

City of Palm Coast, Florida Agenda Item

Agenda Date: August 16, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: COMPREHENSIVE PLAN AMENDMENT CHANGING FLUM FROM COUNTY DESIGNATION OF RESIDENTIAL LOW DENSITY/RURAL ESTATE AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF RESIDENTIAL AND CONSERVATION WITH POLICY TO LIMIT DEVELOPMENT TO 850 DWELLING UNITS		
Presenter: Jose Papa, AICP, Senior Planner		
Attachments: Staff Report, Ordinance, location current and proposed Future Land Use Map (FLUM) and zoning maps.		
<p>Background: The subject area of this amendment is a total 375.6+/- acre site located 3 miles south of State Road 100 on the westside of Seminole Woods Blvd. The application includes a proposed FLUM amendment for recently annexed 330.8+/- acre area (the second reading of the annexation ordinance is scheduled for August 15, 2023) from its current Flagler County designations of Residential Low Density/Rural Estate and Conservation to City of Palm Coast designations of Residential and Conservation. There is an additional 44.8+/- acre parcel with a current designation of City Residential that will be part of the Cascades Planning Area and will be subject to a site specific policy to limit development in the Planning Area to 850 dwelling units.</p> <p>In addition to the Comprehensive Plan Amendment, there is a companion zoning map amendment for the subject property to amend the current Flagler County designations of Planned Unit Development, & New Rural Communities to City of Palm Coast designation of Single Family Residential-1, Multi-Family Residential-2, and Preservation.</p> <p>In 2005 (while the entire subject area was within unincorporated Flagler County), the FLUM designation for the Cascades was amended to its current Flagler County designations of Residential Low Density/Rural Estate and Conservation. After approval of the FLUM amendment a PUD Agreement was approved by Flagler County in 2005 (called the Cascades at Grand Landings). The PUD agreement covered an area of 696+/- acres and permitted 416 single-family residential units along with 20,000 sq. ft. clubhouse and other recreational amenities. As part of the FLUM and PUD agreement approval, approximately 354 acres of mainly wetlands and environmentally sensitive areas was transferred to Flagler County in 2005. No development commenced within the Cascades PUD area.</p> <p>The proposed amendment was reviewed for the following:</p> <ul style="list-style-type: none"> • Analysis of the proposed amendment’s impacts on public facilities and infrastructure. Consistent with the required analysis to compare the proposed land use designation with the existing land use designation, staff compared the current 		

maximum potential development (using the approved PUD entitlements-416 dwelling units) against the proposed potential development (850 dwelling units) to determine impacts on public facilities and infrastructure. The proposed amendment will have an increase on the demand for services and infrastructure. Consistent with the development process outlined in the Land Development Code, a concurrency determination will be conducted during the site plan/platting process. Any deficiency found in the infrastructure system may require the developer to pay a proportionate share of the improvements necessary to address the deficiency.

- **Impacts on the environmental/cultural resources.** The proposed amendment will not have impacts on any significant environmental or cultural resources. A small section of the subject area is within Flood Zone A, any development within this area will require compensatory storage within the same defined floodplain's hydrologic sub basin as the placement of the fill pursuant to section 10.02.11B Land Development Code.

There are no other identifiable impacts to the environmental and cultural resources in the subject area as analyzed in the staff report.

Finally, it is important to note that the proposed amendment will designate 67+/- acres as Conservation on the FLUM. This is consistent with Comprehensive Plan Policies 6.1.9.9 and 6.1.10.6, all optimal quality wetlands that are larger than 10 acres or are connected to a system that is larger than 10 acres are to be designated as Conservation on the Future Land Use Map.

- **Compatibility with surrounding land uses.** The proposed FLUM designations are generally consistent with the surrounding properties.

Finally the proposed amendment is consistent with comprehensive plan policies regarding:

- Directing development where existing infrastructure is available, and
- Designation of wetland systems and other environmentally sensitive land as Conservation on the FLUM.

Recommended Action: Staff recommends that the Planning and Land Development Regulation Board (PLDRB) find Application #5109 consistent with the Comprehensive Plan and recommend that City Council approve the FLUM amendment from Residential Low Density/Rural Estate & Conservation (Flagler County designations) to Residential & Conservation (City of Palm Coast designations). Along with a site specific policy to limit development on the subject area to 850 dwelling units.



**COMMUNITY DEVELOPMENT DEPARTMENT
COMPREHENSIVE PLAN AMENDMENT STAFF REPORT
PLANNING AND LAND DEVELOPMENT REGULATION BOARD
August 16, 2023**

OVERVIEW

Case Number: 5109

Applicant: Michael Chiumento, Agent on behalf of Byrndog PCP, LLC (Owner)

Size of subject property: 375.1+/- acres (330.8+/- acres are subject to a Future Land Use Map Amendment)

Property Description: A 375.1+/- acre parcel located 3 miles south of State Road 100 on the westside of Seminole Woods Blvd. (330.8+/- acres are subject to a Future Land Use Map Amendment)

Property Owner: Byrndog PCP, LLC

Real Estate ID #: 30-12-31-0000-01020-0040, 31-12-31-0000-01070-0030, 32-12-31-0650-000B0-0020, 29-12-31-0000-01010-0021, and 29-12-31-0000-01010-0025 (parcel previously amended to Residential in 2019).

Current FLUM Designation: Flagler County Designations – Residential Low Density/Rural Estate, and Conservation

Current Zoning Designation: Flagler County Designations - Planned Unit Development (New Rural Communities), and Planned Unit Development

Current Use: Vacant

Requested Action: A Future Land Use Map (FLUM) amendment to change 330.8+/- acres of Flagler County Designations – Residential Low Density/Rural Estate, and Conservation to City of Palm Coast designation of Residential and Conservation. Application will also delineate the Cascades Planning Area (Total of 375.1+/- acres) to limit development within the planning area to 850 dwelling units.

There is a companion zoning map amendment that will change the zoning on the designated parcels to be consistent with the proposed FLUM designations of the subject property.

Recommendation: Staff recommends that the Planning and Land Development Regulation Board (PLDRB) find Application #5109 consistent with

the Comprehensive Plan and recommend that City Council approve the FLUM amendment from Residential Low Density/Rural Estate & Conservation (Flagler County designations) to Residential & Conservation (City of Palm Coast designations). Along with a site specific policy to limit development on the subject area to 850 dwelling units.

Project Planner: José Papa, AICP, Senior Planner

ANALYSIS

BACKGROUND

The application is for a Comprehensive Plan amendment for a 375.1+/- acre area located approximately 3 miles south of State Road on the westside of Seminole Woods Blvd. The amendment will delineate the 375+/- acre Cascades Planning Area which will have a maximum development in the planning area to 850 dwelling units.

The proposed amendment will include amending the Future Land Use Map designation for four parcels totaling 330.8 acres from their current Flagler County land use designation of Residential Low Density/Rural Estate and Conservation to City of Palm Coast designation of Residential and Conservation. The four parcels were recently annexed into the City of Palm Coast. A fifth parcel (44.25 ac.) was previously designated Residential in October 2019.

In 2005, the FLUM designation for the Cascades was amended to its current Flagler County designations of Residential Low Density/Rural Estate and Conservation. After the amendment to the FLUM designation, a PUD Agreement was approved by Flagler County in 2005 (called the Cascades at Grand Landings). The PUD agreement covered an area of 696 acres and permitted 416 single-family residential units. As part of the FLUM and PUD agreement approval, approximately 354 acres of mainly wetlands and environmentally sensitive areas was transferred to Flagler County in 2005.

In addition to the proposed FLUM amendment, there is a companion Zoning Map Amendment to designate the properties within the planning area to Single Family Residential, Multi-family Residential, and Preservation.

Neighborhood Meeting

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant. The neighborhood meeting was held on August 9, 2023. Staff will provide a summary during the public hearing.

DENSITY/INTENSITY AND POPULATION

Note: The analysis for comprehensive plan map amendments takes into consideration the maximum development potential under the current and proposed Future Land Use Map (FLUM) categories (including any policy to limit development).

The 375.1+/- acre subject property currently has a FLUM designation of Residential Low Density/Rural Estate and Conservation (Flagler County designations) and a 45+/- acre parcel designated as Residential (City of Palm Coast designation). The proposed amendment will result in the subject property having land use designations of Residential & Conservation with a policy to limit development to a maximum of 850 dwelling units.

As shown on Table 1 below the proposed amendment results in a potential increase of 434 dwelling units and 1,042 persons.

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (RESIDENTIAL USE)				
	# of Acres	Maximum Density ⁽¹⁾	Maximum # of units ^{(2),(3)}	Population (2.4 persons/dwelling unit)
City of Palm Coast				
Proposed FLUM: Conservation	375	12 du/acre	850	2,040
Current FLUM: Flagler County Designations - Residential Low Density/Rural Estate & Conservation	375	1 du/acre	416	998
NET CHANGE	0		434	1,042
Footnotes:				
⁽¹⁾ Maximum densities are established in Comprehensive Plan.				
⁽²⁾ Maximum # of units for proposed FLUM designation may be limited by specific policy.				
⁽²⁾ Maximum # of units for Current FLUM analysis are based on approved PUD for the Cascades at Grand Landings.				

PUBLIC FACILITIES AVAILABILITY /IMPACT ANALYSIS (BASED ON THEORETICAL YIELD OF MAXIMUM DEVELOPMENT POTENTIAL)

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.2 - At a minimum, infrastructure availability and capacity, specified as follows, shall be considered when evaluating proposed FLUM amendments:

- A. Existing and future capacity of roadways based on functional classifications and best available data for traffic modeling. For the purposes of evaluating capacity, roadway improvements programmed in the FDOT 5-year Work Plan or listed in either the City or the County 5-year Capital Improvement Program shall be considered.*
- B. Large-scale, high-intensity commercial projects shall be concentrated at intersections of the following arterials*
- C. Existing and future availability and capacity of central utility systems.*
- D. Availability and capacity of receiving watercourses and drainage systems to convey design storm events.*

PUBLIC FACILITIES CAPACITY/IMPACT ANALYSIS

As previously stated, the analysis for comprehensive plan map amendments takes into consideration the maximum development potential under the current and proposed land use designations (with consideration of any limiting policies) and represents the theoretical net change between the existing and proposed land use categories.

An analysis of the development potential under the existing and proposed FLUM (including policy to limit development on the subject parcel to 850 dwelling units) shows that the proposed amendment will result in a decrease in the demand on public facilities.

The results of the net impact analysis are shown on Table 2, and are summarized below:

Transportation

The applicant submitted a Traffic Study which included the subject site. In addition to the potential traffic impacts from the project, the traffic study took into account the impacts from recently approved developments in the area (Grand Landings Phase 5 and 6). The traffic study concludes that the project will not have a significant impact on the roadway network (roads will maintain an acceptable LOS).

The study includes a recommendation for certain traffic operation improvements (turn lanes) in the future in order to maintain safe roadway operation. Operational improvements will be reviewed as part of the site plan/plat review process.

Potable Water

The proposed FLUM amendment will have a maximum potential net increase in demand for potable water of .130 MGD. As part of the site plan/plat review process, the property owner and/or developer will need to coordinate with the City of Palm Coast Utility Department to determine the appropriate engineering requirements (size of water line, pump stations, etc.) for potable water service.

Wastewater

The proposed FLUM amendment will have a maximum potential net increase in demand for sanitary sewer treatment of .085 MGD. As part of the site plan/plat review process, the property owner and/or developer will need to coordinate with the City of Palm Coast Utility Department to determine the appropriate engineering requirements (size of sewer line, lift stations, etc.) for wastewater service.

Solid Waste

The proposed FLUM amendment will have a maximum potential net increase of 8,968 lbs. of solid waste/day. The City currently has an interlocal agreement with Volusia County for solid waste disposal. There is adequate capacity at the Volusia County landfill to accommodate the additional demand.

Public Recreation and Open Space

The proposed FLUM amendment will have a maximum potential net increase in demand of 8.3 acres of park facilities. The City currently has adequate capacity to accommodate the additional demand.

Public Schools

The proposed FLUM amendment will have a potential net increase in demand of 92 student stations. At the time of site plan review/plat process, the property owner and/or developer will need to coordinate with the School district to determine the current availability of student stations.

Stormwater

N/A. Stormwater treatment facilities are reviewed for consistency with LOS during site plan review. The LOS standards for stormwater quantity and quality, at a minimum, shall be the requirement established by the SJRWMD and other applicable regulatory requirements.

Table 2 Public Facilities Impact Analysis

*Proposed FLUM designation includes specific policy to limit development to 850 dwelling units.

**Current FLUM development potential is based on approved PUD (Cascades at Grand Landings)

Density ⁽¹⁾	# of units or square feet of development	Transportation (PHT) ⁽²⁾	Potable Water (GPD) ⁽³⁾	Sanitary Sewer (GPD) ⁽⁴⁾	Solid Waste (lbs./day) ⁽⁵⁾	Recreation and Parks (8 acres/ 1000 pop.) ⁽⁶⁾	Public Education (students) ⁽⁷⁾	Stormwater Drainage ⁽⁸⁾
Proposed FLUM designation*								
Residential (12 du/acre)	850	765	255000	167280	17564	16.3	181	N/A
	Total	765	255000	167280	17564	16.3	181	N/A
Current FLUM designation**								
Residential Single-family (Per PUD agreement)	416	374	124800	81869	8596	8.0	89	N/A
	Total	374	124800	81869	8596	8	89	
Net Change		391	130,200	85,411	8,968	8.3	92	N/A

Footnotes:

⁽¹⁾ Calculation of Density: Lot Size (acre)*# of units/acre, or determined by site specific policy

⁽²⁾ Transportation: Single Family Residential PM Peak Hour Trips (PHT), = 0.9 Trips/Unit, ITE Trip Generation Manual, 11th Edition

⁽³⁾ Potable Water: Residential = # of units*2.4*125 gallons/capita/day

⁽⁴⁾ Wastewater: Residential = # of units*2.4*82 gallons/capita/day

⁽⁵⁾ Solid Waste: Residential Demand = # of units*2.40*8.61 lbs/capita/day

⁽⁶⁾ Recreation and Parks: Residential Demand = # of units * 2.40 *8 acres/1000 persons

⁽⁷⁾ Public Education Residential: = Based on multiplier provided by Flagler County School District.

⁽⁸⁾ Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.

ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.1- At a minimum, the following environmental factors shall be evaluated each time FLUM amendments are proposed:

- A. Topography and soil conditions including the presence of hydric soils.
- B. Location and extent of floodplains and the Coastal Planning Area, including areas subject to seasonal or periodic flooding.
- C. Location and extent of wetlands, certain vegetative communities, and protected wildlife species.
- D. Location and extent of other environmentally sensitive features.
- E. Proximity to wellfields and aquifer recharge areas.
- F. Impacts to potable water supply.

The following sections discuss site conditions and original application materials. Staff has evaluated this information and established the following findings.

A. TOPOGRAPHY AND SOIL CONDITIONS

The analysis area is silviculture land with hydric soils throughout property. The site is bounded by Seminole Woods Boulevard to the south, Grand Landing subdivision to the east, silviculture land to the north, and preservation areas. According to the October 2022 Environmental Assessment, the land use proposal area does contain St. Johns River Water Management District (SJRWMD) and Florida Department of Environmental Protection (FDEP) jurisdictional wetlands; the total analysis area contains 230.31 acres of uplands, 3.30 acres of graded and drained roads,

and 146.25 acres of wetlands. The wetlands detailed on the environmental assessment “Douglas – Cascades FLUCFCS/Existing Conditions Map” Figure, reflect the boundaries that were delineated in the field pursuant to state and federal guidelines (Chapter 62-340 F.A.C. and the 1987 Corps of Engineers Wetlands Delineation Manual). Further description of these features may be found in the Section C, Vegetative Communities.

As detailed within the ERS report, the *Soil Survey of Flagler County, Florida* indicates seven (7) soil types within the property.

Analysis: There are no indicators of unique topographical reliefs or soils that would be affected by the FLUM change.

FINDING: It is not anticipated that the proposed FLUM change from Residential Low Density/Rural Estate and Conservation (Flagler County designations) to Residential and Conservation (City of Palm Coast designations) will negatively impact the local topography or prevent the proposed development permissible within the FLUM designation.

B. FLOODPLAINS

No floodplain information was provided in the ERS report. Federal Emergency Management Agency’s (FEMA), Flood Insurance Rate Map (FIRM) source indicates that a small area within the subject property lies within a Special Flood Hazard Area (SFHA).

Analysis: A small portion of the Subject Property is located within Zone A.

FINDING: The proposed FLUM change could potentially negatively impact the function of the SFHA, however, if floodplain is impacted, compensatory storage will be required within the same defined floodplain’s hydrologic sub basin as the placement of the fill pursuant to section 10.02.11B Land Development Code.

C. VEGETATIVE COMMUNITIES

According to the ERS report, the assessment area is comprised of the following vegetative community types and features.

1. Pine Plantation (441): ± 230.31 acres
2. Hydric Pine Flatwoods (625): ± 146.25 acres
3. Graded/Drained Road (8145): ± 3.30 acres

Analysis: There are wetlands located on the property and any impacts will need to be permitted through St. Johns River Water Management District (SJRWMD) and/or the Florida Department of Environmental Protection (FDEP).

FINDING: There are extensive wetlands on the property of undetermined quality. The Uniform Mitigation Assessment Method (UMAM) sheets are required to determine quality on site. It is staff’s opinion, and consistent with the Comprehensive Plan, that all potentially high quality wetlands that are larger than 10 acres are to be designated Conservation on the Future Land Use Map.

D. PROTECTED SPECIES DISTRIBUTION/ WILDLIFE UTILIZATION

The submitted ERS report documents that Potentially Occupied Gopher Tortoise (*Gopherus polyphemus*) burrows were located on-site. The wood stork (*Mycteria americana*) and Florida

Black Bear (*Ursus americanus floridanus*) was noted as having a likely probability of occurrence.

Analysis: There is potential for wildlife to utilize the property as it is mostly surrounded by other vacant land (it is important to note however that the vacant lands to the north and to the east, are slated for development in the future). Wildlife utilization may change over time due to various factors. To ensure that the referenced species and any potentially occurring species in the future, the Unified Land Development Code (Section 10.04.03.A, LDC) requires that a listed species study is performed by a Qualified Environmental Professional (QEP) at site plan or preliminary plat. Further, a study is valid for one year for the property that was investigate to capture any changes in wildlife utilization.

FINDING: The proposed FLUM amendment will not change the need to relocate the Gopher Tortoise prior to any development activities. This need remains no matter the FLUM designation.

E. GROUNDWATER RESOURCE PROTECTION

According to City maintained data, the Subject Property contains three (3) known wellsites.

