



## City of Bunnell, Florida

### Agenda Item No. E.1.

Document Date: 4/24/2024 Amount:  
Department: Community Development Account #:  
Subject: Ordinance 2024-09 Requesting to amend the Future Land Use Map in the 2035 Comprehensive Plan for 2,787+/- acres of land within the City of Bunnell, owned by JM Properties X LLC and Wayerhaeuser Company. - First Reading  
Agenda Section: Ordinances: (Legislative):  
Goal/Priority: Increase Economic Base

#### ATTACHMENTS:

Description	Type
Ordinance 2024-09 Reserve at Haw Creek large-scale FLUM Amendment	Ordinance
Ordinance Exhibit "B" - Parcel Data with Land Use Designations	Exhibit
Ordinance Exhibit "C" - Parcel Boundary Legal Description	Exhibit
Applicant's justification of Comprehensive Goals, Objectives, and Policies	Exhibit
City Data and Analysis	Report
Business Impact Estimate (Ord. 2024-09)	Report

#### Summary/Highlights:

This is a request to amend the Future Land Use Map in the Future Land Use Element of the 2035 Comprehensive Plan for 2,787+/- acres of land located west of US Hwy 1 and between State Hwy 100 W and State Road 11.

A companion PUD rezoning item will be presented at a later date that will entail the development's zoning criteria and certain development standards pertinent to this Planned Community.

In accordance with Florida Statutes, this item was advertised in the May 2, 2024 edition of the Daytona Beach News Journal. The Business Impact Statement was published on the City website on April 29, 2024.

#### Background:

The applicant, Northeast Florida Developers, LLC, has applied for a Large-scale Future Land Use Map amendment for 2,787+/- acres on behalf of the owners, JM Properties X LLC and Wayerhaeuser Company. This large-scale amendment is for the mixed-use development known as

the Reserve at Haw Creek.

The developers have been in the talks with the City since late 2022. In May 2023, the development team met with City staff to formerly introduce scope and entirety of the proposed development. Since then, staff and the development team have been in constant communication as they prepared to make a formal submittal, which they did in October 2023. After staff reviewed the submitted material, comments were sent to the applicant, and they have since resubmitted and satisfied the comments that were given.

The Reserve at Haw Creek is proposed to be an integrated master planned mixed-use community including residential, commercial, light industrial, emergency support services, parks and recreation, and conservation. The community will include housing types ranging from affordable to market rate housing, consisting of attached and detached single-family residences to townhomes, garden homes and condominiums. A village center is proposed in the eastern portion of the subject development that will provide a mixture of neighborhood and community services, retail and commercial spaces, parks and trails, public services, and amenities. The development will be adjacent to and expand the current urban core of the City, thus reducing the effects of urban sprawl as regulated by the City's 2035 Comprehensive Plan.

The existing Future Land Use designations are a mixture of Agriculture and Silviculture (AG&S) and Conservation-1 (CON-1). The proposed Future Land Use designations for the community are Rural Estates (RE), Single Family-Low Density (SF-L), Single Family-Medium Density (SF-M), Multifamily (MF), Commercial-Medium (COM-M), Industrial (IND), and Public (PUB). The subject parcels made part of the Reserve at Haw Creek were included in a City initiative to rezone areas that were annexed into the City in 2007 and currently have a redundant Flagler County zoning. The subject parcels have since been removed to allow the applicant's application to move forward. The proposed designations will allow for an estimated combined density of 5,833 DU/acre spread across the Reserve at Haw Creek community as detailed in their application submittal.

The intent of this large-scale map amendment meets the goals, objectives, and policies of the City's 2035 Comprehensive Plan. The accompanying PUD rezoning for this development is nearing final review and will come before both the Planning, Zoning and Appeals Board and the City Commission while the land use amendment is transmitted to the state land planning agency as outlined in Section 163.3184(3), Florida Statutes. Once the reviewing agencies return any comments for the Future Land Use Map amendment, both the PUD rezoning and Land Use amendment will be brought back for Second Hearing.

On April 11, 2024, the Planning, Zoning and Appeals Board recommended approval for the large-scale Future Land Use map amendment to the City Commission.

If approved, a proposed adoption Future Land Use Map Amendment will be sent to the State for review and comments. Second Reading will not occur until the State responds to the proposed adoption package.

**Staff Recommendation:**

Approve Ordinance 2024-09 Requesting to amend the Future Land Use Map in the 2035 Comprehensive Plan for 2,787+/- acres of land within the City of Bunnell, owned by JM Properties

X LLC and Wayerhaeuser Company. - First Reading

**City Attorney Review:**

Approved

**Finance Department Review/Recommendation:**

**City Manager Review/Recommendation:**

Reviewed for agenda. Approval recommended

## ORDINANCE 2024-09

**AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR THE LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP IN THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY CONTAINING 2,787± ACRES, OWNED BY JM PROPERTIES X LLC AND WEYERHAEUSER COMPANY, WITHIN THE CITY OF BUNNELL AS SHOWN IN EXHIBIT “B”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATIONS FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR SERVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the real properties which are the subject of this Ordinance are described in Exhibit “B”, located in the City of Bunnell; and

**WHEREAS**, the owners of the real properties shown in Exhibit “B”, JM Properties X LLC and Weyerhaeuser Company, have authorized the applicant, Northeast Florida Developers LLC, to apply for an amendment to the Future Land Use Map in the Future Land Use Element of the 2035 Comprehensive Plan; and

**WHEREAS**, this large-scale Future Land Use Map amendment is to allow for an integrated master planned mixed-use community known as “Reserve at Haw creek”; and

**WHEREAS**, this large-scale Future Land Use Map amendment adheres to the City of Bunnell’s 2035 Comprehensive Plan Goals, Objectives, and Policies for future planning and development; and

**WHEREAS**, the City of Bunnell’s Planning, Zoning and Appeals Board, as the City’s local planning agency, held a public hearing on April 11, 2024 to consider amending the Future Land Use Map of the Future Land Use Element of the *City of Bunnell Comprehensive Plan* and recommended approval of the proposed Future Land Use Map amendment to the *Comprehensive Plan* for the subject properties as requested by the applicant; and

**WHEREAS**, Section 163.3184, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to large-scale amendments, and which are related to proposed large-scale development activities and provides, among other things, that such amendments may be approved without regard to statutory limits on the frequency of consideration of amendments to the *City of Bunnell Comprehensive Plan*; and

**WHEREAS**, the City of Bunnell has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Bunnell Comprehensive Plan* including, but not limited to, Section 163.3184, *Florida Statutes*.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:**

**Section 1. Legislative Findings and Intent.**

(a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City of staff report and City Commission agenda memorandum relating to the application relating to the proposed amendment to the *City of Bunnell 2035 Comprehensive Plan* pertaining to the subject properties and the recitals (whereas clauses).

(b) The City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c) This Ordinance is internally consistent with the goals, objectives and policies of the *City of Bunnell 2035 Comprehensive Plan*.

(d) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

**Section 2. Amendment to Future Land Use Map.**

(a) The Future Land Use Plan Element of the *City of Bunnell 2035 Comprehensive Plan* and the City's Future Land Use Map are hereby amended by assigning the various Future Land Use designations to the real properties shown in Exhibit "B" which are the subject of this Ordinance as set forth herein.

(b) The parcel boundary legal description of the "Reserve at Haw creek" mixed-use community is shown in Exhibit "C".

**Section 3. Implementing Administrative Actions.**

The City Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

**Section 4. Ratification of Prior Actions.**

The prior actions of the City Commission and its agencies in enacting and causing amendments to the *2035 Comprehensive Plan of the City of Bunnell*, as well as the implementation thereof, are hereby ratified and affirmed.

**Section 5. Severability.**

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, it shall not be held or impair the validity of the ordinance or effect of any other action or part of this Ordinance.

**Section 6. Conflicts.**

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

**Section 7. Codification/Instructions to Code Codifier.**

It is the intention of the City Commission of the City of Bunnell, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Bunnell *2035 Comprehensive Plan* and/or the *Code of Ordinances of the City of Bunnell*, Florida in terms of amending the Future Land use Map of the City.

**Section 8. Effective Date.**

The large-scale Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(4)(c)4., *Florida Statutes*, until 31 days after the state land planning agency notifies the City that the plan amendment package is complete. If timely challenged, this large-scale amendment shall not become effective until the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance.

