

AGENDA

1. Call the meeting to order.
2. Pledge of Allegiance followed by a moment of silence to honor our Veterans, Members of the Armed Forces and First Responders.
3. Proclamations and Awards.
4. Deletions and Changes to the Agenda.
5. Update regarding Dunes Restoration Project – Al Hadeed, Flagler County Attorney.
6. Comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes.

CONSENT AGENDA

7. Approve the Minutes of the Regular Meeting of June 11, 2020.
8. Sign an agreement with Kimley-Horn and Associates to amend the Land Development Rewrite in the amount of \$10,000 – Larry Torino, City Planner.

GENERAL BUSINESS

COMMISSION COMMENTS

9. Commission comments, including reports from meetings attended.

PUBLIC HEARINGS

10. Ordinance 2020-03, an ordinance of the City Commission of the City of Flagler Beach, Florida providing for the amendment of the Official Zoning Map as previously established in Sec. 2.03.03. - Zoning Map of the Land Development Regulations of the City of Flagler Beach, Florida, as amended and supplemented; amending the Official Zoning Map for:
 - A. .344+/- acres situated within certain real property described as Model Land Company Subdivision Blk-12 Lot 15 and 16 tax parcel number 01-12-31-4450-00120-0070 from Single Family Residential (SFR) to Conservation (CON) and being more particularly described in the attached Exhibit A;
 - B. .02+/- acres situated within certain real property described as Cochran Place Subdivision Bl-7 Lot 7 and more particularly the westerly 14 feet of tax parcel number

01-12-31-1100-00070-0070 from Single Family Residential (SFR) to General Commercial (GC) and being more particularly described in the attached Exhibit A;

C. .052+/- acres situated within certain real property described as Fuquay Subdivision Block 19 Lots 5,6,7,8 and easterly 15 feet of the vacated alley between Lot 5 thru 8 and Lot 26,27,28 tax parcel number 18-12-32-2750-00190-0050 from Single Family Residential (SFR) to Tourist Commercial (TC) and being more particularly described in the attached Exhibit A;

D. .041+/- acres situated within certain real property described as Mobbs Subdivision Block 1 Lot 1 and easterly 21 feet of Lot 36 & 37 tax parcel number 19-12-32-4400-00010-0010 from Single Family Residential (SFR) to Medium Density Residential (MDR) and being more particularly described in the attached Exhibit A; providing for inclusion in the code of ordinances; providing for conflict; providing an effective date hereof – second reading.

11. Ordinance 2020-04, an ordinance of the City Commission of the City of Flagler Beach, Florida providing for the amendment of the 2035 Comprehensive Plan Future Land Use Map as currently adopted amending the Future Land Use Map for parcel id 12-12-31-4500-00360-0040 comprised of .207+/- acres situated within certain real property described as George Moody Subdivision Block - 36 Lot 4 and 5, except the southerly ten feet of Lot 5 from Medium Density Residential (MDR) to Commercial and tax parcel number 12-12-31-4500-00360-0030 comprised of .114+/- acres situated within certain real property described as George Moody Subdivision Block - 36 Lot 3 from Medium Density Residential (MDR) to Commercial, and being more particularly described in the attached Exhibit A; providing for inclusion in the code of ordinances; providing for conflict; providing an effective date hereof – second reading.
12. Ordinance 2020-06, an ordinance of the City of Flagler Beach, Florida, creating chapter 19, "Traffic and Motor Vehicles," Article II, "Stopping, Standing, and Parking," of the Code of Ordinances to provide for local enforcement of parking violation citations; providing for hearings before the local hearing officer; providing for definitions; establishing procedures before the local hearing officer; amending violation schedules; providing for collection of administrative costs; providing for repeal of portions of section 5.02 of the Land Development Regulations; providing for severability; providing for codification, conflicts, and an effective date – second reading.

STAFF REPORTS

13. Staff Reports.

14. Adjournment.

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.

MINUTES

PRESENT: Mayor Linda Provencher, Chair Jane Mealy, Vice-Chair Eric Cooley, Commissioners Rick Belhumeur and Deborah Phillips, City Attorney D. Andrew Smith, III, City Manager Larry M. Newsom and City Clerk Penny Overstreet.

ABSENT: Commissioner Ken Bryan.

1. CALL THE MEETING TO ORDER: Chair Mealy called the meeting to order at 5:32 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Mayor Provencher led the pledge to the flag.
3. PROCLAMATIONS AND AWARDS: None.
4. DELETIONS AND CHANGES TO THE AGENDA: None.
5. UPDATE REGARDING DUNES RESTORATION PROJECT – AL HADEED, FLAGLER COUNTY ATTORNEY: Mr. Hadeed reviewed the easements the County has obtained since our last meeting. Mr. Hadeed provided a list of the 20 easements that remain to be obtained. Mr. Hadeed stated a number of the people own the east of A1A lot and not the opposite property. Most distressing item is South of the 1500 block there is a wall of people who have not signed plus the one commercial property; the consequence is no sand will be placed there and it will be a probable breach point in the event of another storm hitting Flagler Beach. Mr. Hadeed feels right now it is up to the community, neighbor to neighbor to explain why they should sign and what the consequences are for not providing the easement. Eleven of the 20 parcels owners without a signed easement are represented by a Clearwater Attorney, he is advising they should not sign and that they should receive some compensation. Attorney Hadeed stated no compensation would be paid and the County will submit the obtained easements to Army Corps of Engineers on June 30th whether they have the remaining easements or not as, the project needs to move forward, a delay will push it to the next cycle. Discussion ensued regarding the property owners represented by the Clearwater Attorney.
6. COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES: Rachel Sensenbach submitted pictures of the stormwater runoff that is pooling onto her property through the alley. Mrs. Sensenbach stated the City came out a graded the alley today and it did help a little bit, but feels there needs to be a permanent solution to this. Mrs. Sensenbach reported the City Engineer stated to her the city would like to install a french drain with catch basins, but it may take up to 3 years because no funds have been budgeted. Mr. Newsom responded; staff is working on it and is going to take around 5

million to clean up the drainage issues throughout the city. We know there are issues, and we are working to correct them. Commissioner Cooley inquired if the water intruded into the home. Mrs. Sensenbach responded no but it is rotting the bottom of the siding and has come up to the threshold of her entry door. Cindy Brown owns a business at 210 Moody Blvd and is seeking alternatives to signage, her business location is tucked into a corner and she has been signing for a temporary banner. Ms. Brown commented she has the banner up three weeks takes it down for a week and then signs the log book to have it back up for another three weeks and she is looking for a different option to have the banner up permanently. City Clerk Overstreet stated she believes this is not how the regulations of temporary banners should be interpreted and provided Ms. Brown her contact information for follow at a later date. Joan Foley feels the swale project was poorly managed and concerned about the safety of walkers, runners and cyclist, seeing that there are no sidewalks in the area and the depths of the swales are deeper than what was proposed in some areas. Paul Eik provided the Commission with an update on the recent meetings of the Bicycle Pedestrian Advisory Committee (BPAC) of the River to Sea Transportation Planning Organization. Mr. Eik spoke of the project priority list and suggested projects for the City to add. Mr. Eik indicated he would forward the information to the City Clerk for distribution to the Elected Officials. Bill Rosado submitted photos of a drainage issue on Lantana Avenue. Mr. Newsom stated he would speak with the City Engineer to see what can be done, because the pictures show the whole street is flooding. Helen Cramer spoke of her concerns regarding the swales, she feels people will trip and fall into them, and asked what is the purpose of the swales. Mr. Newsom responded.

The meeting recessed at 6:35 p.m.

The meeting resumed at 6:50 p.m.

CONSENT AGENDA

7. APPROVE THE MINUTES OF THE WORKSHOP MEETING OF MAY 21, 2020 AND THE REGULAR MEETING OF MAY 28, 2020.
8. APPROVE THE RENEWAL CONTRACT FOR THE EMPLOYEE ASSISTANCE PROGRAM (EAP) PROVIDED BY DR. TOWNSEND AND ASSOCIATES – LIZ MATHIS, HR DIRECTOR.

Chair Mealy reviewed the items on the consent agenda. Chair Mealy opened public comments. No comments were received. Chair Mealy closed public comments. Motion by Commissioner Belhumeur to approve the consent agenda. Commissioner Phillips seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

9. CONSIDER AN INTERLOCAL AGREEMENT BETWEEN FLAGLER COUNTY, BUNNELL, PALM COAST AND THE CITY OF FLAGLER BEACH REGARDING THE PROVISION OF COLD WEATHER SHELTER SERVICES FOR THE HOMELESS – LARRY NEWSOM, CITY MANAGER: Commissioner Belhumeur felt the cost distribution is not fair to Bunnell or Flagler Beach,

since we are a smaller population. Attorney Smith advised the Commission agree or not, they will know where you stand, a motion to deny sends the message, or no motion and direction to staff to negotiate. Commissioner Mealy stated she too was not in favor. Chair Mealy opened public comment. Paul Eik inquired if there would be a refund if the funds were not used in the event of a lite winter season. City Clerk Overstreet reported there was a max of \$6,000 per city and it proposed to be invoiced after costs are determined. Chair Mealy closed public comments. The Commission reached a consensus to direct the City Attorney to contact County Staff to see if there is any room amend the terms of the agreement regarding the cost share.

10. RESOLUTION 2020-16, A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF EMERGENCY, AND EXTENDING THE TIME FRAME ENACTED BY THE POWERS OF CHAPTER 14, ARTICLE III, EMERGENCY MANAGEMENT PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE – PENNY OVERSTREET, CITY CLERK: Attorney Smith read the title of the resolution into the record. Commissioner Cooley inquired if the declaration is still needed. Attorney Smith advised yes, as we are still under the State order and in the event that anything changes you would have this in place. Chair Mealy opened public comment. No comments were received. Chair Mealy closed public comments. Motion by Commissioner Belhumeur that we approve Resolution 2020-16. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.
11. DISCUSSION RELATED TO INTERLOCAL USE AGREEMENT FOR JOINT USE OF THE MOODY-WICKLINE SENIOR SERVICES CENTER – LARRY NEWSOM, CITY MANAGER: This item was removed from the agenda.

The agenda moved to Item #13 a.

COMMISSION COMMENTS

12. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: Mayor Provencher reported the Flagler Creates Committee met again and are preparing to start painting tipper carts for the top of the dune walkovers. Commissioner Cooley spoke about the recent uprising of support for ending police brutality and feels as leaders the Commission should pen a letter to the Governor requesting the issue be discussed and to implement rules of change. Attorney Smith suggested a letter be sent locally, first, to grow the cause. Commissioner Mealy expressed opinion that a bigger city has different issues, she is not opposed to conversation, but feels we need to be cautious and she would want Chief Doughney to be a part of that conversation. Chief Doughney responded that what happened there was criminal and no one hates this worse than an officer, he hopes justice is swift in Minneapolis. Chief Doughney feels knee jerk reactions can hurt, feels now is the time to increase funding to train the officers on non-lethal restraints. Commissioner Belhumeur thanked Chief Doughney for his response to Mr. Connelly and felt it was a step in the direction referred to by Attorney Smith to get things moving forward. Commissioner Cooley inquired to Chief Doughney if looking to our lawmakers to change the rules would be effective. Chief Doughney replied education is

the key, teaching officers verbal de-escalation is the key. Commissioner Belhumeur brought stormwater issues to the conversation. Commissioner Belhumeur stated he had brought this issue to the City manager four years ago. Commissioner Belhumeur feels no progress is being made. The Commission requested the Clerk ask the HR Manager to schedule a meeting between the Engineer, Manager and Commissioner Belhumeur to discuss his concerns. Commissioner Phillips asked when the Workshop to discuss the fire truck would occur. The Commission agreed to wait until the COVID restrictions are removed to allow the public participation.

STAFF REPORTS

13. Staff Reports: Clerk Overstreet reported the Request for Qualifications for a realtor /broker has been advertised, and the Strategic Planning Session was scheduled for July 16, 2020.
 - a. SELECT THREE (3) MEMBERS TO SERVE AS THE AUDITOR SELECTION COMMITTEE – PENNY OVERSTREET, CITY CLERK: After discussion, Commissioners Belhumeur, Mealy and Phillips volunteered to serve as the Audit Review Committee. Chair Mealy opened public comments. Paul Eik expressed discontent over the officials not selecting a resident to serve on the committee. Chair Mealy closed public comments. Motion by Commissioner Phillips to approve the formation of the Auditor Selection Committee made up of Commissioner Mealy, Commissioner Belhumeur and herself. Commissioner Belhumeur seconded the motion. The motion carried unanimously.

The agenda moved to Item 12.

14. ADJOURNMENT: Commissioner Belhumeur put forth a motion to adjourn the meeting at 7:52 p.m.

Attest:

Jane Mealy, Commission Chair

Penny Overstreet, City Clerk

#8

AMENDMENT NUMBER ONE (1) TO THE AGREEMENT BETWEEN THE CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.

AMENDMENT NUMBER ONE (1) DATED January 7, 2020 to the Agreement between CITY OF FLAGLER BEACH, ("Client") and Kimley-Horn and Associates, Inc., ("Consultant") dated March 14, 2019 ("the Agreement") concerning the City of Flagler Beach Land Development Code Update (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the Client to the Consultant, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CLIENT:

CITY OF FLAGLER BEACH

By: _____

Title: _____

Date: _____

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: *[Signature]*

Title: Assistant Secretary

Date: January 7, 2020

Consultant shall perform the following continuing and additional services:

The Client desires to proceed and complete the Land Development Code Update planning services for the City of Flagler Beach. To date, there have been additional services required to address Engineering Staff questions and concerns. The Client is aware of these additional tasks and seeks to amend the Agreement with the Consultant to cover the costs of those efforts. The additional services already provided and to be provided by Kimley-Horn are described in further detail below:

Phase 1 Audit

Task 2 – Gather Input

Further effort was required for this task because of the additional input received from the City of Flagler Beach Engineering Staff during this phase of the Land Development Code (LDC) Update. There has been further significant and substantive input by the City's Engineering Staff that was not originally included in our original scope that must now be included for consideration, prior to Phase 2. This effort also required a great deal of time addressing phone calls, emails and concerns voiced during staff meetings and workshops from Engineering Staff.

