project area shall be limited to the City's Comprehensive Plan, Land Development Regulations and other regulations and Codes that may be enacted by the City. Within the limits, restrictions and controls established in the Redevelopment Plan or subsequent plans, the Redevelopment Agency may cause to be established amendments to the Comprehensive Plan and Land Development Regulations including design criteria, building heights, land coverage, setback requirements, traffic circulation, traffic access and other development and design controls necessary for proper development of both public and private areas within the redevelopment area.

In the event properties are acquired and transferred to a private developer, development controls shall include the City's Land Development Regulations. In addition, the Redevelopment Agency may establish any restrictions or covenants to run with the land sold or leased for private use for such periods of time and under such conditions as Redevelopment Agency deems necessary to effectuate the purpose of the Redevelopment Plan.

#### **COMPREHENSIVE PLAN**

All development, redevelopment and rehabilitation activities carried out within the Downtown/Balough Road Redevelopment Project Area shall conform to the City's Comprehensive Plan as exists now or as amended from time to time. This Redevelopment Plan recommends a generalized future land use program as presented on Exhibit I. By adoption of this Redevelopment Plan, the City will proceed to consider amendments to its Comprehensive Plan as recommended in Exhibit I.

#### **LAND DEVELOPMENT CODE**

Projects located within the Downtown/Balough Road Redevelopment Area shall be developed in conformance with the City's Land Development Code as it exists now or may be amended from time to time. Specific densities or intensities within the land use categories will be governed by the provisions of the appropriate City Zoning District as they exist or may be amended pursuant to amendments to the Comprehensive Plan.

#### **Zoning**

Land uses in each zoning district shall be determined in accordance with the use schedule adopted for the district. No use shall be established or maintained in any zoning district except as specifically permitted by the Land Development Code and in accordance with the Comprehensive Plan.

### **Appearance Standards**

The Comprehensive Plan addresses the need for improved appearance in connection with redevelopment efforts by the City. The improved appearance of public areas leads to a recognition that consistent improvements will also need to be made on private properties. These improvements will lead to improved economic conditions and more economic opportunities for property owners and residents of the area. The City's Appearance Standards Ordinance shall be enforced in the Redevelopment Plan Area.

## **7.0 Neighborhood Impacts**

### **HOUSING & BUSINESS: REPLACEMENT ASSURANCES**

Every effort will be made to ensure that the need for relocation is minimized. However, the Redevelopment Plan presents the potential conversion of at least one existing high rise senior citizen housing project to market rare housing subject to market requirements; and compliance with all state and federal regulations regarding the relocation of senior citizens living in publicly financed housing projects. In this event, the Redevelopment Agency will follow procedures, which fulfill the intent of the law and objectives stated below:

1. Adequately inform affected persons and / or businesses regarding assistance, policies and procedures.
2. Provide displaced persons and / or businesses with uniform and consistent services.
3. Prior to displacement ensure that affordable, decent, safe and sanitary replacement housing is available for relocation of displaced residents.
4. Ensure that replacement housing is available in the same range of choices to all displaced persons regardless of race, age, sex, color, religion or national origin.
5. Provide fair and responsible financial assistance for both residential and commercial uses that are displaced.

The most significant impact reflected on the Redevelopment Plan is the potential displacement of business uses in the northern sector of the Redevelopment Plan Area (located between N. Beach Street and Ballough Road) to accommodate potential new residential development. This area is currently zoned M1 and the predominant use consists of small structures of which most are in fair to poor condition. The small parcel sizes, poor physical condition, and under-utilization of buildings and vacant land contributes to destabilizing influences that discourage private reinvestment and prevent the assembly of land to be reused in a manner that maximizes the area's economic potential.

The Downtown/Balough Road area is currently a crossroads location that is bisected by major cross-tom arterials serving local and tourist traffic. Generally, the existing road network has sufficient demand to accommodate normal requirements. As business increases in the area, it is anticipated that traffic will increase. If traffic on such major streets increases to a level that jeopardizes adequate levels of service, the City's Concurrency Management Ordinance (when applicable) and the MPO Transportation Improvement Program will be utilized to address these conditions.

### **ENVIRONMENTAL QUALITY**

All redevelopment projects shall comply with city, state and federal regulations designed to mitigate any potential environmental impacts.

### **COMMUNITY FACILITIES & SERVICES**

The City and County impact fee regulations will serve to provide capacity for any impacts to the water and sewer, traffic and school systems that may result from redevelopment.

### **PROJECTED FACILITIES & SERVICES**

The change in residential population for households with school age children is not expected to change dramatically, thus public schools and related services are not expected to be affected. It is reasonable to assume that the need for educational services such as county library facilities are expected to increase due to growth from nearby and outlying areas attributed to households with and without school age children that use the library.

### **OTHER PHYSICAL & SOCIAL IMPACTS**

It is anticipated that physical and social conditions in the areas of greatest need will improve as resources are targeted to improve public safety as well as better manage destabilizing influences associated with socio-economic factors. It is anticipated that expanding the Downtown/Balough Road residential base and incorporating civic uses that will increase year-round activity Downtown/Balough Road will positively contribute to strengthening and improving the quality of life in the area.

## **8.0 Capital Projects, Programs and Activities**

### **CAPITAL PROJECTS**

The Redevelopment Agency is authorized to install and construct or cause to be installed or constructed public improvements and public utilities that may be necessary or convenient to carry out the provisions of this plan and the Riverfront Master Plan, Appendix B.

Such public improvements and public utilities may include but are not limited to the following:

- Street improvements and re-alignment
- Curbs, gutters and sidewalks
- Street lights
- Sanitary sewer systems
- Grade and / or structured parking
- Parks, playgrounds and landscaped areas
- Public buildings and facilities
- Directional and marketing signage
- Pedestrian and event bridges
- Plazas and fountains
- Streetscape and outdoor furniture
- Landscaping
- Utilizing relocation and upgrades
- Storm water facilities

The Redevelopment Agency may also pay the costs associated with the acquisition of public right-of-way; the ownership of which shall be dedicated to the City of Daytona Beach or other public corporation as appropriate.

All public improvements and facilities installed or constructed by the Agency, the City or others shall be consistent with the Comprehensive Plan of the City of Daytona Beach.

The following is a list of Redevelopment Projects to be undertaken over the next 10 years may include but are not limited to the following:

1. Bicycle and Pedestrian Recreational Trails
2. Road / Streetscape Improvements
3. Environmental Stormwater Infrastructure
4. Riverfront Park Improvements consistent with the Riverfront Master Plan
5. Church Super Block Redevelopment
6. Structured Parking
7. Public Market
8. City Hall Conversion / Reuse

9. Ridgewood Enhancement Program
10. Affordable Housing Site Improvements
11. New Grocery Store City Improvements
12. Comprehensive Signage Program

Capital improvements should be designed in a manner that limits long-term maintenance costs.