Analysis: The amendment is not within an aquifer recharge area but does have multiple wellsites located throughout the Subject Property.

FINDING: The proposed land use change is not anticipated to impact groundwater resources pursuant all guidelines are followed. These wellsite's will require a Primary Wellhead Protection Zone with a fixed 500-foot radial setback distance and be required to adhere to Restrictions within wellhead primary and secondary protection zones pursuant to section 10.03.05 of the Land Development Code.

F. HISTORICAL RESOURCES

A Cultural Resource report was provided. They performed 130 total shovel tests, which resulted in no archeological or historic resources being identified.

Analysis: Staff analyzed the cultural report that was provided.

FINDING: The report was found to be in order. It is staff's determination that based on this document the proposed FLUM amendment will have no adverse impact on historical or cultural resources.

LAND USE COMPATIBILITY ANALYSIS

Policy 1.1.3.3 – At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments.

- A. This policy shall not be construed to mean that different categories of uses are inherently incompatible; rather, it is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.*
- B. Buffers are encouraged as an effective means of transition between areas where there is a greater degree of disparity in terms of densities and intensities.*
- C. Impacts to the health, safety, and welfare of surrounding residents shall be considered.*

Surrounding Future Land Use Map Designation:

North: Residential (City of Palm Coast designation)
South: Residential (City of Palm Coast designation)
East: Agriculture & Timberlands (Flagler County designation)
West: Conservation (Flagler County designation)

Surrounding Zoning Designation:

North: Master Planned Development (City of Palm Coast designation)
South: Single Family Residential (City of Palm Coast designation)
East: Agriculture & New Rural Communities-Planned Unit Development (Flagler County designation)
West: Planned Unit Development (Flagler County designation)

Surrounding Property Existing Uses:

North: Vacant Single Family – Grand Landings Subdivision (City of Palm Coast)
South: Single Family Residential – Seminole Woods Neighborhood (across Seminole Woods Blvd.) (City of Palm Coast)
East: Vacant (Flagler County)
West: Vacant (Flagler County)

North

The parcels to the north are designated Residential on the Future Land Use Map (FLUM) with a zoning designation of Master Planned Development. These properties are more commonly known as Grand Landings. These lands are currently vacant but are slated for development as single-family homes (attached and detached). The proposed FLUM amendment is consistent with the existing designation and will not have a detrimental impact on these parcels.

East

The area to the east of the subject property is within the boundaries of unincorporated Flagler County and are currently vacant with a Flagler County FLUM designation of Agriculture & Timberlands. Additionally, these properties are zoned Agriculture, and New Rural Communities-Planned Unit Development. The proposed Residential FLUM designation for the subject properties is not expected to have a negative impact on the properties to the east. Historically, the “Agriculture” land use designation was intended as a “transitional” designation that may be amended, as appropriate, as Flagler County continued to develop. The New Rural Communities-Planned Unit Development is a designation under the Flagler County Land Development Code for single-family development typically in rural areas.

South

Abutting the subject property to the south is Seminole Woods Blvd. (a 2-lane Major Collector roadway). Continuing across Seminole Woods Blvd. is the Seminole Woods neighborhood which was originally platted by ITT in the early 1970s as a single family residential neighborhood. These lots are zoned for single family uses and continue to be developed as such. The proposed amendment will not hinder the continued development of the neighborhood for single family residential use.

West

Finally, the parcels to the west are within unincorporated Flagler County and currently have a FLUM designation of Conservation (Flagler County designation). These lands were conveyed to public ownership (Flagler County) in 2005 as part of a conveyance agreement between the property owners at the time (The Reserve, LLC) and Flagler County. The proposed FLUM amendment will not hinder the function of these areas for Conservation purposes.

Overall, staff does not find any incompatibility with the proposed designation of Residential & Conservation with the surrounding FLUM designation, zoning, and uses in the surrounding area. Staff also does not have any concern that the proposed designation would be a detriment to future development in the surrounding areas.

CONSISTENCY WITH COMPREHENSIVE PLAN

In addition to being consistent with Objective 1.1.3 and Policy 1.1.3.3 which establishes the criteria for review of Future Land Use Map Amendments as provided in the previous section. The proposed amendment is consistent with the following policies in the Comprehensive Plan:

Policy 1.1.4.5 – Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

Analysis: The proposed amendment is consistent with Policy 1.1.4.5, the potential of additional residential use along a major collector (Seminole Woods Blvd.) is appropriate. Furthermore, Seminole Woods Blvd. as a collector road provides direct access to a major commercial corridor in the City (State Road 100), as well as one of the main north-south routes in the County (US-1). Finally, water and wastewater mains are within proximate distance of the project site and will be extended by the developer/property owner.

Policy 1.3.1.1 - The City shall ensure that the location and timing of new development is coordinated with the provision of public facilities through the use of growth management measures being included in the LDC such as development phasing, programming, and appropriate sizing of public facilities.

Analysis: The proposed amendment is consistent with Policy 1.3.1.1, the developer/land owner of the subject site will need to coordinate with the City Utilities Dept. to ensure that the available infrastructure can accommodate the proposed development program. Any need to extend water or wastewater mains to the site will be the responsibility of the developer/property owner. Additionally, more in-depth analysis of the demands on public facilities/infrastructure will occur during the site plan/platting phase of development. During this phase a concurrency test will occur to ensure that there is adequate infrastructure capacity to accommodate the impacts of proposed development.

Policy 5.1.3.2 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for potable water facilities and wastewater facilities where connection is available consistent with Policies 1.1.1.2 and 1.1.3.2. For the purposes of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Analysis: The proposed amendment to Residential is consistent with Comprehensive Plan policy to create urban densities or intensities in areas that have sufficient existing or planned capacity for potable water and wastewater facilities.

Policy 5.2.2.3 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for sanitary sewer facilities and where connection is available as set forth in State law and City regulations. The City shall minimize the use of septic tanks in accordance with the provisions of Objective 5.2.3 and policies implementing that objective. For the purpose of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Analysis: The proposed amendment to Residential land use designation is consistent with Comprehensive Plan policy above to designate urban densities or intensities in areas that have sufficient existing or planned capacity for sanitary sewer facilities.

Policy 6.1.9.9- The Conservation future land use designations shall be established on the FLUM to provide protection of wetland systems and other environmental sensitive lands. This FLUM designation provides for preservation of large interconnected high quality wetland systems and other high quality environmentally sensitive areas. Conservation areas are generally a minimum of 10 acres in size, with most being substantially larger. Other areas, which may be classified conservation, include natural water bodies and lakes, estuaries, oak hammocks and other large areas consisting of native vegetation areas, wildlife corridors, and aquifer recharge zones. Unlike most of the other land use designations that follow property lines, the boundaries of most areas assigned this land use designation have been drawn to encompass the environmentally sensitive area using best available aerial mapping data and will require field verification to determine wetland quality and boundaries with precision.

Analysis: See Analysis below.

Policy 6.1.10.6 - The City shall protect its environmentally sensitive areas that include, but are not limited to, large interconnected wetland systems, by utilizing the Conservation land use designation. The Conservation land use designation, as well as the Preservation Zoning classification, shall be utilized by the City, as appropriate, for the purpose of protecting high quality wetlands, lakes, designated hammock areas and other environmentally sensitive areas.

Analysis: Due to better data and more in-depth analysis of the environmental conditions within the subject area, a total of 67 acres of the 375 acre subject area will be designated as Conservation. This is an increase of Conservation areas on subject site of approximately 58 acres. The Conservation designation of certain wetlands on the subject area is consistent with Policy 6.1.9.9 and 6.1.10.6 as recited above.

RECOMMENDATION

Staff recommends that the Planning and Land Development Regulation Board (PLDRB) find Application #5109 consistent with the Comprehensive Plan and recommend that City Council approve the FLUM amendment from Residential Low Density/Rural Estate & Conservation (Flagler County designations) to Residential & Conservation (City of Palm Coast designations). Along with a site specific policy to limit development on the subject area to 850 dwelling units.

ORDINANCE NO. 2023-_____
THE CASCADES COMPREHENSIVE PLAN AMENDMENT
(APPLICATION #5109)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO SECTION 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR APPROXIMATELY 330.8 ACRES OF CERTAIN REAL PROPERTY FROM RESIDENTIAL-LOW DENSITY/RURAL ESTATE AND CONSERVATION (FLAGLER COUNTY DESIGNATIONS) TO RESIDENTIAL AND CONSERVATION (CITY OF PALM COAST DESIGNATION) AS DESCRIBED IN MORE DETAIL IN THE LEGAL DESCRIPTION WHICH IS AN EXHIBIT TO THIS ORDINANCE; AND ADDING A NOTE ON THE FUTURE LAND USE MAP TO LIMIT CERTAIN SUBJECT AREA (TO BE CALLED THE CASCADES PLANNING AREA) (375 ACRES) TO A MAXIMUM DEVELOPMENT OF 850 DWELLING UNITS; PROVIDING FOR CONFLICTS, RATIFICATION OF PRIOR ACTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Palm Coast enacted Ordinance 2010-07, adopting the *City of Palm Coast 2035 Comprehensive Plan* which includes the City of Palm Coast Future Land Use Map (FLUM), which Plan and FLUM have been amended from time-to-time; and

WHEREAS, Section 163.3161 et seq., Florida Statutes established the Community Planning Act; and

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, the City of Palm Coast is desirous of amending the future land use designation of property located within the City from Residential Low Density/Rural Estate and Conservation (Flagler County Designations) to Residential and Conservation (City of Palm Coast Designations); and

WHEREAS, the proposed future land use map amendment will include a note on the Future Land Use Map to limit development within the Cascades Planning Area to 850 dwelling units; and

WHEREAS, the City of Palm Coast Planning and Land Development Regulation Board (PLDRB) acting as the City’s Local Planning Agency, considered the proposed map amendments at a public hearing on August 16, 2023 and voted to recommend _____ of the proposed Comprehensive Plan Amendment; and

WHEREAS, on _____ and _____, 2023 the City of Palm Coast City Council held public hearings on this Comprehensive Plan amendment after due public notice and upon thorough and complete consideration and deliberation, adopted the proposed Comprehensive Plan amendment; and

WHEREAS, the Comprehensive Plan amendments adopted by this Ordinance complies with the requirements of the Community Planning Act, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, as well as other applicable law, and is consistent with the goals, objectives, and policies and the overall land use plan of the City’s *Comprehensive Plan*; and

WHEREAS, the City Council of the City of Palm Coast hereby reaffirms its commitment to the goal of enacting and implementing sound growth management practices within the City; and

WHEREAS, the City Council of the City of Palm Coast finds that this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Palm Coast.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PALM COAST, FLORIDA, THAT THE FUTURE LAND USE MAP IS AMENDED AS FOLLOWS:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

SECTION 2. FUTURE LAND USE MAP AMENDED.

The approximately 375 acre subject area to be called the Cascades Planning Area generally located 3 miles south of State Road 100 on the westside of Seminole Woods Blvd. as legally described in “Exhibit A” and depicted in “Exhibit 1A”, attached hereto, is hereby limited to a maximum development potential of 850 dwelling units.

SECTION 3. FUTURE LAND USE MAP AMENDED.

The Future Land Use Map designation for an approximately 330.8 acre area located within the Cascades Planning Area is amended from Residential Low Density/Rural Estate and Conservation (Flagler County Designations) to Residential and Conservation (City of Palm Coast Designations) as legally described in “Exhibit B” depicted on “Exhibit 1B”.

SECTION 4. CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. CODIFICATION.

It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to Section,” “Article,” or other appropriate word.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provision of the Ordinance.

SECTION 7. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, 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. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

APPROVED on first reading after due public notice and hearing the ____ day of _____, 2023.

ADOPTED on second reading after due public notice and hearing the ____ day of _____, 2023.

ATTEST:

CITY OF PALM COAST, FLORIDA

Kaley Cook, City Clerk

David Alfin, Mayor

Approved as to form and legality

Neysa Borkert, City Attorney

EXHIBIT A
Metes and Bounds Description for Cascades Planning Area

PART OF GOVERNMENT SECTIONS 29, 30, 31 AND 32, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 32, THENCE S00°45'50"W ALONG THE WEST LINE OF SAID SECTION 32 A DISTANCE OF 1224.55 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF SEMINOLE WOODS BOULEVARD, AN 80 FOOT RIGHT OF WAY; THENCE N54°30'21"E ALONG SAID RIGHT OF WAY A DISTANCE OF 51.61 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT OF WAY N35°28'37"W A DISTANCE OF 135.83 FEET; THENCE N01°32'11"W A DISTANCE OF 552.39 FEET; THENCE N19°37'47"W A DISTANCE OF 412.10 FEET; THENCE N32°40'10"W A DISTANCE OF 110.81 FEET; THENCE N17°11'33"W A DISTANCE OF 238.96 FEET; THENCE N72°48'27"E A DISTANCE OF 330.00 FEET; THENCE N17°11'33"W A DISTANCE OF 200.00 FEET; THENCE S72°48'27"W A DISTANCE OF 300.00 FEET; THENCE N17°11'33"W A DISTANCE OF 288.37 FEET; THENCE N30°45'57"E A DISTANCE OF 156.00 FEET; THENCE N50°34'11"E A DISTANCE OF 436.26 FEET; THENCE N16°53'57"W A DISTANCE OF 207.43 FEET; THENCE N26°57'36"W A DISTANCE OF 468.07 FEET; THENCE N15°17'20"W A DISTANCE OF 724.55 FEET; THENCE N39°35'09"W A DISTANCE 330.89 FEET; THENCE N72°21'03"W A DISTANCE OF 239.12 FEET; THENCE S61°42'28"W A DISTANCE OF 125.39 FEET; THENCE S53°56'04"W A DISTANCE OF 276.63 FEET; THENCE S19°31'27"E A DISTANCE OF 88.08 FEET; THENCE S70°28'33"W A DISTANCE OF 180.00 FEET; THENCE S46°09'36"W A DISTANCE OF 385.77 FEET; THENCE S17°31'40"W A DISTANCE OF 703.87 FEET; THENCE S61°15'44"W A DISTANCE OF 120.13 FEET; THENCE N39°04'45"W A DISTANCE OF 403.19 FEET; THENCE S48°32'16"W A DISTANCE OF 160.92 FEET; THENCE S36°12'37"E A DISTANCE OF 83.08 FEET; THENCE S48°32'16"W A DISTANCE OF 585.38 FEET; THENCE N39°04'45"W A DISTANCE OF 403.19 FEET; THENCE N48°32'16"E A DISTANCE OF 585.38 FEET; THENCE S39°04'45"E A DISTANCE OF 220.30 FEET; THENCE N48°32'16"E A DISTANCE OF 305.17 FEET; THENCE N46°05'07"W A DISTANCE OF 306.30 FEET; THENCE N27°11'14"W A DISTANCE OF 218.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 365.00 FEET, A CENTRAL ANGLE OF 76°08'51", BEING SUBTENDED WITH A CHORD BEARING OF N10°53'12"E AND A CHORD DISTANCE OF 450.17 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 485.09 FEET TO THE POINT OF TANGENCY THEREOF: THENCE N48°57'38"E A DISTANCE OF 16.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 365.00 FEET, A CENTRAL ANGLE OF 56°24'16", BEING SUBTENDED WITH A CHORD BEARING OF N77°09'46"E AND A CHORD DISTANCE OF 344.99 FEET; THENCE EASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 359.32 FEET TO

THE POINT OF TANGENCY THEREOF; THENCE S74°38'06"E A DISTANCE OF 277.50 FEET; THENCE N84°52'56"E A DISTANCE OF 34.99 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 195.00 FEET, A CENTRAL ANGLE OF 88°48'36", BEING SUBTENDED WITH A CHORD BEARING OF S71°11'44"E AND A CHORD DISTANCE OF 272.89 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 302.26 FEET; THENCE S47°50'43"E A DISTANCE OF 107.68 FEET; THENCE N70°28'26"E A DISTANCE OF 177.55 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 16°32'15", BEING SUBTENDED WITH A CHORD BEARING OF N62°12'19"E AND A CHORD DISTANCE OF 27.33 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT FOR AN ARC LENGTH OF 27.42 FEET TO THE POINT OF TANGENCY THEREOF; THENCE N53°56'11"E A DISTANCE OF 204.73 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1055.00 FEET, A CENTRAL ANGLE OF 15°30'57", BEING SUBTENDED WITH A CHORD BEARING OF N61°41'40"E AND A CHORD DISTANCE OF 284.82 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 285.70 FEET TO THE POINT OF TANGENCY THEREOF; THENCE N69°27'08"E A DISTANCE OF 29.52 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 945.00 FEET, A CENTRAL ANGLE OF 12°22'57", BEING SUBTENDED WITH A CHORD BEARING OF N11°01'12"W AND A CHORD DISTANCE OF 203.83 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 545.00 FEET, A CENTRAL ANGLE OF 08°09'57", BEING SUBTENDED WITH A CHORD BEARING OF N00°44'46"W AND A CHORD DISTANCE OF 77.61 FEET; THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT AN ARC LENGTH OF 77.67 FEET TO THE POINT OF TANGENCY; THENCE N03°20'13"E, A DISTANCE OF 504.26 FEET; THENCE N86°33'58"E, A DISTANCE OF 1262.17 FEET; THENCE N74°58'14"E, A DISTANCE OF 1393.40 FEET; THENCE S08°33'17"E, A DISTANCE OF 1204.63 FEET; THENCE S21°31'33"E, A DISTANCE OF 231.71 FEET; THENCE S19°36'50"W, A DISTANCE OF 119.80 FEET; THENCE S23°03'10"E, A DISTANCE OF 266.90 FEET; THENCE N61°27'01" E, A DISTANCE OF 72.25 FEET; THENCE S21°32'33"E, A DISTANCE OF 25.00 FEET; THENCE S24°44'50"E, A DISTANCE OF 109.86 FEET; THENCE S02°50'42"E, A DISTANCE OF 443.43 FEET; THENCE S38°46'38"E, A DISTANCE OF 155.36 FEET; THENCE S05°31'05"E, A DISTANCE OF 521.33 FEET; THENCE N73°59'21"E, A DISTANCE OF 259.08 FEET; THENCE N30°18'30"E, A DISTANCE OF 338.21 FEET; THENCE N56°02'13"E, A DISTANCE OF 256.60 FEET; THENCE N17°18'02"W, A DISTANCE OF 245.64 FEET; THENCE N87°58'47", A DISTANCE OF 188.15 FEET; THENCE N43°23'44"W, A DISTANCE OF 70.31 FEET; THENCE N15°25'25"E, A DISTANCE OF 131.43 FEET; THENCE N08°57'10"W, A DISTANCE OF 221.74 FEET; THENCE N87°20'40"E, A DISTANCE OF 215.08 FEET; THENCE S61°08'13"E, A DISTANCE OF 365.39 FEET; THENCE N12°27'20"W, A DISTANCE OF 282.17 FEET;

