

December 6, 2024

The Honorable Patti King
Mayor, City of Flagler Beach
105 South 2nd Street
P.O. Box 70
Flagler Beach, Florida 32136

Dear Mayor King:

FloridaCommerce has completed its review of the proposed comprehensive plan amendment for the City of Flagler Beach (Amendment No. 24-01DRI), which was received on September 27, 2024. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

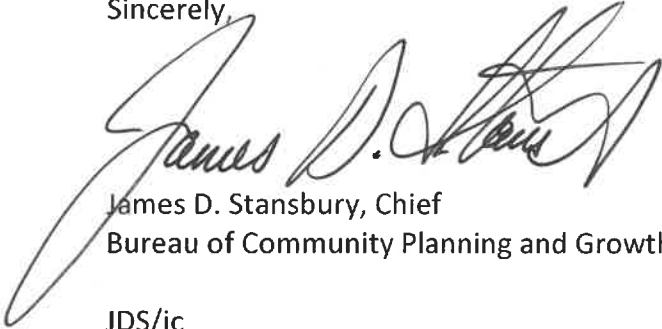
The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. **We have identified an objection and have included recommendations regarding measures that can be taken to address the objection.**

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of FloridaCommerce's attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S. **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to Section 163.3184(4)(e)2., F.S.**

FloridaCommerce staff is available to assist the City to address the objection. If you have any questions related to this review, please contact Jon Coulter, Planning Analyst, by telephone at (850) 717-8421 or by email at Jon.Coulter@commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/jc

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Lupita McClenning, City Planner, City of Flagler Beach
Elizabeth Payne, AICP, Chief Executive Officer, Northeast Florida Regional Council

**Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
City of Flagler Beach 24-01DRI**

FloridaCommerce has identified an objection regarding the City of Flagler Beach’s proposed comprehensive plan amendment. The objection is provided below, along with recommended actions the City could take to resolve issues of concern. If the City adopts the plan amendment without adequately addressing the objection, FloridaCommerce may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S.

FloridaCommerce staff has discussed the basis of the report with local government staff and is available to assist the City to address the objection.

Objection 1: Public Facilities

The proposed amendment is not supported with adequate data and analysis to demonstrate that the public facility improvements needed for the land uses allowed by the proposed amendment on the amendment site have been identified and that the improvements have been included in the Comprehensive Plan and have been adequately planned for as required in section 163.3177(1)(f)1., Florida Statutes (F.S.). The amendment is not based upon surveys, studies, and data regarding the amendment site, including the availability of water supplies, public facilities, transportation infrastructure, and services as required in sections 163.3177(6)(a)2.d., (6)(a)3.e., 163.3177(6)(a)8., (6)(b)1.a., b., d., e., and (6)(c), F.S.

The Capital Improvements Element was not updated to reflect any needed public facilities improvements. Furthermore, if the City is relying on executed developer’s agreement(s) to provide the necessary facilities, they were not included in the data and analysis supporting the comprehensive plan amendment and were not included as part of an amendment to the Capital Improvements Element to recognize the planned improvements.

Stormwater and Drainage: The proposed amendment does not establish meaningful and predictable standards for the use and development of land. The amendment is not supported with accurate data and analysis of how stormwater flows will affect the proposed development and local hydrology. The amendment also does not demonstrate how the stormwater will be best directed or re-used and reflect these plans in the Comprehensive Plan.

Potable Water and Sanitary Sewer: The data and analysis did not adequately identify the necessary improvements to the public facilities (potable water and sanitary sewer) in the short-term or long-term and did not include these necessary improvements in the Comprehensive Plan identifying them as short-term or long-term projects within the Capital Improvements Element.

School Facilities: The data and analysis for public school facilities identifies the number of students projected to be generated by the proposed development, but **does not address current or future capacity for the School District** to accommodate these students.

Transportation: The data and analysis provided **did not adequately identify all potentially impacted roadways** and thoroughfares for the short- and long-term planning horizons. As such, the amendment is **not supported with adequate data and analysis** regarding transportation impacts attributable to the proposed development or future development within the scope of the TIA provided. Any **improvements necessary to maintain LOS standards for all impacted roadways have not been identified** as short-term or long-term projects within the Capital Improvements Element. Additionally, the Future Transportation Map was not proposed to be updated to reflect any needed roadway improvements. There was also no demonstration of coordination with any applicable transportation authority, Florida Transportation Plan, or the Florida Department of Transportation's (FDOT) adopted work program.

Statutory Authority: Sections 163.3177(1)(f), 163.3177(2), 163.3177(3), 163.3177(6)(a), 163.3177(6)(b), 163.3177(6)(c), 163.3184(4), F.S.

Recommendations: Should the City proceed in adopting the amendment, the **City must support the proposed amendment with adequate data and analysis to demonstrate that the public facility improvements needed for the land uses allowed by the proposed amendment on the amendment site have been identified. These improvements must be included in the Comprehensive Plan and adequately planned for.** The amendment must be based upon surveys, studies and data regarding the amendment site, including the availability of water supplies, public facilities, and services.

Stormwater and Drainage: Pursuant to section 163.3177(1), F.S., the **City must provide further data and analysis regarding the stormwater** and run-off that the development will be subject to.