### **PROGRAMS AND ACTIVITIES**

The Redevelopment Agency is authorized to develop, finance, and implement programs and activities that will enhance and revitalize the Redevelopment Area, and are deemed necessary or convenient to carry out the Goals and Policies of this Plan including, but not limited to, the following:

1. Innovative Community Policing Program that will provide a safe and secure environment necessary to attract and retain businesses, residents, and visitors.
2. Enhanced Code Enforcement Program that promotes compulsory and voluntary improvements of structures and properties.
3. Maintenance Program that addresses the increased cost to maintain and repair public capital improvements funded by the Redevelopment Agency.
4. Special Event Promotion Program that sponsors marketing for special events within public facilities, land, and rights-of-way that will encourage residents and tourists to visit public parks and shop at local businesses.
5. Projects, programs, and activities, including a Main Street Program, specified by written agreement with the Downtown Development Authority.
6. Incentive programs including grants and loans that encourage improvements to existing commercial and residential structures, and lease subsidies to attract new businesses into Downtown.
7. Redevelopment management functions including administrative costs, market studies, planning, design, engineering, and other activities.

The Redevelopment Agency is authorized to use tax increment funds to implement these capital projects, programs and activities.

## **9.0 Financing**

Improvements to the Downtown/Balough Road Redevelopment Area will require a financial investment on the part of the City's Redevelopment Agency. As provided for by Florida's Community Redevelopment Act, the principal source of funding for the Redevelopment Agency will be through the mechanisms of tax increment financing. In addition, the Agency and the City will utilize other City, County, State and Federal funding sources as appropriate and available to carry out the provisions of this plan.

Furthermore, the Redevelopment Agency recognizes that from time to time the various private entities, which participate in various redevelopment projects, may require assistance in arranging financing for redevelopment activity. For such activities approved as part of the redevelopment program, the Agency shall provide technical program assistance as deemed appropriate by the City Commission.

Following is a general description of the major funding sources and programs that the Redevelopment Agency will use in financing the Downtown/Balough Road Redevelopment Plan programs.

### **CAPITAL COSTS**

General estimates for capital projects will be developed prior to the preparation of detailed estimates based on definitive plans and specifications.

### **METHODS OF FINANCING**

#### **Tax Increment Financing**

The principal source of revenues for use by the Redevelopment Agency for public expenditures associated with public or private projects located in the redevelopment area will be tax increment financing. A Redevelopment Trust Fund has been previously established as part of the City's current redevelopment program. For each taxing year following adoption of the plan, ad valorem taxes generated by the assessed taxable real property value in excess of the area's base year assessment total will be deposited into the Trust Fund. The methodology for determining the amount of the tax increment to be contributed to the Trust Fund each year shall be as provided in F.S.163.387 as may be amended.

All funds deposited into the Trust Fund shall be available to the Redevelopment Agency for any lawful purpose as defined in Chapter 163 F.S. in fulfillment of the provisions of this Redevelopment Plan and any amendments thereto as provided below.

It shall be the City's policy that these funds be spent primarily toward physical improvements that add to the taxable value of the property in the redevelopment area or enhance that taxable value.

Such uses of funds are summarized below and may include the following:

1. Blight clearance
2. Acquisition of properties within blighted area or portion thereof
3. Demolition and removal of buildings and improvements
4. Installation, construction, or reconstruction of streets, parking facilities, shoreline stabilization, public utilities, parks, playgrounds, public areas of major hotels that are constructed in support of convention centers, including meeting rooms, banquet facilities, parking garages, lobbies, and passageways, and other improvements necessary for carrying out the redevelopment objectives, and to support the maintenance, repair, and replacement of public improvements therein.
5. Disposition of any property acquired in the redevelopment area at its fair value for uses in accordance with the redevelopment plan.
6. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings' or other improvements in accordance with the redevelopment plan. Eligible activities include funding enhanced code enforcement operations and offering grants and loans to encourage voluntary rehabilitation.
7. Acquisition of real property in the redevelopment area which, under the Redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structure for guidance purposes, and resale of the property.
8. Acquisition of any other real property in the redevelopment area when necessary to eliminate unhealthy, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities.
9. Acquisition of air rights and the construction of foundations and platforms necessary for the provision or air rights.
10. Improvements to stormwater retention capacity and Halifax River water quality.
11. Develop and implement projects, programs and activities to carry out the Redevelopment Plan as provided in Section 8.0 Capital Projects, Programs and Activities.

It is the City's policy that tax increment funds provided for private projects not be used for marketing, promotion, government fees, general operations, payroll, developer fees, market studies, private planning, design, engineering and other private services and commissions.

**Tax Increment Finance Guidelines for Private Redevelopment Projects /  
Targeted Private Redevelopment Projects**

Tax Increment Financing may be used to support redevelopment in one of two ways: as part of an incentive package tied to a specific, city issued, Request for Proposals or, in response to a developer request in connection with a TIF eligible project which meets or exceeds the requirements below.

The following criteria shall be applied when determining if a project is eligible for TIF contribution and the degree of contribution that the city may authorize toward the project.

- The magnitude of the project as reflected in the size of the tax increment return to the redevelopment district
- The magnitude of a new multifamily development over 50 units or over 30,000 square feet of living area.
- The magnitude of a new office development with an increase in leasable office space over 50,000 square feet.
- The magnitude of new retail development with an increase in leasable retail space over 25,000 square feet.
- The magnitude of new entertainment development (such as theater, or enclosed amusement facility) that can accommodate an increase in capacity of over 300 persons.
- The magnitude of new developments with an increase in employment of over 50 full time persons.
- Mixed Use Development with any combinations of the above that will generate an amount of traffic collectively that which would be equal to or greater than that generated by any one of the above uses separately

The amount of annual tax increment returned to a private redevelopment project in any year may vary according to the terms of a negotiated development agreement, provided however, that the total amount of tax increment returned to the project over the life of the financing shall not exceed 15% of the total project cost at completion, including relocation costs. In addition, no more than 50% of the tax increment generated from a redevelopment project may be used for a tax increment contribution toward the financing of that project. For the purpose of tax increment financing, the base year for a specific project shall be determined by the date the construction commences. Whether the funds are delivered up-front, as with bond issue proceeds, or annually as with a pay-as-you-go contribution, tax increment financing shall not extend beyond the year 2036 unless an extension is expressly granted by the applicable authorizing agency.

This policy shall periodically be reviewed to determine its effectiveness in encouraging priority redevelopment projects.

### **Advances and Loans**

The Redevelopment Agency shall have the power to borrow money and accept advances from any source, public or private, including the City of Daytona Beach, for any lawful purpose in connection with the redevelopment program. Tax increment revenues or any other funds deposited into the Redevelopment Trust Fund, which are not otherwise obligated, shall be available for repayment of such loans or advances. Such loans will be underwritten subject to the same criteria and limitations as described above.