THENCE N22°28'43"E, A DISTANCE OF 424.41 FEET; THENCE N28°35'48"W, A DISTANCE OF 795.82 FEET; THENCE S54°59'59"W, A DISTANCE OF 426.05 FEET; THENCE S17°21'11"E, A DISTANCE OF 363.39 FEET; THENCE S27°42'03"E, A DISTANCE OF 252.43 FEET; THENCE S43°50'42"E, A DISTANCE OF 194.13 FEET; THENCE S03°24'22"W, A DISTANCE OF 68.13 FEET; THENCE S89°33'00"W, A DISTANCE OF 376.08 FEET; THENCE N40°54'31"W, A DISTANCE OF 373.09 FEET; THENCE N07°01'37"W, A DISTANCE OF 373.59 FEET; THENCE N27°35'02"E, A DISTANCE OF 477.92 FEET; THENCE N83°09'02"W, A DISTANCE OF 296.11 FEET; THENCE N39°33'00"W, A DISTANCE OF 205.29 FEET; THENCE N16°56'05"E, A DISTANCE OF 497.13 FEET; THENCE N75°00'26"E, A DISTANCE OF 543.88 FEET; THENCE S24°13'34"E, A DISTANCE OF 1829.93 FEET; THENCE S03°31'05"E, A DISTANCE OF 1951.81 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE AFORESAID SEMINOLE WOODS BOULEVARD; THENCE S64°15'15"W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 771.72 FEET; THENCE N06°32'52"W LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 503.88 FEET; THENCE N74°26'31"W, A DISTANCE OF 350.75 FEET; THENCE S89°59'26"W, A DISTANCE OF 1033.69 FEET; THENCE S00°00'34"E, A DISTANCE OF 1283.56 FEET TO A POINT ON THE AFORESAID NORTHWESTERLY RIGHT-OF-WAY LINE OF SEMINOLE WOODS BOULEVARD; THENCE S64°15'15"W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 548.03 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2000.00 FEET, A CENTRAL ANGLE OF 09°44'54", BEING SUBTENDED WITH A CHORD BEARING OF S59°22'48"W AND A CHORD DISTANCE OF 339.87 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 340.28 TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S54°30'21"W CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 863.21 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 14,410,152 SQUARE FEET AND/OR 330.81 ACRES MORE OR LESS

TOGETHER WITH

PART OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1723, PAGE 845, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, THENCE S18°31'43"W ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 1202.42 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1375, PAGE 1329, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N24°13'06"W ALONG THE EAST LINE OF SAID LANDS A DISTANCE OF 648.60 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE S75°07'44"W ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 547.25 FEET TO THE POINT OF BEGINNING; THENCE S75°28'44"W A DISTANCE OF 492.31 FEET; THENCE ALONG THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1375, PAGE 1329, AFORESAID THE FOLLOWING COURSES AND DISTANCES, S08°33'17"E A DISTANCE OF 1204.63 FEET; THENCE S21°31'33"E A DISTANCE OF 231.71 FEET; THENCE S19°36'50"W A DISTANCE OF 119.80 FEET; THENCE S23°03'10"E A DISTANCE OF 266.90 FEET; THENCE N61°27'01"E A DISTANCE OF 72.25 FEET; THENCE S21°31'33"E A DISTANCE OF 25.00 FEET; THENCE S24°44'50"E A DISTANCE OF 109.86 FEET; THENCE S02°50'42"E A DISTANCE OF 443.43 FEET; THENCE S38°46'38"E A DISTANCE OF 155.36 FEET; THENCE S05°31'05"E A DISTANCE OF 521.33 FEET; THENCE N73°59'21"E A DISTANCE OF 259.08 FEET; THENCE N30°18'30"E A DISTANCE OF 338.21 FEET; THENCE N56°02'13"E A DISTANCE OF 256.60 FEET; THENCE N17°18'02"W A DISTANCE OF 245.64 FEET; THENCE N87°58'47"W A DISTANCE OF 188.15 FEET; THENCE N43°23'44"W A DISTANCE OF 70.31 FEET; THENCE N15°25'25"E A DISTANCE OF 131.43 FEET; THENCE N08°57'10"W A DISTANCE OF 221.74 FEET; THENCE N87°20'40"E A DISTANCE OF 215.08 FEET; THENCE S61°08'13"E A DISTANCE OF 365.39 FEET; THENCE N12°27'20"W A DISTANCE OF 282.17 FEET; THENCE N22°28'43"E A DISTANCE OF 424.41 FEET; THENCE N28°35'48"W A DISTANCE OF 795.82 FEET; THENCE S54°59'59"W A DISTANCE OF 426.05 FEET; THENCE S17°21'11"E A DISTANCE OF 363.39 FEET; THENCE S27°42'03"E A DISTANCE OF 252.43 FEET; THENCE S43°50'42"E A DISTANCE OF 194.13 FEET; THENCE S03°24'22"W A DISTANCE OF 68.13 FEET; THENCE S89°33'00"W A DISTANCE OF 376.08 FEET; THENCE N40°54'31"W A DISTANCE OF 373.09 FEET; THENCE N07°01'37"W A DISTANCE OF 373.59 FEET; THENCE N27°35'02"E A DISTANCE OF 477.92 FEET; THENCE N83°09'02"W A DISTANCE OF 296.11 FEET; THENCE N39°33'00"W A DISTANCE OF 205.29 FEET; THENCE N16°56'05"E A DISTANCE OF 492.36 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE WELL SITE AREA DESCRIBED IN OFFICIAL RECORDS BOOK 601, PAGE 1977, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

SAID PARCEL CONTAINING 44.06 ACRES MORE OR LESS AND / OR 1,919,247 SQUARE FEET.

**EXHIBIT 1A
DEPICTION OF CASCADES PLANNING AREA**



EXHIBIT B

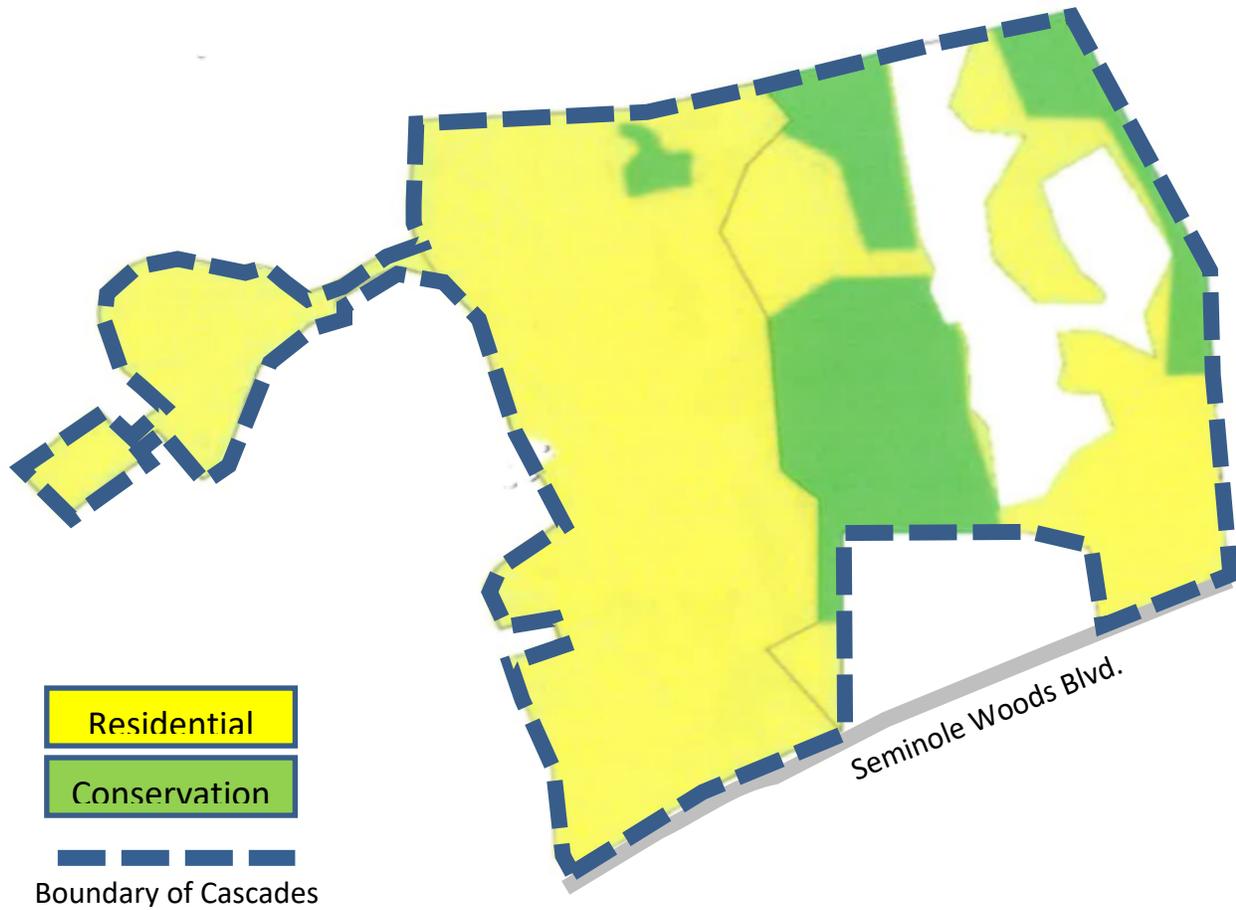
LEGAL DESCRIPTION OF FUTURE LAND USE MAP AREA

PART OF GOVERNMENT SECTIONS 29, 30, 31 AND 32, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 32, THENCE S00°45'50"W ALONG THE WEST LINE OF SAID SECTION 32 A DISTANCE OF 1224.55 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF SEMINOLE WOODS BOULEVARD, AN 80 FOOT RIGHT OF WAY; THENCE N54°30'21"E ALONG SAID RIGHT OF WAY A DISTANCE OF 51.61 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT OF WAY N35°28'37"W A DISTANCE OF 135.83 FEET; THENCE N01°32'11"W A DISTANCE OF 552.39 FEET; THENCE N19°37'47"W A DISTANCE OF 412.10 FEET; THENCE N32°40'10"W A DISTANCE OF 110.81 FEET; THENCE N17°11'33"W A DISTANCE OF 238.96 FEET; THENCE N72°48'27"E A DISTANCE OF 330.00 FEET; THENCE N17°11'33"W A DISTANCE OF 200.00 FEET; THENCE S72°48'27"W A DISTANCE OF 300.00 FEET; THENCE N17°11'33"W A DISTANCE OF 288.37 FEET; THENCE N30°45'57"E A DISTANCE OF 156.00 FEET; THENCE N50°34'11"E A DISTANCE OF 436.26 FEET; THENCE N16°53'57"W A DISTANCE OF 207.43 FEET; THENCE N26°57'36"W A DISTANCE OF 468.07 FEET; THENCE N15°17'20"W A DISTANCE OF 724.55 FEET; THENCE N39°35'09"W A DISTANCE 330.89 FEET; THENCE N72°21'03"W A DISTANCE OF 239.12 FEET; THENCE S61°42'28"W A DISTANCE OF 125.39 FEET; THENCE S53°56'04"W A DISTANCE OF 276.63 FEET; THENCE S19°31'27"E A DISTANCE OF 88.08 FEET; THENCE S70°28'33"W A DISTANCE OF 180.00 FEET; THENCE S46°09'36"W A DISTANCE OF 385.77 FEET; THENCE S17°31'40"W A DISTANCE OF 703.87 FEET; THENCE S61°15'44"W A DISTANCE OF 120.13 FEET; THENCE N39°04'45"W A DISTANCE OF 403.19 FEET; THENCE S48°32'16"W A DISTANCE OF 160.92 FEET; THENCE S36°12'37"E A DISTANCE OF 83.08 FEET; THENCE S48°32'16"W A DISTANCE OF 585.38 FEET; THENCE N39°04'45"W A DISTANCE OF 403.19 FEET; THENCE N48°32'16"E A DISTANCE OF 585.38 FEET; THENCE S39°04'45"E A DISTANCE OF 220.30 FEET; THENCE N48°32'16"E A DISTANCE OF 305.17 FEET; THENCE N46°05'07"W A DISTANCE OF 306.30 FEET; THENCE N27°11'14"W A DISTANCE OF 218.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 365.00 FEET, A CENTRAL ANGLE OF 76°08'51", BEING SUBTENDED WITH A CHORD BEARING OF N10°53'12"E AND A CHORD DISTANCE OF 450.17 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 485.09 FEET TO THE POINT OF TANGENCY THEREOF: THENCE N48°57'38"E A DISTANCE OF 16.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 365.00 FEET, A CENTRAL ANGLE OF 56°24'16", BEING SUBTENDED WITH A CHORD BEARING OF N77°09'46"E AND A CHORD DISTANCE OF 344.99 FEET; THENCE EASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 359.32 FEET TO

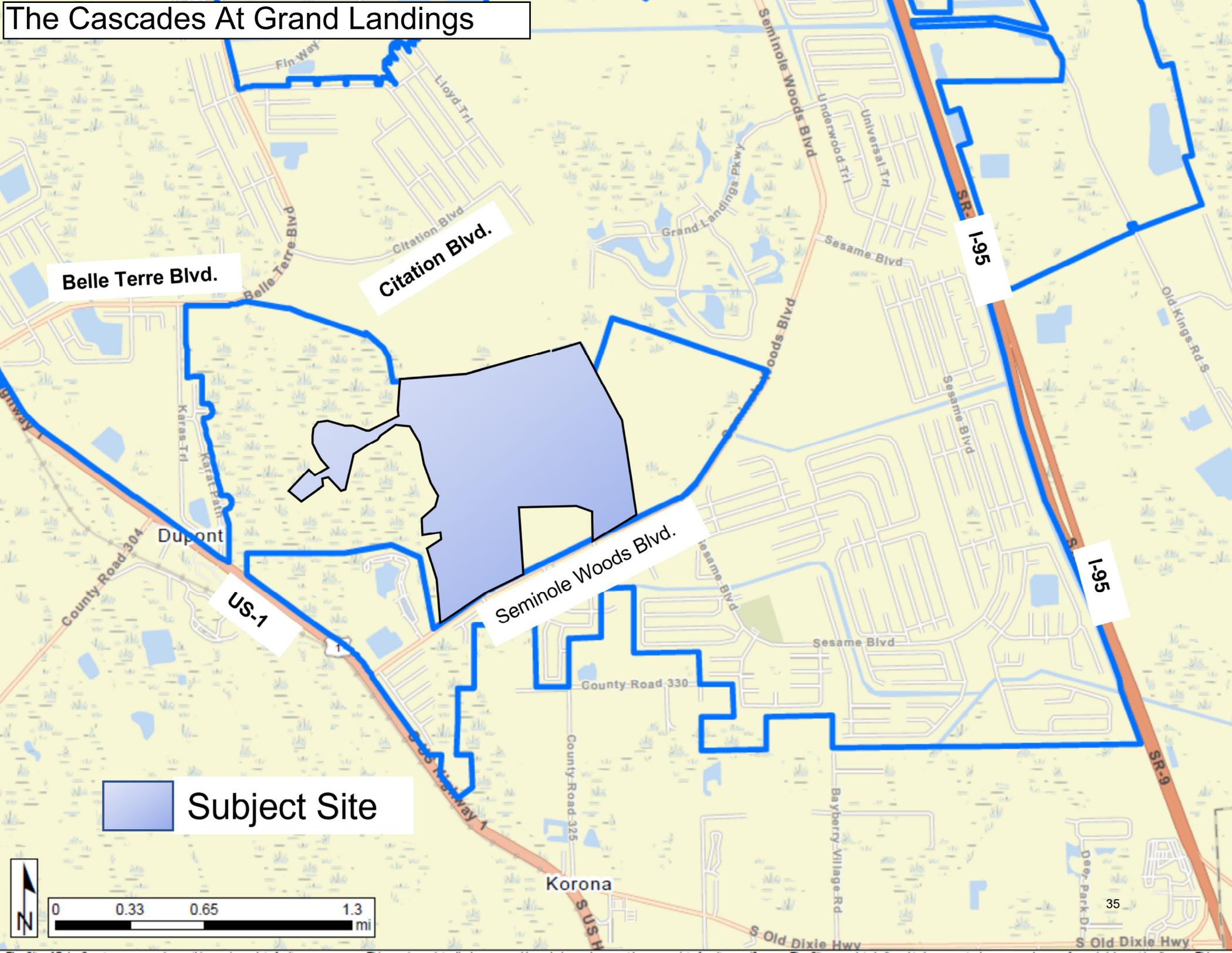
THE POINT OF TANGENCY THEREOF; THENCE S74°38'06"E A DISTANCE OF 277.50 FEET; THENCE N84°52'56"E A DISTANCE OF 34.99 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 195.00 FEET, A CENTRAL ANGLE OF 88°48'36", BEING SUBTENDED WITH A CHORD BEARING OF S71°11'44"E AND A CHORD DISTANCE OF 272.89 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 302.26 FEET; THENCE S47°50'43"E A DISTANCE OF 107.68 FEET; THENCE N70°28'26"E A DISTANCE OF 177.55 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 16°32'15", BEING SUBTENDED WITH A CHORD BEARING OF N62°12'19"E AND A CHORD DISTANCE OF 27.33 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT FOR AN ARC LENGTH OF 27.42 FEET TO THE POINT OF TANGENCY THEREOF; THENCE N53°56'11"E A DISTANCE OF 204.73 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1055.00 FEET, A CENTRAL ANGLE OF 15°30'57", BEING SUBTENDED WITH A CHORD BEARING OF N61°41'40"E AND A CHORD DISTANCE OF 284.82 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 285.70 FEET TO THE POINT OF TANGENCY THEREOF; THENCE N69°27'08"E A DISTANCE OF 29.52 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 945.00 FEET, A CENTRAL ANGLE OF 12°22'57", BEING SUBTENDED WITH A CHORD BEARING OF N11°01'12"W AND A CHORD DISTANCE OF 203.83 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 545.00 FEET, A CENTRAL ANGLE OF 08°09'57", BEING SUBTENDED WITH A CHORD BEARING OF N00°44'46"W AND A CHORD DISTANCE OF 77.61 FEET; THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT AN ARC LENGTH OF 77.67 FEET TO THE POINT OF TANGENCY; THENCE N03°20'13"E, A DISTANCE OF 504.26 FEET; THENCE N86°33'58"E, A DISTANCE OF 1262.17 FEET; THENCE N74°58'14"E, A DISTANCE OF 1393.40 FEET; THENCE S08°33'17"E, A DISTANCE OF 1204.63 FEET; THENCE S21°31'33"E, A DISTANCE OF 231.71 FEET; THENCE S19°36'50"W, A DISTANCE OF 119.80 FEET; THENCE S23°03'10"E, A DISTANCE OF 266.90 FEET; THENCE N61°27'01" E, A DISTANCE OF 72.25 FEET; THENCE S21°32'33"E, A DISTANCE OF 25.00 FEET; THENCE S24°44'50"E, A DISTANCE OF 109.86 FEET; THENCE S02°50'42"E, A DISTANCE OF 443.43 FEET; THENCE S38°46'38"E, A DISTANCE OF 155.36 FEET; THENCE S05°31'05"E, A DISTANCE OF 521.33 FEET; THENCE N73°59'21"E, A DISTANCE OF 259.08 FEET; THENCE N30°18'30"E, A DISTANCE OF 338.21 FEET; THENCE N56°02'13"E, A DISTANCE OF 256.60 FEET; THENCE N17°18'02"W, A DISTANCE OF 245.64 FEET; THENCE N87°58'47", A DISTANCE OF 188.15 FEET; THENCE N43°23'44"W, A DISTANCE OF 70.31 FEET; THENCE N15°25'25"E, A DISTANCE OF 131.43 FEET; THENCE N08°57'10"W, A DISTANCE OF 221.74 FEET; THENCE N87°20'40"E, A DISTANCE OF 215.08 FEET; THENCE S61°08'13"E, A DISTANCE OF 365.39 FEET; THENCE N12°27'20"W, A DISTANCE OF 282.17 FEET;

THENCE N22°28'43"E, A DISTANCE OF 424.41 FEET; THENCE N28°35'48"W, A DISTANCE OF 795.82 FEET; THENCE S54°59'59"W, A DISTANCE OF 426.05 FEET; THENCE S17°21'11"E, A DISTANCE OF 363.39 FEET; THENCE S27°42'03"E, A DISTANCE OF 252.43 FEET; THENCE S43°50'42"E, A DISTANCE OF 194.13 FEET; THENCE S03°24'22"W, A DISTANCE OF 68.13 FEET; THENCE S89°33'00"W, A DISTANCE OF 376.08 FEET; THENCE N40°54'31"W, A DISTANCE OF 373.09 FEET; THENCE N07°01'37"W, A DISTANCE OF 373.59 FEET; THENCE N27°35'02"E, A DISTANCE OF 477.92 FEET; THENCE N83°09'02"W, A DISTANCE OF 296.11 FEET; THENCE N39°33'00"W, A DISTANCE OF 205.29 FEET; THENCE N16°56'05"E, A DISTANCE OF 497.13 FEET; THENCE N75°00'26"E, A DISTANCE OF 543.88 FEET; THENCE S24°13'34"E, A DISTANCE OF 1829.93 FEET; THENCE S03°31'05"E, A DISTANCE OF 1951.81 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE AFORESAID SEMINOLE WOODS BOULEVARD; THENCE S64°15'15"W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 771.72 FEET; THENCE N06°32'52"W LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 503.88 FEET; THENCE N74°26'31"W, A DISTANCE OF 350.75 FEET; THENCE S89°59'26"W, A DISTANCE OF 1033.69 FEET; THENCE S00°00'34"E, A DISTANCE OF 1283.56 FEET TO A POINT ON THE AFORESAID NORTHWESTERLY RIGHT-OF-WAY LINE OF SEMINOLE WOODS BOULEVARD; THENCE S64°15'15"W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 548.03 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2000.00 FEET, A CENTRAL ANGLE OF 09°44'54", BEING SUBTENDED WITH A CHORD BEARING OF S59°22'48"W AND A CHORD DISTANCE OF 339.87 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 340.28 TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S54°30'21"W CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 863.21 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 14,410,152 SQUARE FEET AND/OR 330.81 ACRES MORE OR LESS

EXHIBIT 1B
PROPOSED FUTURE LAND USE MAP



The Cascades At Grand Landings



Belle Terre Blvd.

Citation Blvd.

Dupont

US-1

Seminole Woods Blvd.

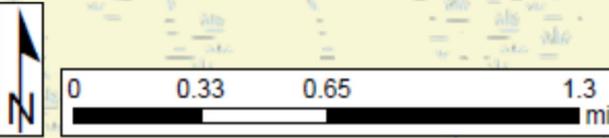
I-95

I-95

Subject Site

Korona

35





Current FLUM Map

 Subject Site

Flagler County Flum Classification

 Educational Use

 Agriculture/
Timberland

 Commercial High
intensity

 Conservation

 Residential

FLUM Classification

 Canals

 Greenbelt

 Mixed Use

 Residential



Dataframe Rotation: 0° off True North

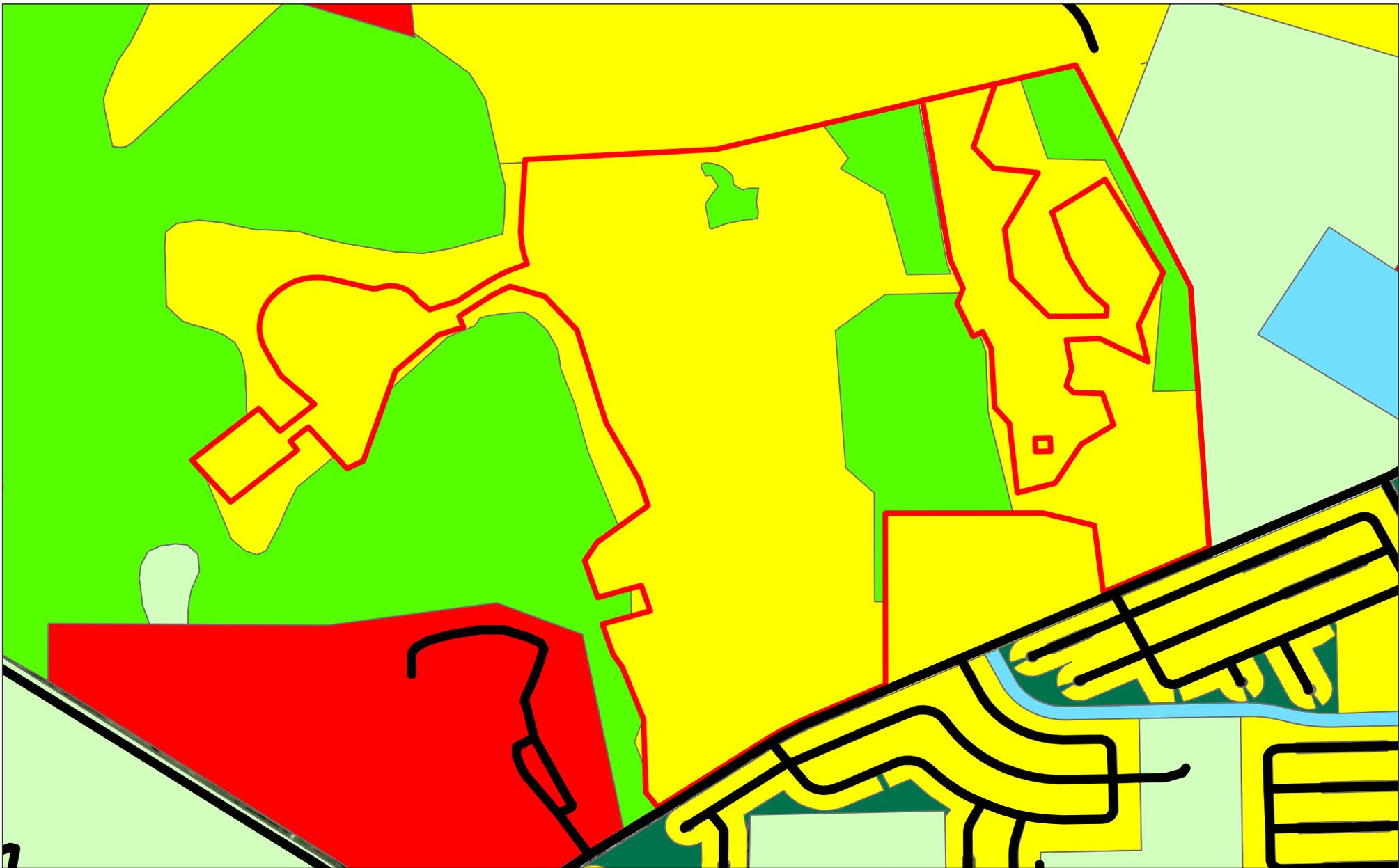


Creation Date:
8/2/2023



Map Provided By:
Planning Division

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



FLUM Amendment



Subject Site



Streets

Flagler County
Flum Classification



Educational Use



Agriculture/
Timberland



Commercial High
intensity



Conservation



Residential

Proposed FLUM
Classification



Conservation



Residential

FLUM Classification



Canals



Greenbelt



Mixed Use



Residential



Dataframe Rotation: 0° off True North



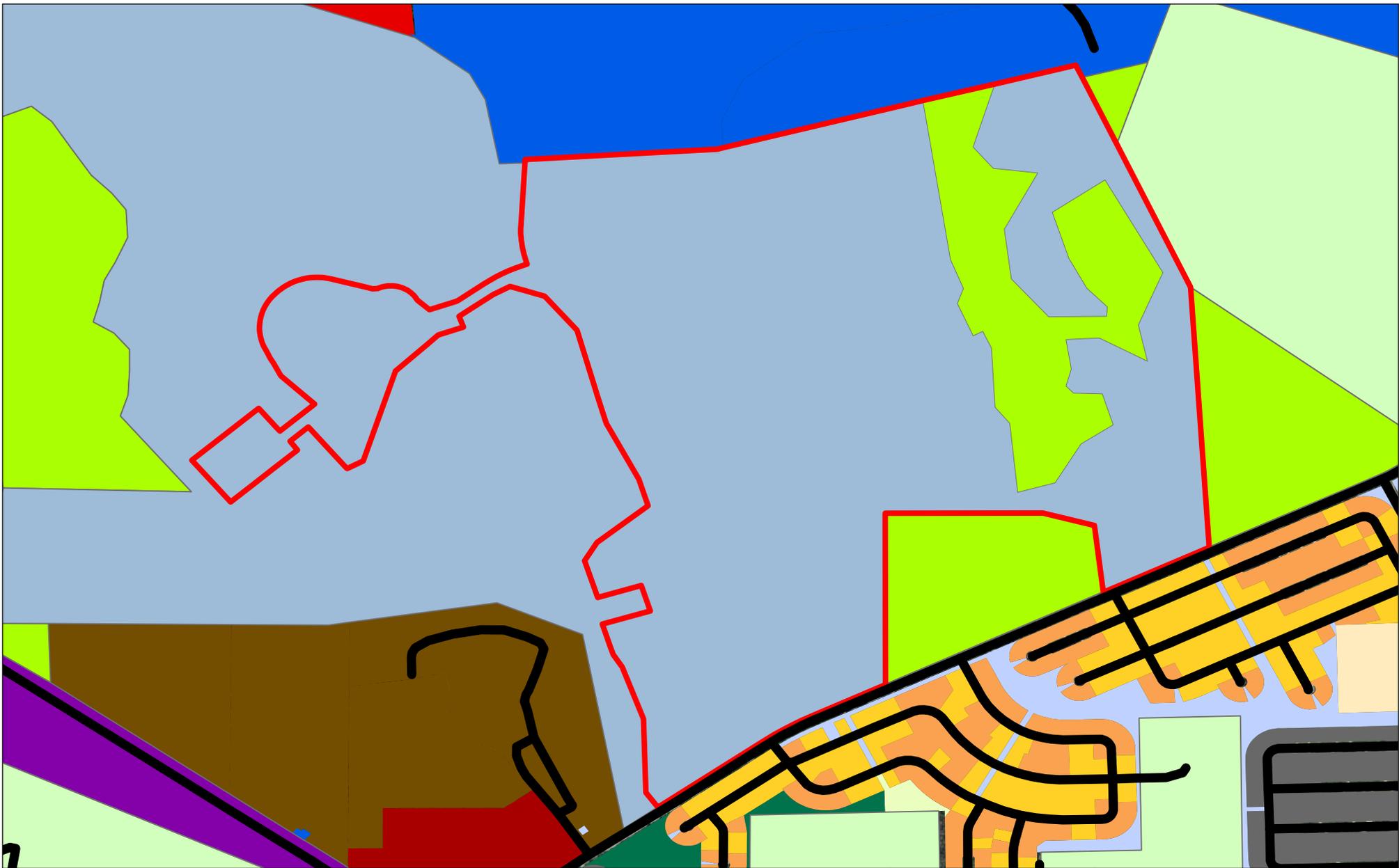
Creation Date:

8/2/2023



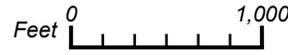
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Current Zoning Map

Subject Site	COM-2	PRS
PUD	COM-3	PSP
NRCPUD	DPX	SFR-2
AC	EST-1	SFR-3
I	MFR-2	SFR-5
		MPD post 11-16-08 designation



Dataframe Rotation: 0° off True North



Creation Date:
8/2/2023



Map Provided By:
Planning Division

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City of Palm Coast, Florida Agenda Item

Agenda Date: August 16, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: THE CASCADES REZONING - APPLICATION # 5107		
Presenter: Bill Hoover, AICP, Senior Planner		
Attachments: Staff Report, Ordinance, Maps, Survey, Environmental Report, Neighborhood Meeting		
<p>Background: The applicant is proposing to rezone 375 +/- acres of vacant land located on the NW side of Seminole Woods Blvd. about ½ mile NE of US Highway 1 from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts.</p> <p>The fishhook shaped property (44 +/- acres with a current zoning of New Rural Communities) on the northern end of the project is owned by JTL Grand Landings Development, LLC (Fishhook Parcel) who purchased it in July 2014. Later, it was annexed into the City and has a current City FLUM designation of Residential. The remaining four parcels (331 +/- acres with a current zoning of Planned Unit Development) are owned by Byrndog PCP, LLC who purchased the land in August 2022. These four parcels are scheduled to be heard by the City Council on August 1 and August 15, 2023, regarding an application for annexation into the City. A separate FLUM application for these four parcels requests that the parcels be redesignated Residential except for some key wetland areas that would be designated Conservation. It should be noted that the FLUM application also includes the Fishhook Parcel and offers a maximum cap of 850 residential units to be developed throughout the five parcels.</p> <p>JTL Grand Landings Development, LLC wants to rezone their Fishhook Parcel to SFR-1 and Byrndog PCP, LLC wants to rezone their four parcels to SFR-1, MFR-2 and PRS. The areas designated Residential on the FLUM would be rezoned to SFR-1 except for two separated areas with frontage along Seminole Woods Boulevard that would be rezoned to MFR-2.</p> <p>The developer is preserving key wetland areas of about 67 +/- acres and will be constructing single-family homes with a minimum lot width of 50 feet and developing two separated multi-family projects along Seminole Woods Boulevard. This is not leap-frog development as ITT single-family lots have already been developed on the opposite side of Seminole Woods Boulevard and to the southwest of the project is the Integra Woods apartment community. Both of the proposed multi-family projects will be across from single-family homes that back up to Seminole Woods Boulevard (a minor arterial roadway) so the residents of those single-family homes will be subject to some vehicular noise along this major roadway. The two multi-family communities will be required to provide a 25-foot wide Landscape Buffer “G” which will assist in providing some needed screening between the single-family residences and the</p>		

multi-family residences.

Public Participation: The applicant has scheduled a neighborhood meeting at 6:00 PM at the Hilton Garden Inn on August 9, 2023. All neighboring residents within 300 feet of the project's boundaries were invited by US Mail to this meeting. Three signs along Seminole Woods Boulevard will be erected 14 days prior to each public hearing. Additionally, news ads will be run at least 10 days prior to each public hearing.

Recommended Action:

..Recommendation

Planning staff recommends that the Planning and Land Development Regulation Board determine the proposed rezoning (Application No. 5107) is consistent with the Comprehensive Plan and recommend approval to City Council to rezone 375 +/- acres from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts.

ORDINANCE NO. 2023-XX _____
REZONING APPLICATION NO. 5107
THE CASCADES AT GRAND LANDINGS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE OFFICIAL ZONING MAP, AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE, FOR 375+ ACRES OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBERS [30-12-31-0000-01020-0040, 31-12-31-0000-01070-0030, 32-12-31-0650-000B0-0020, 29-12-31-0000-01010-0021, and 29-12-31-0000-01010-0025], GENERALLY LOCATED ON THE NORTHWESTSIDE OF SEMINOLE WOODS BLVD. ABOUT ½ MILE NORTHEAST OF US HIGHWAY 1 AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A, FROM FLAGLER COUNTY DESIGNATIONS OF PLANNED UNIT DEVELOPMENT AND NEW RURAL COMMUNITIES TO THE SINGLE FAMILY RESIDENTIAL-1 (SFR-1), MULTI-FAMILY RESIDENTIAL-2 (MFR-2), AND PRESERVATION (PRS) ZONING DISTRICTS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast, as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes and the City of Palm Coast Unified Land Development Code, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various City reviewing departments, and the recommendation of the Planning and Land Development Regulation Board (PLDRB); and

WHEREAS, the City Council has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Palm Coast Comprehensive Plan;
2. The rezoning is compatible as defined in the Unified Land Development Code Section 2.06.03F, and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;
3. The rezoning will result in a logical, timely and orderly development pattern;

4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2. OFFICIAL ZONING MAP AMENDED. The 375 +/- acres of land, identified as tax parcel identification number 30-12-31-0000-01020-0040, 31-12-31-0000-01070-0030, 32-12-31-0650-000B0-0020, 29-12-31-0000-01010-0021, and 29-12-31-0000-01010-0025, located on the northwest side of Seminole Woods Blvd. about ½ mile northeast of US Highway 1., legally described in “Exhibit A” and as depicted in “Exhibit B,” attached hereto, is hereby amended from the Flagler County designation of Planned Unit Development and New Rural Communities-Planned Unit Development to Single Family Residential-1 (SFR-1), Multi-family Residential-2 (MFR-2), and Preservation (PRS).

SECTION 3. 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 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon the effective date of Ordinance No. _____, as Adopted by the City Council of the City of Palm Coast, Florida and pursuant to the City Charter. If Ordinance No. _____ does not become effective, then this Ordinance shall become null and void.

Approved on first reading this _____ day of _____, 2023.

Adopted on second reading after due public notice and hearing City of Palm Coast this ____ day of _____ 2023.