Potable Water and Sanitary Sewer: **Prior to adopting the amendment, the City must support the proposed amendment with adequate data and analysis to demonstrate that adequate water supply availability and related facilities are existing or planned to support the development associated with the amendment.** This could be demonstrated by (1) updating the City's Water Supply Facilities Work Plan (WSFWP) to address the potable and non-potable water demand and required facilities associated with this amendment, (2) providing an executed developer's agreement to ensure development of the Water Treatment Facility, Wastewater Treatment Facility, and their distribution facilities, or (3) adoption of site-specific Comprehensive Plan policies that accomplish the same. To accommodate the amendment's projected water demand, the City must ensure that the adopted amendment addresses the following:

- a. Schedule of obtaining a new or modified consumptive use permit (CUP)
- b. Projected water supply source(s) and amount(s) for any new or modified CUP
- c. Schedule and capacity of the new Water Treatment Facility and any other potable water supply infrastructure improvements

- d. Schedule and capacity of the new Waste Water Treatment Facility and any other non-potable water supply infrastructure improvements
- e. The City's and developer's commitments to fund potable and non-potable water supply infrastructure projects
- f. Update the Capital Improvements or Infrastructure elements, including the Capital Improvements Schedule, to include the City's and developer's commitments to fund proposed WTF and WWTF improvements related to the amendment

Further, in accordance with section 163.3177(6)(c)4, F.S., the City is required to adopt an updated WSFWP and related comprehensive plan amendment within 18 months of approval.

School Facilities: Prior to adopting the amendment, the City must demonstrate sufficient capacity within schools impacted by the proposed development has been planned for.

Transportation: Pursuant to section 163.3177(6)(b)(e), F.S. the City must provide further data and analysis regarding the impacts to transportation facilities resulting from the development associated with the amendment. The proposed amendment package includes data and analysis identifying that several road segments are projected to operate over capacity through the future year 2035 scenario given current conditions. The City of Flagler Beach must coordinate with FDOT regarding ways to mitigate potential impacts of the proposed development to identified roadways in proximity to the proposed amendment. The City must demonstrate sufficient planning to maintain LOS standards on impacted roadways by incorporating the short- and long-term improvements within the Capital Improvements Element and on the Long Term Transportation Map as supported with data and analysis.

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR STATE COORDINATED REVIEW**

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce’s electronic amendment submittal portal “**Comprehensive Plan and Amendment Upload**” (<https://fldco.my.salesforce-sites.com/cp/>) or submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Florida Department of Commerce identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, in **color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Florida Department of Commerce did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Florida Department of Commerce to the ORC report from the Florida Department of Commerce.



KATHLEEN PASSIDOMO
President of the Senate

**THE FLORIDA LEGISLATURE
RECEIVED**

OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH

FLORIDA DEPARTMENT OF COMMERCE
OFFICE OF THE SECRETARY



PAUL RENNER
Speaker of the House of Representatives

June 19, 2024

J. Alex Kelly, Secretary
Florida Department of Commerce
Caldwell Building
107 E. Madison Street
Tallahassee, FL 32399-4120

Dear Secretary Kelly:

As required by s. 380.0651 (3)(a), Florida Statutes, enclosed is the 2023 report displaying the list of jurisdictions that meet the population and density criteria related to exemptions for dense urban land areas. Please note that this listing does not address the urban service area criteria.

This year, the Legislative Office of Economic and Demographic Research calculated the population and density criteria using 2023 land area data from the U.S. Department of Commerce, U.S. Census Bureau, and the latest available population estimates (April 1, 2023) determined pursuant to s. 186.901, F.S. In addition, our office included reported annexations or contractions in order to determine the population density using new jurisdictional boundaries as recorded in accordance with s. 171.091, F.S.

As compared to last year's report for Criteria A, one jurisdiction has been added to the list for the first time and two jurisdictions were removed from the list. Also, there were no jurisdictional changes for Criteria B, C, or D.

Action	Criteria			
	A	B	C	D
Added	Panama City Beach	No Change	No Change	No Change
Removed	Fort Myers Beach South Bay	No Change	No Change	No Change

Please let us know if you have any questions regarding the attached report.

Sincerely,

Amy J. Baker
Coordinator

cc: Kathleen Passidomo, President, Florida Senate
Paul Renner, Speaker, Florida House of Representatives

Jurisdictions that Meet the Population and Density Criteria
 Related to Exemptions for Dense Urban Land Areas as per s. 380.0651 (3)(a), F.S.

A -
 Municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000

- Altamonte Springs
- Apopka
- Arcadia
- Atlantic Beach
- Auburndale
- Aventura
- Bay Harbor Islands
- Belle Glade
- Belle Isle
- Bellevue
- Boca Raton
- Bonita Springs
- Boynton Beach
- Bradenton
- Callaway
- Cape Canaveral
- Cape Coral
- Casselberry
- Clearwater
- Clermont
- Clewiston
- Cocoa
- Cocoa Beach
- Coconut Creek
- Cooper City
- Coral Gables
- Coral Springs
- Crestview
- Cutler Bay
- Dade City
- Dania Beach
- Davenport
- Davie
- Daytona Beach
- Daytona Beach Shores
- DeBary
- Deerfield Beach
- DeLand
- Delray Beach
- Deltona
- Destin
- Doral
- Dunedin
- Estero
- Eustis
- Fernandina Beach
- Flagler Beach (total)
- Florida City
- Fort Lauderdale
- Fort Myers
- Fort Pierce
- Fort Walton Beach
- Fruitland Park
- Gainesville
- Green Cove Springs
- Greenacres
- Groveland
- Gulf Breeze
- Gulfport
- Haines City
- Hallandale Beach
- Hialeah
- Hialeah Gardens
- Holly Hill
- Hollywood
- Homestead
- Indian Harbour Beach
- Islamorada, Village of Islands
- Jacksonville
- Jacksonville Beach

