

RESOLUTION 2015 – 04

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, STATING THE CITY OF FLAGLER BEACH'S OPPOSITION TO THE FLAGLER COUNTY FUTURE LAND USE MAP AMENDMENT APPLICATION #2972 AND FLAGLER COUNTY ZONING MAP AMENDMENT APPLICATION #2973 AND STRONGLY URGING THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS DENY THESE APPLICATIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Flagler County Board of County Commissioners is being asked to approve Future Land Use Map Amendment Application #2972; and

WHEREAS, the Flagler County Board of County Commissioners is being asked to approve Application #2973 Rezoning; and

WHEREAS, this FLUM amendment request is for a change of designation of 24.4 acres from Residential Low Density and Conservation to Commercial High Intensity and Conservation; and

WHEREAS, the rezoning application is a request to rezone from the existing zoning of PUD to C-2, General Commercial and Shopping Center; and

WHEREAS, the land in question abuts onto residential property within the City of Flagler Beach; and

WHEREAS, the land in question contains wetlands and a sensitive ecosystem; and

WHEREAS, should this amendment go into effect, it will allow for more intense commercial activity by a corporation that already affects the peace and the environment of its residential neighbors within Flagler Beach; and

WHEREAS, such increased commercial activity will increase the noise level which is incompatible with residential zoning; and

WHEREAS, such increased commercial activity will pave the way for an increase in the discharge of hazardous air pollutants such as styrene, which has recently been reclassified from being a suspected carcinogen to a "reasonably anticipated to be a carcinogen" as per The Report on Carcinogens, Twelfth Edition, prepared by the National Toxicology Program coordinated by the US Department of Health and Human Services, thus also being incompatible with residential zoning; and

WHEREAS, it is the duty of elected officials to protect the health and welfare of those whom they represent; and

WHEREAS, the property owners along Lambert Avenue did their due diligence prior to making their investments and knew that the land abutting theirs within Flagler County was zoned Residential Low Density and Conservation; and

WHEREAS, approval of this FLUM amendment would have a negative impact on property values and, thus, on property taxes collected by the City and the County; and

WHEREAS, the Roberts Road corridor is adjacent to the Gateway to Flagler Beach; and

WHEREAS, Flagler Beach serves as the playground of Flagler County; and

WHEREAS, tourism in Flagler Beach and Flagler County could be negatively affected by the increases in noise and hazardous air pollutants; and

WHEREAS, the Flagler County Planning and Development Board unanimously denied a request to rezone these same parcels from residential to a more intense zoning in 2013.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, AS FOLLOWS:

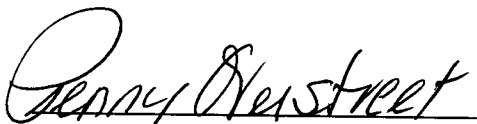
SECTION 1. The City Commission of the City of Flagler Beach strongly urges the Flagler County Board of County Commissioners to deny Future Land Use Map Amendment Application #2972 and Rezoning Application #2973 for all the above-stated reasons.


SECTION 2. This Resolution shall become effective immediately upon passage as provided by law.

PASSED AND ADOPTED THIS 12<sup>TH</sup> DAY OF FEBRUARY 2015.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA  
CITY COMMISSION

  
Penny Overstreet, City Clerk

  
Linda Provencher, Mayor