First Reading: approved on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Second Reading/Final Reading: adopted on this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

**CITY COMMISSION, City of Bunnell, Florida.**

By: \_\_\_\_\_  
Catherine D. Robinson, Mayor

Approved for form and content by:

\_\_\_\_\_  
Vose Law Firm, City Attorney

Attest:

Seal:

\_\_\_\_\_  
Kristen Bates, CMC, City Clerk

# Exhibit "A"

## Amended Future Land Use Map



# Exhibit "B" - Parcel Data with Future Land Use Designations

Survey Reference	Parcel Number	Acreage by GIS		Acreage by Survey		Existing Land Use	Existing Zoning	Proposed Land Use									
A1	16-12-30-0650-000A0-0010	136.99	ac	141.09	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Single Family Medium Density (SF-M) / Commercial - Medium (COM-M)	47.18	ac	SF-L	70.54	ac	SF-M	23.37	ac	COM-M
A2	16-12-30-0650-000B0-0010	143.36	ac	144.93	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Industrial (IND)	116.27	ac	SF-L	28.66	ac	IND			
A3	16-12-30-0750-00010-0010	1.09	ac	1.09	ac	Agriculture & Silviculture	AG&S	Single Family Low Density (SF-L)	1.09	ac	SF-L						
A4	16-12-30-0750-00020-0000	17.60	ac	18.29	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L)	18.29	ac	SF-L						
A5	15-12-30-0850-000B0-0040	56.89	ac	57.17	ac	Single Family Low Density	R-1	Single Family Medium Density (SF-M) / Multifamily (MF) / Public (PUBLIC)	24.84	ac	SF-M	19.87	ac	MF	12.46	ac	PUBLIC
A6	15-12-30-0650-000C0-0042	71.15	ac	68.66	ac	None Assigned by City of Bunnell	R-1	Multifamily (MF) / Commercial-Medium (COM-M)	65.18	ac	MF	3.48	ac	COM-M			
A7	16-12-30-0650-000B0-0000	311.88	ac	321.75	ac	Agriculture & Silviculture	AG&S	Single Family Low Density (SF-L) / Multifamily (MF) / Commercial-Medium (COM-M)	250.11	ac	SF-L	55.16	ac	MF	16.48	ac	COM-M
Weyerhaeuser	15-12-30-0650-000C0-0070	4.60	ac	4.98	ac	None Assigned by City of Bunnell	R-1	Multifamily (MF) / Commercial-Medium (COM-M)	3.99	ac	MF	0.99	ac	COM-M			
A8	22-12-30-0650-000B0-0011	3.03	ac	2.18	ac	Agriculture & Silviculture	Agriculture & Silviculture	Single Family Low Density (SF-L)	2.18	ac	SF-L						
A9	21-12-30-0000-01010-0010	425.04	ac	431.74	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Multifamily (MF) / Industrial (IND)	253.02	ac	SF-L	42.26	ac	MF	136.5	ac	IND
B1	17-12-30-0650-000D0-0000	590.80	ac	587.38	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Multifamily (MF) / Industrial (IND)	511.89	ac	SF-L	24.71	ac	MF	50.78	ac	IND
B2B	20-12-30-0650-000B0-0010	97.70	ac	99.76	ac	Agriculture & Silviculture	Agriculture & Silviculture	Single Family Low Density (SF-L)	99.76	ac	SF-L						
B2A	20-12-30-0650-000A0-0030	94.07	ac	88.89	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L)	88.89	ac	SF-L						
C1	18-12-30-5550-00050-0110	278.93	ac	285.07	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Rural Estates (RE)	285.07	ac	RE						
C2	18-12-30-5550-00010-0000	63.26	ac	65.86	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Rural Estates (RE)	65.86	ac	RE						
C3	18-12-30-5550-00030-0010	19.75	ac	16.84	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	16.84	ac	RE						
C4	08-12-30-5550-00130-0000	9.15	ac	11.72	ac	Agriculture & Silviculture	AG&S	Single Family Low Density (SF-L)	11.72	ac	SF-L						
C5	18-12-30-5550-00120-0010	29.84	ac	29.79	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	29.79	ac	RE						
C6	13-12-29-5550-00010-0010	26.34	ac	25.72	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	25.72	ac	RE						
C7	13-12-29-5550-00080-0000	119.98	ac	118.98	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	118.98	ac	RE						
C8	13-12-29-5550-00150-0000	79.17	ac	79.41	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	79.41	ac	RE						
C9	13-12-29-1250-00100-0010	2.85	ac	2.83	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	2.83	ac	RE						
C10	13-12-29-1250-00010-0000	26.97	ac	25.83	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	25.83	ac	RE						
C11	13-12-29-1250-00100-0380	0.13	ac	0.13	ac	Agriculture (F)	AG (F)	Rural Estates (RE)	0.13	ac	RE						
C12	13-12-29-1250-00100-0360	0.15	ac	0.15	ac	Agriculture (F)	AG (F)	Rural Estates (RE)	0.15	ac	RE						
13F	18-12-30-5550-00130-0000	154.32	ac	155.79	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Rural Estates (RE) / Single Family Low Density (SF-L)	118.69	ac	RE	37.1	ac	SF-L			
Requires Annexation				2786.03	ac	Per Survey (Acreage Used for Land Use)			2263.71			282.8			239.6		2786
		2765.04	ac	Per GIS					<b>Land Use Summary</b>								
Sources: Survey, Flagler County Property Appraiser / GIS									Public	12.46							
									Industrial	215.9							
									Com-M	44.32							
									MF	211.17							
									SF-M	95.38							
									SF-L	1437.5							
									RE	769.3							
									Total	2786.03							



## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

A PARCEL OF LAND ENCOMPASSING PORTIONS OF BUNNELL GARDENS (MAP BOOK 2, PAGE 6), CRESCENT SHORES (MAP BOOK 2, PG 17), BUNNELL DEVELOPMENT COMPANYS LAND (MAP BOOK 1, PAGE 1), AND ST JOHNS DEVELOPMENT COMPANYS (MAP BOOK 1, PAGE 7) LYING IN SECTIONS 8, 15, 16, 17, 18, 20, 21, 22, AND 28, ALL IN TOWNSHIP 12 SOUTH, RANGE 30 EAST AND SECTION 13, TOWNSHIP 12 SOUTH, RANGE 29 EAST, FLAGLER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 15, TOWNSHIP 12 SOUTH, RANGE 30 EAST, THENCE  $S01^{\circ}43'06''E$  ALONG THE WEST LINE OF SECTION 15 A DISTANCE OF 25.01' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD(50' R/W) ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE  $N89^{\circ}53'29''E$  ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD A DISTANCE OF 132.21' TO THE WESTERLY LINE OF LANDS RECORDED IN OR 1348, PG 712; THENCE DEPARTING DEEN ROAD RIGHT-OF-WAY  $S01^{\circ}39'01''E$  ALONG THE WESTERLY LINE OF THOSE LANDS RECORDED IN OR 1348, PG 712, AND OR 2521, PG 552 A DISTANCE OF 434.34' TO THE NORTHERLY LINE OF LANDS RECORDED IN OR 2643, PG 751 ; THENCE  $N89^{\circ}52'35''W$  ALONG SAID LANDS A DISTANCE OF 17.83'; THENCE  $S01^{\circ}38'50''E$  A DISTANCE OF 200.36'; THENCE  $N89^{\circ}42'16''E$  DISTANCE OF 574.18' TO THE WESTERLY LINE OF THOSE LANDS RECORDED IN OR 2380, PG 1412; THENCE  $S01^{\circ}34'38''E$  ALONG THE WESTERLY LINE OF THOSE LANDS RECORDED IN OR 2380, PG 1412 AND OR 2643, PG 754 A DISTANCE OF 285.74'; THENCE DEPARTING SAID WESTERLY LINE  $N89^{\circ}42'16''E$  A DISTANCE OF 306.03'; THENCE  $S01^{\circ}30'16''E$  A DISTANCE OF 42.66' TO THE NORTH LINE OF TRACT 7, BLOCK B, SECTION 15, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE  $N89^{\circ}36'43''E$  ALONG SAID NORTH LINE A DISTANCE OF 330.97' TO THE EAST LINE OF SAID TRACT 7; THENCE  $S01^{\circ}25'57''E$  ALONG THE EAST LINE OF TRACTS 7, 10, 11, 14, AND 15 A DISTANCE OF 1639.22' TO THE NORTH LINE OF BLOCK C OF SAID SECTION 15; THENCE  $N89^{\circ}08'44''E$  ALONG SAID NORTH LINE OF BLOCK C, A DISTANCE OF 164.44' TO THE EAST LINE OF THE WEST HALF (1/2) OF TRACT 4, BLOCK C; THENCE  $S01^{\circ}21'46''E$  ALONG THE EAST LINE OF THE WEST HALVES OF TRACTS 4 AND 12, BLOCK C A DISTANCE OF 1302.31' TO THE NORTH LINE OF TRACT 19, BLOCK C; THENCE  $N88^{\circ}24'21''E$  ALONG SAID NORTH LINE OF TRACT 19, A DISTANCE OF 44.66' TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD HIGHWAY 11 (200' R/W); THENCE  $S39^{\circ}21'05''W$  ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1742.76' TO AN INTERSECTION WITH THE NORTH LINE OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE CONTINUE  $S39^{\circ}21'05''W$  ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 647.22' TO AN INTERSECTION WITH THE EAST LINE OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE CONTINUE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 11,  $S39^{\circ}21'05''W$  A DISTANCE OF 3753.88' TO A CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF  $11^{\circ}11'00''$ , A RADIUS OF 5807.06, AN ARC LENGTH OF 1133.46', A CHORD BEARING OF  $S33^{\circ}45'35''W$ , AND A CHORD DISTANCE OF 1131.66'; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE  $S28^{\circ}10'05''W$  A DISTANCE OF 951.54' TO AN INTERSECTION WITH THE NORTH LINE OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND;

## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

THENCE DEPARTING THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 11, S88°42'07"W ALONG SAID NORTH LINE OF SECTION 28 A DISTANCE OF 1153.01'; THENCE DEPARTING THE NORTH LINE OF SECTION 28, S17°03'30"E A DISTANCE OF 573.61'; THENCE S01°02'20"E A DISTANCE OF 728.84'; THENCE N88°42'09"E A DISTANCE OF 267.08' TO A POINT OF AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 11, SAID POINT BEING ON A CURVE CONCAVE NORTHWESTERLY; HAVING A DELTA OF 25°30'53" A RADIUS OF 2787.16, AN ARC LENGTH OF 1241.17, A CHORD BEARING OF S45°23'39"W, AND A CHORD DISTANCE OF 1230.94'; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S58°09'05"W A DISTANCE OF 424.26'; THENCE DEPARTING WESTERLY RIGHT-OF-WAY LINE, N01°02'12"W A DISTANCE OF 2340.88' TO THE NORTHWEST CORNER OF SECTION 28, ALSO BEING THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE ALONG THE WESTERLY LINE OF SAID SECTION 21, N01°44'23"E A DISTANCE OF 3242.53' TO THE SOUTHEAST CORNER OF BLOCK A, SECTION 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE DEPARTING THE WESTERLY LINE OF SECTION 21, S89°13'30"W ALONG THE SOUTHERLY LINE OF SAID BLOCK A, SECTION 20, A DISTANCE OF 1994.32'; THENCE DEPARTING SAID SOUTHERLY LINE OF BLOCK A, N00°27'07"W A DISTANCE OF 672.43'; THENCE N88°53'32"E A DISTANCE OF 460.30'; THENCE N00°59'31"E A DISTANCE OF 661.67'; THENCE S88°54'19"W A DISTANCE OF 1266.54' TO THE EAST LINE OF BLOCK B, OF SAID SECTION 20, AND TO THE APPARENT CENTERLINE OF EAST BLACK POINT ROAD; THENCE CONTINUE S88°54'19"W A DISTANCE OF 1315.79'; THENCE S01°06'12"E A DISTANCE OF 1322.07' TO THE SOUTHERLY LINE OF SAID BLOCK B, AND TO THE APPARENT INTERSECTION OF EAST BLACK POINT ROAD; THENCE S89°13'30"W ALONG THE SOUTHERLY LINE OF BLOCK B, A DISTANCE OF 1318.07' TO THE WEST QUARTER SECTION CORNER OF SECTION 20 ALSO BEING THE EAST QUARTER SECTION CORNER OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE N01°12'21"W ALONG THE WEST LINE OF SECTION 20, A DISTANCE OF 191.69'; THENCE S89°01'18"E A DISTANCE OF 482.19'; THENCE N01°15'35"W A DISTANCE OF 467.36'; THENCE N89°01'18"W A DISTANCE OF 481.75' TO THE WEST LINE OF SECTION 20; THENCE N01°12'21"W A DISTANCE OF 1977.10' TO THE NORTHWEST CORNER OF SECTION 20, ALSO BEING THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE N01°40'51"E ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 19.90'; THENCE DEPARTING SAID EAST LINE N84°12'43"W A DISTANCE OF 1569.58'; THENCE S22°06'08"W A DISTANCE OF 223.70' TO THE SOUTH LINE OF SECTION 18; THENCE S88°59'14"W ALONG THE SAID SOUTH LINE OF SECTION 18 A DISTANCE OF 986.38'; THENCE CONTINUE S88°59'14"W A DISTANCE OF 2631.80' TO THE SOUTHWEST CORNER OF SECTION 18, ALSO BEING THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 12 SOUTH, RANGE 29 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE S89°46'37"W A DISTANCE OF 2645.38' TO THE SOUTH QUARTER SECTION CORNER OF SAID SECTION 13; THENCE N00°48'58"W ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 13, A DISTANCE OF 2634.39' TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 13, ALSO BEING THE SOUTHWEST CORNER OF CRESCENT SHORES SUBDIVISION; THENCE N00°50'16"W ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 13, ALSO BEING THE WEST LINE OF CRESCENT SHORES, A DISTANCE OF 654.90'; THENCE DEPARTING THE WEST LINE OF SECTION 13, N89°22'31"E ALONG THE NORTH LINE OF CRESCENT SHORES, A DISTANCE OF 650.87' TO THE WEST LINE OF CRESCENT SHORES; THENCE N02°04'51"W ALONG SAID WEST LINE OF CRESCENT SHORES A DISTANCE OF 656.30' TO THE NORTH LINE OF CRESCENT SHORES; THENCE N89°17'01"E A

## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

DISTANCE OF 1162.49'; THENCE N01°21'44"W A DISTANCE OF 1301.16' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 302(95' R/W); THENCE N89°32'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 647.15' TO AN INTERSECTION WITH THE WEST LINE OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF 302, N89°36'23"E A DISTANCE OF 222.10' TO THE NORTHWEST CORNER OF LANDS RECORDED IN OR 2772, PG 104; THENCE S00°45'47"E ALONG THE WEST LINE OF THOSE LANDS RECORDED IN OR 2772, PG 104 AND OR 2781, PG 1914, A DISTANCE OF 1297.06' TO AN INTERSECTION WITH THE NORTH LINE OF TRACT 1, BLOCK 5, SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE CONTINUING ALONG THE WEST LINE OF THE LAND RECORDED IN OR 2781, PG 1914, S00°45'47"E A DISTANCE OF 32.34'; THENCE N88°12'04"E ALONG THE SOUTHERLY LINE OF THOSE LANDS RECORDED IN OR 2781, PG 1914 AND OR 458, PG 1529, A DISTANCE OF 1010.82' TO THE SOUTHEAST CORNER OF SAID LAND RECORDED IN OR 458, PG 1529; THENCE N00°45'26"W ALONG THE EAST LINE OF LANDS RECORDED IN OR 458, PG 1529 A DISTANCE OF 12.66' TO THE NORTH LINE OF TRACT 3, BLOCK 5, SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE N89°19'01"E ALONG THE NORTH LINE OF TRACTS 3, OF BLOCK 5, AND TRACT 1 OF BLOCK 6, OF SECTION 18 ALSO BEING THE SOUTHERLY LINES OF THOSE LANDS RECORDED IN OR 1574, PG 144 AND OR 1920, PG 1591, A DISTANCE OF 1025.66' TO THE SOUTHEAST CORNER OF OR 1920, PG 1591; THENCE N00°16'30"E ALONG THE EAST LINE OF THE LAND RECORDED IN OR 1920, PG 1591, A DISTANCE OF 1286.92' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 302; THENCE N89°36'23"E ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF 302, A DISTANCE OF 372.75'; THENCE N21°21'23"E A DISTANCE OF 31.98' TO THE NORTH LINE OF SECTION 18; THENCE N89°37'36"E ALONG THE NORTH LINE OF SECTION 18, A DISTANCE OF 158.57' TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 100(100' R/W), SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY; THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100, CURVE TO THE LEFT, HAVING A DELTA OF 08°35'47", AN ARC LENGTH OF 867.16', A RADIUS OF 5779.65', A CHORD BEARING OF S81°21'35"E, AND A CHORD DISTANCE OF 866.35'; THENCE CONTINUE ALONG SOUTHERLY RIGHT-OF-WAY LINE OF 100, S85°39'29"E A DISTANCE OF 1284.36' TO AN INTERSECTION WITH THE WEST LINE OF THOSE LANDS OCCUPIED BY POLONIA SOCIETY OF KORONA FL, INC., RECORDED IN OR 1757, PG 110; THENCE S00°09'40"W ALONG THE WEST LINE OF SAID POLONIA SOCIETY LANDS A DISTANCE OF 479.76' TO THE SOUTHWEST CORNER OF THE POLONIA SOCIETY; THENCE S89°45'41"E ALONG THE SOUTHERLY LINE OF THE POLONIA SOCIETY LAND A DISTANCE OF 720.47' TO THE EAST LINE OF THE POLONIA SOCIETY, ALSO BEING THE EAST LINE OF SECTION 18, ALSO BEING THE WEST LINE OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE N00°41'17"W ALONG THE WEST LINE OF SECTION 8 A DISTANCE OF 428.58' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 100; THENCE S85°39'29"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF 100 A DISTANCE OF 1326.32' TO THE EAST LINE OF TRACT 3, BLOCK 13, SECTION 8; THENCE DEPARTING SOUTHERLY RIGHT-OF-WAY LINE OF 100, S00°27'15"E ALONG SAID EAST LINE OF TRACT 3, A DISTANCE OF 300.03' TO THE NORTH LINE OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE N87°43'25"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 1320.49' TO A 4X4 CONCRETE MONUMENT MARKING THE NORHT QUARTER SECTION CORNER OF SECTION 17; THENCE N89°27'01"E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER

## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

OF SECTION 17, A DISTANCE OF 662.91' TO AN INTERSECTION WITH THE WEST LINE OF THOSE LANDS RECORDED IN OR 486, PG 1649, DEED BOOK 55, PG 453, AND OR 496, PG 1651; THENCE S00°53'47"E ALONG THE WEST LINE OF OR 486, PG 1649 A DISTANCE OF 44.86' TO THE SOUTHWEST CORNER OF THOSE LANDS RECORDED IN OR 486, PG 1649; THENCE S85°39'50"E ALONG THE SOUTHERLY LINE OF LAND DESCRIBED IN OR 55, PG 453, A DISTANCE OF 525.32' TO THE EASTERLY LINE OF OF THE WEST 523.12 FEET OF TRACT 3, BLOCK 15, AS MEASURED ALONG THE SOUTH LINE OF SECTION 8; THENCE N00°55'58"W ALONG SAID EASTERLY LINE, A DISTANCE OF 135.45' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 100; THENCE S85°39'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 100 A DISTANCE OF 137.38' TO AN INTERSECTION WITH THE WEST LINE OF TRACT 1, BLOCK 16, SECTION 8; THENCE S00°49'08"E ALONG SAID WEST LINE, A DISTANCE OF 34.14' TO THE NORTH LINE OF SECTION 17; THENCE N89°27'01"E ALONG SAID NORTH LINE, A DISTANCE OF 398.73' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100; THENCE S85°39'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 100, A DISTANCE OF 86.78' TO A CURVE CONCAVE NORTHERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 04°54'50", A RADIUS OF 11509.19, AN ARC LENGTH OF 987.07', A CHORD BEARING OF S88°06'54"E, AND A CHORD DISTANCE OF 986.77'; THENCE CONTINUE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF 100, N89°25'41"E A DISTANCE OF 1778.54' TO AN INTERSECTION WITH THE WEST LINE OF TRACT 2, BLOCK B, SECTION 16, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE S01°45'35"E ALONG THE WEST LINE OF SAID TRACT 2, A DISTANCE OF 609.42' TO THE SOUTHWEST CORNER OF TRACT 2; THENCE N89°18'38"E A DISTANCE OF 724.82' TO THE SOUTHEAST CORNER OF LANDS OCCUPIED BY DUANE TAYLOR RECORDED IN OR 2650, PG 1753; THENCE N01°43'51"W ALONG THE EAST LINE OF THOSE LANDS OCCUPIED BY DUANE TAYLOR OR 2650, PG 1753, AND JOSEPH WRIGHT OR 2695, PG 1433, A DISTANCE OF 607.92' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100; THENCE N89°25'41"E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 19.40' TO AN INTERSECTION WITH THE WEST LINE OF LOT 8, BLOCK 1, BUNNELL GARDENS, MAP BOOK 2, PG 6; THENCE DEPARTING THE SOUTHERLY RIGHT-OF-WAY LINE S01°58'41"E ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 79.38' TO THE SOUTHWEST CORNER OF LOT 8; THENCE N88°57'01"E A DISTANCE OF 102.38' TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 1, BUNNELL GARDENS; THENCE N01°58'01"W ALONG THE EAST LINE OF LOT 5, A DISTANCE OF 78.53' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100; THENCE N89°25'41"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF 100, A DISTANCE OF 649.02' TO A CURVE IN SAID RIGHT-OF-WAY, CONCAVE NORTHWESTERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 12°21'55", A RADIUS OF 1482.68', AN ARC LENGTH OF 319.98', A CHORD BEARING OF N83°14'43"E, AND A CHORD DISTANCE OF 319.36' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD(50' R/W); THENCE N88°56'32"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF DEEN ROAD, A DISTANCE OF 1526.48' TO THE POINT OF BEGINNING AND TO CLOSE.

## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

LESS AND EXCEPT THE FOLLOWING PARCELS:

THE NORTH 330 FEET OF TRACT 1, BLOCK D, SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE(S) 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 17-12-30-0650-000D0-0010

AND ALSO LESS AND EXCEPT

TRACT 1, BLOCK D, SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ACCORDING TO THE PLAT OF BUNNELL DEVELOPMENT COMPANY'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 1, FLAGLER COUNTY, FLORIDA, LESS THE NORTH 330 FEET THEREOF.

COMMONLY KNOWN AS: 680 E BLACK POINT RD., BUNNELL, FL 32110

PARCEL ID: 17-12-30-0650-000D0-0011

AND ALSO LESS AND EXCEPT

OFFICIAL RECORDS BOOK 91, PG 683:

PARCEL OF LAND IN SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 17, THE SAME BEING THE SOUTHWEST CORNER OF SECTION 8; THENCE NORTH 00°41'08" WEST ALONG THE WEST LINE OF SAID SECTION 8 A DISTANCE OF 502.43 FEET TO THE CENTERLINE OF STATE ROAD 100; THENCE SOUTH 85°39'51" EAST ALONG SAID CENTERLINE 1007.31 FEET TO THE CENTERLINE OF AN EXISTING COUNTY ROAD; THENCE SOUTH 18°36'01" WEST ALONG SAID CENTERLINE 1590.90 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 733.60 FEET AND A DELTA ANGLE OF 6°12'49", THENCE ALONG THE ARC OF SAID CURVE 79.56 FEET TO A POINT THEREIN; THENCE NORTH 79°18'59" WEST 25.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD AND THE POINT OF BEGINNING;

THENCE NORTH 79°18'59" WEST 508.86 FEET; THENCE SOUTH 16°14'28" WEST 471.08 FEET; THENCE SOUTH 84°28'35" EAST 634.66 FEET TO A POINT IN AFORESAID WESTERLY RIGHT-OF-WAY LINE, BEING A POINT ON A CURVE CONCAVE TO THE EASTERLY, SAID CURVE HAVING A RADIUS OF 758.60 FEET AND A DELTA ANGLE OF 32°35'00", THENCE ALONG THE ARC OF SAID CURVE RUN NORTHWESTERLY A DISTANCE OF 431.41 FEET TO THE POINT OF BEGINNING.

CONTAINNING 5.44 ACRES.

PARCEL ID: 17-12-30-0650-000B0-0000

## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

AND ALSO LESS AND EXCEPT

TRACTS 1 AND 2, BLOCK A, IN SECTION 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST, IN THE BUNNELL DEVELOPMENT COMPANY'S ALLOTMENT, ACCORDING TO THE PLAT OR MAP THEREOF DESCRIBED IN PLAT BOOK 1, AT PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 20-12-30-0650-000A0-0010

AND ALSO LESS AND EXCEPT

A PORTION OF SECTIONS 17 AND 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST. JOHNS DEVELOPMENT COMPANYS SUBDIVISION, FLAGLER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF REFERENCE BEING A "MOODY" 6x6 CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 20, BEAR N82°18'39"W ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 725.72 FEET TO THE NORTHWEST CORNER OF TRACT 2, BLOCK A, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE S00°48'22"W ALONG SAID WEST LINE OF TRACT 2, BLOCK A, A DISTANCE OF 131.57 FEET; THENCE DEPARTING SAID WEST LINE OF TRACT 2, N34°53'40"W A DISTANCE OF 177.40 FEET TO THE SAID NORTH LINE OF SECTION 20, ALSO BEING THE SOUTH LINE OF SAID SECTION 17; THENCE CONTINUE N34°53'40"W A DISTANCE OF 28.55 FEET TO A CURVE, CONCAVE NORTHWESTERLY, IN THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST BLACK POINT ROAD(CR 5 EAST, A 50' MAINTAINED R/W); THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 23°47'29", A RADIUS OF 225.00', AN ARC LENGTH OF 93.43', A CHORD BEARING OF N72°44'31"E, AND A CHORD DISTANCE OF 92.76' TO A POINT OF TANGENCY IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BLACK POINT ROAD; THENCE N60°50'46"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 34.84' TO THE WESTERLY LINE OF TRACT 11, BLOCK D, OF SAID SECTION 17; THENCE S00°27'45"E ALONG SAID WESTERLY LINE A DISTANCE OF 81.86' TO THE SOUTHWEST CORNER OF SAID TRACT 11, BLOCK D, ALSO BEING THE POINT OF BEGINNING, AND TO CLOSE.