B -
 County, including the municipalities located in the county, that has an average of at least 1,000 people per square mile of land area

Broward County

- Coconut Creek
- Cooper City
- Coral Springs
- Dania Beach
- Davie
- Deerfield Beach
- Fort Lauderdale
- Hallandale Beach
- Hillsboro Beach
- Hollywood
- Lauderdale-by-the-Sea
- Lauderdale Lakes
- Lauderhill
- Lazy Lake
- Lighthouse Point
- Margate
- Miramar
- North Lauderdale
- Oakland Park
- Parkland
- Pembroke Park
- Pembroke Pines
- Plantation
- Pompano Beach
- Sea Ranch Lakes
- Southwest Ranches
- Sunrise
- Tamarac
- Weston
- West Park
- Wilton Manors

Duval County

- Atlantic Beach
- Baldwin
- Jacksonville
- Jacksonville Beach
- Neptune Beach

Hillsborough County

- Plant City
- Tampa
- Temple Terrace

Lee County

- Bonita Springs
- Cape Coral
- Estero
- Fort Myers
- Fort Myers Beach
- Sanibel

Miami-Dade County

- Aventura
- Bal Harbour
- Bay Harbor Islands
- Biscayne Park
- Coral Gables
- Cutler Bay
- Doral
- El Portal
- Florida City
- Golden Beach
- Hialeah
- Hialeah Gardens
- Homestead
- Indian Creek
- Key Biscayne
- Medley
- Miami
- Miami Beach
- Miami Gardens
- Miami Lakes

C -
 County, including the municipalities located therein, which has a population of at least 900,000, that has an average of at least 1,000 people per square mile of land area

Broward County

- Coconut Creek
- Cooper City
- Coral Springs
- Dania Beach
- Davie
- Deerfield Beach
- Fort Lauderdale
- Hallandale Beach
- Hillsboro Beach
- Hollywood
- Lauderdale-by-the-Sea
- Lauderdale Lakes
- Lauderhill
- Lazy Lake
- Lighthouse Point
- Margate
- Miramar
- North Lauderdale
- Oakland Park
- Parkland
- Pembroke Park
- Pembroke Pines
- Plantation
- Pompano Beach
- Sea Ranch Lakes
- Southwest Ranches
- Sunrise
- Tamarac
- Weston
- West Park
- Wilton Manors

Duval County

- Atlantic Beach
- Baldwin
- Jacksonville
- Jacksonville Beach
- Neptune Beach

Hillsborough County

- Plant City
- Tampa
- Temple Terrace

Miami-Dade County

- Aventura
- Bal Harbour
- Bay Harbor Islands
- Biscayne Park
- Coral Gables
- Cutler Bay
- Doral
- El Portal
- Florida City
- Golden Beach
- Hialeah
- Hialeah Gardens
- Homestead
- Indian Creek
- Key Biscayne
- Medley
- Miami
- Miami Beach
- Miami Gardens
- Miami Lakes
- Miami Shores
- Miami Springs
- North Bay Village
- North Miami
- North Miami Beach
- Opa-locka
- Palmetto Bay

D -
 County, including the municipalities located therein, which has a population of at least 1 million

Broward County

- Coconut Creek
- Cooper City
- Coral Springs
- Dania Beach
- Davie
- Deerfield Beach
- Fort Lauderdale
- Hallandale Beach
- Hillsboro Beach
- Hollywood
- Lauderdale-by-the-Sea
- Lauderdale Lakes
- Lauderhill
- Lazy Lake
- Lighthouse Point
- Margate
- Miramar
- North Lauderdale
- Oakland Park
- Parkland
- Pembroke Park
- Pembroke Pines
- Plantation
- Pompano Beach
- Sea Ranch Lakes
- Southwest Ranches
- Sunrise
- Tamarac
- Weston
- West Park
- Wilton Manors

Duval County

- Atlantic Beach
- Baldwin
- Jacksonville
- Jacksonville Beach
- Neptune Beach

Hillsborough County

- Plant City
- Tampa
- Temple Terrace

Miami-Dade County

- Aventura
- Bal Harbour
- Bay Harbor Islands
- Biscayne Park
- Coral Gables
- Cutler Bay
- Doral
- El Portal
- Florida City
- Golden Beach
- Hialeah
- Hialeah Gardens
- Homestead
- Indian Creek
- Key Biscayne
- Medley
- Miami
- Miami Beach
- Miami Gardens
- Miami Lakes
- Miami Shores
- Miami Springs
- North Bay Village
- North Miami
- North Miami Beach
- Opa-locka
- Palmetto Bay

Jurisdictions that Meet the Population and Density Criteria
 Related to Exemptions for Dense Urban Land Areas as per s. 380.0651 (3)(a), F.S.