Phase 2 Assess

Task 1 – Develop Approaches

The City's Engineering Staff has expressed the desire to include engineering legislation that is not typically part of an LDC. This task was originally created to only discuss topics that dealt with "planning-related" issues. This additional service required further preparation and multiple revisions to our PowerPoint presentations for the workshops to address questions about certain engineering issues that were introduced by Engineering Staff.

Task 2 – Gather Input on Approaches

The City of Flagler Beach Engineering Staff expressed the desire for Kimley-Horn to consider engineering-related approaches employed by other coastal municipalities for comparison with existing LDC language. This task was originally created to only consider planning topics covered in the required workshops with citizens, the Planning and Architectural Review Board and the City Commission. This request required additional meetings with City staff prior to the workshops as well as revisions to the presentation material.

Task 3 – Develop Draft Ordinance

The City's Engineering Staff has expressed the desire to create a separate appendix to the LDC that will work as a "how-to" development guide within the City. Staff referred to this guide as a "Technical Manual". Additional time was spent by the Consultant researching other engineering guides that would be comparable to the desired City of Flagler Beach "Technical Manual". Instead of removing engineering text that was not appropriate for inclusion in the LDC, the Consultant began the process of addressing the engineering topics and preparing them for inclusion in a future and additional document.

Going Forward

Based upon our meeting with the City Manager on December 3rd, 2019 and the subsequent conference call with City Engineering Staff and City Manager on January 6th, 2020, it is our understanding that the City's Engineering Staff will give the consultant their draft language to address issues that they have identified as "major" and the consultant will include this language in the proposed presentations to solicit feedback and include in the edits to the LDC for consideration by the City Commission.

For the Additional Services set forth above, Client shall pay Consultant the following additional compensation:

The Consultant performed the services described for the total lump sum fee shown below inclusive of expenses. Individual task amounts are informational only. Any additional services requested by the City but not specifically included in the above described services will be provided on an hourly basis in accordance with our then-current rates.

Phase 1 - Audit	
Task 2 – Gather Input	\$2,500
Phase 2 - Assess	
Task 1 – Develop Approaches	\$3,450
Task 2 – Gather Input on Approaches	\$3,450
Task 3 – Develop Draft Ordinance	\$1,200
Total	\$10,600

Fees and expenses will be invoiced monthly based upon the actual services performed and expenses incurred as of the invoice date. Payment will be due within 25 days of receipt of the invoice.



City of Flagler Beach

#10

Planning and Building Department Staff Report

OVERVIEW

Case Number: RZ# 20-03-01
 Applicant: City of Flagler Beach
 Property Owner: Multiple Ownership(four (4) independent parcels)
 Property Description: Vacant/Improved
 Site Location: Multiple Locations (See Attachment #1)
 Property ID #: 11-12-31-0385-00000-0010 & 11-12-31-0650-000A0-0071
 Current FLUM designations: . . Conservation (City Property)/Commercial (705 N. Ocean Shore Blvd.; 1822 S. Ocean Shore Blvd. /Medium Density Residential 2220 S. Ocean Shore Blvd.
 Current Zoning designations: . Single Family Residential (All Properties (4)
 Current Use: Vacant/Residential/Non-residential

UPDATED SUMMARY

The Planning and Architectural Review Board at the meeting of March 3rd voted unanimously to recommend to the City Commission approval of the four (4) properties as outlined below:

- A. .344+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MODEL LAND COMPANY SUBDIVISION BLK-12 LT 15 AND 16 TAX PARCEL NUMBER 01-12-31-4450-00120-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO CONSERVATION (CON).
- B. .02+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS COCHRAN PLACE SUBDIVISION BL-7 LOT 7 AND MORE PARTICULARLY THE WESTERLY 14 FEET OF TAX PARCEL NUMBER 01-12-31-1100-00070-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO GENERAL COMMERCIAL (GC).
- C. .052+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS FUQUAY SUBDIVISION BLOCK 19 LOTS 5,6,7,8 AND EASTERLY 15 FEET OF THE VACATED ALLEY BETWEEN LOT 5 THRU 8 AND LOT 26,27,28 TAX PARCEL NUMBER 18-12-32-2750-00190-0050 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO TOURIST COMMERCIAL (TC).
- D. .041+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MOBBS SUBDIVISION BLOCK 1 LOT 1 AND EASTERLY 21 FEET OF LOT 36 & 37 TAX PARCEL NUMBER 19-12-32-4400-00010-0010 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO MEDIUM DENSITY RESIDENTIAL (MDR).

A. REQUESTED ACTION

Requested Action: Planning and Land Development Regulation Board recommend City Commission approve rezoning the subject properties to correct the *split-zoning* (more than one (1) zoning district classification) circumstance specific to each parcel, as described.

B. SUMMARY IN BRIEF:

This rezoning matter is essentially a house-keeping exercise. The individual parcels identified share the same circumstance; two (2) zoning classifications (e.g. Single Family Residential/Commercial) within the same parcel.

This administrative rezoning effort has been initiated to address and correct the inconsistency associated with each parcel. Included below is the address and legal description for each property subject to this rezoning request:

✓ **City Property/Cypress St. (See Attachment #1 Maps)**

A. .344+/- ACRES (+/-14,985 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MODEL LAND COMPANY SUBDIVISION BLK-12 LT 15 AND 16 TAX PARCEL NUMBER 01-12-31-4450-00120-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO CONSERVATION (CON).

✓ **705 N. Ocean Shore Blvd. (See Attachment #1 Maps)**

B. .02+/- ACRES (+/-871 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS COCHRAN PLACE SUBDIVISION BL-7 LOT 7 AND MORE PARTICULARLY THE WESTERLY 14 FEET OF TAX PARCEL NUMBER 01-12-31-1100-00070-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO GENERAL COMMERCIAL (GC).

✓ **1820S. Ocean Shore Blvd. (See Attachment #1 Maps)**

C. .052+/- ACRES (+/-2,265 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS FUQUAY SUBDIVISION BLOCK 19 LOTS 5,6,7,8 AND EASTERLY 15 FEET OF THE VACATED ALLEY BETWEEN LOT 5 THRU 8 AND LOT 26,27,28 TAX PARCEL NUMBER 18-12-32-2750-00190-0050 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO TOURIST COMMERCIAL (TC).

✓ **2220 S. Ocean Shore Blvd. (See Attachment #1 Maps)**

D. .041+/- ACRES (+/- 1,785 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MOBBS SUBDIVISION BLOCK 1 LOT 1 AND EASTERLY 21 FEET OF LOT 36 & 37 TAX PARCEL NUMBER 19-12-32-4400-00010-0010 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO MEDIUM DENSITY RESIDENTIAL (MDR).

C. ANALYSIS

FUTURE LAND USE AND ZONING INFORMATION

The following table summarizes the existing and proposed land use and zoning information:

USE SUMMARY TABLE:

✓ **City Property/Cypress St.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Conservation	Conservation
Zoning District	Single Family Residential	Conservation

USE SUMMARY TABLE:

✓ **705 N. Ocean Shore Blvd.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Commercial	Commercial
Zoning District	Single Family Residential	General Commercial

USE SUMMARY TABLE:

✓ **1820S. Ocean Shore Blvd.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Commercial	Commercial
Zoning District	Single Family Residential	Tourist Commercial

USE SUMMARY TABLE:

✓ **2220 S. Ocean Shore Blvd.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Medium Density Residential	Medium Density Residential
Zoning District	Single Family Residential	Medium Density residential

Analysis: Planner Criteria Parameters:

A. The proposed rezoning does not conflict with or is contrary to the public interest;

Finding: The proposed zoning changes are consistent with the 2035 Future Land Use Map designation for the subject properties. The changes establish consistency between the Official Zoning Map, the 2035 Comprehensive Plan and and 2035 Future Land Use Map.

B. The proposed rezoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan

Finding: The requested changes are consistent with Objectives and Policies and furthers Goals, Objectives and Policies of the Comprehensive Plan, as follows.

Objective A.1.1.3

Coordinate all new development and rezoning with the land use categories, densities and intensities as outlined in the City's adopted Comprehensive Plan.

Policy A.1.8.3

The City shall discourage the issuance of variances, special use permits, building permits or zoning changes in any case where the proposed land use is not consistent with the City of Flagler Beach duly adopted Comprehensive Plan.

C. The proposed rezonings must not impose a significant financial liability or hardship for the

City:

Finding: On the contrary, this rezoning effort stabilizes conditions that could otherwise hamper development and/or redevelopment and the taxable value of the subject parcels excepting the City parcel.

D. The proposed rezoning must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Finding: The requested rezoning does not pose an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. The change in zoning for the property under consideration is in harmony with the Future Land Use Map and consistent with the requested zoning designation as it relates to adjoining properties.

RECOMMENDATION:

The Planning and Architectural Review Board recommend to the City Commission approval of Rezoning Application RZ#20-03-01; to rezone the subject parcels named in this ordinance as identified in the respective USE SUMMARY TABLE in Section C. Analysis.

ATTACHMENTS:

Attachment 1 – Maps

Attachment 2 – Legal Advertisement

EXHIBIT "A"



MAPS

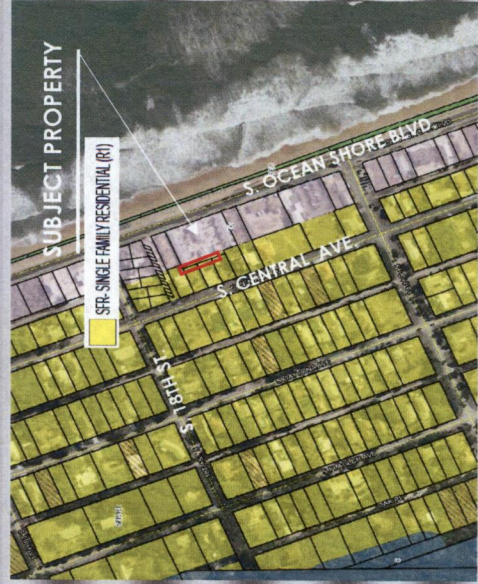
ATTACHMENT #1

LOCATION MAP



1822 S. OCEAN SHORE BLVD.

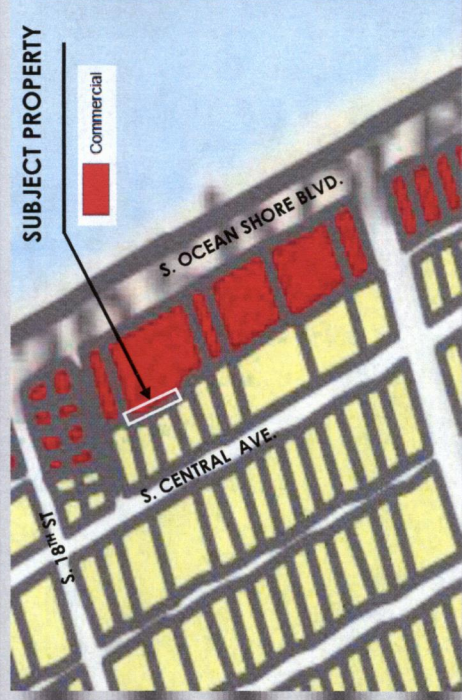
ZONING MAP: CURRENT



ZONING MAP: PROPOSED

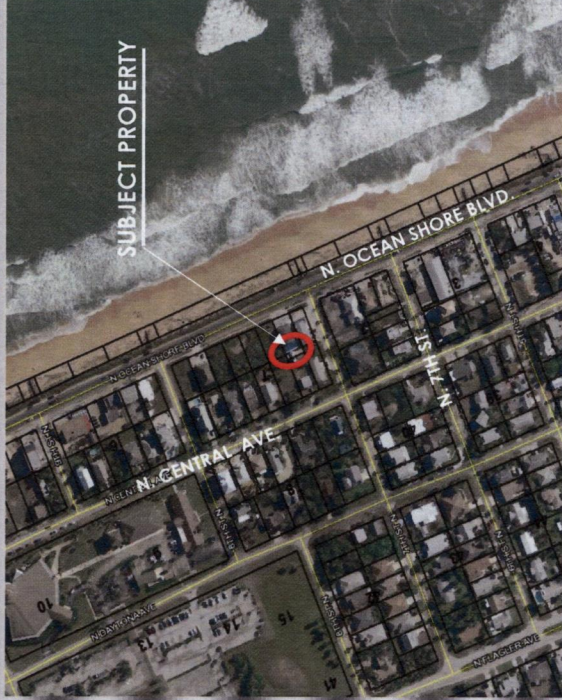


2035 FUTURE LAND USE MAP



MAPS

LOCATION MAP



705 N. OCEAN SHORE BLVD.

ATTACHMENT #1

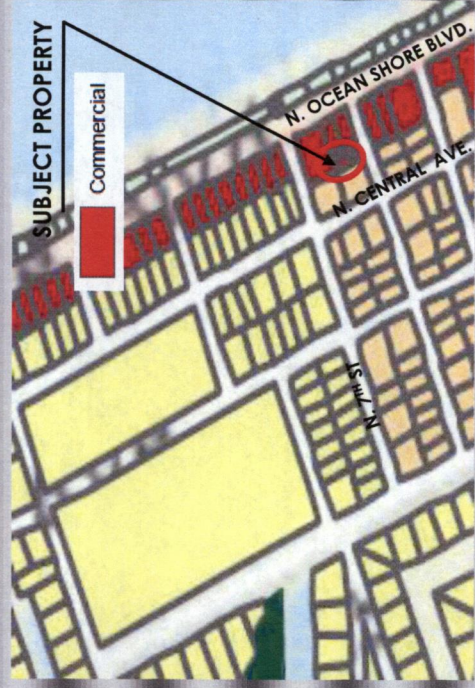
ZONING MAP: CURRENT



ZONING MAP: PROPOSED



2035 FUTURE LAND USE MAP



ORDINANCE 2020- 03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA PROVIDING FOR THE AMENDMENT OF THE OFICIAL ZONING MAP AS PREVIOUSLY ESTABLISHED IN SEC. 2.03.03. – ZONING MAP OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF FLAGLER BEACH, FLORIDA, AS AMENDED AND SUPPLEMENTED; AMENDING THE OFFICIAL ZONING MAP FOR PROPERTIES IDENTIFIED, AS FOLLOWS:

- A. .344+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MODEL LAND COMPANY SUBDIVISION BLK-12 LT 15 AND 16 TAX PARCEL NUMBER 01-12-31-4450-00120-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO CONSERVATION (CON) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A;**
- B. .02+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS COCHRAN PLACE SUBDIVISION BL-7 LOT 7 AND MORE PARTICULARLY THE WESTERLY 14 FEET OF TAX PARCEL NUMBER 01-12-31-1100-00070-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO GENERAL COMMERCIAL (GC) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A;**
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- D. .041+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MOBBS SUBDIVISION BLOCK 1 LOT 1 AND EASTERLY 21 FEET OF LOT 36 & 37 TAX PARCEL NUMBER 19-12-32-4400-00010-0010 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.**

WHEREAS, the Planning and Land Development Regulation Board and City Staff of the City of Flagler Beach have recommended approval of this Ordinance and the Planning and

Land Development Regulation Board has found this requested change consistent with the City of Flagler Beach Comprehensive Plan at its March 3, 2020 meeting, and

WHEREAS, the City Commission of the City of Flagler Beach held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Flagler Beach 2035 Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning changes set forth hereunder, and

WHEREAS, the City Commission of the City of Flagler Beach hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Flagler Beach, Florida.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF FLAGLER BEACH, FLORIDA:

SECTION 1. Recitals. The foregoing recitals are true and correct and are fully incorporated herein by this reference.