Furthermore, the Agency may enter into a contract with the City or other public corporation under which the Agency agrees to reimburse the City or other public corporation for all or part of the value of any land or all or part of the cost of any building, facility, structure or other improvement, or both by periodic payments over a period of years.

The obligation of the Agency under such contract shall constitute an indebtedness of the Agency as a result of a community redevelopment project, as per Section 163.387 (3) F.S.

### **Tax Increment Revenue Bonds**

When authorized by an ordinance of the City Commission, the City shall have the power to issue negotiable redevelopment revenue bonds to finance the undertaking of any community redevelopment project activity, including the payment of principal and interest upon any loans and advances previously incurred and for the refunding and retirement of bonds or other obligations previously issued. The security for such bonds may be based upon the anticipated tax increment revenues of the redevelopment projects and such other revenues as may be legally available.

### **Bond Anticipation Notes**

The City Commission may also issue bond anticipation notes and may renew the same from time to time, but the maximum maturity of any such note, including renewals thereof shall not exceed five (5) years from the date of issued of the original note. Such notes may be paid from tax increment revenues, the proceeds of sale or revenue bonds in anticipation of which they were issued, or any other funds in the Redevelopment Trust Fund not otherwise obligated.

### **Redevelopment Trust Fund Earned Interest**

Any interest earned from savings institutions from deposits of Trust Fund moneys shall become part of the redevelopment moneys available to the Redevelopment Agency for use in financing the redevelopment project.

### **Sale or Lease of Acquired Property**

All monies received from the sale of real property acquired by the Redevelopment Agency shall be deposited into the Trust Fund. Property which is acquired and held by the Agency pending resale may from time to time be leased with such lease payments to be deposited in the Trust Fund.

### **Enterprise Fund Revenue Bonds**

The City Commission may issue revenue bonds for specific enterprise purposes with the intent of having the revenues generated from such enterprises used to retire the revenue bonds. The Redevelopment Agency may pledge Redevelopment Trust Fund monies not otherwise obligated as additional security for such revenue bonds.

### **Water and Sewer Improvement Fund**

Proceeds from the Water and Sewer Improvement Fund of the City of Daytona Beach shall be allocated to fund needed water and sewer improvements with the redevelopment project area as deemed appropriate by the City Commission. In addition, private sector contributions to a master Stormwater Improvement Fund can be used to defray developers' pro-rata share of system improvements.

### **Federal and State Grants**

The Redevelopment Agency and the City of Daytona Beach will seek to utilize Federal or State grant programs as are applicable and available for any approved use within the redevelopment project area.

### **Technical Program Assistance**

The Redevelopment Agency and its staff will provide technical program assistance to private entities participating in redevelopment activities when such private entities take advantage of Federal or State loan assistance or tax credit programs.

## **10.0 Implementation**

Pursuant to the Community Redevelopment Act (Chapter 163 F.S.), the Daytona Beach City Commission has declared itself to be the Community Redevelopment Agency.

### **SAFEGUARDS THAT THE WORK OF REDEVELOPMENT WILL BE CARRIED OUT PURSUANT TO THE PLAN**

All real property in the redevelopment area is hereby made subject to the controls and requirements of this Plan or any other plans adopted by the Agency to carry out this plan.

No real property shall be developed, rehabilitated or otherwise changed after the date of adoption of this Plan, except in conformance with the provisions of this Plan or other plans adopted by the Redevelopment Agency to carry out this Plan.

All development, redevelopment and rehabilitation activities carried out within the Downtown/Balough Road Redevelopment Area shall conform to the City's Comprehensive Plan as it exists now or as it may be amended from time to time. This Redevelopment Plan recommends a generalized future land use system as presented on Exhibit I. By adoption of this Redevelopment Plan, the City will proceed to consider amendments to its Comprehensive Plan as recommended in Exhibit I.

### **MANAGEMENT FUNCTIONS**

The Redevelopment Agency and the Development Services Department will be responsible for the following functions:

- Preparing budgets for operating and capital expenses
- Reviewing and approving private development proposals in accordance with the plan
- Assisting developers, property/business owners in obtaining necessary public approvals
- Monitoring private development for conformance to redevelopment plan requirements
- Supervising design and construction of public projects and improvements
- Managing property acquisition and disposition programs
- Administering the relocation of businesses and residents where necessary
- Coordinating redevelopment activities with all public agencies
- Developing and coordinating promotional and marketing programs
- Providing continuous planning services for the redevelopment area
- Preparing and supervising property management
- Periodically review projects up through their implementation
- Administer redevelopment programs

### **Owner Participation**

Current owners of property in the redevelopment area shall have the opportunity to submit proposals to the Agency to carry out redevelopment activities on property they own or control. The proposals may be for new development or redevelopment; for rehabilitation or expansion of structures; or to eliminate a substandard or detrimental condition.

The Agency shall consider all proposals submitted including plans and specifications, financial and legal ability, time schedules, terms and conditions, and any other information as may be required by the Agency. The Agency may accept any such proposal as the Agency deems to be in the public interest, in furtherance of the purposes of this Redevelopment Plan and the Comprehensive Plan and in conformance with all applicable development regulations.

Proposals may also be submitted by two or more property owners who separately own or control adjacent properties and also propose to carry out a redevelopment activity under a joint participation arrangement.

Proposals by any current property owner or owners which involves the acquisition of adjacent properties not currently owned or controlled by the owner or owners submitting the proposal may be accepted by the Agency contingent upon the sale or lease of such adjacent properties from the owner(s) of the adjacent properties to the person(s) submitting the proposal.

### **PROPERTY ACQUISITION**

Ordinarily, property to be redeveloped will be acquired by the developer after private negotiation with the property owners. It is anticipated that the most land assembly and redevelopment will take place in this manner. In some cases, it may be necessary for the CRA to participate in this activity. In such cases, Florida's Community Redevelopment Act authorizes Redevelopment Agencies to acquire real property in designated redevelopment project areas. Acquisition of real property may be by negotiated purchase, condemnation, gift, exchange (exchange either inside or outside the redevelopment area) or by other lawful means. The Redevelopment Agency may acquire fee simple title or any other interest less than fee simple.

The Daytona Beach City Commission, acting as the Redevelopment Agency, may acquire real property within the Downtown/Ballough Road Redevelopment Area as necessary for public improvements, to provide sites for public facilities, eliminate unsafe conditions, remove non-conforming signs, eliminate title restrictions, or to overcome diversity of ownership and faulty lot layout which prevents redevelopment and contributes to the perpetuation of blight in the area. The basis for negotiation will be the fair market value of the property as determined by competent appraisers and approved by the City Commission. In those instances where negotiation does not result in a mutually satisfactory agreement, the properties may be acquired by eminent domain proceedings and just compensation awarded in accordance with the law. Eminent domain will only be used in cases where the City Commission conclusively determines that it is in the overriding public interest to do so. An overriding public interest shall be defined as a project that meets the following criteria:

1. The redevelopment project has assembled through contracts to purchase or fee simple ownership at least 51% of the project site, but cannot complete the assembly in the same manner.

2. The redevelopment project must additionally meet at least two out of the following three conditions:
  - a. The redevelopment project produces an estimated property tax value of over \$5,000,000.
  - b. The redevelopment project generates an estimated property tax revenue of over \$100,000 for the first 10 years after completion of the project.
  - c. The project will create a minimum of 50 full-time jobs.

In addition, all redevelopment projects must commit to a specific development plan meeting the specific requirements contained in this plan.

### **PROPERTY MANAGEMENT**

Property purchased by the Redevelopment Agency for the purposes of the public improvements, public facilities, right-of-way or other permanent public uses shall be owned and controlled by the City of Daytona Beach or other public entity as appropriate.

Property acquired by the Redevelopment Agency with the intent of resale or lease shall be under the management and control of the Agency during such time that the property is owned by the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment purposes.

### **DEMOLITION, CLEARING, SITE PREPARATION**

The Redevelopment Agency is authorized to demolish, clear or remove buildings, structures and other improvements from any real property acquired in the redevelopment area.

The Redevelopment Agency is authorized to prepare or cause to be prepared as building and development sites any property acquired by the Agency for use as either a public or private redevelopment project.

The Redevelopment Agency is authorized to install and construct or cause to be installed or constructed the public improvements and public facilities either within or outside the project area necessary to carry out the Redevelopment Plan.

The Redevelopment Agency is authorized to install and construct or cause to be installed or constructed the public improvements and public facilities either within or outside the project area necessary to carry out the Redevelopment Plan.

## **PROPERTY DISPOSITION & DEVELOPMENT**

The Redevelopment Agency is authorized to transfer ownership, or any other interest in any real property acquired by sale, lease, exchange or any other legal means. The transfer of real property or interest therein may be to any private or public entity for development, redevelopment or use in accordance with the Redevelopment Plan. The purchases and lessees and their successors and assign shall be obligated to devote such real property only to the uses specified in the Redevelopment Plan.

The Redevelopment Agency shall consider all proposals submitted including plans and specification, financial and legal ability, time schedule, purchase or lease terms and conditions, and any other information as may be required by the Agency. Upon adequate investigation of each proposal, the Agency may negotiate with any or all parties involved and may accept such proposal as the Agency deems to be in the public interest and in furtherance of the purposes of the Plan.

## **DISPOSITION & DEVELOPMENT DOCUMENTS**

The Redevelopment Agency shall reserve such powers and controls through disposition and development documents with purchasers and lessees as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development or rehabilitation begins within a period of time, which the Agency fixes as reasonable.

In order to provide adequate safeguards that the provisions of this Plan or its amendments will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to owner participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, restrictions or other means.

The leases, deeds, contracts or other forms of agreement may contain restrictions, covenants running with the land, rights or reverter, conditions subsequent, equitable servitude, or any other provision necessary to carry out this Plan.

All property purchased by the Agency in the redevelopment project area is subject to restriction that there be no discrimination or segregation based upon race, religion, sex, age or national origin in the sale, lease, sublease, transfer, sue, occupancy, tenure, or enjoyment of property in the project area.

## **MODIFICATION OF THE PLAN**

This Redevelopment Plan is to be adopted by ordinance by the City Commission of the City of Daytona Beach.

From time to time, modifications may be made to the Plan in the form of an amendments shall be approved only by the City Commission following the required prior advertised public hearing in accordance with Florida's Community Redevelopment Act (Section 163.361.F.S.).

**SEVERABILITY**

If any provisions, section, subsection, section, clause or phase of the Redevelopment Plan is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of this Plan.

**EXHIBIT I. A: Legal Description for Downtown Area**

A PORTION OF SECTIONS 8, 38, 39 & 17, TOWNSHIP 15 SOUTH, RANGE 33 EAST, DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;  
FROM THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH STREET, WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD, AS THE POINT OF BEGINNING, RUN ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA EAST COAST RAILROAD THE FOLLOWING COURSES AND DISTANCES;

N25°15'44"W A DISTANCE OF 2338.57 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF LIVE OAK STREET; THENCE S65°00'49"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 10.00 FEET; THENCE CONTINUE ALONG SAID FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY N25°15'44"W A DISTANCE OF 248.60 FEET; THENCE S65°00'49"W A DISTANCE OF 149.00 FEET; N25°15'44"W A DISTANCE OF 50.00 FEET; THENCE N65°00'49"E A DISTANCE OF 159.00 FEET; THENCE N25°01'42"W A DISTANCE OF 2001.19 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE TO VOLUSIA AVENUE (U.S. 92); THENCE S63°41'06"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 25.00 FEET; THENCE CONTINUE ALONG SAID FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY N26°48'59"W A DISTANCE OF 699.00 FEET; THENCE N54°48'01"E A DISTANCE OF 50.60 FEET; THENCE S25°43'12"E A DISTANCE OF 12.00 FEET; THENCE N54°48'01"E A DISTANCE OF 23.61 FEET; THENCE N25°43'12"W A DISTANCE OF 2806.53 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF FAIRVIEW AVENUE (CYPRESS STREET) AND A POINT ON THE ARC OF A CURVE CONCAVE SOUTHEAST, HAVING A RADIUS OF 745.10 FEET AND A CHORD BEARING OF N57°39'02"E; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°58'04" A DISTANCE OF 259.67 FEET; THENCE CONTINUE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FAIRVIEW AVENUE N67°54'39"E A DISTANCE OF 565.16 FEET; THENCE N80°16'21"E, ACROSS RIDGEWOOD AVENUE (U.S. 1) A DISTANCE OF 103.30 FEET; THENCE N65°45'03"E A DISTANCE OF 1738.86 FEET; THENCE N45°51'14"E ALONG THE MAIN STREET BRIDGE APPROACH AND THE EASTERLY EXTENSION THEREOF A DISTANCE OF 1344.16 FEET TO THE CENTERLINE OF THE CHANNEL OF THE INTRACOASTAL WATERWAY (HALIFAX RIVER); THENCE RUN ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES; S12°44'04"E A DISTANCE OF 1685.66 FEET; THENCE S40°30'00"E A DISTANCE OF 2495.93 FEET; THENCE S28°47'22"E A DISTANCE OF 4639.41 FEET TO THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF RIVER HOUSE APARTMENTS CONDOMINIUMS, AS RECORDED IN MAP BOOK 33, PAGES 31-35, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S64°47'11"W ALONG THE EASTERLY EXTENSION OF THE NORTHERLY LINE AND THE NORTHERLY LINE OF SAID RIVER HOUSE APARTMENTS CONDOMINIUM A DISTANCE OF 2736.85 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BEACH STREET; THENCE N40°02'55"W, ACROSS SAID BEACH STREET A DISTANCE OF 133.65 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOUTH STREET; THENCE RUN ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOUTH STREET THE FOLLOWING COURSES AND DISTANCES; S65°06'12"W A DISTANCE OF 1366.59 FEET; THENCE N24°53'48"W A DISTANCE OF 24.08 FEET; THENCE S64°34'28"W A DISTANCE OF 384.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING 785.74 ACRES.