A -
 Municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000

- Jupiter
- Kenneth City
- Key Biscayne
- Key West
- Kissimmee
- Lady Lake
- Lake Mary
- Lake Park
- Lake Worth Beach
- Lakeland
- Lantana
- Largo
- Lauderdale-by-the-Sea
- Lauderdale Lakes
- Lauderhill
- Lighthouse Point
- Longboat Key (total)
- Longwood
- Lynn Haven
- Macclenny
- Maitland
- Marathon
- Marco Island
- Margate
- Melbourne
- Miami
- Miami Beach
- Miami Gardens
- Miami Lakes
- Miami Shores
- Miami Springs
- Milton
- Minneola
- Miramar
- Mount Dora
- Naples
- Neptune Beach
- New Port Richey
- Niceville
- North Bay Village
- North Lauderdale
- North Miami
- North Miami Beach
- North Palm Beach
- Oakland
- Oakland Park
- Ocala
- Ocoee
- Okeechobee
- Oldsmar
- Opa-locka
- Orange City
- Orange Park
- Orlando
- Ormond Beach
- Oviedo
- Pahokee
- Palatka
- Palm Bay
- Palm Beach
- Palm Beach Gardens
- Palm Coast
- Palm Springs
- Palmetto
- Palmetto Bay
- Panama City
- Panama City Beach
- Parkland
- Pembroke Park
- Pembroke Pines

B -
 County, including the municipalities located in the county, that has an average of at least 1,000 people per square mile of land area

- Miami Shores
- Miami Springs
- North Bay Village
- North Miami
- North Miami Beach
- Opa-locka
- Palmetto Bay
- Pinecrest
- South Miami
- Sunny Isles Beach
- Surfside
- Sweetwater
- Virginia Gardens
- West Miami

Orange County

- Apopka
- Bay Lake
- Belle Isle
- Eatonville
- Edgewood
- Lake Buena Vista
- Maitland
- Oakland
- Ocoee
- Orlando
- Windermere
- Winter Garden
- Winter Park

Pinellas County

- Belleair
- Belleair Beach
- Belleair Bluffs
- Belleair Shore
- Clearwater
- Dunedin
- Gulfport
- Indian Rocks Beach
- Indian Shores
- Kenneth City
- Largo
- Madeira Beach
- North Redington Beach
- Oldsmar
- Pinellas Park
- Redington Beach
- Redington Shores
- Safety Harbor
- St. Pete Beach
- St. Petersburg
- Seminole
- South Pasadena
- Tarpon Springs
- Treasure Island

Seminole County

- Altamonte Springs
- Casselberry
- Lake Mary
- Longwood
- Oviedo
- Sanford
- Winter Springs

Criterion B:
 Added in the 2023 Report
 N/A

Last Year Meeting the Criteria
 N/A

C -
 County, including the municipalities located therein, which has a population of at least 900,000, that has an average of at least 1,000 people per square mile of land area

- Pinecrest
- South Miami
- Sunny Isles Beach
- Surfside
- Sweetwater
- Virginia Gardens
- West Miami

Orange County

- Apopka
- Bay Lake
- Belle Isle
- Eatonville
- Edgewood
- Lake Buena Vista
- Maitland
- Oakland
- Ocoee
- Orlando
- Windermere
- Winter Garden
- Winter Park

Pinellas County

- Belleair
- Belleair Beach
- Belleair Bluffs
- Belleair Shore
- Clearwater
- Dunedin
- Gulfport
- Indian Rocks Beach
- Indian Shores
- Kenneth City
- Largo
- Madeira Beach
- North Redington Beach
- Oldsmar
- Pinellas Park
- Redington Beach
- Redington Shores
- Safety Harbor
- St. Pete Beach
- St. Petersburg
- Seminole
- South Pasadena
- Tarpon Springs
- Treasure Island

Criterion C:
 Added in the 2023 Report
 N/A

Last Year Meeting the Criteria
 N/A

D -
 County, including the municipalities located therein, which has a population of at least 1 million

- Pinecrest
- South Miami
- Sunny Isles Beach
- Surfside
- Sweetwater
- Virginia Gardens
- West Miami

Orange County

- Apopka
- Bay Lake
- Belle Isle
- Eatonville
- Edgewood
- Lake Buena Vista
- Maitland
- Oakland
- Ocoee
- Orlando
- Windermere
- Winter Garden
- Winter Park

Palm Beach County

- Atlantis
- Belle Glade
- Boca Raton
- Boynton Beach
- Briny Breezes
- Cloud Lake
- Delray Beach
- Glen Ridge
- Golf
- Greenacres
- Gulf Stream
- Haverhill
- Highland Beach
- Hypoluxo
- Juno Beach
- Jupiter
- Jupiter Inlet Colony
- Lake Clarke Shores
- Lake Park
- Lake Worth Beach
- Lantana
- Loxahatchee Groves
- Manalapan
- Mangonia Park
- North Palm Beach
- Ocean Ridge
- Pahokee
- Palm Beach
- Palm Beach Gardens
- Palm Beach Shores
- Palm Springs
- Riviera Beach
- Royal Palm Beach
- South Bay
- South Palm Beach
- Tequesta
- Wellington
- Westlake
- West Palm Beach

Criterion D:
 Added in the 2023 Report
 N/A

Last Year Meeting the Criteria
 N/A

Jurisdictions that Meet the Population and Density Criteria
 Related to Exemptions for Dense Urban Land Areas as per s. 380.0651 (3)(a), F.S.

A - Municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000
Pensacola
Pincrest
Pinellas Park
Plant City
Plantation
Pompano Beach
Port Orange
Port St. Lucie
Punta Gorda
Riviera Beach
Rockledge
Royal Palm Beach
Safety Harbor
St. Augustine
St. Augustine Beach
St. Cloud
St. Pete Beach
St. Petersburg
Sanford
Sarasota
Satellite Beach
Sebastian
Sebring
Seminole
South Daytona
South Miami
South Pasadena
Springfield
Stuart
Sunny Isles Beach
Sunrise
Surfside
Sweetwater
Tallahassee
Tamarac
Tampa
Tarpon Springs
Tavares
Temple Terrace
Tequesta
Titusville
Treasure Island
Venice
Vero Beach
Wellington
West Melbourne
West Miami
West Palm Beach
West Park
Weston
Wilton Manors
Winter Garden
Winter Haven
Winter Park
Winter Springs
Zephyrhills

Criterion A:

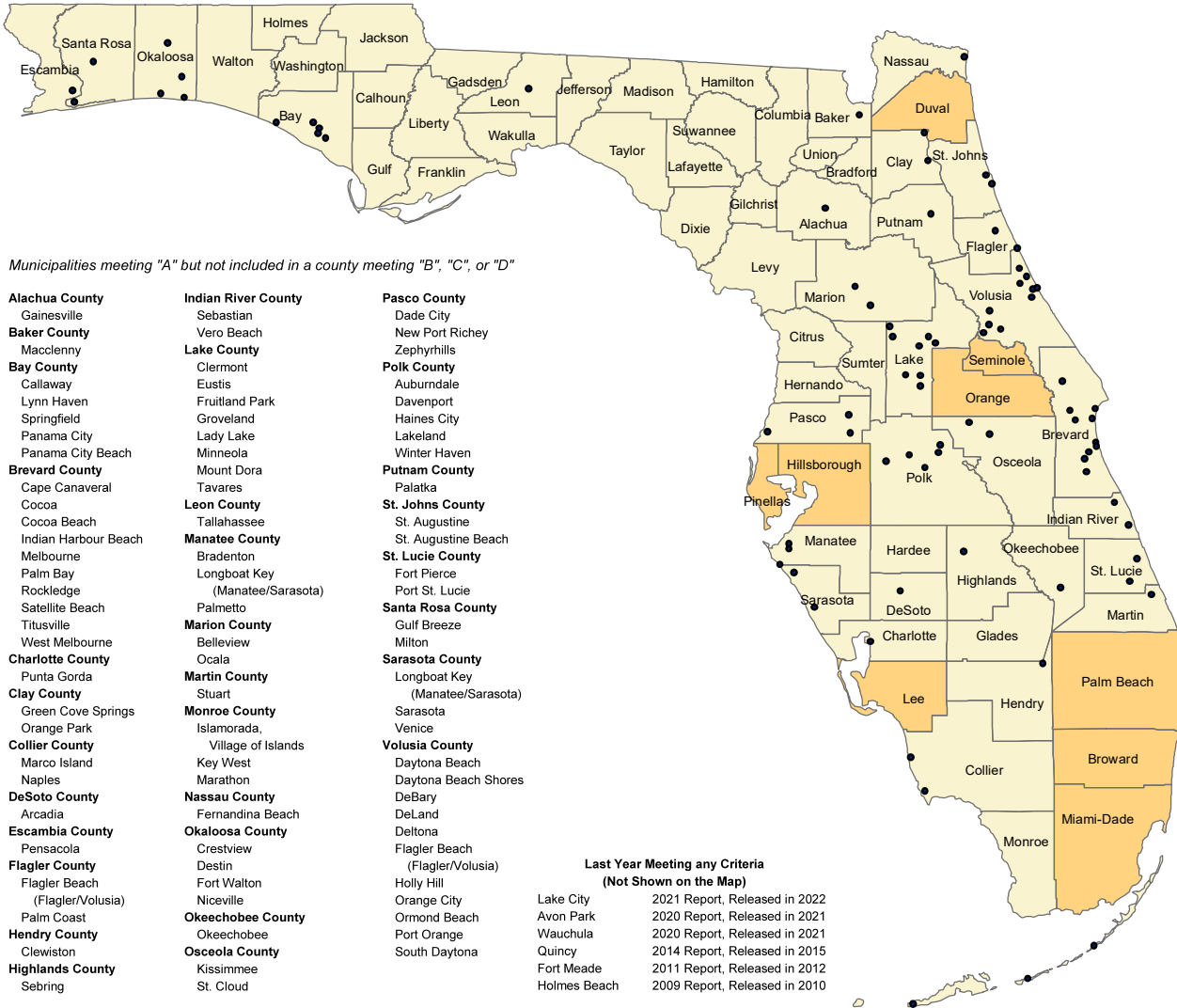
Municipalities Added in the 2023 Report
 Panama City Beach

Last Year Meeting Criteria A

Fort Myers Beach	2022 Report, Released in 2023
South Bay	2022 Report, Released in 2023
Lake City	2021 Report, Released in 2022
Avon Park	2020 Report, Released in 2021
Wauchula	2020 Report, Released in 2021
Quincy	2014 Report, Released in 2015
Fort Meade	2011 Report, Released in 2012
Holmes Beach	2009 Report, Released in 2010

Note: Only municipalities that were incorporated as of April 1, 2023 are included in the table above.
 Prepared by the Legislative Office of Economic and Demographic Research, June 19, 2024.

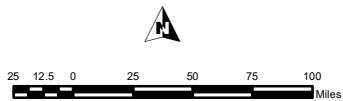
Jurisdictions that Meet the Population and Density Criteria Related to Exemptions for Dense Urban Land Areas as per s. 380.0651 (3)(a), F.S.