SECTION 2. Zoning Map Amendment. The Official Zoning Map of the City of Flagler Beach as described in the City of City of Flagler Beach Land Development Regulation's Section 2.03.03. is hereby amended to include a change of classification to the above property descriptions on Exhibit "A" which is attached hereto and incorporated herein by this reference. City Staff is hereby directed to promptly amend the Official Zoning Map upon the effective date of this Ordinance.

SECTION 3. Conflicts. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon the effective date of Ordinance No. 2020-xx as adopted by the City Commission of the City of Flagler Beach, Florida, and pursuant to the City Charter. If Ordinance No. 2020-xx does not become effective, then this Ordinance shall become null and void.

APPROVED on first reading the _____ **day of March, 2020**, at a public hearing.

ADOPTED on the second reading the _____ **day of March, 2020**, at a public hearing.

CITY OF FLAGLER BEACH, FLORIDA

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk

Approved as to form and legality

Drew Smith, City Attorney



City of Flagler Beach

Planning and Building Department Staff Report

OVERVIEW

Case Number: RZ# 20-03-01

Applicant: City of Flagler Beach

Property Owner: Multiple Ownership(four (4) independent parcels)

Property Description: Vacant/Improved

Site Location: Multiple Locations (See Attachment #1)

Property ID #: 11-12-31-0385-00000-0010 & 11-12-31-0650-000A0-0071

Current FLUM designations: . . Conservation (City Property)/Commercial (705 N. Ocean Shore Blvd.; 1822 S. Ocean Shore Blvd. /Medium Density Residential 2220 S. Ocean Shore Blvd.

Current Zoning designations: . Single Family Residential (All Properties (4)

Current Use: Vacant/Residential/Non-residential

UPDATED SUMMARY

The Planning and Architectural Review Board at the meeting of March 3rd voted unanimously to recommend to the City Commission approval of the four (4) properties as outlined below:

- A. .344+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MODEL LAND COMPANY SUBDIVISION BLK-12 LT 15 AND 16 TAX PARCEL NUMBER 01-12-31-4450-00120-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO CONSERVATION (CON).
- B. .02+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS COCHRAN PLACE SUBDIVISION BL-7 LOT 7 AND MORE PARTICULARLY THE WESTERLY 14 FEET OF TAX PARCEL NUMBER 01-12-31-1100-00070-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO GENERAL COMMERCIAL (GC).
- C. .052+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS FUQUAY SUBDIVISION BLOCK 19 LOTS 5,6,7,8 AND EASTERLY 15 FEET OF THE VACATED ALLEY BETWEEN LOT 5 THRU 8 AND LOT 26,27,28 TAX PARCEL NUMBER 18-12-32-2750-00190-0050 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO TOURIST COMMERCIAL (TC).
- D. .041+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MOBBS SUBDIVISION BLOCK 1 LOT 1 AND EASTERLY 21 FEET OF LOT 36 & 37 TAX PARCEL NUMBER 19-12-32-4400-00010-0010 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO MEDIUM DENSITY RESIDENTIAL (MDR).

A. REQUESTED ACTION

Requested Action: Planning and Land Development Regulation Board recommend City Commission approve rezoning the subject properties to correct the *split-zoning* (more than one (1) zoning district classification) circumstance specific to each parcel, as described.

B. SUMMARY IN BRIEF:

This rezoning matter is essentially a house-keeping exercise. The individual parcels identified share the same circumstance; two (2) zoning classifications (e.g. Single Family Residential/Commercial) within the same parcel.

This administrative rezoning effort has been initiated to address and correct the inconsistency associated with each parcel. Included below is the address and legal description for each property subject to this rezoning request:

✓ **City Property/Cypress St. (See Attachment #1 Maps)**

A. .344+/- ACRES (+/-14,985 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MODEL LAND COMPANY SUBDIVISION BLK-12 LT 15 AND 16 TAX PARCEL NUMBER 01-12-31-4450-00120-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO CONSERVATION (CON).

✓ **705 N. Ocean Shore Blvd. (See Attachment #1 Maps)**

B. .02+/- ACRES (+/-871 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS COCHRAN PLACE SUBDIVISION BL-7 LOT 7 AND MORE PARTICULARLY THE WESTERLY 14 FEET OF TAX PARCEL NUMBER 01-12-31-1100-00070-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO GENERAL COMMERCIAL (GC).

✓ **1820S. Ocean Shore Blvd. (See Attachment #1 Maps)**

C. .052+/- ACRES (+/-2,265 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS FUQUAY SUBDIVISION BLOCK 19 LOTS 5,6,7,8 AND EASTERLY 15 FEET OF THE VACATED ALLEY BETWEEN LOT 5 THRU 8 AND LOT 26,27,28 TAX PARCEL NUMBER 18-12-32-2750-00190-0050 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO TOURIST COMMERCIAL (TC).

✓ **2220 S. Ocean Shore Blvd. (See Attachment #1 Maps)**

D. .041+/- ACRES (+/- 1,785 sq. ft.) SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MOBBS SUBDIVISION BLOCK 1 LOT 1 AND EASTERLY 21 FEET OF LOT 36 & 37 TAX PARCEL NUMBER 19-12-32-4400-00010-0010 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO MEDIUM DENSITY RESIDENTIAL (MDR).

C. ANALYSIS

FUTURE LAND USE AND ZONING INFORMATION

The following table summarizes the existing and proposed land use and zoning information:

USE SUMMARY TABLE:

✓ **City Property/Cypress St.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Conservation	Conservation
Zoning District	Single Family Residential	Conservation

USE SUMMARY TABLE:

✓ **705 N. Ocean Shore Blvd.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Commercial	Commercial
Zoning District	Single Family Residential	General Commercial

USE SUMMARY TABLE:

✓ **1820S. Ocean Shore Blvd.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Commercial	Commercial
Zoning District	Single Family Residential	Tourist Commercial

USE SUMMARY TABLE:

✓ **2220 S. Ocean Shore Blvd.**

CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Medium Density Residential	Medium Density Residential
Zoning District	Single Family Residential	Medium Density residential

Analysis: Planner Criteria Parameters:

A. The proposed rezoning does not conflict with or is contrary to the public interest;

Finding: The proposed zoning changes are consistent with the 2035 Future Land Use Map designation for the subject properties. The changes establish consistency between the Official Zoning Map, the 2035 Comprehensive Plan and and 2035 Future Land Use Map.

B. The proposed rezoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan

Finding: The requested changes are consistent with Objectives and Policies and furthers Goals, Objectives and Policies of the Comprehensive Plan, as follows.

Objective A.1.1.3

Coordinate all new development and rezoning with the land use categories, densities and intensities as outlined in the City's adopted Comprehensive Plan.

Policy A.1.8.3

The City shall discourage the issuance of variances, special use permits, building permits or zoning changes in any case where the proposed land use is not consistent with the City of Flagler Beach duly adopted Comprehensive Plan.

C. The proposed rezonings must not impose a significant financial liability or hardship for the

City:

Finding: On the contrary, this rezoning effort stabilizes conditions that could otherwise hamper development and/or redevelopment and the taxable value of the subject parcels excepting the City parcel.

D. The proposed rezoning must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Finding: The requested rezoning does not pose an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. The change in zoning for the property under consideration is in harmony with the Future Land Use Map and consistent with the requested zoning designation as it relates to adjoining properties.

RECOMMENDATION:

The Planning and Architectural Review Board recommend to the City Commission approval of Rezoning Application RZ#20-03-01; to rezone the subject parcels named in this ordinance as identified in the respective USE SUMMARY TABLE in Section C. Analysis.

ATTACHMENTS:

Attachment 1 – Maps

Attachment 2 – Legal Advertisement

**CITY OF FLAGLER
BEACH
NOTICE OF PROPOSED
OFFICIAL ZONING MAP
AMENDMENT
RZ-20-03-01**

The City Commission of the City of Flagler Beach, Florida will hold a public hearing regarding Ordinance No. 2020-03 Entitled:
ORDINANCE 2020-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS PREVIOUSLY ESTABLISHED IN SEC. 213.03, ZONING MAP OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF FLAGLER BEACH, FLORIDA, AS AMENDED AND SUPPLEMENTED; AMENDING THE OFFICIAL ZONING MAP FOR:

- A. .344+- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MODEL LAND COMPANY SUBDIVISION BLK-12 LT 15 AND 16 TAX PARCEL NUMBER 01-12-31-4450-00120-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO CONSERVATION (CON) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A;
- B. .02+- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS COCHRAN PLACE SUBDIVISION BL-7 LOT 7 AND MORE PARTICULARLY THE WESTERLY 14 FEET OF TAX PARCEL NUMBER 01-12-31-1100-00070-0070 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO GENERAL COMMERCIAL (GC) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A;
- C. .052+- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS FUQUAY SUBDIVISION BLOCK 19 LOTS 5,6,7,8 AND EASTERLY 15 FEET OF THE VACATED ALLEY BETWEEN LOT 5 THRU 8 AND LOT 26,27,28 TAX PARCEL NUMBER 18-12-32-2750-00190-0050 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO TOURIST COMMERCIAL (TC) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A;
- D. .041+- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS MOBBS SUBDIVISION BLOCK 1 LOT 1 AND EASTERLY 21 FEET OF LOT 36 & 37 TAX PARCEL NUMBER 19-12-32-4400-00010-0010 FROM SINGLE FAMILY RESIDENTIAL (SFR) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

Public Hearings will be conducted to consider the amendment, as follows:

City Commission: Thursday, June 25, 2020 at 6:00 PM, or as soon thereafter.

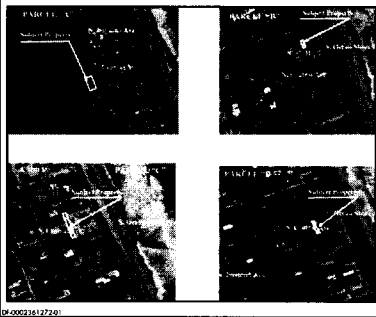
The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

Any person wishing to express his/her opinion may submit written comments regarding the proposed amendment to the City through the Planning and Building Department. Comments should be made as early as possible to ensure full consideration.

If a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the *Americans with Disabilities Act*, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-317-2000 Ext. 233 at least 48 hours prior to the meeting.

LOCATION MAP



<input type="checkbox"/> PROOF O.K. BY: _____	<input type="checkbox"/> O.K. WITH CORRECTIONS BY: _____
PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE	
DF-0002361272-01 (100%)	
ADVERTISER: CITY OF FLAGLER-LEGAL	PROOF CREATED AT: 6/10/2020 2:10:11 PM
SALES PERSON: DF0098	NEXT RUN DATE: 06/15/20
SIZE: 2X12	PROOF DUE: 06/12/20 07:59:55
PUBLICATION: DF-NEWS-JOURNAL	



11

City of Flagler Beach

P.O. Box 70 • 116 3rd Street South
Flagler Beach, Florida 32136
Phone (386) 517-2000 • Fax (386) 517-2016

DATE: February 21, 2020

TO: Don Deal, Chairman, Planning and Architectural Review Board
Board Members

FROM: Larry Torino, City Planner

RE: Application #SSA-20-03-01: Small Scale Amendment to the 2035 Future Land Use Map (FLUM)

UPDATED SUMMARY

The Planning and Architectural Review Board at the meeting of March 3rd voted unanimously to approve the Small Scale Amendment as it relates to the Future Land Use Map of the 2035 Comprehensive Plan.

GENERAL INFORMATION

Applicant	City of Flagler Beach	
Applicant Address	PO Box 106 Flagler Beach, FL 32136	
Site Location Address	213 N 3 rd St 209 N3rd St. (See Attachment #1 Location Map)	
Parcel ID No.	12-12-31-4500-00360-0040 12-12-31-4500-00360-0030	
	Existing	Proposed
Future Land Use	Medium Density Residential & Low Density residential (See Attachment #2 FLUM Current)	Commercial (See Attachment #2 FLUM Proposed)
Zoning District	Medium Density/Low Density Residential (See Attachment #3 Zoning Map)	N/A
Land Use	Multi-family/Single family	Mixed use
Acreage	.21+/- acres (9,000.38 sq. ft.) .11+/- acres (5,000.18 sq. ft.)	.32 ac.