PARCEL CONTAINING 0.2791 ACRES MORE OR LESS.

AND ALSO LESS AND EXCEPT

ST. JOHNS DEVELOPMENT COMPANY SUBDIVISION, SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, THE N 1/2 OF TRACT 3, BLOCK 12 AS RECORDED IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 18-12-30-5550-00120-0031

## Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

AND ALSO LESS AND EXCEPT

THE SOUTH 1/2 OF TRACT 3, BLOCK 12, ST. JOHNS DEVELOPMENT COMPANY'S SUBDIVISION OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST AS RECORDED IN PLAT BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 18-12-30-5550-00120-0030

AND ALSO LESS AND EXCEPT

LOTS 40 AND 41, BLOCK 10, CRESCENT SHORES SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN MAP BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 13-12-29-1250-00100-0400

AND ALSO LESS AND EXCEPT ALL LANDS LYING IN ROAD RIGHTS-OF-WAYS: INCLUDING THOSE LANDS LYING IN STATE ROAD HIGHWAY 100; STATE ROAD HIGHWAY 11; COUNTY ROAD 302; COUNTY ROAD 65; COUNTY ROAD 80; ALL ROADS PLATTED IN PLAT BOOK 2, PAGE 17, CRESCENT SHORES; ALL ROADS PLATTED IN PLAT BOOK 2, PAGE 6, BUNNELL GARDENS; AND ALL OF BLACK POINT ROAD(COUNTY ROAD 5).

SUBJECT TO THE FOLLOWING PARCELS:

300' FPL EASEMENT "F-19" DESCRIBED IN OFFICIAL RECORDS BOOK 224, PAGE 741 AND OFFICIAL RECORDS BOOK 226, PAGE 130, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

AND ALSO SUBJECT TO THOSE LANDS LYING IN ROAD RIGHT-OF-WAYS AND EASEMENTS AS PLATTED AND DESCRIBED IN BUNNELL DEVELOPMENT COMPANY'S SUBDIVISION, PLAT BOOK 1, PAGE 1, AND ST. JOHNS DEVELOPMENT COMPANY'S SUBDIVISION, PLAT BOOK 1, PAGE 7, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

AND ALSO SUBJECT TO THE WOODS ROAD BEING USED FOR INGRESS, EGRESS, AND UTILITIES PURPOSES FOR THOSE PARCELS OF LAND LYING IN TRACT 3, BLOCK 12, SECTION 18, ST. JOHNS DEVELOPMENT COMPANY'S SUBDIVISION, FLAGLER COUNTY, FLORIDA.

OVERALL PARCEL CONTAINING 2,881.6192 ACRES MORE OR LESS.

# **Reserve at Haw Creek**

## **Proposed Expedited State Review Comprehensive Plan Amendment**

**Goals, Objectives, and Policies with Justification  
March 2024**

**2035 Comprehensive Plan,  
City of Bunnell, Florida**

Prepared by:  
**Northeast Florida Developers, LLC**

Prepared for:  
**JM Properties X, LLC**



## INTENT

This Large-Scale Land Use Amendment (LS LUA) is being submitted by Northeast Florida Developers, LLC (the “Applicant”) on behalf of the current property owners JM Properties X, LLC and Weyerhaeuser Company. The subject parcels consist of approximately 2,787+/- acres and are referred to as the “Reserve at Haw Creek”. Reserve at Haw Creek is incorporated land within the City of Bunnell, Florida located at the greater southwestern quadrant of Highway 100/State Road 20/Deen Road and West Moody Boulevard/State Road 11. It is bifurcated in the east/west direction by Haw Creek that flows north to south and proceeds towards County Road 65, its approximate western boundary.

The subject parcels current Future Land Use categories include Agriculture & Silviculture (AG&S), Single Family – Low Density (SF-LD), and Conservation-1 (Con-1) and zoning districts of Agriculture (AG), Single Family – Residential (SF-LD) and Agriculture Conservation (AC). The Applicant proposes an amendment to the City of Bunnell’s Future Land Use Map to make a change from the Agriculture & Silviculture Future Land Use categories to the following mix of land use categories: Rural Estates (RE), Single Family-Low Density (SF-LD), Single Family-Medium Density (SF-M), Multifamily (MF), Commercial – Medium (COM-M), Industrial (IND) and Public (Public). The proposed amendment intends to allow for an integrated master planned mixed-use community including residential, commercial, light industrial, support services, parks and recreation and conservation. The community will include housing types ranging from affordable to market rate housing, consisting of attached and detached single family housing to townhomes, garden homes and condominiums. A village center is proposed in the eastern portion of the subject property that will provide a mixture of neighborhood and community services, retail and commercial spaces, parks and trails, public services and amenities. The community will integrate with the natural environment and provide open space, parks, recreation and trails throughout. The entire community will include appropriate infrastructure to support the development of Reserve at Haw Creek.

The City of Bunnell, FL proactively incorporated many adjacent lands to guide their contiguous future growth, of which Reserve at Haw Creek lies within previously incorporated boundaries. Currently, the character of the surrounding area is predominantly agriculture, silviculture, rural residential, and conservation. Reserve at Haw Creek is currently surrounded by the following future land use categories as noted by both the City of Bunnell and Flagler County’s 2035 Comprehensive Plans:

North: Low Intensity/Rural Estate Residential, Agriculture & Silviculture, Conservation  
South: Agriculture & Silviculture, Conservation

- East: The existing developed community of Bunnell, which includes Single Family – Low Density, Commercial – Medium, Single Family – Medium Density, Public, Multi-Family, Recreation, Industrial and the Employment Center Overlay.
- West: Low Intensity/Rural Estate Residential, Agriculture & Silviculture, Conservation

The location of Reserve at Haw Creek is quite intentional, being located at the core of the City of Bunnell, adjacent to (within approximately 750 LF) the City’s wastewater treatment facility, commercial district and the Employment Center Overlay. The community is fronted by Highway 100 on the northern boundary and State Road 11 on the eastern/southern boundary. The proposed land use amendment is a natural transition of densities and intensities of a mixture of uses that emanate from the core of the City of Bunnell westward along Highway 100 and southwesterly along SR 11.

The proposed amendment follows best practices of land planning, environmental planning and transportation planning, comprehensively integrating conservation and allocating lands for major established infrastructure, providing a balance of mixed uses, a natural extension of the City of Bunnell. This in turn discourages sprawl, reduces impacts on roadways, and provides existing and entitled surrounding areas with the services that are needed. The location of the subject property meets or exceeds the Comprehensive Plans Goals, Objectives and Policies for future growth and conservation.

**PROPOSED DEVELOPMENT PROGRAM / FUTURE LAND USE CATEGORIES:**

Utilizing successful development principles from the past, much like historic Bunnell, Reserve at Haw Creek is being created to offer a balance of community and private life in an affordable, attractive, and sustainable setting, integrating with nature. Plan elements provide for a diversity of housing types and affordability price points including single family residences, townhomes, apartments, condominiums, and live/work units. The community integrates a vibrant commercial and public realm in the Village Center and the entire community is balanced with active and passive parks and natural preserves. The Village Center will be oriented towards an active main street offering a variety of commercial and office services as well as an opportunity for housing above the first floor. A network of picturesque streets, an interconnected walkway/trail system and parks/open space will link the uses throughout the development.

Reserve at Haw Creek is designed with the intent for the residents to be able to access all services as a pedestrian. Reserve at Haw Creek is developed through the use of smart growth ideals, congress for new urbanism principles, neo-traditional neighborhood design, integrated land uses, pedestrian oriented streetscapes and the Florida Department of Transportation’s Traditional Neighborhood Development

Handbook. This project is unique and may differ from other projects developed within the City of Bunnell and Flagler County. The master development plan will comply with the City's Comprehensive Plan and Land Development Regulations which will govern all phases and modifications at the time of their submittal for review prior to permitting.