Based on 2023 population estimates

- "A" - Municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000
- "B" - County, including the municipalities located in the county, that has an average of at least 1,000 people per square mile of land area
- "C" - County, including the municipalities located therein, which has a population of at least 900,000, that has an average of at least 1,000 people per square mile of land area
- "D" - County, including the municipalities located therein, which has a population of at least 1 million

Florida Legislative Office of
Economic & Demographic Research
111 W. Madison St., Rm. 574
Tallahassee, FL 32399-1400
Phone: 850.487.1402
http://edr.state.fl.us
June 19, 2024

Legend

- Municipalities meeting "A" but not included in a county meeting "B", "C", or "D"
- Counties meeting "B", "C", or "D"



December 5, 2024

Department of Economic Opportunity

State Land Planning Agency

ATTN: James Stansbury, Bureau Chief and Jon Coulter, Plan Processing Administrator

Caldwell Building

107 East Madison-MS 160

Tallahassee, FL 32399-0001

RE: City of Flagler Beach Comprehensive Plan Amendment Package – (COFB Application #PFLUMA-0001) – Veranda Bay FLUM Amendment – Responses to Technical Assistance Comments

Dear Mr. Stansbury and Mr. Coulter:

We are in receipt of the Technical Assistance Comments provided to us by the Florida Department of Transportation (FDOT), and the St. Johns River Water Management District (SJRWMD). The City and the Developer have been actively making good faith efforts to address these issues, and as such, each comment will be reproduced below with the applicable response immediately following the comment.

In response to FDOT comments and subsequent phone conference(s) with FDOT, the City intends to amend the comprehensive plan to include a site-specific limiting policy. This has been incorporated into the proposed ordinance for the comprehensive plan amendment, and limits development within the planning area not exceed 3,749 peak PM gross trips. This limiting policy demonstrates that the trip generation is not adversely impacting the level of service. The EAR for the City’s Capital Improvement Plan (CIP) is to follow. Forthcoming.

Florida Department of Transportation (FDOT)

1. On page 195 of the PDF, within Appendix A of the Methodology Statement, it is stated that the methodology statement should be provided to the Department for approval.

Resolution: As was mentioned in the Summary, the Department would like to meet with the City of Flagler Beach to discuss the Methodology Statement for this TIA.

CITY OF FB RESPONSE: A limiting policy has been incorporated which further demonstrates that trip generation is not adversely impacting the level of service which reads as follows:

The Comprehensive Plan amendment adopted by Ordinance 2024-19 shall include the following limiting policy:

Objective A.1.11 -- Veranda Bay Planning Area



Encourage the responsible development of the Veranda Bay Planning Area which has significant economic benefit to the City of Flagler Beach, while requiring the reasonable protection of the quality of life for the City’s residents and it surrounding infrastructure.

Policy A.1.11.1 -- Without limiting the mix of density and intensity, the development in the Veranda Bay Planning Area will not exceed 2,200 residential dwelling units and 650,000 square feet of commercial use and in no case shall the development exceed 3,749 peak PM gross trips.

- 2. In the Application Information section, under 7.5.3, it is stated that: The analysis balanced traffic throughput, prioritization, use and distribution and ensured a comprehensive approach to augment the transportation network. Additionally, this approach meets regulatory standards and advances a responsive transportation strategy.

Resolution: The Department would like the City of Flagler Beach to clarify how the current approach in the Methodology Statement meets these standards.

CITY OF FB RESPONSE: The analysis conducted follows the standard site impact analysis, and is a compilation of the city, County, and FDOT site requirements. All of which was done at the discretion of the City of Flagler Beach to reduce the parameters of the area studied.

- 3. In the Application Information section, under 7.5.2, it is stated that: At the time of the study developed with City of Palm Coast and agreed upon by City of Flagler Beach, the following pertinent developments were included in the transportation model.

Resolution: The Department would like the City of Flagler Beach to clarify the time at which this was decided. Please clarify if Flagler County or the Department were involved in the selection of these developments for the transportation model.

CITY OF FB RESPONSE: On or about May 6, 2024, the City Manager approved the proposed methodology. A Master Development Agreement discusses the density and intensity and as such, the traffic analysis selections were limited as depicted. Applicant also followed the River to Sea guidelines. At the discretion of the City of Flagler Beach, the study area was limited to the scope shown in the report. Moreover, a limiting policy has been incorporated which further demonstrates that trip generation is not adversely impacting the level of service.

- 4. On page 195 of the PDF, within Appendix A of the Methodology Statement of the Traffic Impact Analysis (TIA), in the Intersection Control Evaluation section, the sentence ends without finishing it.

Resolution: Please finish this sentence.



CITY OF FB RESPONSE: Inadvertently, the word “results” was not added. As such, the sentence should read as “The ICE will be developed as a separate document, reviewed, and approved by FDOT, with Flagler Beach informed of the **results.**”

- 5. Within the amendment package, and in the supporting documentation, references to total acreage differs. The project description within the Methodology Statement of the TIA mentions 553 acres, whereas the amendment package refers to 899 acres or 160/739 acres.

Resolution: The Department would like the City of Flagler Beach to clarify the acreage for this amendment package.

CITY OF FB RESPONSE: Earlier indications of the total acreage was 553 acres, and has since been raised to the 899-acre figure. This change, however, has no impact on the analysis in the traffic report. To clarify, the acreage for this amendment package is 899 acres, and the 553 acres vs 899 acres does not affect the trip generation that has been analyzed.

- 6. Within the amendment package, there is a reference to 160 acres that are currently being developed as part of this project.

Resolution: The Department would like the City of Flagler Beach to clarify the type of development that is already occurring for the 160 acres and if these impacts are being included within the TIA.