Legal Description of Property

1. PARCEL ID 12-12-31-4500-00360-0040 COMPRISED OF .21+/- ACRES, GEORGE MOODY SUB DIV BL-36 LOTS 4-5 EXCEPT SOUTHERLY TEN FEET OR Book 59 Page 546AS OF THE OFFICIAL RECORDS OF FLAGLER COUNTY.

2. PARCEL ID 12-12-31-4500-00360-0030 COMPRISED OF .11+/- ACRES, GEORGE MOODY SUB DIV BL-36 LOT 3 OR Book 104 Page 665 AS RECORDED IN THE OFFICIAL RECORDS OF FLAGLER COUNTY.

Amendment Summary

Following, for your information and reference is a brief history of the circumstance that initiated the subject application. This Small - Scale Future Land Use Map (FLUM) request is an administrative action to amend the 2035 Future Land Use Map designation of the two (2) parcels noted above.

As you may recall during the year 2018 the City undertook updating the 1990 Comprehensive Plan thru the year 2035. The Northeast Florida Regional Council provided leadership of the rewrite effort. During that process the Future Land Use Map (FLUM) was analyzed and culminated with several recommended changes, some of which were subsequently approved and adopted.

To those on the Planning and Architectural Review Board (PARB) who were members during the rewrite effort you may recall during the evaluation and assessment phase of the FLUM, staff presented for consideration, amending the designation of several blocks of Central Ave. south of Moody Blvd. from Medium Density Residential to Commercial (S 5th -S. 9th.) and included the N. 3rd St properties (**See Attachment #4 Draft NFRC FLUM 8.18**). That proposal was amended to include a limited number of blocks north of SR100 along Central Ave., and N. 2nd & N. 3rd St. The intent of that effort was to:

1. address the on-going A-1-A commercial/residential zoning incompatibility between the commercial uses fronting A-1-A and the abutting residential uses that line Central Ave. to the west.
2. provide a more congenial land use transition along the Central Ave. corridor, and those areas designated Medium Density Residential on N. 2nd & N. 3rd St. between N. Flagler Ave. and N. Daytona Ave., and
3. establish compatible development opportunities to enhance the tax base.

The N 3rd ST scenario was discussed at the PARB meeting of October 4th and City Commission meeting on October 25, 2018.

The proposal failed to gain endorsement due primarily to concerns of the commercial uses allowed in the General Commercial District and the potential impact to the residential uses bordering the westerly side of Central Ave. One recommendation was to create a transition commercial district, one more compatible with proximate residential uses.

The two (2) properties that are the subject of this application were not included. The justification to maintain the Commercial FLUM designation was predicated upon the fact that more than 90% of the block is designated General Commercial on the Official Zoning Map and Commercial on the FLUM. The consensus being the amendment for the subject properties would enable a more holistic approach for development and/or redevelopment of the block.

(NOTE: As to mixed-use buildings, the current mixed-use building list of permitted uses/Special Exception uses lends itself to what can be established as a Limited Commercial District classification and/or Overlay).

The working FLUM Map prepared by the NFRC to illustrate the proposed changes was a "draft" map that included all recommended FLUM changes including the subject properties. When the

final 2035 FLUM was updated and adopted it went unnoticed that the subject properties were inadvertently deleted with the other recommended areas along Central Ave and N. 2nd and 3rd St.

Recommendation

Recommend approval to the City Commission as it relates to the administrative initiated Small – Scale Future Land Use Map Amendment, amending the 2035 FLUM for the subject properties from Medium Density and Low Density to Commercial.

ATTACHMENTS:

- ATTACHMENT #1 - LOCATION MAP
- ATTACHMENT #2 - FLUM CURRENT & FLUM PROPOSED
- ATTACHMENT #3 - NFRC "DRAFT 2035 FLUM"

Location Map



N. DAYTONA AVE. – N. 3RD. ST
CURRENT FUTURE LAND USE MAP



N. DAYTONA AVE. – N. 3RD. ST
PROPOSED FUTURE LAND USE MAP

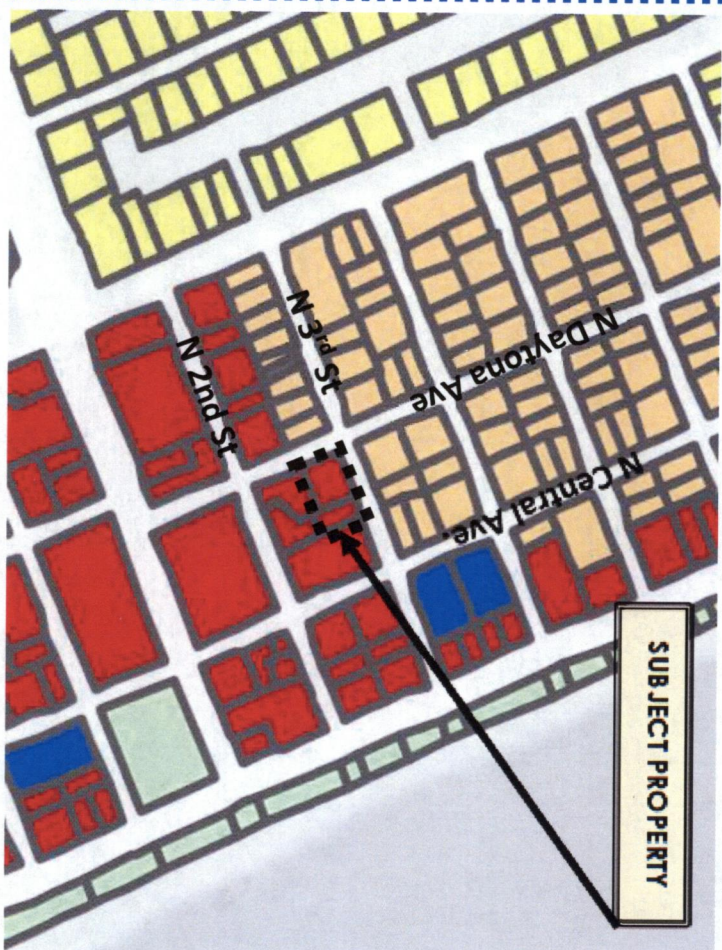


EXHIBIT "A"



1. FOR PARCEL ID 12-12-31-4500-00360-0030 COMPRISED OF .207+/- ACRES, GEORGE MOODY SUBDIVISION BLOCK 36 LOTS 4 - 5 EXCEPT THE SOUTHERLY TEN FEET.
2. TAX PARCEL NUMBER 12-12-31-4500-00360-0030 COMPRISED OF .114+/- ACRES, GEORGE MOODY SUBDIVISION BLOCK 36 LOT 3.

ORDINANCE NO. 2020-04

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE 2035 FUTURE LAND USE MAP FOR TAX PARCEL ID 12-12-31-4500-00360-0030 COMPRISED OF .207+/- ACRES, GEORGE MOODY SUBDIVISION BLOCK 36 LOTS 4 - 5 EXCEPT THE SOUTHERLY TEN FEET AND TAX PARCEL NUMBER 12-12-31-4500-00360-0030 COMPRISED OF .114+/- ACRES, GEORGE MOODY SUBDIVISION BLOCK 36 LOT 3 OF CERTAIN REAL PROPERTY AS RECORDED IN THE OFFICIAL RECORDS OF FLAGLER COUNTY, FLORIDA; FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in the exercise of its authority pursuant to Sections 163.3187 and 1643.3184, Florida Statutes, the City of Flagler Beach has determined it necessary and desirable to amend the City Comprehensive Plan Future Land Use Map so that the property, for comprehensive planning and zoning purposes, is changed from City of Flagler Beach Comprehensive Plan designation "Medium Density Residential" to City of Flagler Beach Comprehensive Plan designation "Commercial" and,

WHEREAS, a small-scale development amendment may be adopted only under the conditions set forth in Section 163.3187, Florida Statutes and other provisions of State and local law; and

WHEREAS, Section 163.3187, Florida Statutes, provide that amendments to the of Flagler Beach Comprehensive Plan which are directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to such Comprehensive Plan; and

WHEREAS, the City of Flagler Beach has initiated this amendment to the Comprehensive Plan 2035 Future Land Use Map to redesignate property located at 213 3RD Street North (the subject property) and the property located at 209 3rd St. North (subject Property) from the "Medium Density Residential" 2035 Future Land Use Map category to the "Commercial" 2035 Future Land Use Map category with the legal description, and other relevant information regarding the subject property and proposed amendment to the Future Land Use Map being attached to this Ordinance as "Exhibit A" and hereby incorporated by reference; and

WHEREAS, the City Commission determined that amending the City Comprehensive Plan Future Land Use Map designation from "Medium Density residential" to "Commercial" as applied to the property, is essential to promote, protect and improve the general welfare of the public and will help accomplish the goals and objectives of the City of Flagler Beach Comprehensive Plan, and

WHEREAS, in accordance with the requirement that the City of Flagler Beach Local Planning Agency is required to review all proposed amendments to the Comprehensive Plan, the Local Planning Agency at a duly noticed meeting held on March 3, 2020 conducted a hearing on this ordinance and provided to the City Commission comments that were reviewed by the City Commission at hearing on March 12, 2020 and adopted at a public meeting, duly noticed on March 26, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA THAT:

SECTION 1. INCORPORATION OF RECITALS. The above "whereas" clauses are incorporated herein as though fully set forth.

SECTION 2. FINDINGS OF FACT AND CONCLUSIONS OF LAW AS TO WHETHER APPLICATION MEETS CRITERIA TO BE CONSIDERED FOR A SMALL-SCALE AMENDMENT. In accordance with the requirements of Section 163.187(c), Florida Statutes, the City Commission attests to the following findings of fact:

- (1) The proposed amendment *does* involve a use of 10 acres or fewer;
- (2) The cumulative annual effect of the acreage of all small scale amendments *does not* exceed certain the statutory threshold of 80 acres;
- (3) The proposed amendment *does not* involve the same property granted a change within the previous 12 months;
- (4) The proposed amendment *does not* involve the same owner's property within 200 feet of a property granted a change within the previous 12 months;
- (5) The proposed amendment *does not* involve a text change to the goals, policies and objectives of the Town's Comprehensive Plan and *does* only involve a change to the FLUM;
- (6) The property *is not* located in an "area of critical state concern;"
- (7) Any proposed residential use involved *does* have a density of 10 units or less per acre; and
- (8) Applicants' application *does* meet the statutory requirements to be considered for a small-scale amendment.

SECTION 3. AMENDMENT OF COMPREHENSIVE PLAN FUTURE LAND USE MAP.

The City Commission hereby grants applicants' request to amend the City of Flagler Beach Comprehensive Plan Future Land Use Map as set forth on Exhibit A

SECTION 4. DIRECTION TO CITY MANAGER. The City Manager, or his designee, is hereby directed to send copies of the public notice for the City Commission as well as a copy of the amendment as soon as possible following said hearing to the state land planning agency, the regional planning council and any other person or entity requesting a copy. This information shall also include a statement identifying any property subject to the amendment that is located within

a coastal high-hazard area as identified in the local comprehensive plan and shall otherwise comply in all respects to the requirements of Page 2 of 3 Section 163.3187, Florida Statutes. Upon the Ordinance becoming effective as provided in Section 6 below, the City Manager, or his designee, is directed to take all actions necessary to codify this amendment into the Comprehensive Plan Future Land Use Map.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined invalid, unlawful or unconstitutional, said determination shall not be held to invalidate the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 7. CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

SECTION 6. EFFECTIVE DATE. In accordance with the requirements of Section 163.3187, Florida Statutes, this ordinance shall become effective upon the expiration of 31 days after its adoption. However, if challenged within 30 days after adoption, this ordinance shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining this Ordinance is in compliance.

PASSED AND ORDAINED this ____ day of _____ 2020 by the City Commission of the City of Flagler Beach, Florida

PASSED ON FIRST READING THIS ____ day of _____, 2020.

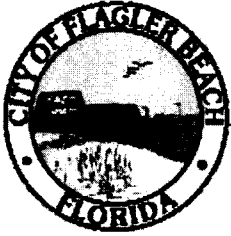
PASSED AND ADOPTED THIS ____ day of _____, 2020.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

Linda Provencher, Mayor

Attest:

Penny Overstreet, City Clerk



City of Flagler Beach

P.O. Box 70 • 116 3rd Street South
 Flagler Beach, Florida 32136
 Phone (386) 517-2000 • Fax (386) 517-2016

DATE: February 21, 2020

TO: Don Deal, Chairman, Planning and Architectural Review Board
 Board Members

FROM: Larry Torino, City Planner

RE: Application #SSA-20-03-01: Small Scale Amendment to the 2035 Future Land Use Map (FLUM)

UPDATED SUMMARY

The Planning and Architectural Review Board at the meeting of March 3rd voted unanimously to approve the Small Scale Amendment as it relates to the Future Land Use Map of the 2035 Comprehensive Plan.

GENERAL INFORMATION

Applicant	City of Flagler Beach	
Applicant Address	PO Box 106 Flagler Beach, FL 32136	
Site Location Address	213 N 3 rd St 209 N3rd St. (See Attachment #1 Location Map)	
Parcel ID No.	12-12-31-4500-00360-0040 12-12-31-4500-00360-0030	
	Existing	Proposed
Future Land Use	Medium Density Residential & Low Density residential (See Attachment #2 FLUM Current)	Commercial (See Attachment #2 FLUM Proposed)
Zoning District	Medium Density/Low Density Residential (See Attachment #3 Zoning Map)	N/A
Land Use	Multi-family/Single family	Mixed use
Acreage	.21+/- acres (9,000.38 sq. ft.) .11+/- acres (5,000.18 sq. ft.)	.32 ac.

Legal Description of Property

1. PARCEL ID 12-12-31-4500-00360-0040 COMPRISED OF .21+/- ACRES, GEORGE MOODY SUB DIV BL-36 LOTS 4-5 EXCEPT SOUTHERLY TEN FEET OR Book 59 Page 546AS OF THE OFFICIAL RECORDS OF FLAGLER COUNTY.

2. PARCEL ID 12-12-31-4500-00360-0030 COMPRISED OF .11+/- ACRES, GEORGE MOODY SUB DIV BL-36 LOT 3 OR Book 104 Page 665 AS RECORDED IN THE OFFICIAL RECORDS OF FLAGLER COUNTY.

Amendment Summary

Following, for your information and reference is a brief history of the circumstance that initiated the subject application. This Small - Scale Future Land Use Map (FLUM) request is an administrative action to amend the 2035 Future Land Use Map designation of the two (2) parcels noted above.

As you may recall during the year 2018 the City undertook updating the 1990 Comprehensive Plan thru the year 2035. The Northeast Florida Regional Council provided leadership of the rewrite effort. During that process the Future Land Use Map (FLUM) was analyzed and culminated with several recommended changes, some of which were subsequently approved and adopted.

To those on the Planning and Architectural Review Board (PARB) who were members during the rewrite effort you may recall during the evaluation and assessment phase of the FLUM, staff presented for consideration, amending the designation of several blocks of Central Ave. south of Moody Blvd. from Medium Density Residential to Commercial (S 5th -S. 9th.) and included the N. 3rd St properties (**See Attachment #4 Draft NFRC FLUM 8.18**). That proposal was amended to include a limited number of blocks north of SR100 along Central Ave., and N. 2nd & N. 3rd St. The intent of that effort was to:

1. address the on-going A-1-A commercial/residential zoning incompatibility between the commercial uses fronting A-1-A and the abutting residential uses that line Central Ave. to the west.
2. provide a more congenial land use transition along the Central Ave. corridor, and those areas designated Medium Density Residential on N. 2nd & N. 3rd St. between N. Flagler Ave. and N. Daytona Ave., and
3. establish compatible development opportunities to enhance the tax base.

The N 3rd ST scenario was discussed at the PARB meeting of October 4th and City Commission meeting on October 25, 2018.

The proposal failed to gain endorsement due primarily to concerns of the commercial uses allowed in the General Commercial District and the potential impact to the residential uses bordering the westerly side of Central Ave. One recommendation was to create a transition commercial district, one more compatible with proximate residential uses.

The two (2) properties that are the subject of this application were not included. The justification to maintain the Commercial FLUM designation was predicated upon the fact that more than 90% of the block is designated General Commercial on the Official Zoning Map and Commercial on the FLUM. The consensus being the amendment for the subject properties would enable a more holistic approach for development and/or redevelopment of the block.

(NOTE: As to mixed-use buildings, the current mixed-use building list of permitted uses/Special Exception uses lends itself to what can be established as a Limited Commercial District classification and/or Overlay).

The working FLUM Map prepared by the NFRC to illustrate the proposed changes was a "draft" map that included all recommended FLUM changes including the subject properties. When the

final 2035 FLUM was updated and adopted it went unnoticed that the subject properties were inadvertently deleted with the other recommended areas along Central Ave and N. 2nd and 3rd St.

Recommendation

Recommend approval to the City Commission as it relates to the administrative initiated Small – Scale Future Land Use Map Amendment, amending the 2035 FLUM for the subject properties from Medium Density and Low Density to Commercial.

ATTACHMENTS:

- ATTACHMENT #1 - LOCATION MAP
- ATTACHMENT #2 - FLUM CURRENT & FLUM PROPOSED
- ATTACHMENT #3 - NFRC "DRAFT 2035 FLUM"

**CITY OF FLAGLER
BEACH
NOTICE OF PROPOSED
SMALL SCALE FUTURE
LAND USE MAP
AMENDMENT
SSA-20-03-01**

The City Commission of the City of Flagler Beach, Florida will consider Ordinance No. 2020-04 Entitled:

ORDINANCE 2020-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA PROVIDING FOR THE AMENDMENT OF THE 2035 COMPREHENSIVE PLAN FUTURE LAND USE MAP AS CURRENTLY ADOPTED AMENDING THE FUTURE LAND USE MAP FOR PARCEL ID 12-12-31-4500-00360-0040 COMPRISED OF .2874+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS GEORGE MOODY SUBDIVISION BLOCK - 36 LOT 4 AND 5, EXCEPT THE SOUTHERLY TEN FEET OF LOT 5 FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL AND TAX PARCEL NUMBER 12-12-31-4500-00360-0030 COMPRISED OF .1144+/- ACRES SITUATED WITHIN CERTAIN REAL PROPERTY DESCRIBED AS GEORGE MOODY SUBDIVISION BLOCK - 36 LOT 3 FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL, AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

Public Hearings will be conducted to consider the amendment, as follows:

City Commission: Thursday, June 25, 2020 at 6:00 PM, or as soon thereafter.

The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

Any person wishing to express his/her opinion may submit written comments regarding the proposed amendment to the City through the Planning and Building Department. Comments should be made as early as possible to ensure full consideration.

If a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the *Americans with Disabilities Act*, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

LOCATION MAP



DF-0002361273-01

PROOF O.K. BY: _____ O.K. WITH CORRECTIONS BY: _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

DF-0002361273-01 (100%)

ADVERTISER: CITY OF FLAGLER-LEGAL

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PUBLICATION: DF-NEWS-JOURNAL

ORDINANCE NO. 2020-06

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, CREATING CHAPTER 19, "TRAFFIC AND MOTOR VEHICLES," ARTICLE II, "STOPPING, STANDING, AND PARKING," OF THE CODE OF ORDINANCES TO PROVIDE FOR LOCAL ENFORCEMENT OF PARKING VIOLATION CITATIONS; PROVIDING FOR HEARINGS BEFORE THE LOCAL HEARING OFFICER; PROVIDING FOR DEFINITIONS; ESTABLISHING PROCEDURES BEFORE THE LOCAL HEARING OFFICER; AMENDING VIOLATION SCHEDULES; PROVIDING FOR COLLECTION OF ADMINISTRATIVE COSTS; PROVIDING FOR REPEAL OF PORTIONS OF SECTION 5.02 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Sections 316.008(1)(a), (2), (5), and 316.1967(2)-(5), Florida Statutes, authorize the City to regulate parking within the city limits and extend jurisdiction for the prosecution, trial, adjudication, and punishment of local parking ordinances to the City; and

WHEREAS, pursuant to said authority, the City Commission of the City of Flagler Beach finds it prudent to provide for local administration of the City's parking violation citations; and

WHEREAS, the existing parking restrictions within the Code of Ordinances are located within the Land Development Regulations, however, to the extent such parking restrictions regulate conduct rather than land development, the City Commission finds it appropriate to repeal and replace those portions of Section 5.02 of the Land Development Code; and

WHEREAS, the City Commission further finds that unique parking circumstances exist within the City including the interaction of parking near the beach and protection of the dune system; and

WHEREAS, to encourage observance of parking restrictions, the City Commission finds it reasonable and prudent to provide for fines and penalties differing from those provided in Chapter 318, Florida Statutes, for certain parking violations; and

WHEREAS, the City is authorized to adopt its on schedule for penalties for violations of its local parking restrictions pursuant to Section 316.1967, Florida Statutes, which provides in pertinent part that "Chapter 318 does not apply to violations of county parking ordinances and municipal parking ordinances;" and

WHEREAS, the City Commission finds this ordinance is in the best interest of the health, safety, and welfare of residents and visitors of the City of Flagler Beach.

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NOTE: Underlined words constitute additions to the City of Flagler Beach Code of Ordinances, ~~strikethrough~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

SECTION 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this ordinance.

SECTION 2. Chapter 19, Article II, “Stopping, Standing, and Parking,” of the City of Flagler Beach Code of Ordinances is hereby created as follows:

ARTICLE II - Parking, Stopping and Standing.

Sec. 19-2. - State parking statutes adopted; issuance of parking violations notices; parking restrictions and prohibitions.

- (a) Except as otherwise stated herein, those portions of Chapter 316, Florida Statutes, as now or hereafter amended, being the State Uniform Traffic Control Law, pertaining to the parking of motor vehicles, are hereby adopted by reference as if fully set forth herein. Any violation of these parking statutes is considered a violation of this Article.
- (b) A law enforcement officer, community service officer, traffic infraction enforcement officer, or a parking enforcement specialist who discovers an illegally parked vehicle pursuant to city ordinance or general law may issue a parking violation notification to the driver of the vehicle or, if the vehicle is unattended, may attach such notice a conspicuous place on the vehicle. Each day that a parking violation occurs constitutes a separate offence for which a parking violation notice may be issued.

Sec. 19-3. - Definitions.

As used in this Article, the following words shall have the meaning indicated unless the context clearly indicates otherwise. All other definitions contained in Sections 316 and 321, Florida Statutes, not in conflict with the definitions in this section shall be applicable and are incorporated by reference.

Local Hearing Officer means the person designated by the city to hear contests of municipal parking violations under this article as provided by Fla. Stat. §§ 316.008. The local hearing officer may also be the city’s appointed code enforcement special magistrate.

Motor vehicle means any self-propelled vehicle in, upon, or by which a person or property is or may be transported or drawn upon a highway, roadway or street, excluding bicycles, mopeds, motorized scooters and vehicles operated upon rails, tracks or guideways.

Park or parking means the halting of a motor vehicle, regardless of whether the vehicle is occupied or in operation, except for the momentary purpose of receiving or discharging passengers or materials.

93
94 Stop or stopping means any halting, even momentarily, of a vehicle, whether occupied
95 or not, except when necessary to avoid conflict with other traffic, to comply with the directions
96 of a law enforcement officer, to yield to a funeral procession or emergency vehicle, or to
97 comply with a traffic control sign, signal or device.
98

99 **Sec. 19-4. - Manner of parking.**

100
101 It shall be unlawful for any person to park a vehicle in a street of the city other than parallel
102 with the edge of the curb or paved roadway headed in the direction of lawful traffic movement,
103 unless otherwise provided, and with the curbside wheels of the vehicle within six (6) inches of the
104 curb or paved edge of the roadway, except as provided in the following:
105

- 106 (a) Upon those portions of streets which have been marked or signed for angle parking,
107 vehicles shall be parked at the angle to the curb indicated by such mark or signs with the
108 right front wheel against the curb or the right front end of the bumper of such vehicle over
109 the curb, or the right front end of the bumper of each vehicle against the curb;
110
111 (b) In places where stopping for the loading or unloading of merchandise or material is
112 permitted in zones so designated for that purpose, vehicles used for transportation of
113 merchandise or materials may back into the curb to take on or discharge loads.
114

115 **Sec. 19-5. – Vehicles on public streets and highways within the city; action by police.**

- 116
117 (a) Upon any public street or highway inside the city, no person shall stop, park or leave
118 standing any vehicle, whether attended or unattended, upon the paved or main-traveled
119 part of the public street or highway when it is practical to stop, park or so leave the vehicle
120 off such part of the public street or highway; but in any event, an unobstructed width of
121 the public street or highway opposite a standing vehicle shall be left for the free passage
122 of other vehicles, and a clear view of the stopped vehicle shall be available from a distance
123 of two hundred (200) feet in each direction upon the public street or highway.
124
125 (b) This section shall not apply to the driver or owner of any vehicle which is disabled while
126 on the paved or main-traveled part of a public street or highway in such a manner and to
127 such extent that it is impossible to avoid stopping and temporarily leaving the disabled
128 vehicle in such position, or to passenger-carrying buses temporarily parked while loading
129 or discharging passengers, where public street or highway conditions render such parking
130 off the paved portion of the public street or highway hazardous or impractical.
131
132 (c) Whenever any police officer finds a vehicle standing upon a public street or highway in
133 violation of any of the foregoing provisions of this section, the officer is authorized to
134 move the vehicle, or require the driver or other persons in charge of the vehicle to move
135 the same, to a position off the paved or main-traveled part of the public street or highway.
136
137 (d) Officers are hereby authorized to provide for the removal of any abandoned vehicle to the
138 nearest garage or other place of safety, cost of such removal to be a lien against the motor

139 vehicle when the abandoned vehicle is found unattended upon a bridge or causeway or on
140 any public street or highway in the following instances:

141
142 (1) Where such vehicle continues an obstruction of traffic;

143 (2) Where such vehicle has been parked or stored on the public right-of-way for a period
144 exceeding forty-eight (48) hours, in other than designated parking areas, and is
145 within thirty (30) feet of the pavement edge;

146 (3) Where an operative vehicle has been parked or stored in the public right-of-way for
147 a period exceeding ten (10) days, in other than designated parking areas, and is
148 more than thirty (30) feet from the pavement edge.

149
150 (e) Whenever any police officer receives a report of or finds a vehicle that is without a current
151 license tag or inspection sticker standing on the public right-of-way, the owner will be
152 notified to remove the vehicle. After twenty-four (24) hours the officer will treat it as an
153 abandoned vehicle and remove it immediately.

154
155 **Sec. 19-6. - Stopping, standing or parking in specified places.**

156
157 It shall be unlawful for the operator of a vehicle to stop, stand or park such vehicle in any of the
158 following places, except when necessary to avoid conflict with other traffic or in compliance with
159 the directions of a police officer or traffic-control signal:

160
161 (1) Within eight (8) feet of a street intersection;

162 (2) On a crosswalk;

163 (3) Upon any public sidewalk, exclusive bicycle lane or pedestrian path;

164 (4) Within fifteen (15) feet of any fire hydrant;

165 (5) In front of the entrance to any theater, hotel or church;

166 (6) Alongside or opposite any street excavation or obstructions when such stopping,
167 standing or parking would obstruct traffic;

168 (7) Abreast of any vehicle stopped or parked at the edge of the curb or street, or what is
169 commonly known as double parking;

170 (8) In front of a public or private driveway;

171 (9) Upon any bridge or runway to a beach;

172 (10) At any place where official signs or markers prohibit stopping, standing or parking;

173 (11) Restricted areas along Ocean Shore Boulevard, ocean or east side.

174
175 **Sec. 19-7. - Parking on private parking lots.**

176
177 It shall be unlawful for any person to park a vehicle in front of any business establishment, or on
178 any public or private parking lot, which has been marked and zoned in such a manner as to prohibit
179 such parking in compliance with the city zoning code and traffic department designations and
180 prohibited areas under this article.

181
182 **Sec. 19-8 - Extended parking.**

183

184 It shall be unlawful for any person to park a vehicle for more than forty-eight (48) hours
185 continuously in the same location upon any street where the parking limit time is not otherwise
186 designated.

187

188 **Sec. 19-9 - Handicapped parking.**

189

190 Any person who parks a motor vehicle in designated handicapped parking places without
191 having affixed to such vehicle a duly authorized handicapped sticker shall be in violation of this
192 section and if found to be in violation, a fine of up to one hundred fifty dollars (\$150.00) may be
193 imposed with such other court costs as are provided for by law.

194

195 **Sec. 19-10 - Trailers, vans, etc.**

196

197 It shall be unlawful for any person to park along or upon any of the public streets or highways or
198 public property of the city any motor vehicle with a four-wheel trailer or semi/tractor trailer,
199 commercial motor vehicle, house trailer/recreational vehicle, or any other vehicle running on
200 wheels which has no power of movement or propulsion, but is pulled by means of being attached
201 to a motor vehicle; provided, however, that in case of an emergency, persons owning or operating
202 such vehicles may park or stop temporarily in front of any garage or filling station for the time
203 actually engaged in taking on gasoline, oil or other fuels necessary for operation and propulsion,
204 having necessary repairs made on tires, tubes and wheels or in case of accident or breakdown, a
205 reasonable time for the making of necessary emergency repairs, or to provide a delivery or service
206 to a residence or business, or for the purpose of construction/remodeling/renovating a new or
207 existing structure.

208

209 **Sec. 19-11. - Overnight parking.**

210

211 (a) It shall be unlawful for any person to park any motor home, travel home, mobile trailer,
212 motor vehicle or the like on public rights-of-way of the city overnight for residential
213 purposes. Overnight for residential purposes shall be deemed parking for any three-hour
214 period between the hours of 10:00 p.m. and 7:00 a.m. the following day upon any public
215 street or right-of-way within the city.

216

217 (b) It shall be a violation of the terms of this article for any person to occupy such vehicle for
218 three (3) consecutive hours from 10:00 p.m. to 7:00 a.m. the following day while such
219 vehicle is parked on the public streets or rights-of-way of the city.

220

221 (c) It shall further be a violation of the terms of this article for any person to park or permit
222 such motor vehicle to be parked for residential purposes anywhere within the city limits
223 unless a permit has been obtained by the owner of the vehicle or the person owning the
224 property upon which such vehicle is situated for residential purposes or the operator or
225 occupants of such vehicle have obtained such permit. Any person occupying such vehicle
226 for a period of three (3) hours during the hours from 10:00 p.m. to 7:00 a.m. the following
227 day shall be deemed to be occupying the vehicle for residential purposes and shall be in
228 violation of this section unless a permit has been obtained from the city hall.

229

230 (d) No permit may issue from city hall for such motor vehicle as set forth above unless the
231 premises upon which such motor vehicle shall be situated shall have adequate water,
232 wastewater and solid waste disposal facilities available to directly service such vehicle
233 during the term of its occupancy of the subject property. The building official may issue a
234 permit for such vehicle upon the building official being shown proof that the facilities on
235 the subject premises are adequate to serve the vehicle for overnight residency. No permit
236 shall issue for more than one (1) twenty-four-hour period except as otherwise provided for
237 by law for duly qualified mobile home campgrounds and the like.

238
239 (e) Nothing contained in this article shall allow such motor vehicle to be parked or remain
240 upon property in violation of any of the zoning ordinances or resolutions of the city and
241 where such other ordinances and regulations prohibit the parking of such vehicles, those
242 ordinances shall take precedence over this article.

243
244 **Sec. 19-12. - Unattended motor vehicles.**

245
246 It shall be unlawful for any person operating a motor vehicle to leave the vehicle unattended,
247 without first having stopped the motor, locked the ignition, and removed the ignition key, or when
248 standing upon any perceptible grade, without setting the emergency brake thereon.

249
250 **Sec. 19-13 - Impounding vehicles illegally parked.**

251
252 Members of the police department shall be vested with the authority to impound any unoccupied
253 vehicle parked in violation of any of the parking regulations of the city and to release such vehicle
254 to the duly identified owner thereof; subject, however, to the payment of a court fine and to the
255 payment of storage, towing and other impounding charges.

256
257 **Sec. 19-14. - Ownership of vehicle prima facie evidence of responsibility.**

258
259 The registered owner of the vehicle receiving a parking violation notice is responsible and liable
260 for payment of the civil penalties set forth above unless the owner can furnish evidence that the
261 vehicle was, at the time of the parking violation, in the care, custody, or control of another person.
262 In such instances, the owner of the vehicle is required, within thirty (30) calendar days from the
263 date of the parking violation notice, to furnish the City of Flagler Beach Police Department and/or
264 its parking violations bureau with an affidavit setting forth the name and address, and, if possible,
265 the driver's license number of the person or company who leased, rented, or otherwise had care,
266 custody, or control of the vehicle. The affidavit submitted under this subsection is admissible in
267 any proceeding before the Local Hearing Officer or otherwise and raises the rebuttable
268 presumption that the person identified in the affidavit is responsible for the parking violation. The
269 owner of a vehicle is not responsible for parking violations if the vehicle involved was, at the time,
270 stolen or in the care, custody, or control of some person who did not have permission of the owner
271 to use the vehicle. Prima facie evidence that the vehicle was stolen or was in the care, custody, or
272 control of some person who did not have permission of the owner shall be in the form of a report
273 from appropriate law enforcement agency.

274

275 **Sec. 19-15. - Traffic signs.**

276
277 All parking signs and other signs and markings used to regulate parking or traffic in accordance
278 with this article shall be placed by officers or employees of the city or they shall be placed at
279 locations approved by employees or officers of the city. The signs shall comply in shape, size and
280 construction with regulations promulgated by the state department of transportation when such
281 regulations are applicable.

282
283 **Sec. 19-16. - Signs and markings.**

284
285 Whenever parking signs and other signs and markings are placed in position approximately
286 conforming to the requirements of this article, such signs and markings shall be presumed to have
287 been placed by the lawful act or direction of officers or employees of the city or other lawful
288 authority unless the contrary shall be established by competent evidence.

289
290 **Sec. 19-17. - Law enforcement vehicles exempt.**

291
292 All law enforcement and other emergency vehicles, whether marked or unmarked, shall be exempt
293 from the payment of any parking violation, penalty or fine while on official business.

294
295 **Sec. 19-18. - Parking of house trailers or recreational vehicles on A1A from SR 100 south to**
296 **South Seventh Street prohibited.**

297
298 It shall be unlawful for any person to park or leave standing a house trailer or recreational vehicle
299 on the west side of State Route A1A (Oceanshore Boulevard) from State Route 100 (Moody
300 Boulevard) to South Seventh Street except when necessary to avoid conflict with other traffic or
301 in compliance with the directions of a police officer or traffic-control signal.

302
303 **Sec. 19-19. - Parking vehicles around Veterans Park.**

304
305 (a) It shall be unlawful for any person to park along any side of Veterans Park with any motor
306 home, recreational vehicle, four-wheel trailer or semi trailer, truck, bus or van. The parking
307 area south of Veterans Park shall be closed to all parking prior to a special event.

308
309 (b) Failure to comply with this section shall be enforced pursuant to Section 5.02.13.

310
311 **Sec. 19-20. - Truck parking.**

312
313 (a) Restriction. It shall be illegal for any of the following vehicles or equipment to be parked
314 or stored on lots zoned residential within the city limits: Trucks with three (3) axles or
315 more, trucks registered in any state as having a capacity of ten thousand (10,000) pounds
316 or more, earth-moving equipment or other equipment normally regarded as "heavy
317 equipment" such as, but not limited to, tractor trailer cabs, cranes, dredges, graders, dump
318 trucks, bulldozers and backhoes. These vehicles may be in residential areas only while on
319 legitimate commercial delivery work or, in the case of construction equipment, may be
320 stored temporarily at permitted construction sites.

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(b) Penalty. The minimum civil penalty for this violation is fifty dollars (\$50.00), which shall be payable to the city and may be paid at city hall. In the event the minimum civil penalty is not paid within the time specified in the citation, then such violation shall be considered a second or subsequent violation of the ordinance. Any second or subsequent violation under the terms hereof shall be subject to a fine in an amount not less than one hundred dollars (\$100.00) and not to exceed five hundred dollars (\$500.00), or imprisonment in the county jail for a period not to exceed sixty (60) days, or both such fine and imprisonment.

Sec. 19-21. - Schedule of civil penalties for parking violations; liability for civil penalties.

There is hereby adopted the following schedule of civil penalties for parking violations occurring within the city of which payment may be made to the general fund:

<u>Violation</u>	<u>Amount of Civil Penalty</u>
<u>Parking on streets where prohibited by official signs</u>	<u>\$60.00</u>
<u>Parking on the dunes where prohibited by official signs</u>	<u>\$150.00</u>
<u>Parking in bus space or taxi stand</u>	<u>60.00</u>
<u>Parking on sidewalk</u>	<u>100.00</u>
<u>Parking in passenger loading zone</u>	<u>60.00</u>
<u>Parking by yellow curb (on sign)</u>	<u>60.00</u>
<u>Parking over the lines used to indicate spaces where parking is permitted</u>	<u>60.00</u>
<u>Parking against traffic flow (wrong direction)</u>	<u>100.00</u>
<u>Unauthorized parking in reserved space</u>	<u>60.00</u>
<u>Unauthorized parking in space for disabled</u>	<u>150.00</u>
<u>Unauthorized parking in freight loading zone</u>	<u>60.00</u>
<u>Obstructing traffic</u>	<u>100.00</u>
<u>Parking within 15 feet of a fire hydrant</u>	<u>36.00</u>
<u>Parking in a fire lane</u>	<u>100.00</u>
<u>Parking in violation of any other Section of this Article</u>	<u>60.00</u>

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Sec. 19-22. – Procedures upon receipt of parking violation notice; contesting parking violations; administrative costs; and proceedings before the Local Hearing Officer.

(a) Any person receiving a parking violation notice issued pursuant to this Article shall, within thirty (30) calendar day from the date of the notice, pay the civil penalty on the parking violation notice or request a hearing before the City’s Local Hearing Officer challenging the violation.

- 344 (b) The person requesting a hearing before the Local Hearing Officer must do so in writing
345 on a document provided by the City of Flagler Beach Police Department and/or its
346 parking violations bureau, indicating his or her willingness to attend a local hearing
347 and acknowledging the possible penalties. Absent a valid request for continuance set
348 forth in subsection (c), any person who requests a hearing and fails to appear waives
349 their right to be heard, to present evidence, or to offer any defense at the hearing.
350
- 351 (c) Once a local hearing is scheduled, the person requesting the hearing may make one (1)
352 request for a continuance in writing, demonstrating good cause for a continuance,
353 which must be delivered or received by the City of Flagler Beach Police Department
354 and/or its parking violations bureau at least five (5) business days prior to the hearing
355 date. The City shall not unreasonably refuse a request for continuance that complies
356 with the requirements of this subsection. In the event a continuance is granted at the
357 owner's request, if the matter subsequently proceeds to a hearing, the City may request,
358 and the Local Hearing Officer shall consider, an award of no more than \$50.00 in
359 administrative costs for the costs of the continuance. Any administrative costs awarded
360 under this subsection shall be in addition to those administrative costs set forth in
361 subsection (g).
362
- 363 (d) A request for a hearing constitutes a waiver of the right to pay the civil penalty on the
364 parking violation notice and set forth in Sec. 19-21.
365
- 366 (e) Formal rules of evidence do not apply at hearings before the Local Hearing Officer, but
367 due process shall be observed and govern the proceedings. The Local Hearing Officer
368 shall make a determination as to whether a parking violation was committed based
369 solely on competent, substantial evidence presented at the hearing, which may be
370 presented by a traffic infraction enforcement officer, a parking enforcement specialist,
371 or any member of the City of Flagler Beach Police Department or its parking violations
372 bureau.
373
- 374 (f) Following a hearing, the Local Hearing Officer shall make a determination as to
375 whether a parking violation has been committed. If the Local Hearing Officer upholds
376 the violation, the hearing officer may impose a civil penalty not to exceed \$100.00 if
377 the original parking violation was \$60.00 or less, or \$250.00 for all other parking
378 violation offenses in excess of \$60.00. Civil penalties imposed under this subsection
379 do not include administrative costs of the hearing.
380
- 381 (g) If the violation is upheld, the Local Hearing Officer may also impose reasonable
382 administrative costs of the hearing not to exceed \$100.00, which shall be in addition to
383 the civil penalty imposed.
384

385 **Sec. 19-23. - Disposition of parking violation civil penalties; procedures upon**
386 **noncompliance with parking violation notice.**
387

- 388 (a) All civil penalties and administrative costs imposed or collected pursuant to this Article
389 II shall be paid into the city treasury and deposited in the general fund of the city.

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(b) Any person and/or registered owner who fails to pay the civil penalty, request a hearing, or produce an affidavit transferring liability within thirty (30) days from receiving a parking violation notice or by the date reflected on the notice, whichever is later, shall be deemed to have waived the right to contest the merits of the parking violation. The City of Flagler Beach Police Department and/or its parking violations bureau shall assess a \$35.00 delinquent fee per violation against the registered owner of the vehicle or the person identified by affidavit as the responsible party. In addition, a notice of delinquent fee assessment shall be sent by certified mail to the registered owner or responsible party, informing such person of the parking violation notice, failure to comply therewith and the delinquent fee assessment. Such notice shall direct the owner or responsible party to respond within fourteen (14) calendar days; otherwise a notification of delinquency will be referred to the Florida Department of Highway Safety and Motor Vehicles. Administrative costs of \$5.00 or the actual costs of mailing, which ever is greater, shall be added to the delinquent fee.