PREPARED BY:



SLIGER & ASSOCIATES, INC.  
professional land surveyors

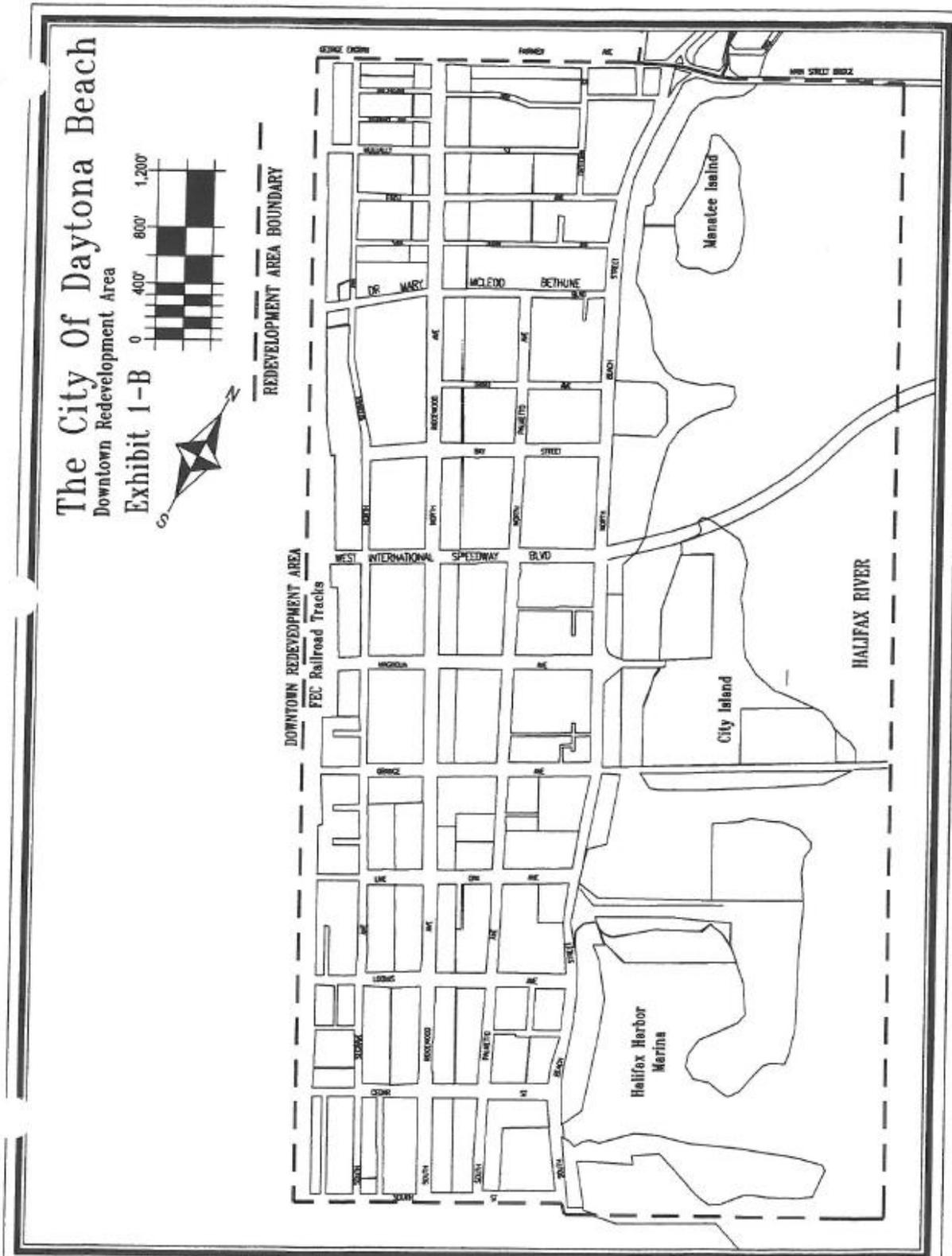
3921 S. Nova Rd., Port Orange, FL 32019

FOR: CITY OF DAYTONA BEACH

DATE: JULY 28, 1982

JOB NO: 82-227

EXHIBIT I. B: Boundary Map for the Downtown Area



**EXHIBIT I. C: Legal Description for Ballough Road**

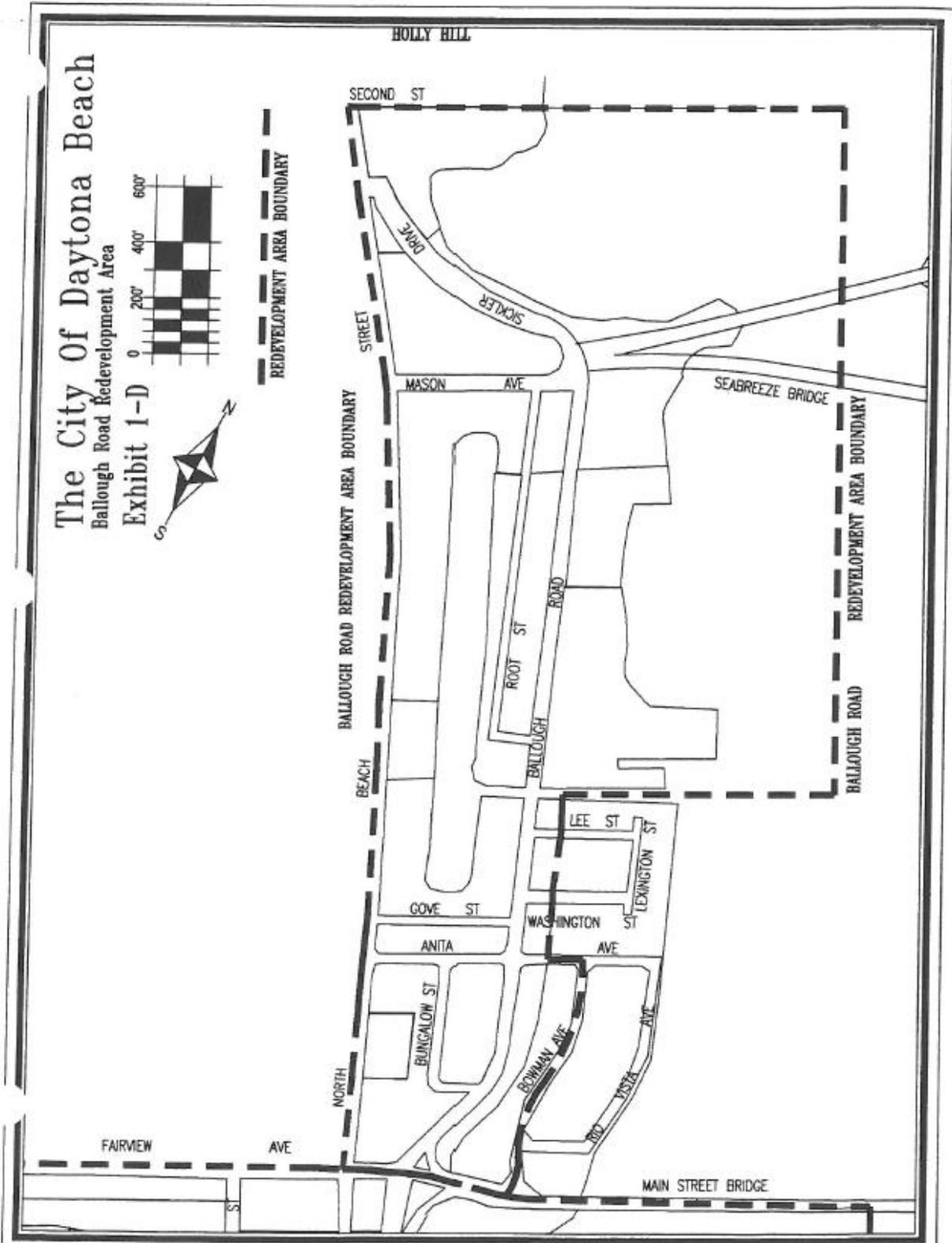
A portion of Sections 38 & 34, Township 15 South, Range 33 East, Daytona Beach, Volusia County, Florida, more particularly described as follows:

From the intersection of the centerline of Fairview Avenue and the westerly line of Beach Street, extended southerly as the POINT OF BEGINNING; thence run along the westerly line of said Beach Street to a point of intersection with the Daytona Beach/Holly Hill Corporate Limits Line; thence easterly along said Corporate Limits Line to the centerline of the Channel of the Intercoastal Waterway (Halifax River); thence southerly along the said centerline to the easterly extension of the northerly line of Virginia Park Subdivision, recorded in Map Book 6, Page 55, Public Records of Volusia County, Florida; thence easterly along the easterly extension of the northerly line of said Virginia Park and the northerly line of said Virginia Park to the northwest corner of Lot 24; thence southerly along the westerly line of said Lot 24 to the north line of Lexington Avenue (formerly Lee Street) as shown on Virginia Park Subdivision; thence continuing southerly across said Lexington Avenue to the south line of said Lexington Avenue and the northwest corner of Lot 19; thence continuing southerly along the west line of said Lot 19 and the west line of Lot 14 to the north line of Lexington Avenue (formerly Washington Street), a 30 foot street as shown on said Virginia Park Subdivision; thence continuing southerly across the said Lexington Avenue to the south line thereof and the northwest corner of Lot 9; thence westerly along the south line of Lot 1 to the northeast corner of Lot 8 and the northwest corner of Lot 7 in Orange Island Park, recorded in Map Book 5, Page 20, Public Records of Volusia County, Florida; thence continuing southerly along the west line of said Lot 7 to the northerly line of Anita Avenue, a 35 foot street as shown on said Orange

BOUNDARY LEGAL DESCRIPTION (cont.)  
Page 2

Island Park; thence continuing southerly across said Anita Avenue to the southerly line thereof; thence easterly along the southerly line of said Anita Avenue to the intersection of the westerly line of Bowman Avenue, a 35 foot street as shown on said Orange Island Park; thence southerly along the west line of said Bowman Avenue to the northeast corner of Lot 6 in said Orange Island Park; thence westerly along the south line of said Lot 6 to the northwest corner thereof; thence southerly along the west line of said Lot 6 to the southwest corner thereof; thence westerly along the south line of said Lot 6 to the west line of said Bowman Avenue; thence southerly along the west line of said Bowman Avenue, and the west line of said Bowman Avenue extended southerly to the centerline of said Fairview Avenue extended easterly; thence easterly along the aforementioned line to the POINT OF BEGINNING.

EXHIBIT I. D: Boundary Map for Balough Road



**EXHIBIT II: Generalized Future Land Use Map**

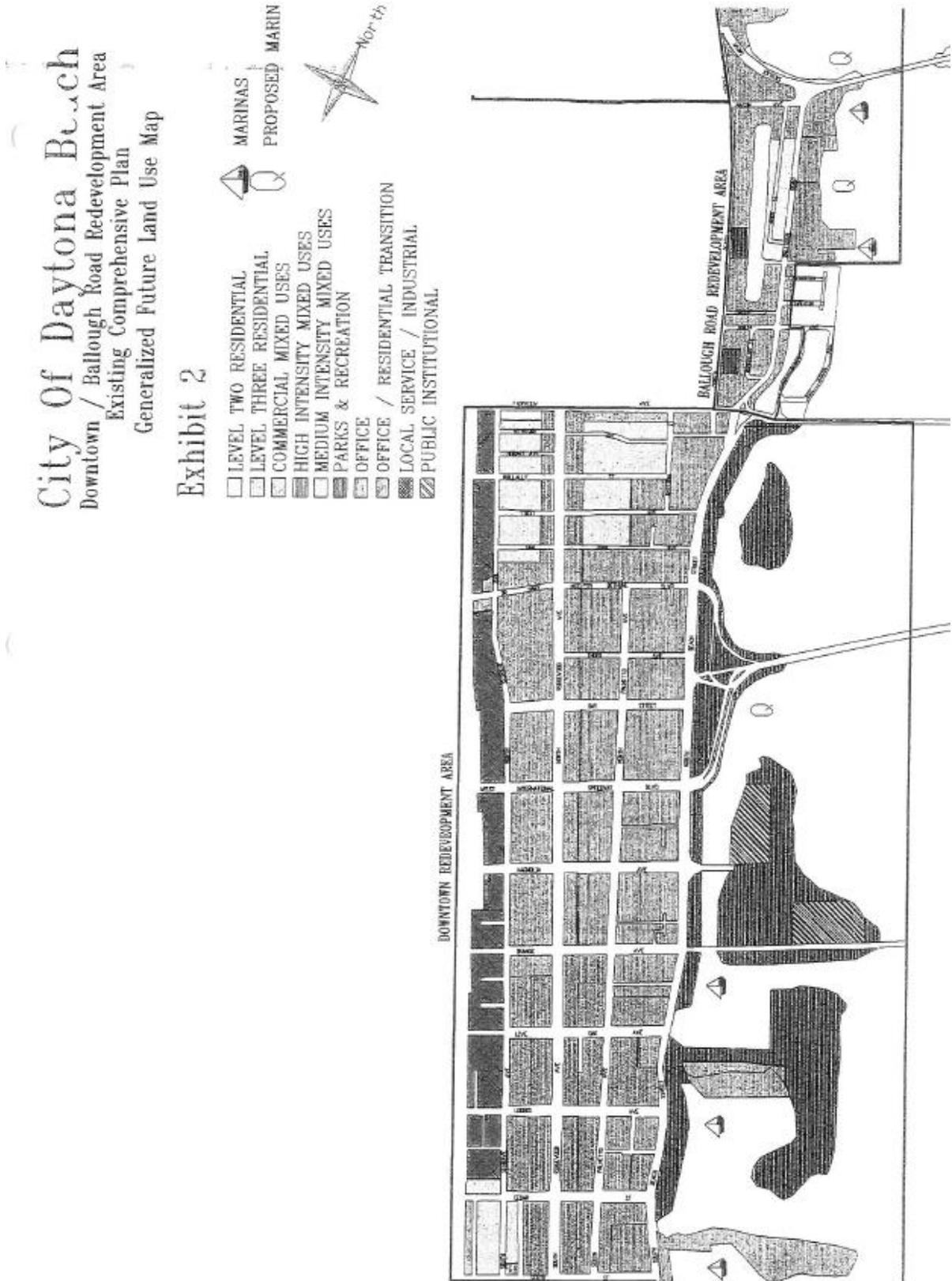
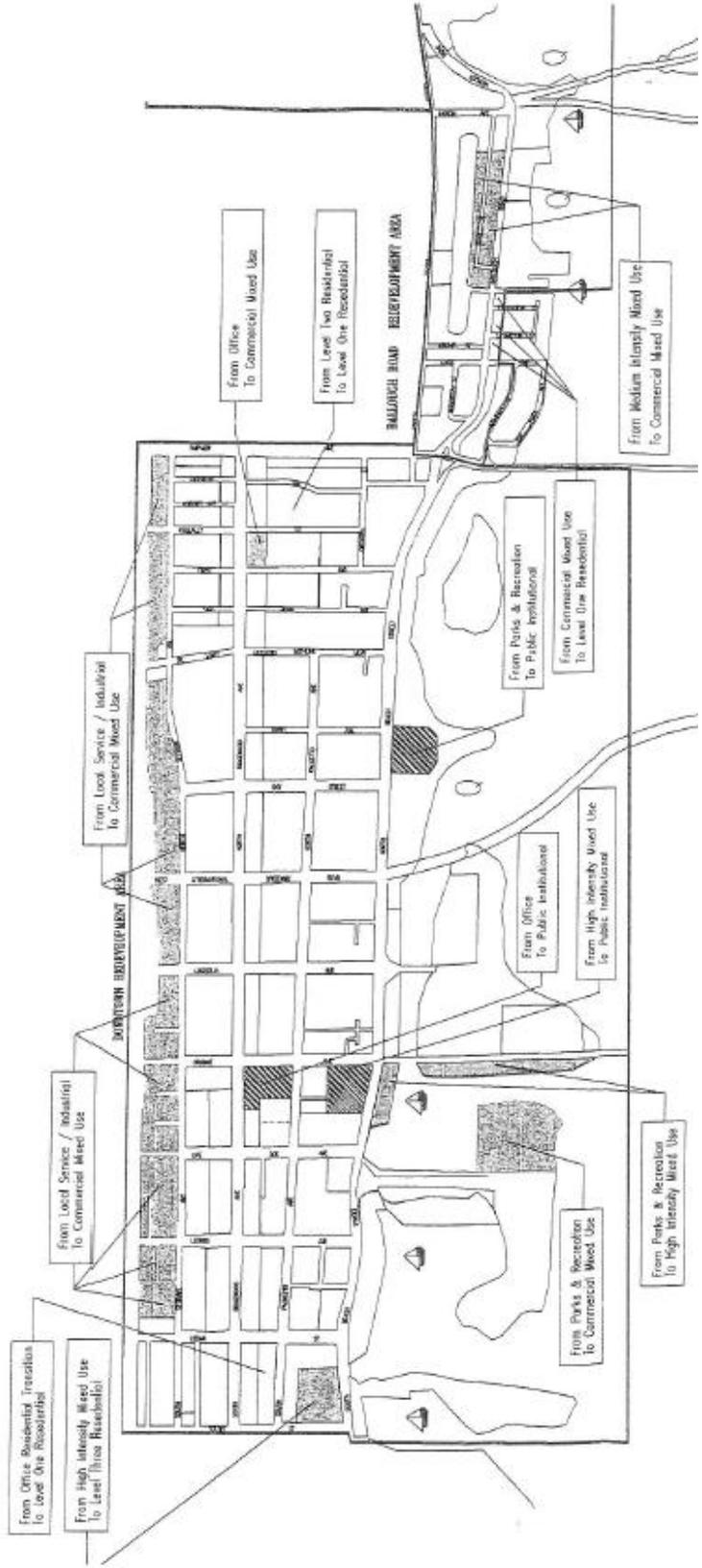


EXHIBIT III. Recommended Future Land Use Map

City Of Daytona Beach  
 Downtown / Balough Road Redevelopment Area  
 Recommended Amendments  
 To The  
 Generalized Future Land Use Map

Exhibit 3

- LEVEL ONE RESIDENTIAL
- LEVEL TWO RESIDENTIAL
- LEVEL THREE RESIDENTIAL
- COMMERCIAL MIXED USES
- HIGH INTENSITY MIXED USES
- MEDIUM INTENSITY MIXED USES
- PARKS & RECREATION
- OFFICE
- OFFICE / RESIDENTIAL TRANSITION
- LOCAL SERVICE / INDUSTRIAL
- PUBLIC INSTITUTIONAL



## **APPENDIX A**

### **A SUMMARY OF THE REQUIREMENTS FOR REDEVELOPMENT AREAS**

- **Establishment of a Finding of Necessity** – The establishment of blighted conditions in the area. The blight study and any supplement thereto establish the existence of blight conditions required in order for the City to designate the area as a Community Redevelopment Area. (Note: The initial blight study for the Downtown Redevelopment Area was accepted on December 16, 1981 and the Ballough Road Redevelopment Area was accepted on May 21, 1986.)
- **Define a Community Redevelopment Area** - An area defined by a legal description in which all the redevelopment projects funded by the Tax Increment Financing must be located. (Exhibit 1 A and C of this document provides the legal descriptions.)
- **Establish a Community Redevelopment Agency** – City Resolution 81-415 dated December 16, 1981 declared the City Commission to be the Community Redevelopment Agency (CRA). The City Commission, as agency, will be responsible for implementing the Redevelopment Plan and administering the Redevelopment Trust Funds.
- **Prepare a Community Redevelopment Plan** – The Community Redevelopment Plan sets forth the improvements that will revitalize the Redevelopment Areas. It must address the mandatory requirements in Chapter 163.362 of the Florida Statutes. (This document contains the Community Redevelopment Plan for both the Downtown and Ballough Road Redevelopment Areas.)
- **Establish a Redevelopment Trust Fund** – The Redevelopment Trust Fund receives the Tax Increment Funds as they are generated each year and must be established by ordinance. The trust fund for the Downtown Redevelopment Area was established by Ordinance 82-255 on August 18, 1982, the Ballough Road trust fund was established by Ordinance 86-189 on June 18 1986.

## **SUMMARY OF BLIGHTED CONDITIONS**

The following is a summary of the blighting conditions that were found A) Downtown Redevelopment Area as detailed in the document entitled Blight Study Redevelopment Program Downtown and Main Street Areas, Daytona Beach, Florida, dated November 1981, and B) Blight Study Redevelopment Program Ballough Road Area, Daytona Beach, Florida, dated May 1986.

### **Faulty Lot Layout in relation to Size, Adequacy, Accessibility, or Usefulness**

- Substandard lot sizes
- Inadequate properties in relation to current development codes
- Large diversity of parcel ownership

### **Unsanitary or Unsafe Conditions**

- Dilapidated and deteriorating building conditions
- Unsafe pedestrian areas along primary roadways
- Substantial crime incidences

### **Deterioration of Site or Other Improvements**

- Deteriorating Building Conditions

### **Deterrents to sound Future Growth and Development**

- Economic disuse
- High cost and difficulty of property assembly
- Visual blight as deterrent to private sector investment

### **Declining Tax Base**

- Vacant buildings
- Undeveloped and underdeveloped properties
- Loss of market value
- Low land to improvement ratio

## **REQUIRED CONTENTS OF A COMMUNITY REDEVELOPMENT PLAN**

Chapter 163.362 Florida Statutes

Every Community Redevelopment Plan shall:

**1. Contain a legal description of the boundaries of the community redevelopment area and the reasons for establishing such boundaries as shown on the plan.**

Legal Descriptions - Exhibit 1A - The Downtown Redevelopment Area and the Ballough Road Redevelopment Area is in Exhibit 1C and Exhibit 1B & 1D contain maps identifying the location of Redevelopment Areas and their Boundaries.

**2. Show by diagram and in general terms.**

- (a) The approximate amount of open space to be provided and the street layout.

Refer to Exhibit 2 – Future Land Use Map for a diagram of the Parks & Recreation areas and street layout. The approximate amount of open space in the Downtown Redevelopment Area is 86.77 acres and in the Ballough Road Redevelopment Area is 9.10 acres.

- (b) Limitations on the type, size, height, number, and proposed use of buildings.

Limitations on the type, size, height, number and proposed use of buildings in the Community Redevelopment Area shall be regulated by the Comprehensive Plan and the Land Development Regulations of the City of Daytona Beach as amended from time to time.

- (c) The approximate number of dwelling units.

There are approximately 2,300 dwelling units in the Downtown Area and 9 in the Ballough Road Area.

- (d) Such property as is intended for use as public parks, recreation areas, streets, public utilities, and public improvements of any nature.

Property intended for use as public parks, recreation areas and streets are depicted in Exhibit 2 (FLUM). Public utilities and public improvement are identified in Sections 5.5 (Public Amenity Objectives), 5.6 (Infrastructure and Streetscape Objectives and 8.0 (Capital Projects)

**3. If the Redevelopment Area contains low or moderate income housing, contain a neighborhood impact element which describes in detail the impact of redevelopment upon the residents of the Redevelopment Area and the surrounding areas in terms of**

relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population, and other matters affecting the physical and social quality of the neighborhood.

See Section 7.0, Neighborhood Impacts, Housing and Business: Replacement Assurances, Environmental Quality, Community Facilities & Services, Projected Facilities & Services, Other Physical & Social Impacts.

4. Identify specifically and publicly funded capital projects to be undertaken with the Community Redevelopment Areas.

See Section 8.0 – Capital Projects.

5. Contain adequate safeguards that the work of redevelopment will be carried out pursuant to the plan

See Section 10 – Implementation

The work of redevelopment will be carried out the Community Redevelopment Agency. The City Commission for the City of Daytona Beach serves as the Community Redevelopment Agency. The entire redevelopment process has been established consistent with Chapter 163, Part III, Community Redevelopment of the Florida Statutes. It is the intent of The City of Daytona Beach to comply with those requirements as established in Chapter 163, Part III of the Florida Statutes. The City Commission of Daytona Beach is responsible to the citizens of Daytona Beach.

6. Provide for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the governing body deems necessary to effectuate the purposes of this part.

See Section 10. Implementation – Disposition and Development Documents.

The City’s Comprehensive Plan and Land Development Regulations establish restrictions on the land for private and public usage. The City may require special covenants for private property as a condition where the City directly participates in its redevelopment.

7. Provide assurances that there will be replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities within the Community Redevelopment Area.

Refer to Section 7.0 Neighborhood Impacts Housing and Business Replacement Assurances.

If as a result of implementation of projects set forth in this Redevelopment Plan, relocation of persons becomes necessary on either a temporary or permanent basis, the

Community Redevelopment Agency will be responsible for the provision of replacement housing for those affected persons consistent with the applicable State guidelines for relocation.

8. Provide an element of residential use in the Redevelopment Area if such use exists in the area prior to the adoption of the plan or if the plan is intended to remedy a shortage of housing affordable to residents of low or moderate income, including the elderly, or if the plan is not intended to remedy such shortage, the reasons therefore.

See Section 5.1 Land Use Objectives, Section 5.3 Land Use Regulation Objective and Section 7.0 Neighborhood Impacts.

The plan is not intended to remedy a shortage of housing for residents of low or moderate income.

9. Contain a detailed statement of the projected cost of the redevelopment, including the amount to be expended on publicly funded capital projects in the Community Redevelopment Area and any indebtedness of the Community Redevelopment Agency, the County, or the Municipality proposed to be incurred for such redevelopment if such indebtedness is to be repaid with incremental revenues.

See Section 9.0 – Financing

10. Provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted, or amended pursuant to S.163.361 (1)

See Section 9.0 – Financing and Section 10.0 Implementation+

It is anticipated that increment revenues to pay for the projected costs of redevelopment will require no more than thirty (30) years after adoption (or amendments thereto) of the Community Redevelopment Plan for funding. If the redevelopment increment revenues exceed expectations, the time certain for completion of all redevelopment financed by increment revenues may decrease.

11. Subsection (1), (3), (4), and (8), as amended by S.10, Chapter 84-356, Laws of Florida, and Subsections (9) and (10) do not apply to any governing body of a County or Municipality or to a Community Redevelopment Agency if such governing body has approved and adopted a Community Redevelopment Plan pursuant to S.163.360 before Chapter 84-356 became a law; nor do they apply to any governing body of a County or Municipality or a Community Redevelopment Agency if such governing body or agency has adopted an Ordinance or Resolution authorizing the issuance of any bonds, notes, or other forms of indebtedness to which is pledged increment revenues pursuant only to a Community Redevelopment Plan as approved and adopted before 84-356 became a law.