CITY OF FB RESPONSE: The 160-acre area is subject to a Planned Unit Development (PUD) Agreement, which consists of a mixed-use residential development. Additionally, these impacts are included in the traffic analysis report.

- 7. Within the methodology statement for the TIA, there are roadway segments that the Department believes may be beneficial to add to the analysis.

Resolution: The Department would like the City of Flagler Beach to clarify the reasoning for why the segments in the TIA were selected. For context, Appendix A of this review letter notes all the segments within three 3 miles of the proposed development.

CITY OF FB RESPONSE: The segments in the TIA that were selected based on the understanding that FDOT was handling issues involving certain major intersections. With that said, the analysis began as a 3-mile review when the project involved the City of Palm Coast. However, when the project transitioned to the City of Flagler Beach, it was decided by the city that with an accompanying Master Development Agreement, these limits were not necessary. Moreover, the inclusion of the limiting policy further demonstrates that trip generation is not adversely impacting the level of service.



8. Within the Appendices of the amendment package, there were several out of place pages, or extra material provided. For example, the TIA looks to be provided three times in the appendices and on pages 516-518 of the PDF, there are pages related to the Water Demand that do not look to be related to any appendix.

Resolution: Please review the appendices for these additional pages and remove them before submitting again to the Department.

CITY OF FB RESPONSE: In transmission from city to state, certain pages may have been reorganized from the original state of the TIA package. The package will be reviewed and corrected.

9. Within the Attachments of the TIA, there was information added that's related to SR A1A. This roadway was not included as part of the study area for the TIA.

Resolution: Please clarify why the Project Information Sheet for SR A1A was included as Attachment D in the Traffic Impact Analysis.

CITY OF FB RESPONSE: From discussions FDOT, it was communicated that improvements were being done at SR A1A by FDOT, and therefore, were not needed to be included in the analysis. The information sheet is included for clarification purposes.

10. In Section 10 of the Methodology Statement for the TIA, Attachment A, it notes that any mitigation strategies and proportionate share calculations will only be based on if the adverse effects are from the proposed development itself.

Resolution: The Department would like to note that any findings from the TIA are preliminary as the Methodology Statement for the TIA has not been reviewed.

CITY OF FB RESPONSE: This had been discussed and coordinated at a cursory level with FDOT and pursuant to F.S. 163.3184. As such, Mr. Lingenfelter was in agreement with the analysis provided, and through discussions with Mr. Lingenfelter, a final TIA review was requested and no concerns with the methodology were raised. Said methodology was conducted in compliance with the River to Sea guidelines. Moreover, the inclusion of the limiting policy further demonstrates that trip generation is not adversely impacting the level of service.

11. Within the TIA, the figures and tables were added at the end of the report. This makes a review of the TIA itself somewhat difficult.

Resolution: The Department would like the tables and figures to be added within the report itself so that the supporting text is more readily available to review alongside the tables and figures.



CITY OF FB RESPONSE: Thank you, the formatting comes down to the writer's preference in doing so, we understand the concern, but feel that no changes are necessary.

12. Within the TIA, in the Methodology Statement, it says that the study area was reduced in size at the request of the City of Palm Coast.

Resolution: The Department would like the City of Flagler Beach to provide clarification as to why this was reduced.

CITY OF FB RESPONSE: Please see response to comments 2 and 3 above. The study area was reduced in size at the discretion of the City of Flagler Beach. During meetings between the applicant and City of Flagler Beach, the desired methodology was presented and the analysis and report were reduced to account for this. Moreover, the inclusion of the limiting policy further demonstrates that trip generation is not adversely impacting the level of service.

St. John's River Water Management District (SJRWMD)

1. The transmitted amendment did not contain data and analysis addressing the impact of its projected water demand on the city's available potable water supply. Prior to adopting the amendment, the city should provide data and analysis demonstrating that adequate water supply availability is existing or planned to support the development associated with the amendment.

CITY OF FB RESPONSE: For purposes of providing utility services, the City's Water Treatment Plant has a production capacity of 2,000,000 GPD. The current storage capacity of treated water is 1,400,000 gallons. The City's Wastewater Treatment Plant has a current capacity of 1,000,000 GPD. A planned expansion of the facility will increase the capacity to 1,500,000, with additional capacity designed to further increase capacity to 2,000,000 GPD. To ensure the development associated with the amendment does not outpace the current availability, the city will increase the Consumptive Use Permit (CUP) from .912 up to 1.2 MGD. The City will build a new 1-million-gallon storage facility and simultaneously purchase two (2) additional well sites, and permit two (2) new wells for future growth to be phased with the build out of Veranda Bay.

2. In association with the preceding information, to accommodate the amendment's projected water demand, the city should ensure that the adopted amendment's data and analysis addresses the following:
 - a. Impact of projected water demand on the City's existing consumptive use permit allocation (i.e., water supply availability).

CITY OF FB RESPONSE: See response to comment 1 above. The City's Consumptive Use permit has a maximum daily allowance of 0.912 MPD. Based on the latest reports, the city is averaging



0.610 MGD. This gives the city the ability to increase use approximately 23% before being required to apply for a new consumptive use permit. Because this development is to be phased, the first five (5) years will see an increase in potable water demand of 247,780 GPD for residential use, and 17,527.3 GPD for commercial use, making the total increase in potable water demand within the first five years of development 265,307.3 GPD.