Sec. 19-24. - Failure to obey notice; alteration or destruction of notice prohibited.

- (a) The registered owner of a motor vehicle who willfully neglects to answer to the charge set forth in a parking violation notice affixed to such motor vehicle by a police officer or parking control officer shall be held to have violated this article.
- (b) The notice referred to in subsection (a) of this section is and shall remain the property of the city before and after the serving, delivery or affixing thereof and is and shall be considered an integral part of the police department. All persons receiving any such notice in writing, whether by personal service or by affixing the same to a motor vehicle, shall be and are hereby required to preserve such notice and to bring and present or otherwise transmit the same to the parking fines section when answering the charge set forth in such notice.
- (c) No person, whether the recipient thereof or otherwise, shall willfully throw away, alter, mar, mutilate, destroy or discard the written notice of the city described in subsection (a) of this section.
- (d) No person finding affixed to any vehicle the written notice of the city described in subsection (a) of this section, whether he be the owner, operator or driver of, a passenger in, the vehicle to which same is affixed, shall willfully throw away, alter, mar, mutilate, destroy or discard the written notice of the city found affixed to such a vehicle.
- (e) No person not being the owner or having charge of or operation or driving a vehicle, to which may be found affixed the written notice of the city described in subsection (a) of this section, shall willfully remove, take away, throw away, mar, alter, mutilate, destroy or discard any such written notice so affixed, nor shall any person receive any such notice from another for the purpose of so mutilating or destroying such notice or for

435 the purpose of constituting himself the agent of the recipient for any purpose other than
436 the proper and lawful adjustment of the charge contained in such notice.
437

438 (f) (A violation of this Section shall be deemed a separate and distinct violation and shall not
439 be construed to be merged with or a part of the original parking violation.
440

441 **SECTION 3.** Section 5.02.00 through 5.02.22 of the Land Development Regulations are hereby
442 repealed.
443

444 **SECTION 4. Severability.** If any section, subsection, sentence, clause, phrase, work or provision
445 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent
446 jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed
447 a separate, distinct and independent provision, and such holding shall not affect the validity of the
448 remaining portions of this Ordinance.
449

450 **SECTION 5. Conflicts.** In the event of a conflict or conflicts between this Ordinance any other
451 ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable
452 under the law.
453

454 **SECTION 6. Codification.** It is the intent of the City Commission of the City of Flagler Beach
455 that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal
456 authority in codifying the provisions of this Ordinance.
457

458 **SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon the adoption as
459 provided by the Charter of the City of Flagler Beach.
460

461 PASSED ON FIRST READING THIS _____ DAY OF _____, 2020.

462 PASSED AND ADOPTED THIS _____ DAY OF _____, 2020.

465 CITY OF FLAGLER BEACH, FLORIDA
466 CITY COMMISSION

469 _____
470 Linda Provencher, Mayor

471 ATTEST:

472 _____
473
474 Penny Overstreet, City Clerk
475

The City of Flagler Beach proposes to adopt the following ordinance:

ORDINANCE NO. 2020-06
AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, CREATING CHAPTER 19, "TRAFFIC AND MOTOR VEHICLES," ARTICLE II, "STOPPING, STANDING, AND PARKING," OF THE CODE OF ORDINANCES TO PROVIDE FOR LOCAL ENFORCEMENT OF PARKING VIOLATION CITATIONS; PROVIDING FOR HEARINGS BEFORE THE LOCAL HEARING OFFICER; PROVIDING FOR DEFINITIONS; ESTABLISHING PROCEDURES BEFORE THE LOCAL HEARING OFFICER; AMENDING VIOLATION SCHEDULES; PROVIDING FOR COLLECTION OF ADMINISTRATIVE COSTS; PROVIDING FOR REPEAL OF PORTIONS OF SECTION 5.02 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.-
Public Hearings will be conducted to consider the amendments as follows:

City Commission:
Second Reading: June 25, 2020 @ 6:00 p.m. or soon thereafter

The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

If a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-517-2000 Ext. 233

Staff

Reports

13

Penny Overstreet

From: Robert Pace
Sent: Thursday, June 11, 2020 12:50 PM
To: Larry Newsom
Cc: Penny Overstreet
Subject: Weekly Highlights

Mr. Newsom,

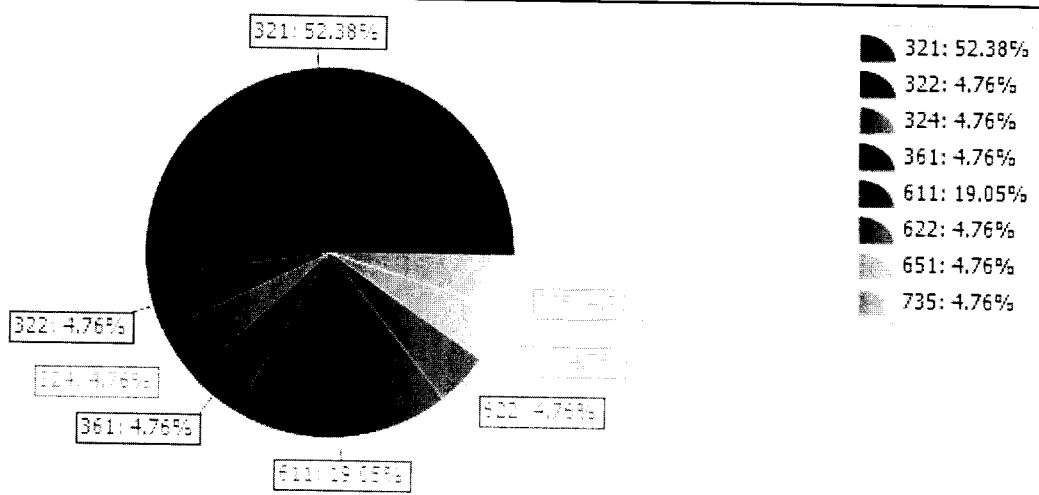
The following are the weekly highlights;

- As you know, we had a protest addressing the violence that took place against Mr. Floyd. There will also be a protest this week recognizing the lives lost during the Pulse Night Club shootings. The hopes are that both protests are conducted in a peaceful manner. Although it was not needed, the fire department made additional preparations for the first event. Preparations included stocking extra trauma equipment on the units, staging a second fire crew, and coordinating with PCFD for a third fire engine if needed. The same precautionary measures will be put in place for any future protests
- A significant amount of planning took place in the reopening of the pier/ bait shop. Signage was posted recommending CDC guidelines be followed, lines were painted on the pier six feet apart, and the bait shop was set up for take-out service only. Lifeguard officers were instructed on the responsibilities of Ocean Rescue and a meeting was conducted with the bait shop supervisor on setting a modified schedule for his staff. The weather helped with the opening, but there were no issues with exceeding the limits of fifty people on the pier at any given time
- I mentioned in my last report that Captain Cox has been working with IT on setting up Ocean Rescue in the CAD system and assigning radio identifiers for the department. On Saturday Captain Cox held an in-service training for the lifeguard officers. Captain Cox reviewed standard practices when utilizing the CAD system, the format used when drafting an incident report within fire programs, and proper terminology when communicating with dispatch. The training was well received by all
- I met with Allen Watts on Tuesday concerning annual hydrant maintenance within the city. Due to the COVID emergency, this project was postponed a few months. Typically the work is completed in late February or early March. Allen has received a tentative schedule from R&M Solutions that maintenance will take place in a couple of weeks. There are four hydrants scheduled for replacement this year and the new hydrants along John Anderson will be painted to code. All other hydrants will be painted, lubed, and flow tested
- Lieutenant Forte has successfully completed Paramedic School. He has also passed the National Registry nine station practical assessments. Lieutenant Forte is currently studying for the state exam. FF/EMT J. Prince has completed his first semester in Paramedic School; he has started his second semester this week. Any down time FF Prince gets, he spends studying
- Captain Cox reported a couple weeks ago on the donation of an industrial washer from the Holly Hill fire Department. The new unit was delivered this week. HHFD received a new washer and the donated washer costing several thousand dollars was much appreciated. The washer will be utilized solely for washing bunker gear. Previously, this done at Station 25 in Palm Coast. Staff configured the washer lines with a splitter so the washer for daily uniforms and the industrial washer can be used simultaneously

I look forward to talking to you soon.

Thanks,

Incident Reports By Incident Type, Summary



Incident Type	Total Incidents	Percent
321 - EMS call, excluding vehicle accident with injury	11	52.38%
322 - Motor vehicle accident with injuries	1	4.76%
324 - Motor vehicle accident with no injuries.	1	4.76%
361 - Swimming/recreational water areas rescue	1	4.76%
611 - Dispatched & canceled en route	4	19.05%
622 - No incident found on arrival at dispatch address	1	4.76%
651 - Smoke scare, odor of smoke	1	4.76%
735 - Alarm system sounded due to malfunction	1	4.76%

Total Number of Incidents: 21

Total Number of Incident Types: 8

Report Filter Settings

Report File Name: Incident Reports by Incident Type, Summary
Filter Name: Date Range
Filter Expression: [AlarmDateTime] is between '6/4/2020 00:00' and '6/10/2020 00:00'

Mr. Newsom,

The following are the weekly highlights:

- On 06/12/20 at 3:42 AM C Shift's Crew were dispatched for a missing kayaker lost in the Bulow Creek Marshes. At this point the kayaker had been missing for approximately 11 hours. Lieutenant Forte and his crew utilizing Ski 11 began to search throughout the marsh. At 6:05 AM patient contact was made, other than being scared and dehydrated, the kayaker was alert and oriented. There were 6 agencies that participated in the search including FBFD, FCSO, FCFR, FWC, Fire Flight, and Flagler County IT. This crew did an excellent job returning this individual to safety
- As you requested, a meeting concerning the Gardens Subdivision was conducted on 06/12/20. There were representatives from Flagler Beach, Palm Coast, and Flagler County in attendance. Flagler County's Planner (Adam Mengel) participated to provide updates and answer any questions from the group. There are many issues concerning utilities/infrastructure and Fred will schedule a meeting with the developers. I will be working with Chief Forte on a plan for a future option concerning fire rescue. I am also going to schedule a meeting with Commissioner Bryan, Fred Griffith, and Larry Torino
- Also on Friday, the march recognizing the Pulse Night Club shootings took place. This group once again met at Wadsworth Park, walked over the bridge, and then gathered in Veterans Park. There were multiple sheriff deputies and Flagler Beach Police officers in the area. Ladder 11 was also staged at the park. The event was conducted without incident
- The Flagler Beach Fire Department was showcased on the front page of the 1st Responder Newspaper. An editorial was written outlining the fire and surrounding events that took place on April 11th. The article described the defensive tactics utilized and the neighboring exposures that were protected. The 1st Responder Newspaper is circulated through the entire southeast
- I have reported a few times, due to the state of emergency we currently in, I have instructed crews not to conduct any unnecessary activities. This included minimizing trips out of the station, prohibiting non-essential visitors, no meetings in the training room, and canceling all upcoming training. I have also reported with the more time at the station, crews have completed several additional projects. The latest was an equipment compartment and storage trays constructed. The compartment and trays were built with star board and installed on the Attack truck. The storage areas look great and it is much more efficient
- The bottled water distribution program you requested was implemented in January. As you know 3 pallets of water were purchased as hurricane reserves to supply city departments as needed. Over the last 6 months 2 ½ pallets have been consumed. An order was placed for 2 new pallets. The pallets were delivered this week and stored at the building on Avenue A. Department will continue to be met and the city is prepared for the hurricane season

I look forward to talking to you soon.

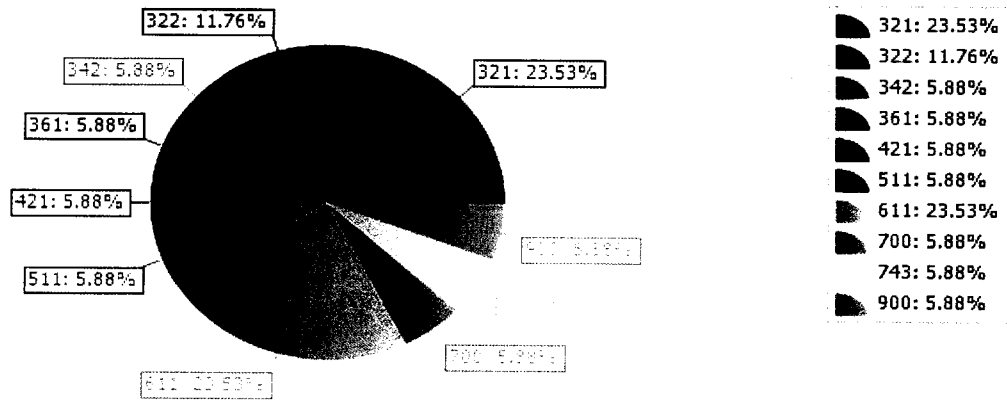
Thanks,

Bobby Pace

Fire Chief

Flagler Beach Fire Department

Incident Reports By Incident Type, Summary



Incident Type	Total Incidents	Percent
321 - EMS call, excluding vehicle accident with injury	4	23.53%
322 - Motor vehicle accident with injuries	2	11.76%
342 - Search for person in water	1	5.88%
361 - Swimming/recreational water areas rescue	1	5.88%
421 - Chemical hazard (no spill or leak)	1	5.88%
511 - Lock-out	1	5.88%
611 - Dispatched & canceled en route	4	23.53%
700 - False alarm or false call, other	1	5.88%
743 - Smoke detector activation, no fire - unintentional	1	5.88%
900 - Special type of incident, other	1	5.88%

Total Number of Incidents: 17

Total Number of Incident Types: 10

Report Filter Settings

Report File Name: Incident Reports by Incident Type, Summary
Filter Name: Date Range
Filter Expression: [AlarmDateTime] is between '6/11/2020 00:00' and '6/17/2020 00:00'



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
 204 South Flagler Avenue
 Flagler Beach, FL 32136
 386.517.2023

Chief's Weekly Report

From: Friday	5/29/2020		To: Thursday		6/4/2020		
Calls For Service	71	Felony Arrest	0	Reports Written	8	Citations Issued	14
Self-Initiated	34	Misd. Arrest	3	Comm. Policing	18	Warnings (Written/Verbal)	23
Traffic Stops	16	City Ordinance	5	Security Checks	316		

Chief's Weekly Summary

Friday: 5/29/20 @ 3:19 a.m. / Baker Act / 100 Block of Lantana Avenue: Officers responded in reference to a subject who called stating he needed detox or he was jumping off the Moody Bridge. Officers made contact with the subject was taken into protective custody under the Baker Act. The subject was transported without incident to Halifax Hospital for treatment.

Friday: 5/29/20 @ 9:08 a.m. / Drowning / 1300 Block North of Oceanshore Boulevard (On Beach): Officers responded in reference to a male subject that was found in the surf on the beach. It was found through investigation that the male was fishing a block south of where he was pulled out of the water. The male was pronounced deceased at Advent Hospital. There were no suspicious circumstances.

Friday: 5/29/20 @ 12:04 p.m. / Baker Act / South Oceanshore Boulevard @ 6th Street South: An elderly male with dementia was causing a scene and would not go home with his wife and caretaker. The male was rescued out of the water by Lifeguards, but he still wanted to go back into the water. The male was unable to take care of himself and would not let his caretaker provide proper care for him. The male was placed into protective custody under the Baker Act and was transported to Stewart-Marchman's facility in Bunnell without incident.

Monday: 6/1/20 @ 2:29 p.m. / Crash No Injuries / 105 2nd Street South: The Driver of an RV was attempting to park in a public parking space in front of the Commission Chambers on South Central Avenue. The RV struck the buildings overhang and the minor collision caused damage to the Commission Chamber doors as well as minor damage to the overhang and the RV. A State Crash report was completed.

Wednesday: 6/3/20 @ 9:32 a.m. / Burglary Residential / 500 Block of North Flagler Avenue: While the victim was checking his "Ring" camera footage, he observed that an unknown male subject had been inside his residence at approximately 2:30 a.m. Continued...

...Continued: The unknown subject was inside the residence while the victim and other adults were inside sleeping. Damage was found to an outside pool deck gate & other doors were found to be open. Detective Vinci has developed a suspect and she is actively working the case. Stay tuned.

Wednesday: 6/3/20 @ 3:43 p.m. / Criminal Mischief - Arrests / 600 Block Moody Lane (Moody Bridge): Officers were dispatched to the area in reference to three (3) subjects tagging the bridge with graffiti. The subjects, one adult (1) and two (2) juveniles, were located & taken into custody without incident. All three (3) subjects were charged with Criminal Mischief and the adult was additionally charged with Contributing to the Delinquency of a Minor (x2). **Great Job!**



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
 204 South Flagler Avenue
 Flagler Beach, FL 32136
 386.517.2023

Chief's Weekly Report

From: Friday	6/5/2020		To: Thursday		6/11/2020
Calls For Service	68	Felony Arrest	0	Reports Written	6
Self-Initiated	26	Misd. Arrest	0	Comm. Policing	13
Traffic Stops	20	City Ordinance	2	Security Checks	360
				Citations Issued	14
				Warnings (Written/Verbal)	26

Chief's Weekly Summary

Friday: 6/5/20 @ 4:28 p.m. / Crash - Hit & Run / 1000 Block North Oceanshore Boulevard: Officers responded in reference to a Hit and Run crash that occurred on SRA1A, across from Johnny D's. The witness advised that a male leaving the bar got into a white Ford F-150 and backed into a motorcycle, causing it to fall over. The Driver of the truck then departed the scene northbound on North Oceanshore Boulevard. The Driver of the Ford has been identified, but was not home at the time of this shift report. A State Crash report was completed. The Investigating Officer contacted the Driver on 6/6/20 and determined that due to the height of the vehicle, he may not have seen the motorcycle. All of the insurance information was retrieved and provided to the motorcycle owner. The State Crash Report was updated and re-classified this as a Crash without Injuries.

Tuesday: At approximately 12:45 p.m. Officers responded to the 1300 block of South Oceanshore Boulevard with regards to a sinkhole in the center median and the southbound traffic lane. The northbound lane was not affected and southbound traffic was diverted onto South Central Avenue between South 13th Street and South 14th Street. The southbound lane was closed from 1:30 p.m. until 10:30 p.m. Chief Doughney provided multiple updates on Facebook to keep our community informed and also sent multiple e-mails to our Elected Officials and Department Heads. Chief Doughney participated in the Board of Directors meeting via Zoom with the Flagler Sheriff's Police Athletic League (PAL) from 6:00 p.m. to 7:20 p.m.

Wednesday: During Night Shift, Officers conducted foot patrol in the core of City and they discovered five (5) unsecured buildings. Four (4) of the building were re-secured, one (1) was unable to be secured. Additional foot patrols at the Beach Village Shopping Center resulted in the Officers discovering three (3) unsecured buildings, and all three (3) were re-secured. **Great proactive crime prevention Police work!**

Thursday: 6/11/20 @ 6:53 p.m. / Crash with Injuries / SR100 & Roberts Road: Officers responded in reference to a motor vehicle crash between a truck and an SUV. The Drivers of both vehicles sustained minor injuries and both vehicles needed to be towed from the scene. A State Crash report was completed.

Follow Up: 6/3/20 @ 9:32 a.m. / Burglary Residential (Case Closed) / 500 Block of North Flagler Avenue: Detective Vinci positively identified the suspect in this case and interviewed him on 6.5.20. The result of the case was that a Burglary did not occur, but trespassing had occurred. The suspect was very apologetic and offered to pay for damage done to the victim's fence. The header of the offense has been changed and the victim is pleased with the outcome of the case. Good Detective work!

PRIDE March: Chief Doughney and Captain Blanchette met with the organizers for this coming Friday's Pulse Nightclub/PRIDE march from Wadsworth Park to Veterans Park. This Friday is the 4th anniversary of the Pulse shooting in Orlando, Florida. The meeting was held at the Police Department on Tuesday, June 9th from 5:00 p.m. to 5:40 p.m.



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
 204 South Flagler Avenue
 Flagler Beach, FL 32136
 386.517.2023

Chief's Weekly Report

From: Friday	6/12/2020		To: Thursday		6/18/2020
Calls For Service	115	Felony Arrest	0	Reports Written	15
Self-Initiated	34	Misd. Arrest	1	Comm. Policing	14
Traffic Stops	15	City Ordinance	0	Security Checks	366
				Citations Issued	14
				Warnings (Written/Verbal)	35

Chief's Weekly Summary

Friday: 6/12/20 @ 9:16 a.m. / Baker Act / 100 Block of Lantana Avenue: An elderly male called Dispatch advising that he no longer wished to live. The subject was contacted and he was taken into protective custody under the Baker Act without incident. The subject was transported to Stewart-Marchman's facility in Bunnell. A Police report was completed.

Friday: Today was the 4th anniversary of the Pulse Nightclub shooting in Orlando, Florida and a PRIDE walk from Wadsworth park to Veterans Park was held from 6:00 p.m. to 8:30 p.m. The Flagler County Sheriff's Office provided valuable assistance both before and during the walk and there were approximately 150 participants. There were no issues or protestors. The event organizers have been instructed about completing a Special Events permit with the City, should they desire to make this an annual event.

Sunday: 6/14/20 @ 4:00 p.m. / Miscellaneous Threats / 100 Block of Oak Lane: An elderly male stated that he had been receiving threatening text messages and voicemails since he returned a vehicle to a male subject that he had loaned it to. A Police report was completed and a charging affidavit has been forwarded to the State Attorney's Office for review.

Monday: 6/15/20 @ 12:36 p.m. / Assist Outside Agency / 100 Block of Lambert Avenue: Officers responded in reference to a reported stolen vehicle that was fleeing from a Florida Highway Patrol Trooper. Our Officers initially assisted with traffic control and then assisted in the capture of two (2) suspects that fled from the vehicle after it was submerged in the Intra-Coastal Waterway.

Monday: 6/15/20 @ 2:12 p.m. / Disturbance Verbal / 300 Block of 12th Street North: Officers responded in reference to two (2) subjects getting into a verbal argument. One (1) of the subjects stated the other threatened her and she wanted to file charges. A Police report was completed and charges for Assault have been forwarded to the State Attorney's Office for review.

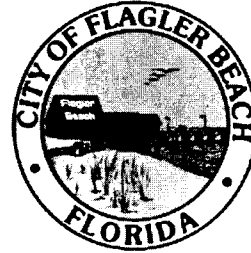
Wednesday: 6/17/20 @ 9:02 a.m. / Larceny Shoplifter - Arrest / 2301 Moody Boulevard (CVS): A Patrol Officer took a delayed report of a shoplifting incident from 6/16/20. Upon the Officer reviewing the in-store video, a male subject was observed taking a cellphone, as well as a "sim" card. After taking the report, the Patrol Officer located a subject in the 100 block of 2nd Street South that matched the physical characteristics and clothing of the suspect. The subject was contacted and interviewed. The suspect confessed to the theft and was found to be in possession of the stolen phone. The suspect was arrested without incident and transported to the Flagler County Inmate Facility. **Great Job!**

Thursday: 6/18/20 @ 12:53 a.m. / Larceny / 215 South Oceanshore Boulevard (Boardwalk): The victim stated she believed that her Apple watch was stolen while she was at the beach earlier in the day. There are no suspects at this time and a Police report was completed.



City of Flagler Beach

Water Treatment Plant



To: Fred Griffith, City Engineer

From: Jim Ramer, Water Plant Superintendent

Subject: Monthly Report for May 2020

June 1, 2020

In May we produced 23,254,000 gallons of drinking water. This amount was 3,450,000 gallons less than the amount we treated in April. Rainfall for May was 3.09 inches. We used 7,100 Gallons at the plant and used 9,645 Gallons on irrigation. We checked the chlorine residual in Bulow Shores. We used 16,000 gallons. The fire department used 15,000 gallons. Flushed the North End of town due to low chlorine residual. We used 523,700 gallons. We flushed S 26th St. due to low chlorine residual. We used 1,000 gallons.

We have routine duties that are performed every day on each of the shifts. Samples were taken every hour to make sure we keep the chemistry of the water within the parameters for DEP. We regularly perform over 200 tests on the City water and raw water daily between the three shifts. We do routine plant maintenance. We mow the plant grounds. We take well samples and drawdowns for St. Johns River Water Management, also keeping daily records for the monthly reports that are required to be turned into the Department of Environmental Protection Agency every month. We also do quarterly reports for DEP on disinfection byproducts. We have the midnight shift flush the trains with high pH permeate water. We do yearly TTHM and HAA5 tests.

DEP requires us to take 5 bacteriological samples from the distribution system monthly, according to our population. All samples passed on May 5th.

I have Jason Oakes perform weekly vehicle checks. He checks all the fluids such as Brake fluid, windshield wiper fluid, transmission fluid, and all the lights.

We cleaned the sump pit at the Million Gallon Booster Station and painted the floor and piping. We finished painting walls and floors at the Million Gallon Tank Booster Station. We repaired the priming system to Booster Pump #1 at the Million Gallon Tank Booster Station. We finished installing lights in the Million Gallon Tank Booster Station building.

We painted the valve covers to indicate water and sewer lines on plant grounds.

We used T & D department equipment to repair the road in the wellfield.

We had our ductwork to the A/C unit cleaned at the plant.

We painted the floor in the generator room.

We collected our quarterly well samples for the St Johns River Water Management District.

We ran the wire to the level indicator to Well 13. We installed the Well 12R level indicator pipe in well.

We cleaned the injector whip to the chlorine system.

We sprayed the well site to reduce weed growth.

We topped off Plant and Well generators with fuel.

We changed the packing on High Service Pump #2.

The roof was installed on electrical building (wood and roofing paper).

We replaced the vent screens on clearwell.

We painted the pipe going to our irrigation system to protect the PVC from becoming brittle.

We pressure washed the ceiling of the maintenance area and the raw water line.

We installed a new fuel pump on the diesel tank on F-250.

We cleaned and painted the floor at the South Tank.

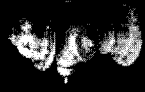
We gave a tour of the plant and wellfield to commissioner Bryan.



CITY OF FLAGLER BEACH

FLUSHING REPORT

Month / Year: May 2020



Date	Location	pH	Start cl2	Finished cl2	Start Meter	Stop Meter	Total Minutes	GPM	Total Gallons	Remarks	Int.
5/12	Bulow Shores		0.50	2.00					6000	Low chlorine residual	JO
5/28	Bulow Shores		0.90	2.30					10000	Low chlorine residual	AA
5/31	Auto Flusher								523700	Low chlorine residual	AF
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Jeanelle Jarrah

#13

From: Kathleen Doyle
Sent: Friday, June 19, 2020 12:00 PM
To: Robert Pace; Jeanelle Jarrah; Penny Overstreet
Cc: Cathy Liddy (cliddy@tng.cc); Esther Nichols
Subject: For Staff Reports

Categories: Done

Regrettably, due to the many working restraints the Finance and City Staff have been under since mid-March, our Financial Audit for 2018-2019 will not be presented at the June 25th City Commission Meeting. The deadline for audit is June 30th. The City will be able to complete the filing requirement for the state, however, the official document will be presented for final approval by the City Commission on July 9th.

Regards,

Kathleen Doyle,



Finance Director
City of Flagler Beach
386-517-2000 ext 229
www.cityofflaglerbeach.com