CITY OF PALM COAST, FLORIDA

ATTEST:

DAVID ALFIN, MAYOR

KALEY COOK, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

NEYSA BORKERT, ESQ.
CITY ATTORNEY

Attachments:

Exhibit "A" – Legal Description of property subject to Official Zoning Map amendment
Exhibit "B" – Revised Official Zoning Map

**EXHIBIT "A"
LEGAL DESCRIPTION**

[Insert Legal Description here]

EXHIBIT "B"
ORDINANCE 20 **-** _____

(Sketch of Legal Description)



**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT FOR THE CASCADES REZONING
PLANNING AND LAND DEVELOPMENT REGULATION BOARD
AUGUST 16, 2023**

OVERVIEW

Application Number: 5107
Applicant: Michael D. Chiumento, III
Property Description: 375 +/- acres located on the northwest side of Seminole Woods Blvd. about ½ mile northeast of US Highway 1
Property Owners: Byrndog PCP, LLC and JTL Grand Landings Development, LLC
Parcel ID #: 30-12-31-0000-01020-0040, 31-12-31-0000-01070-0030, 32-12-31-0650-000B0-0020, 29-12-31-0000-01010-0021, and 29-12-31-0000-01010-0025
Parcel Address: NA
Current FLUM: Flagler County's Residential - Low Density / Rural Estate and about 4 +/- acres of Conservation and one parcel is Residential
Current Zoning: Flagler County's Planned Unit Development (PUD) and New Rural Communities
Current Use: Vacant but primarily silviculture (Pine timberlands) and wetlands
Size of Property: 375 +/- acres
Requested Action: Rezoning from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts

ANALYSIS

REQUESTED ACTION

The applicant is proposing to rezone 375 +/- acres of vacant land located on the northwest side of Seminole Woods Blvd. about ½ mile northeast of US Highway 1 from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts.

BACKGROUND/SITE HISTORY

The fishhook shaped property (44 +/- acres with a current zoning of New Rural Communities) on the northern end of the project is owned by JTL Grand Landings Development, LLC (Fishhook Parcel) who purchased it in July 2014. Later, it was annexed into the City and has a current City FLUM designation of Residential.

The remaining four parcels (331 +/- acres with a current zoning of Planned Unit Development) are owned by Byrndog PCP, LLC who purchased the land in August 2022. These four parcels are scheduled to be heard by the City Council on August 1 and August 15, 2023, regarding an application for annexation into the City. A separate FLUM application for these four parcels requests that the parcels be redesignated Residential except for some key wetland areas that would be designated Conservation. It should be noted that the FLUM application also includes the Fishhook Parcel and offers a maximum cap of 850 residential units to be developed throughout the five parcels.

PROJECT DESCRIPTION

JTL Grand Landings Development, LLC wants to rezone their Fishhook Parcel to SFR-1 and Byrndog PCP, LLC wants to rezone their four parcels to SFR-1, MFR-2 and PRS. The areas designated Residential on the FLUM would be rezoned to SFR-1 except for two separated areas with frontage along Seminole Woods Boulevard that would be rezoned to MFR-2.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Residential and Flagler County Residential – Low Density and Conservation	Residential with a cap of 850 residential units and Conservation
Zoning District	Flagler County zoning designations of Planned Unit Development (PUD) and New Rural Communities (NRC)	Single-Family Residential-1 (SFR-1), Multi-Family Residential-2 (MFR-2) and Preservation (PRS)
Use	Vacant land	Residential and Preservation
Acreage	375 +/- acres	375 +/- acres

SURROUNDING LAND USES:

NORTH:	FLUM: Zoning:	Residential Grand Landings Master Planned Development (MPD) SFR-1 uses
EAST:	FLUM: Zoning:	Flagler County Agricultural/Timberlands Flagler County Agricultural and New Rural Communities (NRC)
SOUTH:	FLUM: Zoning:	Residential Single-Family Residential 2 and 3 (SFR-2 and SFR-3)
WEST:	FLUM: Zoning:	Flagler County Conservation Flagler County Planned Unit Development (PUD) wetland areas

SINGLE-FAMILY RESIDENTIAL SITE DEVELOPMENT REQUIREMENTS

Criteria	(Standards for SFR-1)
Min. Lot Area	6,000 sq. ft.
Min. Lot Width	50 ft.
Max. Impervious Surface Ratio	0.75
Min. Front Setback	20 ft.
Min. Rear Setback	10 ft.
Min. Interior Side Setback	5 ft.
Max. Building Height	35 ft.
Min. Living Area	1,200 sq. ft.
Max. Density*	7 units/per acre*

*Density in the Single-Family Residential - 1 (SFR-1) Zoning District is calculated based on Table 3-3 and Section 3.05.03.A of the Land Development Code, which allow up to 7 units/per acre on upland areas and up to 1.75 units/per acre on wetland areas that are preserved. The FLUM redesignation to Residential also caps the overall five parcels to a maximum of 850 units.

MULTI-FAMILY RESIDENTIAL SITE DEVELOPMENT REQUIREMENTS

Criteria	(Standards for MFR-2)
Min. Development Size	4 acres
Min. Lot Width	100 ft.
Max. Impervious Surface Ratio	0.70
Min. Front Setback	25 ft.
Min. Rear Setback	20 ft.
Min. Interior Side Setback	10 ft.
Max. Building Height	60 ft.
Min. Living Area	650 sq. ft.
Max. Density*	12 units/per acre*

*Density in the Multi-Family Residential - 2 (MFR-2) Zoning District is calculated based on Table 3-3 and Section 3.05.03.A of the Land Development Code, which allow up to 12 units/per acre on upland areas and up to 3 units/per acre on wetland areas that are preserved. The proposed FLUM redesignation to Residential also caps the overall five parcels to a maximum of 850 units.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.05.05

The Unified Land Development Code, Chapter 2, Part II, Section 2.05.05 states: *When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:*

A. The proposed development must not be in conflict with or contrary to the public interest;

Staff Finding: The proposed SFR-1 and MFR-2 zoning districts are allowed zoning districts in areas designated Residential on the Future Land Use Map (FLUM) and will be compatible with the variety of other uses currently allowed within close proximity to the site. Additionally, the proposed Preservation (PRS) zoning district is an allowed zoning district in areas designated Conservation on the FLUM.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;

Staff Finding: The request is consistent with the following policies and goal of the Comprehensive Plan:

- **Chapter 1 Future Land Use Element:**

Goal 1.1: Preserve the character of residential communities, prevent urban sprawl and protect open space and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors.

The developer is preserving key wetland areas of about 67 +/- acres and will be constructing single-family homes with a minimum lot width of 50 feet and developing two separated multi-family projects along Seminole Woods Boulevard. This is not leap-frog development as ITT single-family lots have already been developed on the opposite side of Seminole Woods Boulevard and to the southwest of the project is the Integra Woods apartment community. Both of the proposed multi-family projects will be across from single-family homes that back up to Seminole Woods Boulevard (a minor arterial roadway) so the residents of those single-family homes will be subject to some vehicular noise along this major roadway. The two multi-family communities will be required to provide a 25-foot wide Landscape Buffer "G" which will assist in providing some needed screening between the single-family residences and the multi-family residences.

-Policy 1.1.1.2 – The future land use designations shall permit the zoning districts listed and generally described in the following table.

The proposed FLUM Amendment will designate the wetland areas of the subject property as Conservation and the Preservation (PRS) zoning district is allowed in Conservation areas. Single-Family Residential-1 (SFR-1) and Multi-Family Residential-2 (MFR-2) are allowable zoning districts for areas with the proposed FLUM Amendment designation of Residential.

-Policy 1.1.1.4 – The following principles and locational criteria shall be used for siting the multi-family residential zoning district with the Residential FLUM designation.

The two proposed MFR-2 areas are located along a minor arterial roadway (Seminole Woods Boulevard) and central services are in close proximity. The two multi-family communities will be within about ½ mile of future commercial services that will be located at the northern side of the intersection between US Highway 1 and Seminole Woods Boulevard. The 25' Landscape Buffer "G" will allow the two MFR-2 sites to meet the screening standards established in this policy. The project meets the overall criteria described in this policy.

-Policy 1.1.4.5 – Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

The proposed MFR-2 zoning would provide the opportunity for vehicular energy efficiency by having a significant number of homes in a community on upland tracts located along Seminole Woods Boulevard. The proposed 50-foot wide SFR-1 lots are also an efficient way to develop single-family detached housing.

C. The proposed development must not impose a significant financial liability or hardship for the City;

Staff Finding: Potable water and sewer service lines are available nearby to serve the project but will need to be extended to the site by the developer.

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

Staff Finding: The proposed rezoning to SFR-1 and PRS will be easily compatible with neighboring properties while the proposed MFR-2 will be primarily compatible with the overall neighborhood due to its required 25-foot wide Landscape Buffer "G".

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes.

Staff Finding: The subject property will be required to comply with the City's Land Development Code, Comprehensive Plan, and the requirements of all other applicable local, state and federal agencies throughout the development process.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.06.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.06.03 states: "*The Planning and Land Development Regulation Board and City Council shall consider the following criteria, in addition to the findings listed in Subsection 2.05.05, when reviewing a rezoning application*":

A. Whether it is consistent with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan;

Staff Finding: As noted previously in the analysis prepared for LDC Chapter 2, Part II, Section 2.05.05 of this staff report, the requested zoning districts are in conformance with the Comprehensive Plan elements, and their goals, objectives and policies.

B. Its impact upon the environment and natural resources;

Staff Finding: The applicant is proposing to preserve 67 +/- acres of wetlands and meet all environmental development standards throughout the project.

C. Its impact on the economy of any affected area;

Staff Finding: Impacts to the Palm Coast economy are anticipated to be positive since the project will provide numerous construction jobs over the first few years and will provide additional tax revenues to the City. Additionally, the residential homes will increase demand for commercial services at US Highway 1 and Seminole Woods Boulevard.

D. *Its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste, or transportation;*

Staff Finding: The impact on the necessary governmental services, including: wastewater, potable water, drainage, fire and police protection, solid waste and transportation systems will be covered by concurrency regulations and impact fees paid by the developer during the Preliminary Plat or Technical Site Plan review processes.

E. *Any changes in circumstances or conditions affecting the area;*

Staff Finding: Housing costs and infrastructure costs have increased substantially over the last few years and the City has a substantial shortage of both multi-family and single-family housing units.

F. *Compatibility with proximate uses and development patterns, including impacts to the health, safety, and welfare of surrounding residents;*

Staff Finding: As previously described the proposed rezoning will be compatible with the existing and future planned uses in the overall neighborhood.

G. *Whether it accomplishes a legitimate public purpose:*

Staff Finding: The proposed development area of the subject property is located within the Residential designation on the FLUM and the proposed zoning districts of SFR-1 and MFR-2 are allowable zoning districts within that FLUM designation. Lands within the Conservation designation on the FLUM are proposed to be rezoned to Preservation. Staff believes the proposed uses are appropriate for this neighborhood with the required 25-foot wide Landscape Buffer "G" along Seminole Woods Boulevard mitigating those uses from single-family homes across Seminole Woods Boulevard.

PUBLIC PARTICIPATION

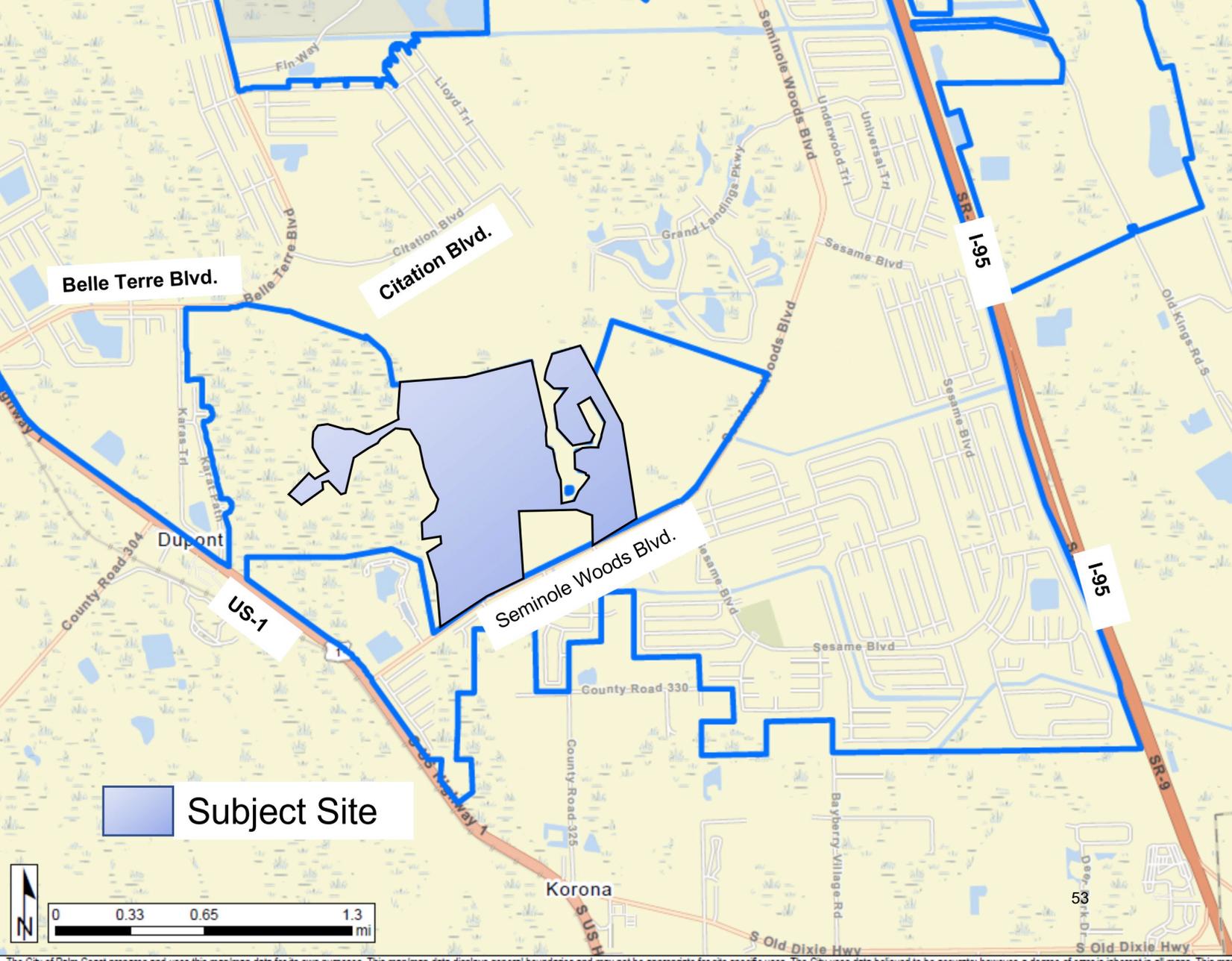
Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers or property owners who are requesting to rezone property within the City to notify neighboring property owners within 300 feet of the subject property boundaries and hold a neighborhood meeting.

To comply with this standard, the developer notified the neighboring property owners via standard USPS mail of an upcoming neighborhood meeting that was held on August 9, 2023 at 6:00 P.M. at the Hilton Garden Inn nearby SR 100 and Town Center Boulevard.

The developer erected three signs along Seminole Woods Boulevard notifying the general public of the upcoming public hearing for the Planning and Land Development Regulation Board and will do so again prior to each City Council public hearing.

RECOMMENDATION

Planning staff recommends that the Planning and Land Development Regulation Board determine the proposed rezoning (Application No. 5107) is consistent with the Comprehensive Plan and recommend approval to City Council to rezone 375 +/- acres from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts.



Belle Terre Blvd.

Citation Blvd.

195

Dupont

US-1

Seminole Woods Blvd.

1-95

Subject Site

0 0.33 0.65 1.3 mi



Korona

53

Old Dixie Hwy

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32084
Tel: 904.540.1786
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October 18, 2022

BY EMAIL:

walker@douglaspd.com

Walker Douglas
Douglas Property & Development, Inc.
145 City Place, Suite 300
Palm Coast, FL 32164

SUBJECT: Environmental Assessment
Douglas - Cascades
Palm Coast, Flagler County, Florida
PINs: 29-12-31-0000-01010-0021, 29-12-31-0000-01010-0025, 30-12-31-0000-01020-0040, 31-12-31-0000-01070-0030, 32-12-31-0650-000B0-0020, 31-12-31-0000-01070-0000, & 30-12-31-0000-01020-0050

Dear Mr. Douglas,

Thank you for contacting Carter Environmental Services (CES). We appreciate the opportunity to be of service to you. The purpose of our work on the referenced property was to determine if there are any natural resource concerns that could potentially affect future development of the site. Specifically, this environmental assessment was focused on assessing the presence of or potential utilization by any threatened, endangered, or species of special concern (SSC) as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC). CES also assessed the onsite wetlands from August through October of 2021. The results of this environmental assessment follow. Additionally, note that from 2006 to 2012, the site was permitted by the St. Johns River Water Management District (SJRWMD) under Permit No. 103071, sequences 1-4. All permit modifications have since expired, and no construction ever took place.

I trust that this information will be helpful in your preliminary planning. Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Ryan A. Carter". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ryan A. Carter, PWS
Vice President



- Enclosures:** Location Map – Figure 1
Soils Map – Figure 2
FLUCFCS Map – Figure 3
FWC Bald Eagle Nest Locator Map – Figure 4
FNAI Biodiversity Matrix

1.0 CURRENT SITE CONDITIONS

The site appears to have been managed for silviculture for at least the past three decades, with pines growing on the northeastern portion of the site most recently harvested around 2015. From 2006 to 2012, the site was permitted by SJRWMD under Permit No. 103071, sequences 1-4. All permit modifications have since expired, and no construction ever took place.

The subject property totals approximately 379.85 acres and is generally bound by timberland and vacant commercial land to the north; wooded Flagler County-owned wetlands and timberland to the west; timberland and vacant land to the east; and Flagler County-owned timberland as well as Seminole Woods Boulevard, followed by single-family-home neighborhoods to the south (Figure 1). More specifically, the property is located in Sections 29, 30, & 32, Township 12 South, Range 31 East in Flagler County, Florida. On inspection, the property was observed to be comprised of both uplands and wetlands, with two upland community types and one wetland community, as documented by CES biologists. The species observed within the onsite communities were consistent with what is frequently found in pine plantations and hydric flatwoods in the area.

1.1 **Wetlands**

The site was previously permitted by SJRWMD under Permit No. 103071, sequences 1-4. We have a current application under review for wetland impacts at a portion of the site. That application has been assigned sequence 5 of this same permit number (103071-5).

1.2 **Soils and Hydrology**

Following a literature review, seven (7) soil types were mapped on-site (Figure 2). CES biologists were able to verify the presence and general extent of these soils on-site and they are consistent with the soil types found in the vicinity.

1.3 **Vegetative Communities**

CES characterized the habitat types on-site using the Florida Department of Transportation's *Florida Land Use Cover Form Classification System* (FLUCFCS). The locations and acreages of each type are depicted on the enclosed FLUCFCS Map (Figure 3).



CES staff noted two upland habitat types occurring on the property. Descriptions of these communities are as follows:

Pine Plantation (FLUCFCS 441) - This dominant community has a canopy of planted slash pine (*Pinus elliottii*) with an understory and groundcover of bitter gallberry (*Ilex glabra*), saw palmetto (*Serenoa repens*), and bracken fern (*Pteridium aquilinum*). On the subject property, large portions on the northeast section were more recently harvested (circa 2015).

Graded & Drained Roadway (FLUCFCS 8145) - This land classification category falls under the broader transportation category, which includes roads and highways. On the subject property, a semi-maintained dirt road spans the property from north to south on the eastern portion site.

CES staff noted one wetland habitat type occurring on the property. A description of this community is as follows:

Hydric Pine Flatwoods (FLUCFCS 625) - This community has a canopy of slash pine. The understory and groundcover are vegetated with scattered dahoon holly (*Ilex cassine*), loblolly bay (*Gordonia lasianthus*), fetterbush (*Lyonia lucida*), highbush blueberry (*Vaccinium corymbosum*), Virginia chain fern (*Woodwardia virginica*), and pipewort (*Eriocaulon* spp.).

2.0 PROTECTED SPECIES

A preliminary detailed characterization of the project site was conducted to identify probable habitat types and conditions on the site. References included the *Soil Survey of Flagler County, Florida*, aerial photographs, and the U.S. Geological Survey topographic map.

A review of federally and state-listed wildlife species was conducted using the most recent lists of endangered and threatened species for Flagler County, Florida. The lists were obtained from the following references:

- **U.S. Fish and Wildlife Service (FWS)**
Flagler County Federally Listed Species, 2022.
- **Florida Fish and Wildlife Conservation Commission (FWC)**
FWC 2018 list of Imperiled Species. Accessed online 2022.
- **Florida Natural Areas Inventory (FNAI)**
Biodiversity Matrix online database. 2022. (See attached)



Based on these sources, a preliminary list of potentially occurring wildlife species was developed by understanding the preferred habitat for each of the species and the probability of the habitat occurrence in the project area. Biologists then conducted a limited pedestrian survey of the property to look for the presence of or potential utilization by any threatened, endangered or species of special concern (SSC) as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC).

2.1 Protected Animal Species

2.1.1 Gopher Tortoise (*Gopherus polyphemus*)

CES determined it possible for gopher tortoises to exist on portions of the site based on the mapped soils, and during a site visit several burrows were identified near the northwestern boundary of the project area. Prior to initiation of any construction, CES will identify and map all potential gopher tortoise habitat on the site based on aerial photographs, soils maps, NWI maps, and other in-house resources. We will then conduct a pedestrian survey covering 100 percent of the project site's potential habitat pursuant to the methodologies of FWC to determine the extent of the on-site tortoise population. CES will ultimately relocate all tortoises to an FWC-permitted recipient site per permit requirements.

2.1.2 Wading Birds

A review of the current FWC internet database of wading bird colonies (FWC Wading Bird Rookeries, 2022) revealed no known colonies within a one-mile radius of the on-site wetlands. Also, the site is not located within an FWC-recognized wood stork (*Mycteria americana*) foraging area, with the nearest mapped wood stork colony located 13.7 miles to the southwest, at Lake Disston.

2.1.3 Bald Eagle (*Haliaeetus leucocephalus*)

Using the FWC Eagle Nest Locator Database (2022), CES found two bald eagle nests on record within a 5-mile radius the property, with the nearest nest located approximately 2.3 miles east of the property boundary (Figure 4). Further, no nests were located by CES biologists, and the likelihood of any bald eagles utilizing this site is low. While the bald eagle is not listed as threatened, endangered or as an SSC, it is protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. Based on these acts, certain activities are regulated by FWS when they occur near an active nest during nesting season (1 October to 15 May).

2.2 Protected Plant Species

In addition to protected animal species, CES biologists reviewed the site for protected plant species, none of which were observed. No coordination would be required with any



regulatory agency if protected plant species were observed in the future. Currently no regulations exist for protected plant species occurring on privately owned land, unless the landowner is harvesting and engaging in the commercial sale of the protected plant species.

3.0 FUTURE DEVELOPMENT

3.1 Federal Permitting

3.1.1 U.S. Army Corps of Engineers (ACOE)

Per the state (DEP) assumption on December 22, 2020, ACOE retains jurisdiction over navigable and coastal waters, including wetlands less than 300 feet from navigable/tidal waters. CES asserts that the wetlands on this property do not fall under current ACOE jurisdiction. **No coordination will be required with ACOE at this time.**

3.1.2 U.S. Fish and Wildlife Service (FWS)

FWS handles permitting associated with adverse impacts to federally listed wildlife or its habitat. Generally, separate coordination is required with FWS and federal permits are contingent upon receiving authorization from FWS. **There are no anticipated impacts to any federally listed species at this time, and no coordination will be necessary with FWS.**

3.2 State Permitting

3.2.1 St. Johns River Water Management District (SJRWMD)

Most new developments require a permit from SJRWMD. The type of permit required varies with the project acreage and acreage of wetland impact proposed. Many new developments that entail less than one acre of wetland impact will require a Standard Environmental Resource Permit. This permit is typically staff approved and frequently takes three to five months to process.

Developments that entail more than one acre of wetland impact will require an Individual Environmental Resource Permit. This permit is approved by SJRWMD staff and frequently takes seven months or more to process.

Additionally, SJRWMD requires that the applicant provide reasonable assurance that the proposed development will not cause adverse secondary impacts to the remaining wetlands on-site. An undisturbed upland buffer (minimum 15-foot width and 25-foot average width) around the remaining wetlands on-site is commonly used to provide assurance to SJRWMD that secondary impacts will not occur. On March 22, 2022, CES applied to SJRWMD for an Environmental



Resource Permit on your behalf, and the application has been assigned no. 103071-5 through the permitting process. **Based on wetlands being present on the site and expectations of impacts, a permit will be required for the proposed project on the site, requiring continued coordination with SJRWMD.**

3.2.2 Florida Department of Environmental Protection (DEP)

As of December 2020, DEP assumed authority to issue permits in the state under Section 404 of the federal Clean Water Act. Generally speaking, FDEP now has permitting responsibility for non-navigable and non-coastal waters, including wetlands more than 300 feet from navigable/tidal waters. **As impacts to DEP jurisdictional wetlands are proposed, coordination with DEP and a State 404 permit will be required.**

3.2.3 Florida Fish and Wildlife Conservation Commission (FWC)

FWC handles permitting associated with adverse impacts to state listed wildlife or its habitat. Generally, separate coordination is required with FWC and state permits are contingent upon receiving authorization from FWC. **As gopher tortoise burrows have been observed on the site, a relocation permit will be required and all tortoises within 25 feet of proposed construction will be relocated prior to construction.**

3.3 Local Permitting

3.3.1 City of Palm Coast

In addition to any State and Federal permitting required for the project, coordination will be required with the City of Palm Coast. Wetland impacts are typically assessed by the City, with emphasis placed on avoiding impacts to higher-quality wetlands and concentrating any wetland impacts to areas that provide a lesser ecological value. Impacts to higher-quality wetlands may not be allowed. Figure 3 depicts the onsite wetlands. **Because wetland impacts are proposed in conjunction with this project, a wetland quality assessment will be prepared for the City.**

4.0 RECOMMENDATIONS

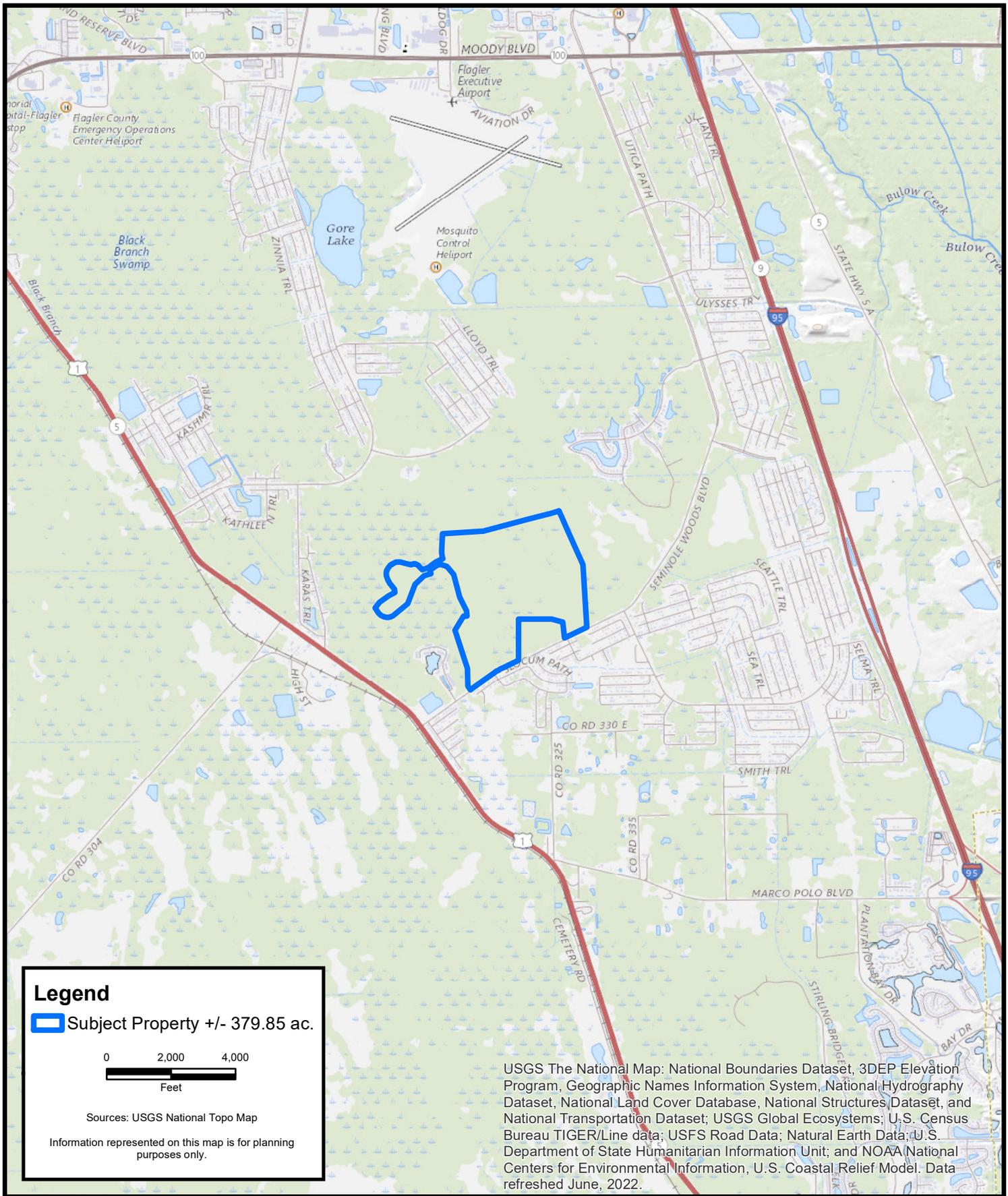
Based on the assessment outlined above, this project has avoided many of the environmental issues associated with new developments and demonstrates responsible development practices by avoiding impacts to the majority of on-site wetlands. Gopher tortoise was the sole protected species located on the site; per the description above, all tortoise burrows on site will be mapped and all tortoises on site within 25 feet of proposed construction will be relocated to an FWC-



approved recipient site. No other protected species have been identified onsite, and the likelihood of any occurring is low.

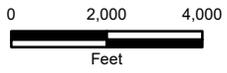
Please call me at (904) 540-1786 if you have any questions or need additional information.

F:\CES Projects\Project Files\Active\Projects\Cascades\GIS\MXD\City PESA 10-17-22\old boundary\01-DouglasCascades_Location 8-9-22.mxd



Legend

 Subject Property +/- 379.85 ac.



Sources: USGS National Topo Map

Information represented on this map is for planning purposes only.

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed June, 2022.

CARTER ENVIRONMENTAL SERVICES, INC.



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St. Augustine, FL 32084
904-540-1786

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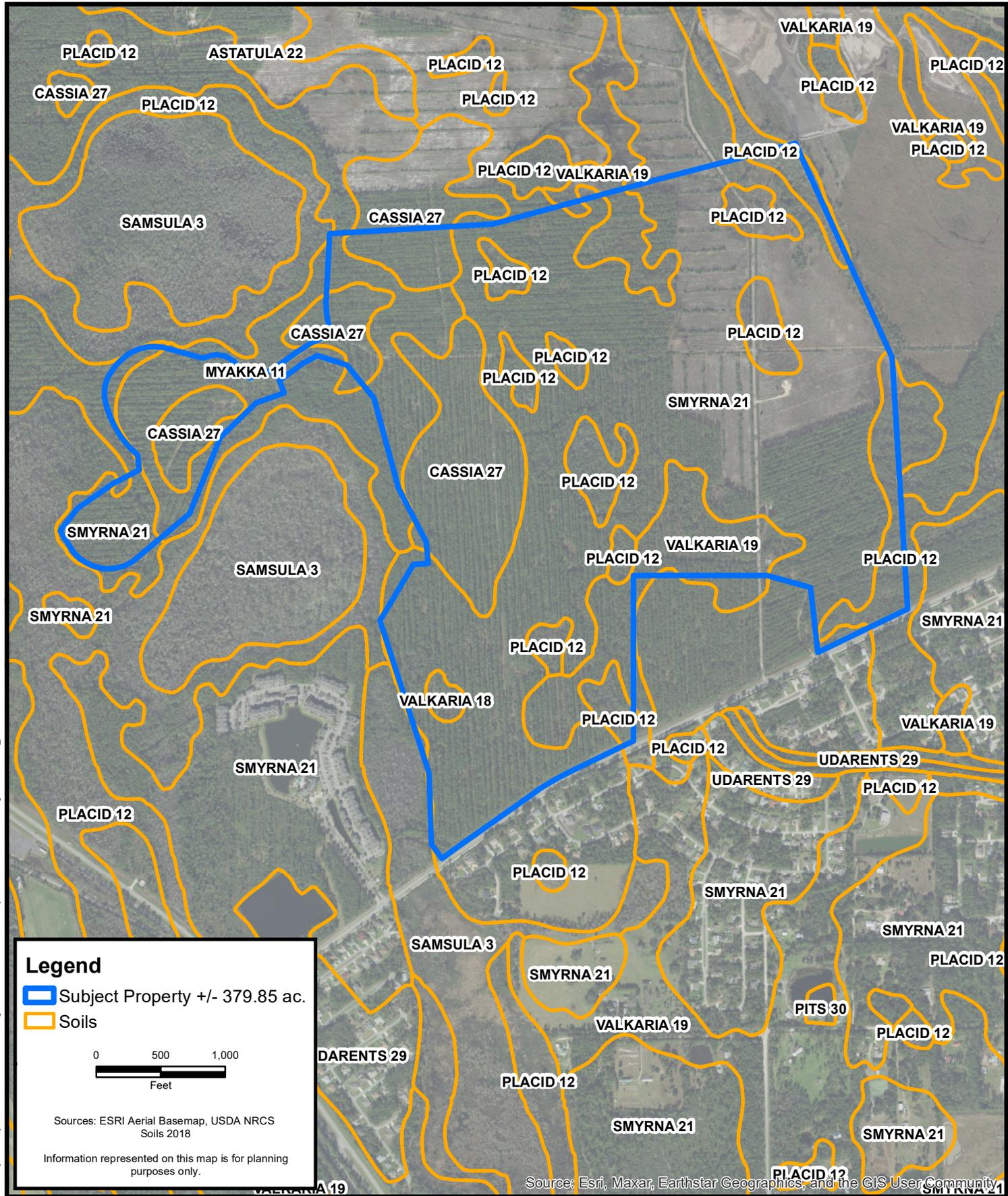
Location Map
Douglas - Cascades

Project: 5.21253	Palm Coast, Florida	Date: Oct 18 2022
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Figure: 1

64



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend

- Subject Property +/- 379.85 ac.
- Soils

0 500 1,000
Feet

Sources: ESRI Aerial Basemap, USDA NRCS Soils 2018

Information represented on this map is for planning purposes only.

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904-540-1786

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Soils Map

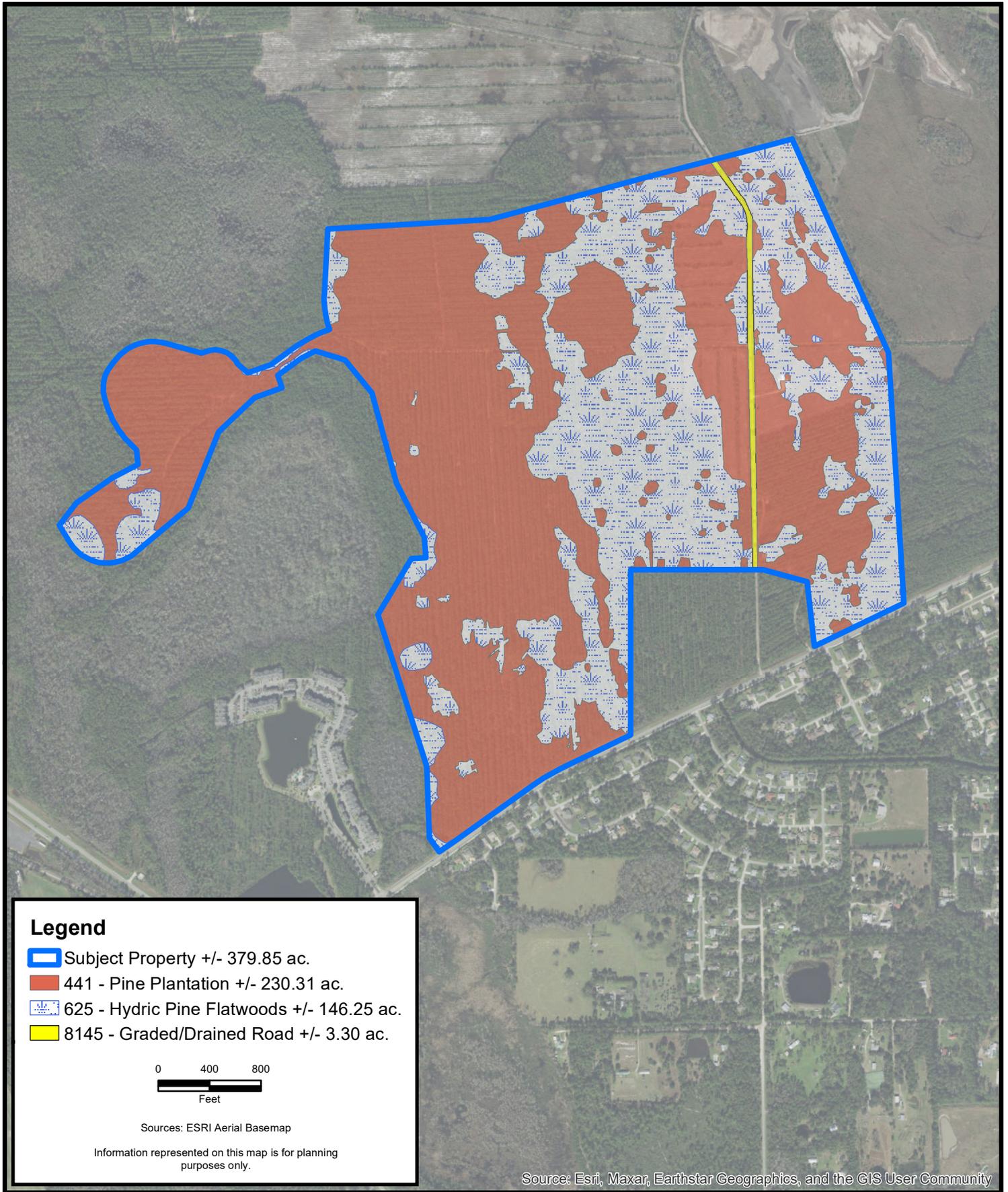
Douglas - Cascades

Project: 5.21253	Palm Coast, Florida	Date: Oct 18 2022
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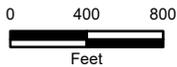
Figure: 2

62



Legend

-  Subject Property +/- 379.85 ac.
-  441 - Pine Plantation +/- 230.31 ac.
-  625 - Hydric Pine Flatwoods +/- 146.25 ac.
-  8145 - Graded/Drained Road +/- 3.30 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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FLUCFCS/Existing Conditions Map

Douglas - Cascades

Project: 5.21253

Palm Coast, Florida

Date: Oct 18 2022



Figure: 3



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FWC Bald Eagle Nests
Douglas - Cascades

Project: 5.21253

Palm Coast, Florida

Date: Oct 18 2022



Figure: 4



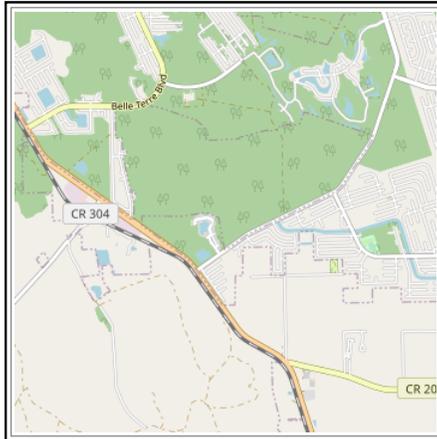
1018 Thomasville Road
 Suite 200-C
 Tallahassee, FL 32303
 850-224-8207
 850-681-9364 fax
 www.fnai.org

Florida Natural Areas Inventory
Biodiversity Matrix Query Results
 UNOFFICIAL REPORT
 Created 10/18/2022

(Contact the FNAI Data Services Coordinator at 850.224.8207 or kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 4 Matrix Units: 50194 , 50195 , 50524 , 50525



Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

LIKELY - The species or community is *known* to occur in this vicinity, and is considered likely within this Matrix Unit because:

1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; or
2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit.

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

Matrix Unit ID: 50194

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

3 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Mesic flatwoods</i>	G4	S4	N	N
Mycteria americana Wood Stork	G4	S2	T	FT
Ursus americanus floridanus Florida Black Bear	G5T4	S4	N	N

Matrix Unit ID: 50195

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

3 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Mesic flatwoods</i>	G4	S4	N	N
Mycteria americana Wood Stork	G4	S2	T	FT
Ursus americanus floridanus Florida Black Bear	G5T4	S4	N	N

Matrix Unit ID: 50524

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

3 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Mesic flatwoods</i>	G4	S4	N	N
Mycteria americana Wood Stork	G4	S2	T	FT
Ursus americanus floridanus Florida Black Bear	G5T4	S4	N	N

Matrix Unit ID: 50525

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

3 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Mesic flatwoods</i>	G4	S4	N	N
Mycteria americana Wood Stork	G4	S2	T	FT
Ursus americanus floridanus Florida Black Bear	G5T4	S4	N	N

Matrix Unit IDs: 50194, 50195, 50524, 50525

20 Potential Elements Common to Any of the 4 Matrix Units

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Alligator mississippiensis American Alligator	G5	S4	SAT	FT(S/A)
Antigone canadensis pratensis Florida Sandhill Crane	G5T2	S2	N	ST
Arnoolossium diversifolium variable-leaved Indian-plantain	G2	S2	N	T
Asplenium x heteroresiliens Morzenti's spleenwort	G2	S1	N	N
Calopogon multiflorus many-flowered grass-pink	G2G3	S2S3	N	T
Centrosema arenicola sand butterfly pea	G2Q	S2	N	E
Conradina grandiflora large-flowered rosemary	G3	S3	N	T
Corynorhinus rafinesquii Rafinesque's Big-eared Bat	G3G4	S1	N	N
Deeringothamnus rugelii Rugel's pawpaw	G1	S1	E	E
Floodplain swamp	G4	S4	N	N
Gopherus polyphemus Gopher Tortoise	G3	S3	C	ST
Gymnopogon chapmanianus Chapman's skeletongrass	G3	S3	N	N
Lechea cernua nodding pinweed	G3	S3	N	T
Litsea aestivalis pondspice	G3?	S2	N	E
Matelea floridana Florida spiny-pod	G2	S2	N	E
Nemastylis floridana celestial lily	G2	S2	N	E
Neofiber alleni Round-tailed Muskrat	G2	S2	N	N
Nolina atopocarpa Florida beargrass	G3	S3	N	T
Pteroglossaspis ecristata giant orchid	G2G3	S2	N	T
Rudbeckia nitida St. John's blackeyed susan	G3	S2	N	E

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a [Standard Data Request](#) option for those needing certifiable data.

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal
Kareen Movsesyan
Jared T. Trent
Sydney L. Nix
Eric R. Sloan, *of-counsel*
Andrew C. Grant, *of-counsel*

Michael D. Chiumento III
Managing Partner
Michael31@legalteamforlife.com



CHIUMENTO LAW

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Palm Coast, FL 32164
Tel. (386) 445-8900
Fax: (386) 445-6702

5048 N. Ocean Shore Blvd.
Palm Coast, FL 32137

By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174

July 27, 2023

To Whom It May Concern:

Byrmdog PCP, LLC is the owner of the property shown on the map in **Exhibit "A"** attached hereto. Currently the owner has a rezoning application into the City of Palm Coast to amend the existing zoning from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts. The location of the three proposed zoning districts is shown on **Exhibit "B"**.

As required by City's Land Development Code, we will be having a neighborhood meeting on **Wednesday, August 9, 2023 at 6:00 p.m. at High Jackers Restaurant, 202 Airport Road, Private Room, Palm Coast, Florida 32164** to show you an overview of the project and answer any of your questions. It is open to the public.

Sincerely yours,

Michael D. Chiumento III

EXHIBIT "A"

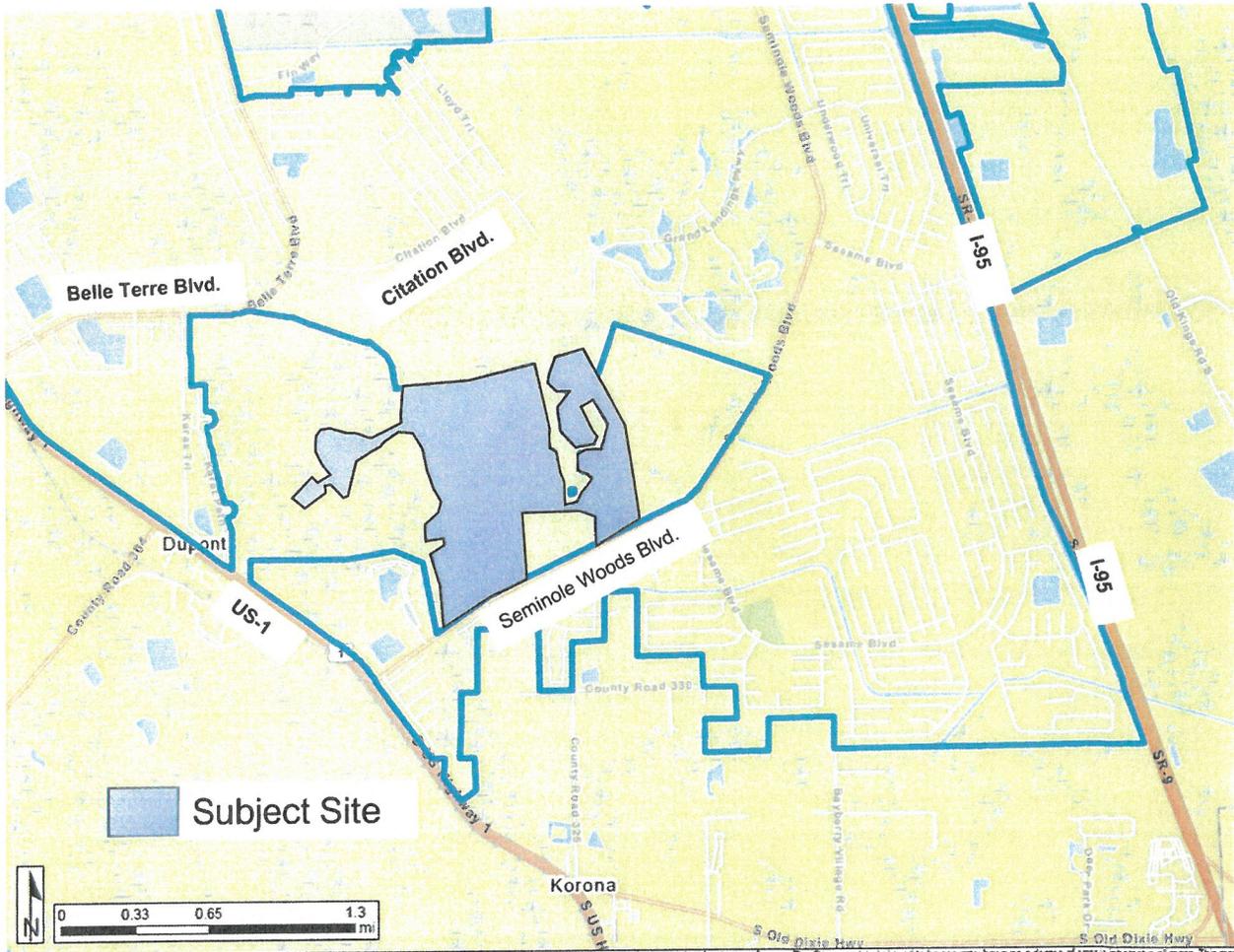
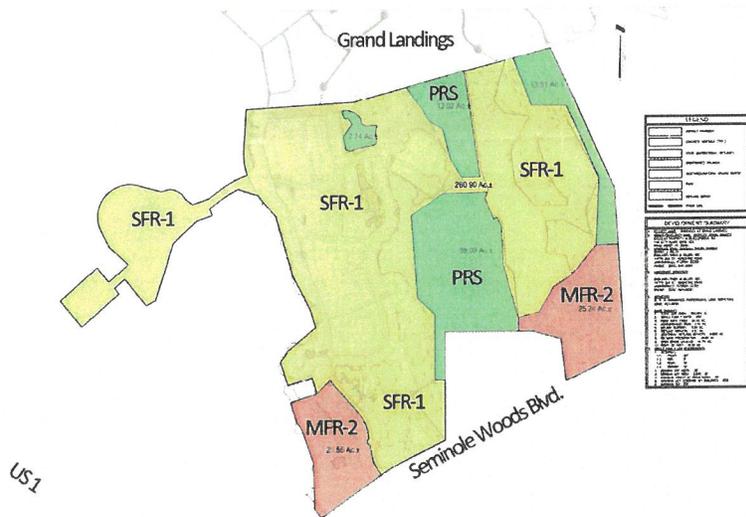


EXHIBIT "B"



THE CASCADES	
Proposed Zoning Designation	Acres
Preservation (PRS)	67.36
Single Family Residential-1 (SFR-1)	260.9
Multi-family Residential-2 (MFR-2)	46.79
Total	375.05



CHIUMENTO LAW
LEGAL TEAM FOR LIFE

145 City Place, Suite 301
Palm Coast, FL 32164

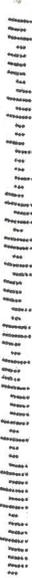
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CITY OF PALM COAST
160 LAKE AVENUE
PALM COAST, FL 32164

32164-240099

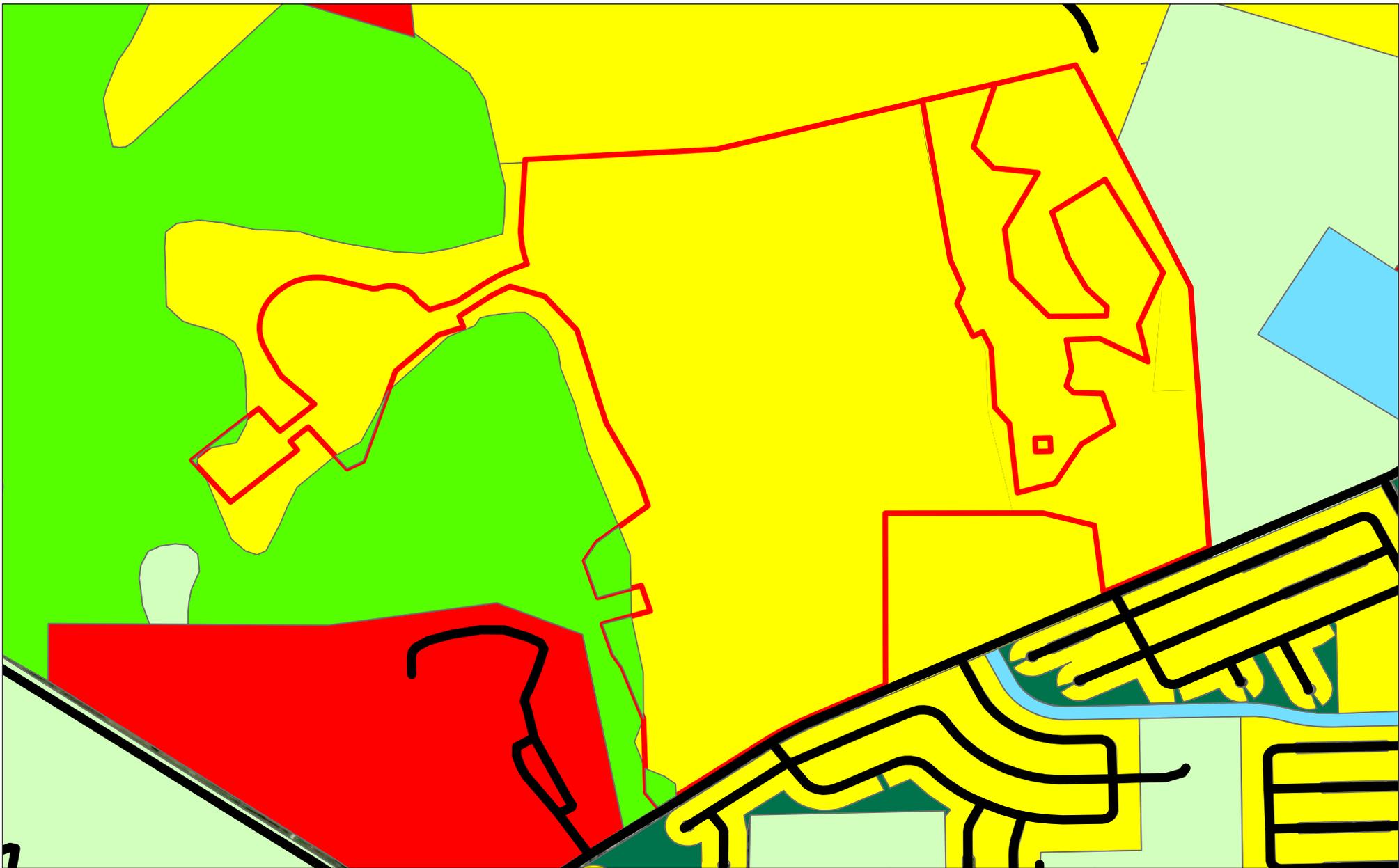


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Current FLUM Map

 Subject Site

Flagler County
Flum Classification

 Educational Use

 Agriculture/
Timberland

 Commercial High
intensity

 Conservation

 Residential

FLUM Classification

 Canals

 Greenbelt

 Mixed Use

 Residential



Dataframe Rotation: 0° off True North

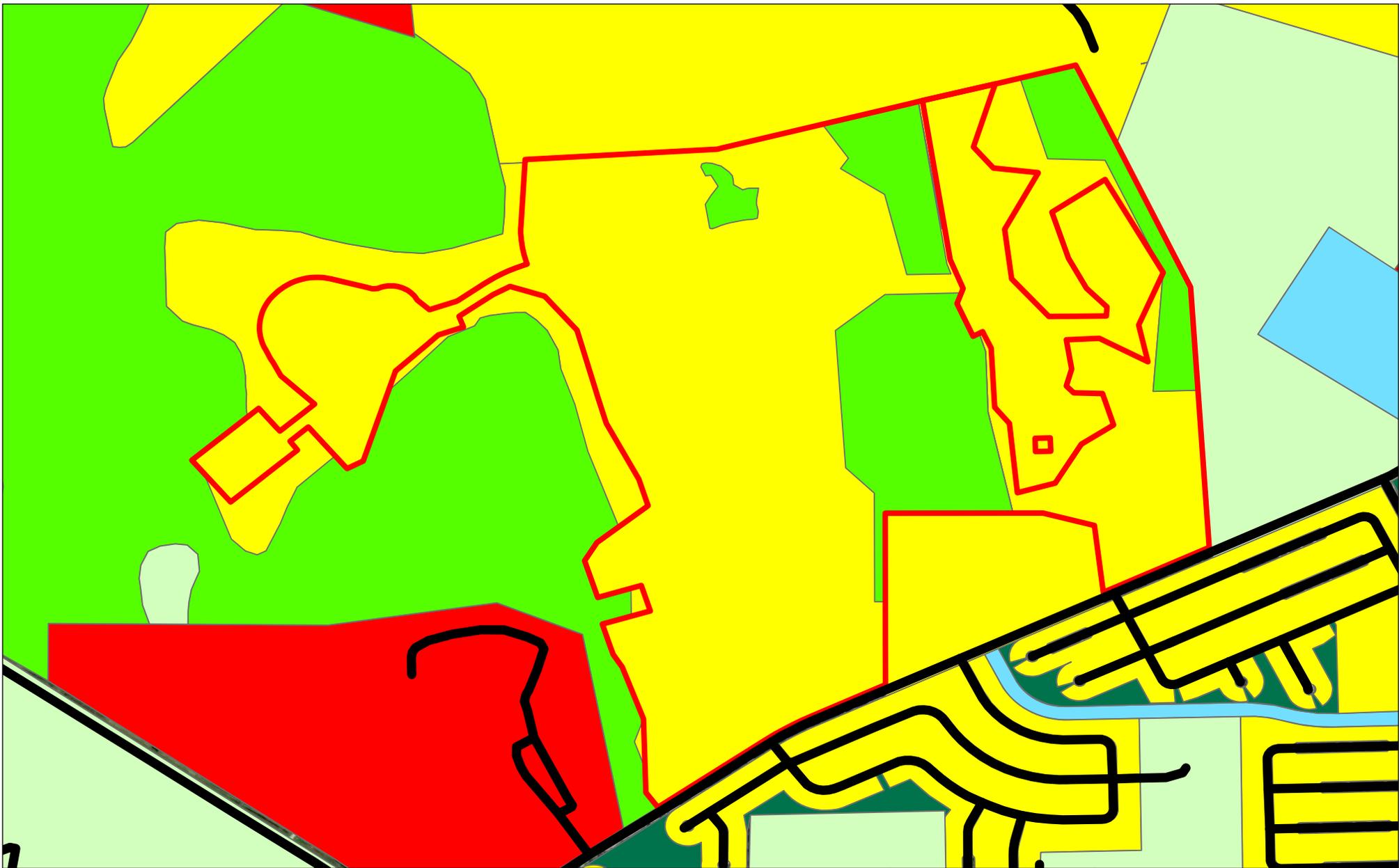


Creation Date:
8/2/2023



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FLUM Amendment



Flagler County
Flum Classification

Agriculture/
Timberland
Commercial High
intensity
Conservation
Residential

Proposed FLUM
Classification
Conservation
Residential

FLUM Classification
Canals
Greenbelt
Mixed Use
Residential

Feet 0 1,000

Dataframe Rotation: 0° off True North

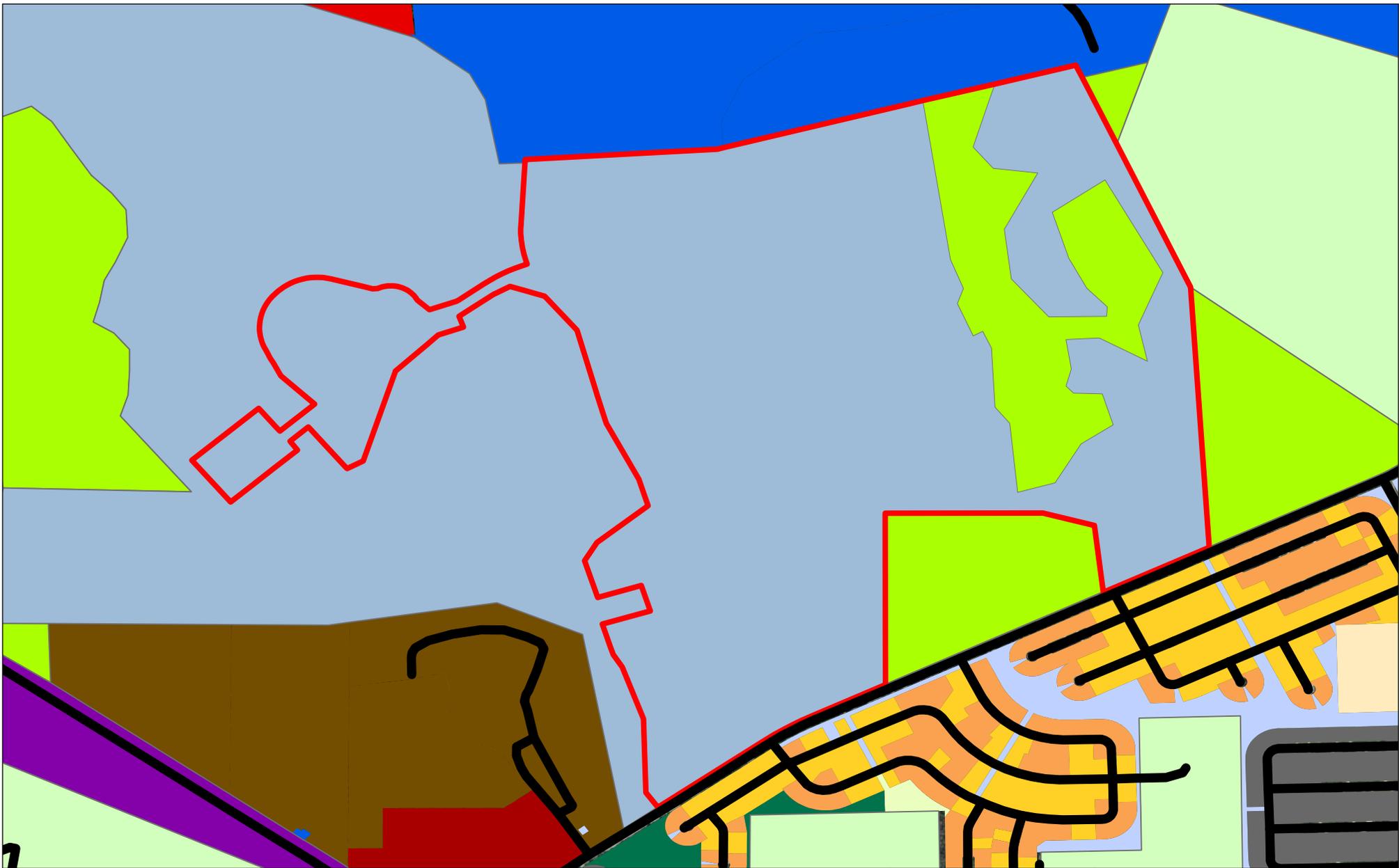


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Current Zoning Map

Subject Site	COM-2	PRS
PUD	COM-3	PSP
NRCPUD	DPX	SFR-2
AC	EST-1	SFR-3
I	MFR-2	SFR-5
		MPD post 11-16-08 designation



Dataframe Rotation: 0° off True North

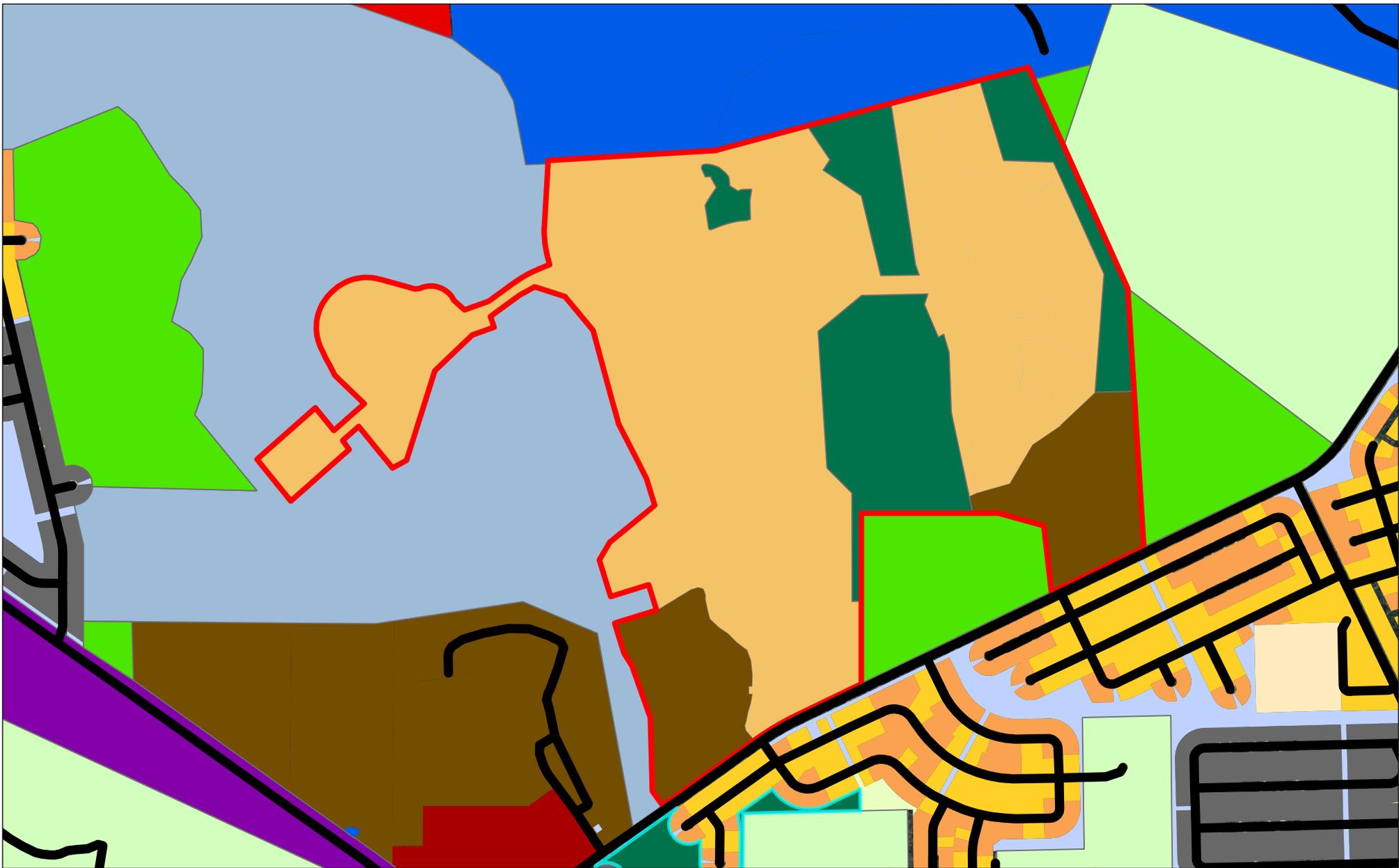


Creation Date:
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Proposed Zoning Map

- | | | | |
|-----------------------------|-------|---------------------------------|---------------------|
| Subject Site | MFR-2 | MPD post 11-16-08 designation | Proposed Zoning PRS |
| Streets | PRS | Flagler County Zoning Districts | SFR1 |
| Palm Coast Zoning Districts | PSP | AC | MFR2 |
| COM-2 | SFR-2 | NRPCUD | |
| COM-3 | SFR-3 | PUD | |
| DPX | SFR-5 | I | |
| EST-1 | | | |



Dataframe Rotation: 0° off True North



Creation Date:
8/2/2023



Map Provided By:
GIS Division

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Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal
Kareen Movsesyan
Jared T. Trent
Sydney L. Nix
Eric R. Sloan, *of-counsel*
Andrew C. Grant, *of-counsel*

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Managing Partner
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CHIUMENTO LAW

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5048 N. Ocean Shore Blvd.
Palm Coast, FL 32137

By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174

July 27, 2023

To Whom It May Concern:

Byrndog PCP, LLC is the owner of the property shown on the map in **Exhibit "A"** attached hereto. Currently the owner has a rezoning application into the City of Palm Coast to amend the existing zoning from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts. The location of the three proposed zoning districts is shown on **Exhibit "B"**.

As required by City's Land Development Code, we will be having a neighborhood meeting on **Wednesday, August 9, 2023 at 6:00 p.m. at High Jackers Restaurant, 202 Airport Road, Private Room, Palm Coast, Florida 32164** to show you an overview of the project and answer any of your questions. It is open to the public.

Sincerely yours,

Michael D. Chiumento III

EXHIBIT "A"

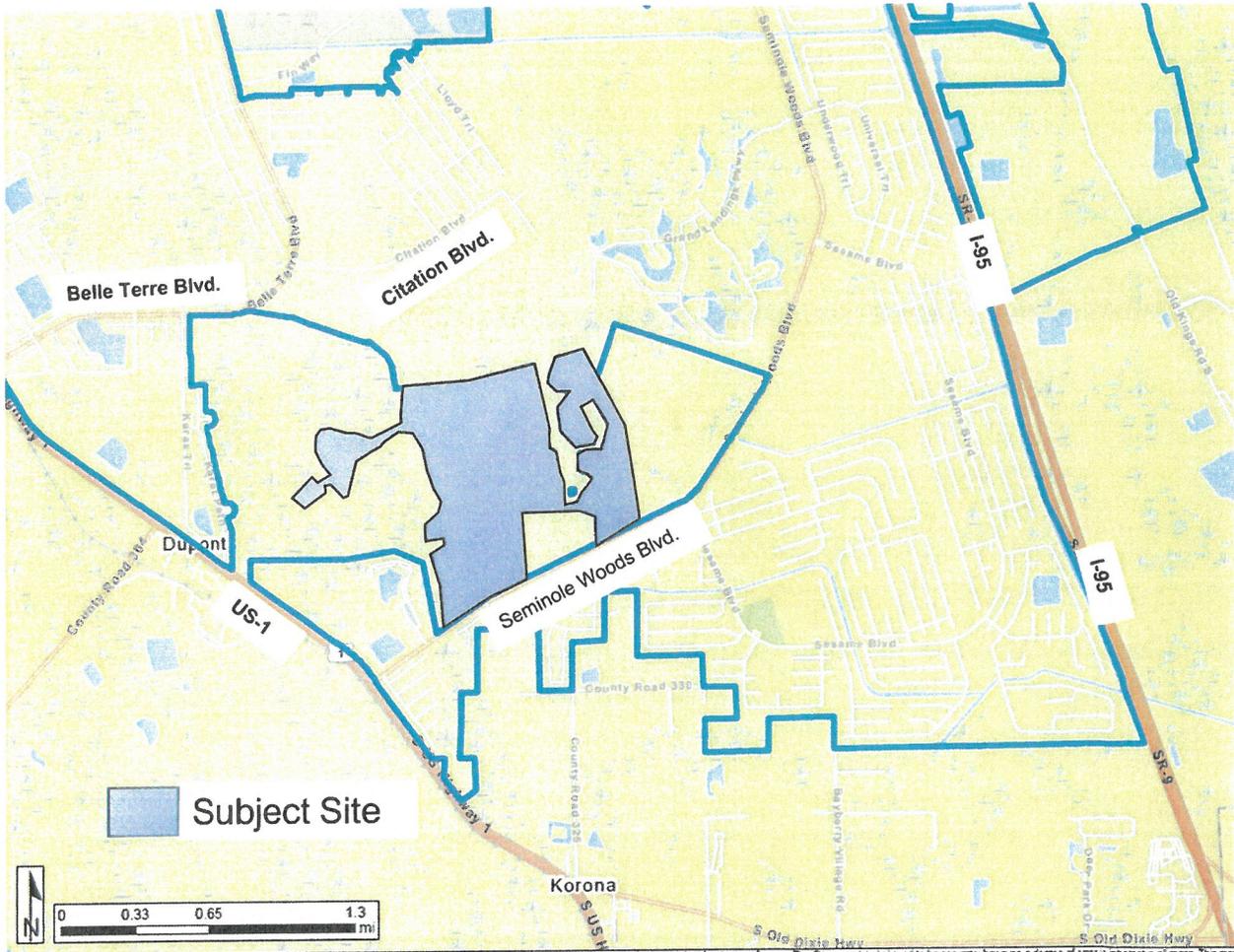
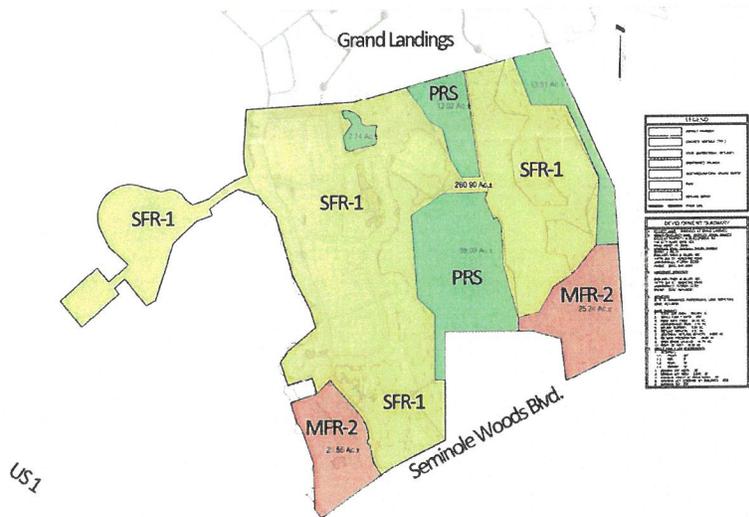


EXHIBIT "B"



THE CASCADES	
Proposed Zoning Designation	Acres
Preservation (PRS)	67.36
Single Family Residential-1 (SFR-1)	260.9
Multi-family Residential-2 (MFR-2)	46.79
Total	375.05



CHIUMENTO LAW
LEGAL TEAM FOR LIFE

145 City Place, Suite 301
Palm Coast, FL 32164

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stamps



NOTIFICATION AFFIDAVIT FOR OFFICIAL ZONING MAP AMENDMENT (REZONING)

COUNTY OF FLAGLER X
STATE OF FLORIDA X

Before me this 26 day of July, 2023 personally appeared
Jared Trent who after providing personally known as
identification and who did, **did not** take an oath, and who being duly sworn, deposes

and says as follows: "I have read and fully understand the provisions of this instrument".

Three (3) signs have been posted on the subject property subject to a rezoning as described
(# of signs) with **Application #** 5107 & 5109

At least fourteen (14) calendar days before the hearing date advertising the date, time, and location of the Planning & Land Development Regulation Board (PLDRB)

AND/OR

 At least fourteen (14) calendar days before the hearing date advertising the date, time, and location of the City Council 1st public hearing.

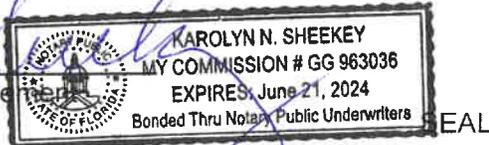
AND/OR

 At least ten (10) calendar days before the hearing date advertising the date, time, and location of the City Council 2nd public hearing.

[Signature]
Signature of Responsible Party

Jared Trent
Print Name & Mailing Address

[Signature]
Signature of Person Taking Acknowledgement



Name of Acknowledger (Typed, Printed or Stamped)

This document, once executed, must be returned to a Land Development Technician in the City of Palm Coast Community Development Department prior to the hearing date. Failure to provide document by that time will result in the application not being placed on the agenda for a public hearing.

Please attach a photo of posted sign(s).