Further, the Master Planned Development Agreement (“Agreement”) includes language in which the developer may construct private services or obtain such services from other providers, including adjacent municipalities, in the event of insufficient availability with the City of Flagler Beach.

- 3. In association with the preceding information, to accommodate the amendment’s projected water demand, the city should ensure that the adopted amendment’s data and analysis addresses the following:
 - b. Whether the City will require development associated with the amendment to install a nonpotable water distribution system (e.g., reuse).

CITY OF FB RESPONSE: As a material inducement for the Developer to enter the Agreement with the City, the City represents and warrants that it presently has, and shall maintain per the projected demands, potable water and wastewater capacity for the project. Further, should the aforementioned reservations not be available when requested by Developer, Developer may construct private services or obtain such services from other providers, including adjacent municipalities.

- 4. In association with the preceding information, to accommodate the amendment’s projected water demand, the city should ensure that the adopted amendment’s data and analysis addresses the following:
 - c. Whether the City will require development associated with the amendment to install stormwater management systems designed as stormwater harvesting systems to maximize the amount of surface water available for nonpotable water needs.

CITY OF FB RESPONSE: The Agreement provides that the Developer shall be responsible for designing and constructing a master stormwater system within the project including, but not limited to, all stormwater lines, ditches, culverts, and other stormwater facilities that are necessary to convey and treat stormwater runoff. Stormwater detention facilities shall be designed to meet the water quality and attenuation requirements of SJRWMD.

- 5. In association with the preceding information, to accommodate the amendment’s projected water demand, the city should ensure that the adopted amendment’s data and analysis addresses the following:



- d. Projected water supply source(s) and amount(s) for any modified or new consumptive use permit.

CITY OF FB RESPONSE: See response to SJRWMD comment 1 above. Additionally, to ensure the development associated with the amendment does not outpace the current availability, the city will increase the Consumptive Use Permit (CUP) from .912 up to 1.2 MGPD. The City will build a new 1-million-gallon storage facility and simultaneously purchase two (2) additional well sites, and permit two (2) new wells for future growth to be phased with the build out of Veranda Bay.

6. In association with the preceding information, to accommodate the amendment's projected water demand, the city should ensure that the adopted amendment's data and analysis addresses the following:

- e. **Schedule for obtaining any new or modified consumptive use permit.**

CITY OF FB RESPONSE: See response to SJRWMD comment 1 above. Additionally, to ensure the development associated with the amendment does not outpace the current availability, the city will increase the Consumptive Use Permit (CUP) from .912 up to 1.2 MGPD. The City will build a new 1-million-gallon storage facility and simultaneously purchase two (2) additional well sites, and permit two (2) new wells for future growth to be phased with the build out of Veranda Bay.

7. **The City is required to adopt an updated Water Supply Facilities Work Plan (WSFWP) and related comprehensive plan amendment within 18 months of approval of the 2023 NFRWSP. The District approved the 2023 NFRWSP on December 12, 2023. Subsequently, the city is required to adopt an updated WSFWP and related comprehensive plan amendment by June 12, 2025. The city last updated its WSFWP in 2019. The city should ensure that its next WSFWP update incorporates this amendment's projected water demand and related water supply sources.**

CITY OF FB RESPONSE: The City will take measures to ensure that its next WSFWP update incorporates this amendment's projected water demand and related water supply sources.

8. Environmental Resource Permit (ERP) Advisory Information:

- f. **The future proposed development will require an Environmental Resource Permit (ERP) in accordance with Chapter 62-330, Florida Administrative Code (F.A.C.). Pursuant to the Operating Agreement between the Florida Department of Environmental Protection and District, the District will be the permitting agency for all ERPs associated with this development. Conceptual approval for the proposed development may be requested followed by submittal of applications for phased construction.** The extent of wetlands and surface waters will need to be established pursuant to Chapter 62-340, F.A.C., and will be utilized during review of any ERP.



CITY OF FB RESPONSE: Understood. The Developer and City are committed to complying with all required review procedures.

9. Environmental Resource Permit (ERP) Advisory Information:

g. Note that the ERP applicant must provide reasonable assurance the conditions of issuance are met regarding water quality, water quantity, and impacts to natural resources. **District ERP staff recommend proceeding with the scheduling a pre-application meeting to ensure the applicant is aware of options that can be incorporated into the project design** to provide the required reasonable assurance with regard to the rule criteria. In addition, since stormwater harvesting may be a viable option for the project, District CUP staff could also attend the pre-application meeting.

CITY OF FB RESPONSE: Understood. The parties will conduct pre-application meeting, and provide reasonable assurance that the conditions of issuance are met regarding water quality, water quantity, and impacts to natural resources, as required.

North East Florida Regional Planning Council

1. **Coordination with Flagler County Growth Management Department and the City of Palm Coast Planning Division is recommended through the amendment process.**

CITY OF FB RESPONSE: The applicant, and City of Flagler Beach have been in communication with the aforementioned parties and will continue to do so throughout the amendment process.

Additional Comments

The proposed development is compliant with the Comprehensive Plan. Additionally, as noted by the development team, the proposed development looks to be exempt **pursuant to s. 380.0651 [380.0651(3) b Exemption for dense urban land area]** and not required to undergo a review pursuant to s.163.3184(4), a State Coordinated Review.

For additional coordination, please contact the following staff person:

Lupita McClenning, City Planner at lmcclenning@cityofflaglerbeach.com.

Sincerely,

Lupita McClenning

Lupita McClenning
City Planner

w/out enclosures cc: