



The CITY OF DAYTONA BEACH

DEVELOPMENT & ADMINISTRATIVE SERVICES DEPARTMENT

301 S. RIDGEWOOD AVENUE

DAYTONA BEACH, FLORIDA 32114

PHONE (386) 671-8120

FAX (386) 671-8130

MEMORANDUM

DATE: August 7, 2017
TO: James V. Chisholm, City Manager
FROM: Richard Walton, ^{RW}AICP, Planning Director
SUBJECT: Boat Slip Allocation – River Pointe PD, DEV2017-040

A request by Glenn Storch, P.A., Storch Law Firm, on behalf of Loreal Rushin, Emerald Financial, Inc., to approve an allocation of fourteen (14) excess boat slips associated with the River Pointe Planned Development project. The proposed development will be located on the east side of the Halifax River, approximately six hundred (600) feet north of Silver Beach Avenue.

The proposed boat slip allocation request is being processed in conjunction with the River Pointe Planned Development-General (PD-G) rezoning. The River Pointe PD development includes a twenty eight (28) unit duplex condominium project and associated site improvements. These improvements include thirty (30) proposed boat slips associated with the residential development (*Attachment A*). Based on Section 4.9.E.5.f of the Land Development Code (LDC), the site is entitled, without additional charge, to sixteen (16) boat slips, or one slip for every twenty five (25) feet of waterline along the Halifax River. The additional fourteen (14) boat slips requested require City Commission approval based on LDC Section 3.4.CC – Excess Boat Slip Allocation. The City requires a fee per “excess slip” allocated to a property.

Pursuant to the Volusia County Manatee Protection Plan, each municipality within the County is allowed a maximum number of permissible boat slips. The maximum allowable slips number is intended to be a permanent maximum allowance to the City. Since the allocation applies to both wet and dry boat slips, allocable slips are a limited resource within the City. Accordingly local governments, including the City, have developed slip allocation ordinances to address fair and reasonable distribution of a limited resource, to wit: boat slips. The process of managing and allocating boat slips creates administrative duty and expense to the City as well as the regulatory obligation to manage and distribute boat slips to benefit both public and municipal purpose. The specific number of boat slips allowed to the City is based on the shoreline within the jurisdiction. The City of Daytona Beach was provided with four thousand one hundred eighty two (4,182) maximum slips. Of that, existing slips including both wet and dry slips, as well as existing trailer parking and all residential properties equal one thousand five hundred twenty two (1,522) slips. The remaining available two thousand six hundred sixty (2,660) slips may, by slip allocation approved by the City Commission, be assigned to qualifying shoreline properties within the City. To date, six hundred one (601) slips have been allocated, leaving an allocated balance of two

thousand fifty nine (2,059) slips. The proposed request of fourteen (14) slips would leave an allocated balance of two thousand forty five (2,045) remaining slips in the City's slip pool.

Review Standards

An application for the allocation of excess boat slips shall be approved only after evaluation of the City's inventory of the allocated number of boat slips remaining and on a finding that the effect of the allocation on public use and access to the waterway would result in a net benefit to the public. Factors to be considered in determining the public benefit of a proposed allocation include, but are not limited to, the following:

- a) The number of proposed slips that will be made available for purchase, lease, or use by the general public;
- b) Construction, expansion, or improvements to new or existing public spaces, parks, plazas, walkways, or other features providing access to the waterfront for the general public, on- or off-site;
- c) Construction, expansion, or improvement of a public dock or boat ramp and related facilities on- or off-site;
- d) Redevelopment of upland uses in a Redevelopment Area consistent with the adopted area plan;
- e) Preservation of upland historic properties or structures;
- f) Construction or allocation of slips designed to benefit an underserved segment of the boating public;
- g) Acquisition of upland for public use;
- h) Improvements to existing water-related facilities for use by the general public;
- i) Activities such as dredging that improve access to, or navigability of, the waterway;
- j) Financial contribution toward a project as described above or any public project that will enhance public use of and access to the waterway and riparian lands within the City; and
- k) Construction, expansion, or improvement of stormwater management facilities for existing streets that dead end into the river.

The applicant has proposed a public benefit that provides for a "financial contribution toward a project as described above or any public project that will enhance public use of and access to the waterway and riparian lands within the City" as described above. The applicant has submitted documentation in support of the project's proposed public benefit (*Attachment B*). The proposed benefit includes a payment to the City in the amount of Fifty Six Thousand Dollars and no/100 (\$56,000), or Four Thousand Dollars and no/100 (\$4,000) per excess slip being requested. The City can then use the financial contribution toward a project that enhances public use of the waterfront.

Summary of City boat slip inventory

<u>Total existing or allocated</u>	
Public Boat Ramps	80
Marina Slips	1,153
Allocated Slips	242
SFR Slips	648
TOTAL	2,123

<u>CODB inventory</u>	
Maximum Slips permitted CODB	4,182
Total existing or allocated	2,123
<u>Excess slips requested – River Pointe PD</u>	14
TOTAL Slips remaining	2,045

The applicant has paid the One Thousand Dollars and no/100 (\$1,000) City application fee required for the request for additional slips, as well as the Twenty Four Dollars and no/100 (\$24.00) required City fee per slip requested to be allocated. The City Commission has previously determined the appropriate City charge per allocated slip is Four Thousand Dollars and no/100 (\$4,000.00) per slip. Accordingly, Staff recommends the public benefit to be created by the applicant's financial non-refundable contribution of Fifty Six Thousand Dollars and no/100 (\$56,000) to support public access to the waterfront within the City, be submitted to the City within fifteen (15) days from the date of City Commission approval of the excess boat slip request.

Per the LDC, excess boat slips shall be reserved for a period of three (3) years. If construction does not begin within three (3) years, the right to develop the slips shall cease and the reserved slips shall be released and returned to the City's slip inventory. Staff may approve a twelve month (12) extension for good cause.

Staff recommendation:

City Commission action to approve proposed request slip allocation of fourteen (14) boat slips to Emerald Financial, Inc., to allow for the development of a total of thirty (30) private boat slips associated with the River Pointe Planned Development project.

Date: _____

James V. Chisholm, City Manager

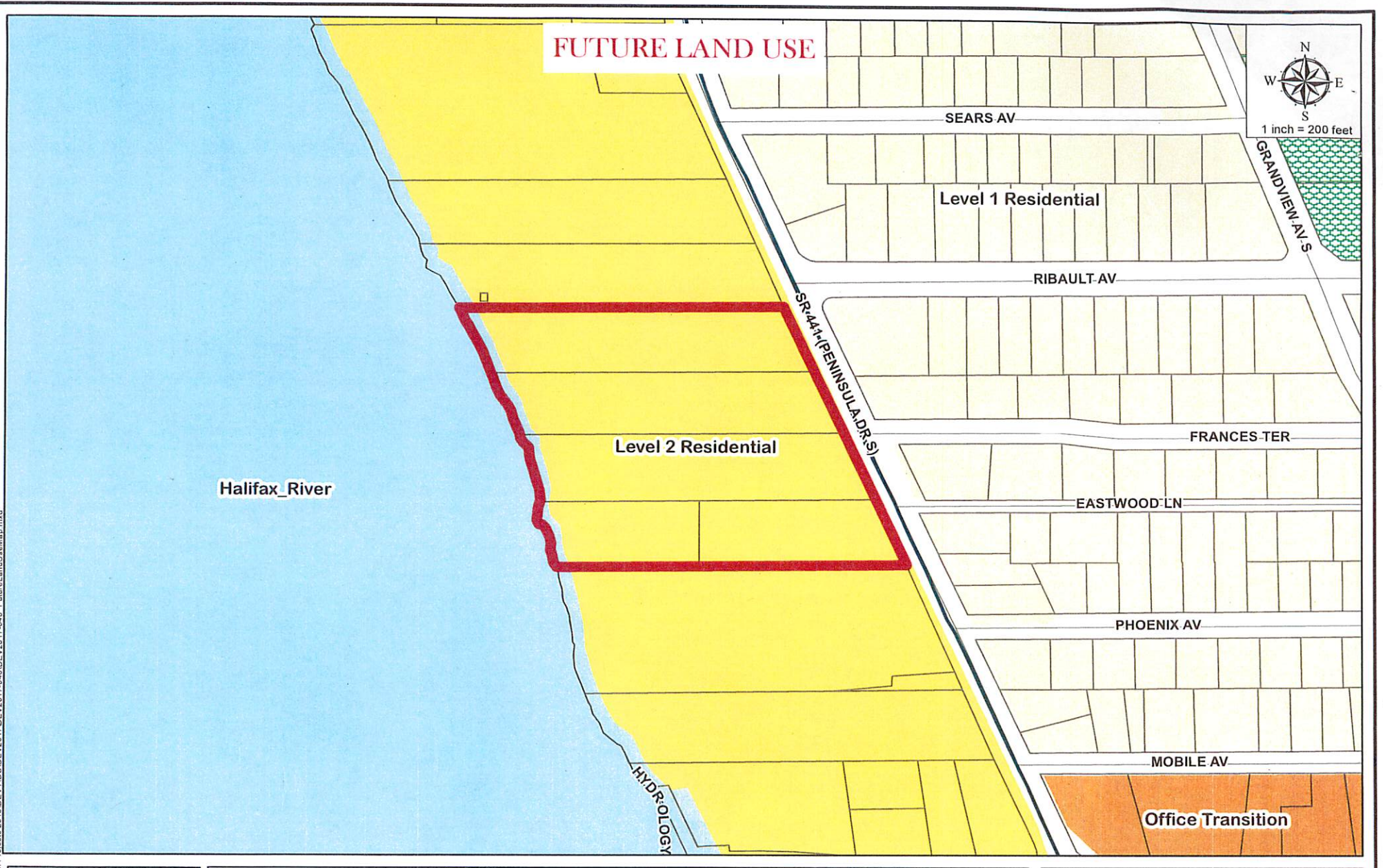


City of Daytona Beach Map disclaimer:
 These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Any possible discrepancies should be brought to the attention of City Engineering and or Development Services.

DEV2017-040 - BOAT SLIP ALLOCATION LOCATION MAP



Document Path: P:\Admin\Pratima\Short Term Projects\2017\DEV\ADS\DEV2017\DEV2017-040\DEV2017-040 - Future Land Use Map.mxd



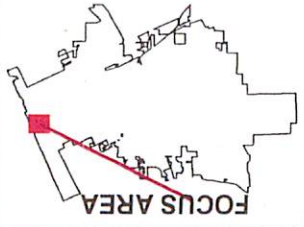
**DEV2017-040 - BOAT SLIP ALLOCATION
FUTURE LAND USE MAP**

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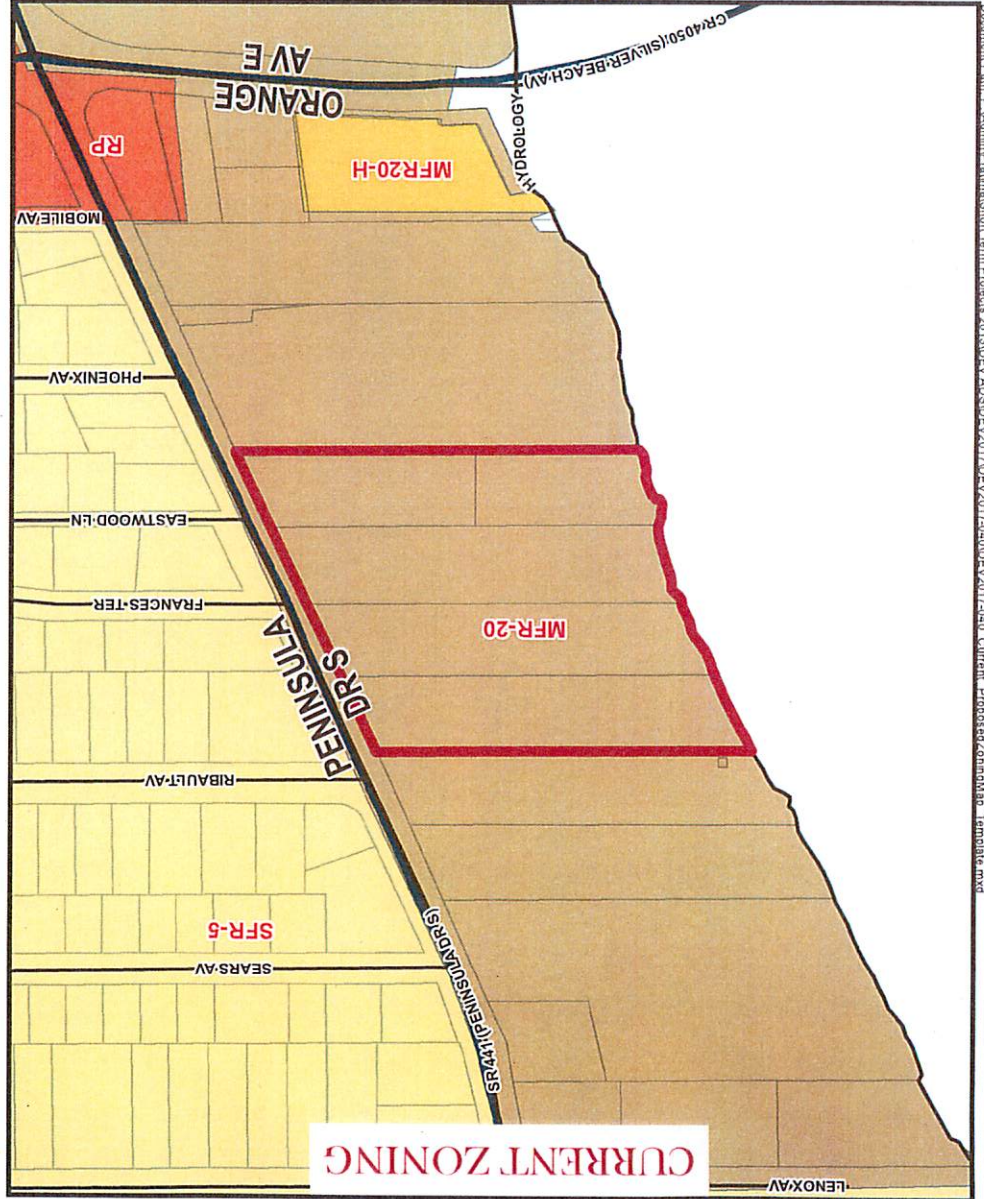
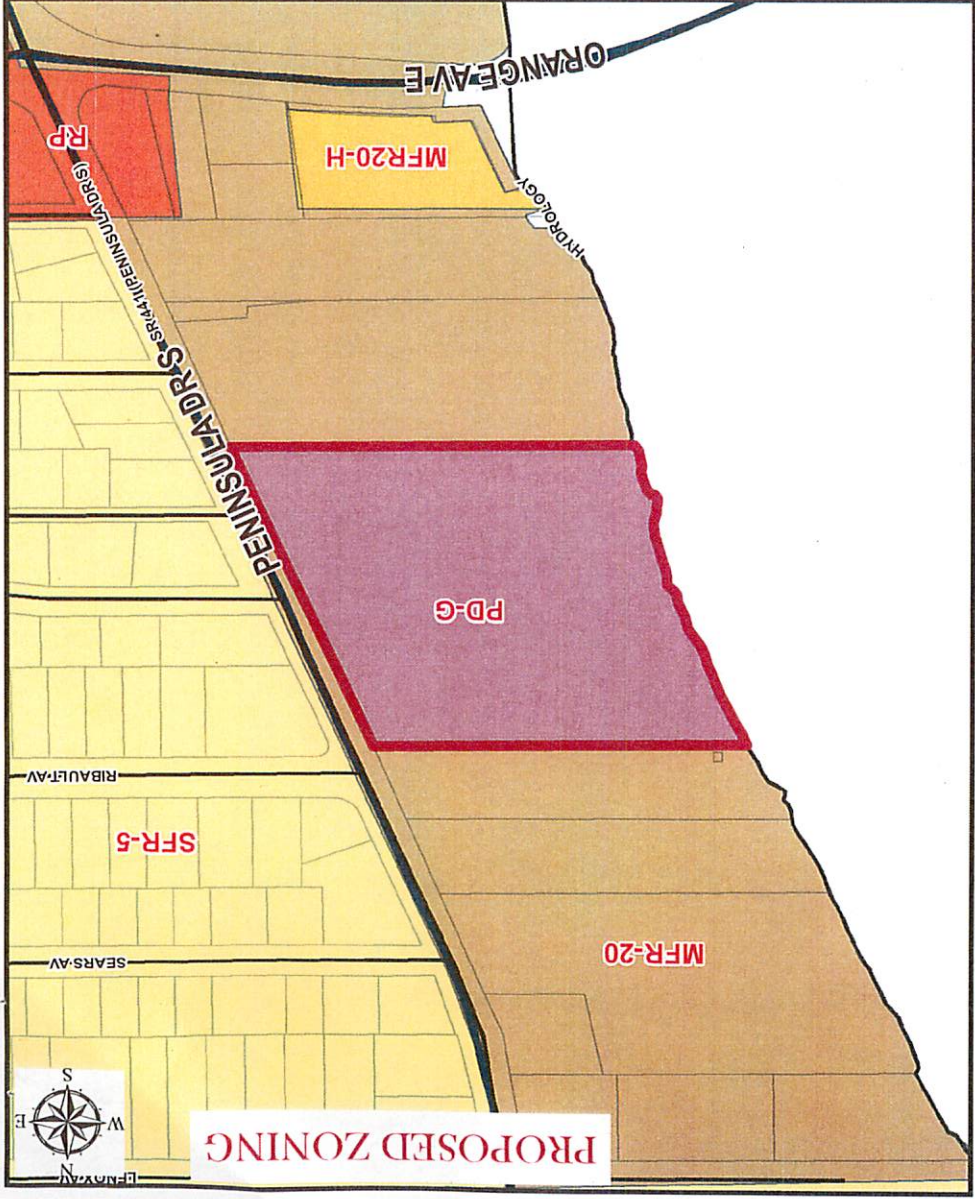


DEV2017-040 - BOAT SLIP ALLOCATION CURRENT & PROPOSED ZONING MAP



1 inch = 250 feet

1 inch = 250 feet

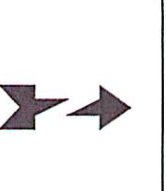
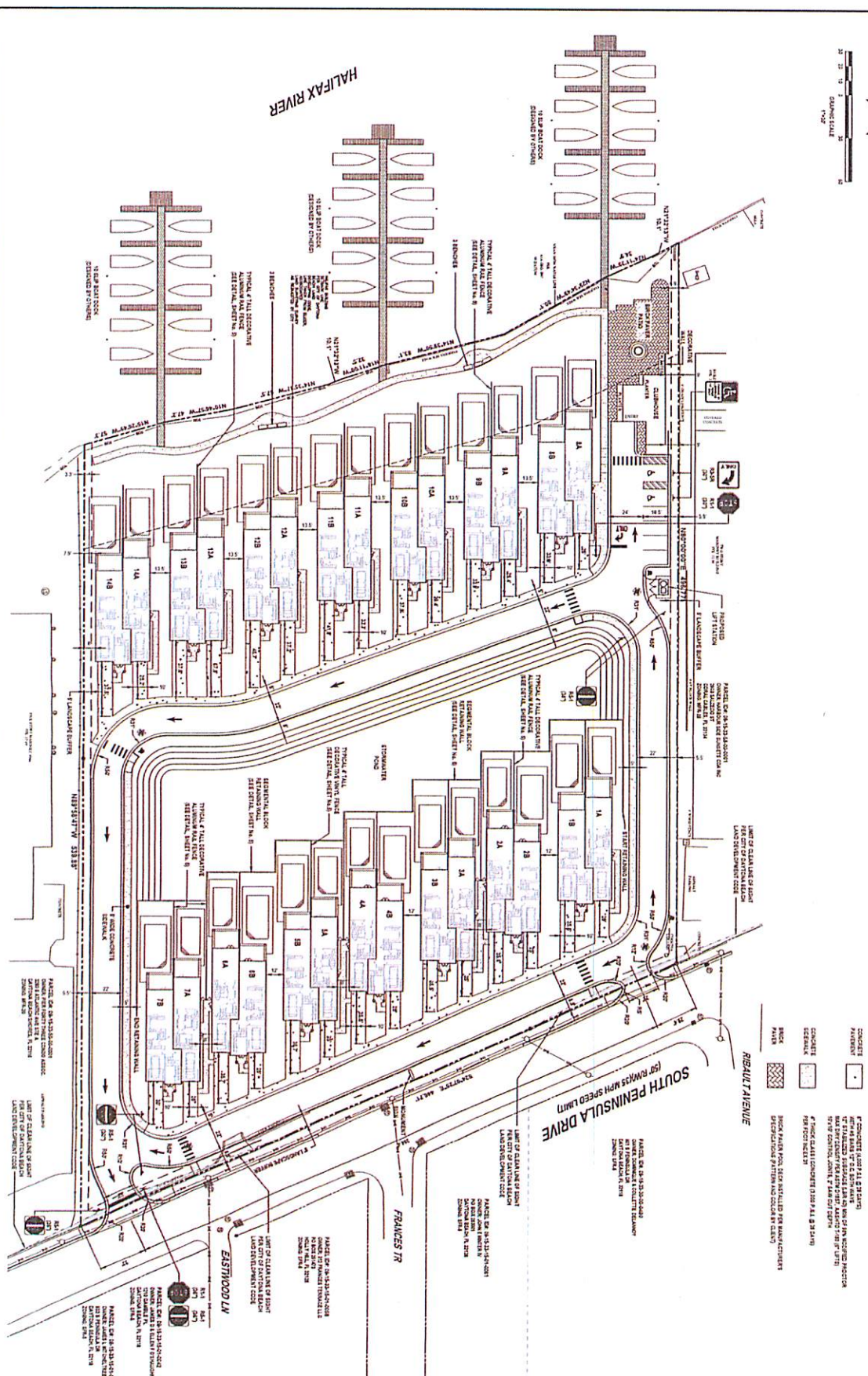




DEV2017-040 - BOAT SLIP ALLOCATION AERIAL MAP

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DRAWING LEGEND

	ASPHALT
	CONCRETE
	BRICK
	GRANITE
	STONE
	PAVING

* ALTERNATE TO UNLASED GRANITE PAVING STABILIZATION
 * UNLASED GRANITE PAVING STABILIZATION
 * GRANITE PAVING STABILIZATION (SEE PLAN)
 * UNLASED GRANITE PAVING STABILIZATION (SEE PLAN)

* UNLASED GRANITE PAVING STABILIZATION (SEE PLAN)
 * UNLASED GRANITE PAVING STABILIZATION (SEE PLAN)

Attachment A

CITY APPROVAL STAMP
DATE: 2/14/2018

REVISIONS

DATE	DESCRIPTION

NEWIRK ENGINEERING

12333 W. BRADY BLVD., SUITE 200
DAYTONA BEACH, FL 32114
Tel: 386.252.1144
Fax: 386.252.1145
www.newirk.com

Civil/Structural
Mechanical/Electrical/HVAC
Construction Engineering & Management

PD PLAN
RIVER POINTE
SOUTH PENINSULA DRIVE
DAYTONA BEACH, FL 32118

PROJECT NO. 18-03-0183-0001
OWNER: JAMES & JILLIAN FISHBECK
DATE: JAN 2018
DESIGN BY: PHN
DRAWN BY: DAB
CHECKED BY: PHN
SCALE: 1" = 30'
DRAWING NUMBER: **2**

Public Benefit Summary for
River Pointe Excess Boat Slip Allocation

The City of Daytona Beach Land Development Code Section 3.4.CC.4 requires that applicants for proposed excess boat slip allocations show that the allocation will have a net benefit on the public's use and access to the Halifax River. In lieu of providing on-site public water access at River Pointe or purchasing land in another location for public use, the applicant is proposing to make a payment to the City in the amount of \$4,000.00 per excess boat slip, totaling \$56,000.00 for the 14 excess slips that are being requested. This money could then be used by the City to make financial contributions toward public projects that will enhance public use of and access to the Halifax River and associated riparian lands within the City. As such, the River Pointe excess boat slips will provide the public benefits required by the Land Development Code for the allocation of excess boat slips in the City of Daytona Beach.