The land uses and resultant maximum densities proposed by Northeast Florida Developers, LLC to create a dynamic mixed-use community are as follows:

- Rural Estates (RE) - 1 DU/Acre: 770 Acres = 770 DU's
- Single Family Low Density (SF-L) - 4 DU/Acre: 1437.5 Acres = 5,750 DU's
- Single Family Medium Density (SF-M) – 8 DU/Acre: 95.5 Acres = 764 DU's
- Multifamily (MF) – 20 DU/Acre: 212 Acres = 4,240 DU's
- Commercial-Medium (COM-M) – 0.4 FAR & 20 DU/Acre as MU: 44 Acres = 880 DU's
- Industrial (IND) – 0.5 FAR: 216 Acres
- Public (Public) – 0.6 FAR: 12.5 Acres

**Total Area: 2,787.50 acres +/-**

## COMPREHENSIVE PLAN GOALS, OBJECTIVES, AND POLICIES

A theme throughout the City of Bunnell's 2035 Comprehensive Plan is the "encouragement to be innovative in strategies to promote infill and compact development of the traditional downtown and establishing energy efficient land use patterns while allowing for a sustainable rural lifestyle." The Reserve at Haw Creek is located on the western edge of the core of the City of Bunnell, having all of the access and proximity for connection to infrastructure in place. One of the ideal ways that growth should occur is for it to emanate from the radial center outward. The proposed amendment does just that; it creates a continuum transitionally from higher densities and intensities to more clustered development integrated with the natural features of the land

The following summarizes how the Reserve at Haw Creek supports, is in-line with or is not in conflict with the 2035 City of Bunnell's Comprehensive Plan's Goals, Objectives, and Policies.

***The justifications are in bold, italicized font.***

### **Future Land Use Element**

Goal 1 - Ensure that the character, density, intensity, and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment that enhances the quality of life for all residents of the City of Bunnell.

#### **Overall Goal**

Ensure that the character, density, intensity, and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment that enhances the quality of life for all residents of the City of Bunnell.

***The location of the Reserve at Haw Creek is adjacent to and a natural extension of the City of Bunnell's core; adjacent to the City's water treatment facility, providing an orderly expansion / extension of public services; bound by and connecting to two major arterial roadways, Highway 100 on the north and State Road 11 on the east/south; adjacent to a major collector, County Road 65, to the west.***

***The City of Bunnell's existing core has a diverse mixture of uses which are intended with employment centers and development overlays intentionally programmed for growth, density, and a variety of intensities, which are the basis for design of the comparably integrated uses within the Reserve at Haw Creek's town center. The residences within Reserve at Haw Creek***

***emanate outwardly from the town center, creating a walkable community, with lot sizes becoming larger the farther away from the central core, generally. The westernmost portion of the property, bifurcated by Haw Creek, will provide for larger lots and a clustered rural development approach, providing a transition to surrounding agriculture and existing acreages. Overall development is based on topographic slopes and conveyance patterns, integrating with the existing nature of the property. Wetlands meander throughout the subject property, creating natural buffers and delineations for clustered development. With the kind of natural order that is imposed, the mixture of development uses will live well amongst each other having separations that serve for transitions of compatibility, natural buffers, preservation, impacts, and density management.***

### **FLU Goal 1 Natural Resources**

Preserve and protect the City's natural resources by establishing a pattern of development that is harmonious with the City's natural environment.

***The Reserve at Haw Creek has a multitude of wetlands marbling through the greater 2,787 +/- acres. The concept is to cluster development in the appropriate uplands which in turn provides for a thoughtful layout of the proposed mixture of uses, product type, densities, and intensities in order to preserve the natural habitat where appropriate and necessary. The preservation of natural habitat, both uplands and wetlands, is organized to maintain natural flows of runoff and provide a continuous greenway / wildlife corridor system that may also function in part as passive recreation and trails. Development will follow existing watersheds to maintain natural drainage patterns.***

### **FLU Objective 1.1**

The City shall coordinate future land uses with the appropriate topography and soil conditions to conserve, appropriately use and protect the land and resources.

### **FLU Policy 1.1.1**

The City shall use the latest version of the Flood Insurance Rate Maps promulgated by FEMA to determine the location of the 100-year floodplain and flood prone areas in the City. The City shall provide specifications for regulating development and land use activities within these areas within the Land Development Code (LDC). These specifications will include:

- Development within the FEMA 100-year flood hazard zone is to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation as established by the FEMA Flood Insurance Rate Maps;
- Proposed development shall be clustered and located on the non-floodplain portions of the site, or if proposed within the 100-year floodplain, all structures shall be required to be elevated per appropriate building regulation; and,
- Any development within a flood prone area will maintain the natural topography and hydrology of the development site.

***The Reserve at Haw Creek has a multitude of wetlands marbling through the greater 2,787+/- acres. The concept is to cluster development in the appropriate uplands which in turn provides for a thoughtful layout of the proposed mixture of uses, product type, densities, and intensities in order to preserve the natural habitat where appropriate and necessary. Development will adhere to the FEMA 100-year floodplain requirements; address the building regulations with regard to base flood elevations in relationship to first floor placements; maintain existing water conveyance patterns and preserve and protect the natural habitat.***

#### **FLU Policy 1.1.5**

It is the intent of the City of Bunnell to ensure that adequate open space is provided through the following:

- active or passive recreation sites;
- landscaped buffers;
- protected natural resource lands;
- protected environmentally sensitive lands;
- areas devoted to drainage and stormwater retention;
- landscaping requirements;
- creation of greenway corridors; and
- minimum open space requirements for the rural preservation program.

***The Reserve at Haw Creek masterplan will be quite inclusive of natural wetland features, trails, parks and programmed open space that will be active and passive. The master plan will integrate these different types of open space throughout and also ensure rights-of-ways not only function for vehicular and pedestrian circulation but do so integrating greenspace and landscaping. A minimum of open space will be designated per community to ensure a balanced distribution and interconnectivity, of which, a minimum percentage of open space will be designated as parks, for active and passive community use. Landscape requirements will be defined and conducive to***

***Florida Friendly planting principles. Overall, the community is being planned protecting and programming around the various watersheds and wetland conveyance systems for a community close with nature, but also providing corridors that intersect nature and connect the built environment with the natural.***

#### **FLU Policy 1.1.6**

In an effort to protect and enhance wetlands, surface waters, listed species, large range mammal habitat, natural hydrologic connections, and large expanses of native vegetation the concept of a greenway corridor shall be encouraged throughout the City. Greenway corridors shall be a part of an incentive-based method for protecting natural resources and shall be implemented by goals, objectives and policies within the Future Land Use and Conservation Elements and the future land use map series.

***Due to the nature of existing wetlands and water flow, the planning for Reserve at Haw Creek proposes to connect systems through a combination of wetland and uplands to create natural “greenway” or “wildlife” corridors through the property. Through extensive studies and on-site reconnaissance, there are no listed species on property, but these corridors provide to retain mammal habitat and movements, retain existing hydraulic movements, create natural open space and passive recreation opportunities and provide for natural buffers between neighborhoods and uses. Stormwater design will discharge into these corridors, replicating the natural state of upland to wetland water flow, with all hydraulic flow ultimately leading to Haw Creek, the natural waterway bifurcating the development. Natural buffers adjacent to wetlands will provide protection from contaminates produced from the built environment. Reserve at Haw Creek will comply with City, State and Federal regulations applicable for use of and protection of natural features.***

#### **FLU Policy 1.1.6.1**

Through the future land use plan the City shall create options and incentives, such as, but not limited to, the rural preservation program and development transfers to maintain open space and potential greenway corridors, and to maximize preservation of wetlands, floodplains, associated uplands, and areas referred to in FLU Policy 1.1.6, and the Conservation Element.

***As mentioned in FLU Policy 1.1.6, the intent of the master plan for the Reserve at Haw Creek recognizes the natural habitat, wetlands, discharge areas and clustered uplands will interconnect, creating corridors in such a way that the rural character, natural habitat, activated areas and the built environment will transition with as little disruption as possible. Additionally, approximately***

**770 acres of the westernmost portion of the project will be developed with the Rural Estates agricultural land use, utilizing clustered provisions to maximize protection of existing natural resources.**

#### **FLU Policy 1.1.7**

Any development, including development within a flood prone area, will maintain the natural topography and hydrology of the development site and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as addressed in the Traffic Circulation Element.

- Open space requirements will meet the LOS adopted in the Recreation and Open Space Element;
- On-site traffic will, at a minimum, require that adjacent commercial, medium, and high density (or combinations thereof) properties provide interconnections to reduce requirements for road trips; and,
- Parking requirements shall be specified in terms of the number of parking space units outlined in the land development code (LDC).

***The approach to being sensitive to the low-lying areas, wetlands, and natural habitat will be displayed in the clustered designs for the preserved, passive, and programmed space throughout the master planned community, utilizing existing topography and hydrological flows. The various Open Space Element and Traffic Circulation Element goals, objectives and policies will be addressed by programming the clustered development areas with consideration to their access points and travel patterns between the inner connected neighborhoods. Land use patterns and densities are proposed to allow a combination of densities that minimize vehicle trips and maximize walkability. Internal road networks will integrate open space requirements and connect internal uses efficiently to minimize off-site traffic impacts. Parking requirements will be outlined, with incentives for clustered developments and shared parking to reduce impervious impacts.***

#### **FLU Policy 1.1.8**

The City shall maintain and enhance the safety and efficiency of the arterial and collector road system and minimize transportation conflicts associated with development by coordinating the FDOT driveway permitting process, limiting development access to the transportation system, and increasing interconnection between adjacent developments.



***Access and interconnectivity with the arterial roadways that bind the subject property will be addressed through the FDOT permitting process and will be designed in such a way that well serves those utilizing the outer edges and the inner communities of the Reserve at Haw Creek.***

#### **FLU Policy 1.1.9**

Development regulations shall require street, pedestrian and grid layouts that discourage non-residential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

***Within the community, collector and local roads will be implemented that interconnect neighborhoods, yet in a manner that discourages non-residential through traffic. Pedestrian and vehicular traffic alike will connect neighborhood and community services for multiple modes and means for moving between uses. Land uses and densities are proposed to maximize walkability to the town center core.***

#### **FLU Policy 1.1.10**

All development shall provide for safe, convenient, and appropriately designed traffic circulation on the site, including provisions for needed parking.

***The Applicant will provide a master plan for traffic circulation; a mitigation plan for any potential traffic impacts; and provide all corresponding parking facilities related to the mixture of uses proposed through a Planned Unit Development (PUD) and Development Agreement.***

#### **FLU Policy 1.1.11**

The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage levels of service, natural drainage patterns and soil conditions.

***The masterplan is developed conceptually based on existing hydraulic flows and topography. As each phase/parcel transitions into engineering, the developer will ensure all new development and its corresponding drainage plans and stormwater systems, as they relate to their respective mixture of uses proposed through a Planned Unit Development (PUD), comply with local City of Bunnell Stormwater Management Requirements, which are required to follow state requirements, currently through St. Johns River Water Management District (SJRWMD), Department of***

***Environmental Protection (DEP) and when necessary, the US Army Corps of Engineers (USACE)***

**FLU Policy 1.1.12**

The developer/owner of any site shall be responsible for the on-site management of runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

***The developer will be responsible for containing, retaining, and treating all runoff collected and produced on-site per the requirements of the City of Bunnell Stormwater Management, which are required to follow state requirements, currently through St. Johns River Water Management District (SJRWMD), Department of Environmental Protection (DEP) and when necessary, the US Army Corps of Engineers (USACE)***

**FLU Policy 1.1.13**

The developer/owner shall be required to determine whether captured or retained runoff could be recycled and reused within the permitted development.

***The development will maximize the use of re-use for each phase of development as encouraged and allowed by the City of Bunnell Stormwater Management, which are required to follow state requirements, currently through St. Johns River Water Management District (SJRWMD), Department of Environmental Protection (DEP) and when necessary, the US Army Corps of Engineers (USACE)***

**FLU Policy 1.1.14**

The land development code (LDC) shall provide for the protection of potable water wellfields by designating appropriate activities and land uses allowed within wellhead protection areas and environmentally sensitive land to protect these areas from adverse impacts of development.

***Through master planning each phase, the developer will integrate wellhead protection in compliance with the City of Bunnell's wellhead protection criteria, which are required to follow state requirements, currently through the Department of Environmental Protection (DEP).***

**FLU Objective 1.2**

The City of Bunnell shall ensure the protection of natural resources through implementing the following policies, and the protection program outlined in the Conservation Element.

**FLU Policy 1.2.1**

The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required:

- Limitations on development density and intensity;
- Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site;
- Limitations on building coverage or impervious surface coverage;
- Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts;
- Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources;
- Support continued agricultural activities by preserving viable soils and effective land masses;
- Minimize land use conflicts;
- Provide recreational and habitat corridors through protected linked open space networks; such as, the potential creation of greenway corridors;
- Achieve flexibility, efficiency, and cost reduction in the provision of services and infrastructure; and
- Reduce natural hazard risks to life and property.

***The mixed-use nature of the proposed land uses promotes a clustering of uses around the town center core on the east end as well as with the rural estates agricultural transition on the westerly end of the community. Clustering allows for the development of the “wildlife” or “greenway” corridor, natural protected systems that also provide opportunity for recreational uses. Within these clusters, development regulations will be established within a Planned Unit Development (PUD) that establishes limitations on building coverages, impervious coverages and setbacks. Through a combination of transitional land use patterns, development regulations within the PUD and natural buffers created by the greenway corridors, land use conflicts will be minimized. Through these same patterns, the masterplan is designed transitionally to integrate with the agricultural community surrounding the development westerly.***

#### **FLU Policy 1.2.2**

The City’s determination of the degree of natural resource protection required shall be part of the development application and review process based on the programs outlined in the Comprehensive Plan and adopted in the land development code (LDC) and may result in conditions on development approvals.

***The developer will provide a master plan for all new development and address the approach to the protection of natural resources and open space.***

### **FLU Objective 2.1**

The City shall coordinate future land uses with the availability of facilities and services.

***The developer will work in tandem with the City of Bunnell to expand and connect with appropriate infrastructure and facilities as required by the City of Bunnell.***

### **FLU Policy 2.1.1**

As part of the City's concurrency management system, facilities and services shall meet the established level of service standards, and shall be available concurrent with the impacts of development, or development orders and permits shall be specifically conditioned on the availability of the facilities and services necessary to serve the proposed development, and that facilities that provide utility service to the various land uses are authorized at the same time as the land uses are authorized.

***The developer will engage the City through a master development agreement that addresses the City's level of service standards and the impacts of the proposed development. The development agreement will outline responsibilities between developer and City in providing appropriate services in relation to the proposed phase of development with established "triggers" in place. As stated in FLU Policy 2.1.4, "...The City shall ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent."***

### **FLU Policy 2.1.1.1**

The development of residential, commercial, and industrial land shall be timed and staged in conjunction with provision of supporting community facilities, such as streets, utilities, police and fire protection service, emergency medical service, and public schools.

***The developer will engage the City through a master development agreement that addresses the City's level of service standards, the impacts of the proposed development, and the timing for providing said service. The development agreement will outline responsibilities between developer and City in providing appropriate services in relation to the proposed phase of development with established "triggers" in place.***

### **FLU Policy 2.1.1.2**

Public facilities and utilities shall be located to:

- Maximize the efficiency of services provided;

- Minimize their cost; and
- Minimize their impacts on the natural environment.

***The developer will plan for and design efficient and cost effective community facilities, minimizing environmental impacts, necessary for the proposed development in coordination with and per the City of Bunnell's and the Department of Environmental Protection's requirements.***

#### **FLU Policy 2.1.2**

#### **INFRA Policy 4.3.7**

As part of the City's concurrency management system review process a written evaluation regarding the availability of potable water and sanitary sewer to serve the proposed development shall be submitted; including information about current demand, capacity approved for projects not yet built, the amount of water needed for the growth projections for that year, the amount of water withdrawals allowed and remaining through the consumptive use permit, the capacity of available facilities, and any scheduled capital improvements projects.

***In response to the various Elements' Goals, Objectives, and Policies within the 2035 Comprehensive Plan related to potable water and wastewater, the developer has prepared and submitted an assessment entitled "Reserve at Haw Creek Limited Utility Due Diligence, August 2023" (See in Appendix) that articulates the current state of the City of Bunnell's potable water, wastewater treatment, and maintenance yard facilities. The following is a closing summary of the findings:***

#### **HAW CREEK PROJECTED FUTURE FLOWS AND LAND NEEDS**

***Based on the density study provided by the client and the estimated flows per use according to Table I of 64-E6 FAC, the estimated flow at buildout is approximately 1.44 mgd average daily with a peak hourly flow of 2,500 gpm. The tabular of this estimation can be found at the conclusion of this report. As stated earlier, the City of Bunnell systems do not have reserve capacity available beyond the current permitted flows. The City has no ability to supply the pressure for potable water supply to this location from the City's only water supply facility. The existing wastewater treatment facility planned expansion will take the remaining acreage available at that location. This results is a need for new regional potable water and new regional wastewater treatment facilities in the Haw development.***

**Potable Water Supply**

***Approximately five (5) acres would be required for a regional potable water supply facility. It would be anticipated to be phased for expansion as Haw Creek develops but centrally located within the same parcel to consolidate the treatment and supply system to one property.***

**Wastewater Treatment Facility**

***Approximately 12 acres would be required for a regional, advanced treatment facility. It also would be anticipated to be phased for expansion in step with the development, but also master planned within the same parcel to consolidate the treatment facility to one property, separate from the potable water property by a distance of at least 500 feet.***

**Maintenance Yard**

***The City expressed a need for a maintenance yard in order to gain acreage for future expansion of the City's wastewater facility. The City's current yard is approximately 4.6 acres and is very tight according to the City. Considering the population growth that Haw would add to the City's growth, it is anticipated that this yard would be approximately 10 acres.***

**FLU Policy 2.1.3**

As part of the City's evaluation of Future Land Use Map amendments, a written evaluation regarding the availability of potable water and sanitary sewer to serve the proposed map amendment shall be submitted; including information about current demand, capacity approved for projects not yet built, the amount of water needed for the growth projections for that year, the amount of water withdrawals allowed and remaining through the consumptive use permit, the capacity of available facilities, and any scheduled capital improvements projects.

***In response to the various Elements' Goals, Objectives, and Policies within the 2035 Comprehensive Plan related to potable water and wastewater, the developer has prepared and submitted an assessment entitled "Reserve at Haw Creek Limited Utility Due Diligence, August 2023" (See in Appendix) that articulates the current state of the City of Bunnell's potable water, wastewater treatment, and maintenance yard facilities.***

**FLU Policy 2.1.4**

The City shall issue no development orders or development permits without first consulting with other cooperative utility providers to determine whether adequate potable water and sanitary sewer supplies

to serve the development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent. The City shall ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

***In response to the various Elements' Goals, Objectives, and Policies within the 2035 Comprehensive Plan related to potable water and wastewater, the developer has prepared and submitted an assessment entitled "Reserve at Haw Creek Limited Utility Due Diligence, August 2023" (See in Appendix) that articulates the current state of the City of Bunnell's potable water, wastewater treatment, and maintenance yard facilities. The implementation of said services will be required, per phase, prior to issuance of certificate of occupancies.***

#### **FLU Policy 2.1.5**

The City shall require new development to provide necessary facilities and services or to pay a fair share of the cost of those facilities and services through impact fees, special assessments, exactions, conveyance of land or easements or pro-rata agreements.

***The developer will engage the City through a master development agreement that addresses the City's level of service standards, the impacts of the proposed development, and the timing for providing said service. The development agreement will outline responsibilities between developer and City in providing appropriate services in relation to the proposed phase of development with established "triggers" in place. All services will be in compliance with City and state regulations.***

#### **FLU Policy 2.1.7**

The City shall continue to require developers to provide for the extension of sanitary sewer, potable water, and storm drainage systems to serve their development.

***The developer will engage the City through a master development agreement that addresses the City's level of service standards, the impacts of the proposed development, and the timing for providing said service. The development agreement will outline responsibilities between developer and City in providing appropriate services in relation to the proposed phase of development with established "triggers" in place. All services will be in compliance with City and state regulations.***

#### **FLU Policy 2.1.7.1**

#### **CON Policy 1.4.5.4**

**INFRA Policy 4.4.7**

The City shall require developers to provide reclaim system installation with the provision or extension of sanitary sewer, potable water, and storm drainage systems to serve their development.

***The developer will engage the City through a master development agreement that addresses the City's level of service standards, the impacts of the proposed development, and the timing for providing said reclaimed system service. The development agreement will outline responsibilities between developer and City in providing appropriate services in relation to the proposed phase of development with established "triggers" in place. All services will be in compliance with City and state regulations.***

**FLU Policy 2.1.8**

The City shall require existing development to connect, within two years, to central water and central sewer systems after such services become available.

***Reserve at Haw Creek will be a new community; however, provisions will be provided to ensure adjacent existing land uses outside the Reserve at Haw Creek community complying with the adjacency for connection policy is met in the design and implementation of said systems.***

**FLU Policy 2.1.9**

To assure the full availability of services, the City shall issue its development orders in accordance with the adopted concurrency management plan.

***The developer will engage the City through a master development agreement that utilizes the adopted concurrency management plans as the baseline for discussions/provisions for each respective service.***

**FLU Objective 2.2**

Through the concurrency management process and the land use plan the use of existing facilities shall be maximized and urban sprawl shall be discouraged.

***The development extends westerly from the existing facilities, for which the existing facilities will become centrally located between existing City of Bunnell and the westerly new growth of the Reserve at Haw Creek. The addition of proposed adjacent land to the existing facilities and expansion of existing services is a textbook example of discouraging sprawl.***

**FLU Policy 2.2.1**



The City's land use plan shall prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments within the existing urban area.

***The location of the Reserve at Haw Creek is adjacent to the City of Bunnell's core; adjacent to the City's water treatment facility; bound by two major arterial roadways, Highway 100 on the north, State Road 11 on the east/south, and a major collector, County Road 65 to the west. The City's existing core has a diverse mixture of uses typical of a traditional downtown core, which include, but are not limited to, commercial, office, light industrial, residential, public services, open space, parks and recreation. Reserve at Haw Creek's program includes a contiguous extension of the traditional downtown core through a mixed-use town center, as well as providing a variety of housing types and style to meet a variety of living needs and price points. The Reserve at Haw Creek is a master planned community, intentionally programmed for growth, density, and a variety of intensities. There are wetlands that meander throughout the subject property, creating natural buffers and delineations for clustered development. With this kind of environmental order naturally imposed, the mixture of uses live well amongst each other having separations that serve for transitions of compatibility, separated by natural buffers through preservation, impacts, and density management.***

### **FLU Objective 2.3**

Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate facilities and services, including assurance that land is available for the needed utility facilities and services.

***The location of the Reserve at Haw Creek is adjacent to the City of Bunnell's core, but more specifically adjacent to the City's water treatment facility. The developer will orchestrate the community facilities necessary for the proposed development in coordination with and per City of Bunnell's requirements. Being adjacent, the westward growth ideally locates the existing, along with the expanded treatment facilities centrally to the overall community of Bunnell's expansion. Land will be provided for the expansion of wastewater, provisions of re-use and additional potable water wells/filtration.***

### **FLU Policy 2.3.1**

The City shall ensure the availability of suitable land for public facilities and services necessary to support proposed development and shall approve sites for such facilities and services concurrent with the approvals for the development requiring the facilities and services.

***The developer will orchestrate the community facilities location necessary for the proposed development collectively with the City of Bunnell.***

#### **FLU Policy 4.2.1**

The land development regulations shall include provisions to reduce or eliminate land uses that are inconsistent with the City's character and future land use, including those uses that are inconsistent with hazard mitigation recommendations in the Flagler County emergency management plan.

***The location of the Reserve at Haw Creek is adjacent to the City of Bunnell's core, adjacent to the City's existing water treatment facility and is bound by two major arterial roadways, Highway 100 on the north, State Road 11 on the east/south. Being adjacent and with existing contiguous services in place, the location of the Reserve at Haw Creek and westward growth ideally locates the community for continuing the growth of the City of Bunnell in a contiguous, orderly fashion, providing for efficient development patterns and use of existing and proposed services.***

#### **FLU Goal 5 Urban Sprawl**

Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development of the traditional downtown and establishing energy efficient land use patterns while allowing for a sustainable rural lifestyle.

***Reserve at Haw Creek is a new community adjacent to the existing urban core. The expansion of services will offer alternatives to the core. Increased population through extended residential development will re-energize the existing services and create demand for alternative newer services. Mixed residential development types will sustain a rural lifestyle while also promoting a small town character.***

#### **FLU Objective 5.1**

The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximizes efficiency.

***The location of Reserve at Haw Creek is quite intentional, being located at the core of the City of Bunnell, adjacent to (within approximately 750 LF) the City's wastewater treatment facility, commercial district and the Employment Center Overlay. The community is fronted by Highway 100 on the northern boundary and State Road 11 on the eastern/southern boundary. The proposed land use amendment is a natural transition of densities and intensities of a mixture of uses that***

***emanate from the core of the City of Bunnell westward along Highway 100 and southwesterly along SR 11.***

***The proposed land use amendment follows best practices of land planning, clustered development, environmental planning and transportation planning, comprehensively integrating conservation and allocating lands for major established infrastructure, providing a balance of mixed uses, a natural extension of the City of Bunnell. This in turn discourages sprawl, reduces impacts on roadways, and provides existing and entitled surrounding areas with the services that are needed.***

#### **FLU Policy 5.1.2**

The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

***Density will be higher with more compact development within the town center along the easterly end of the project, which abuts and is contiguous with the City of Bunnell's Downtown Core. Reserve at Haw Creek's town center will be a mixed-use area, mimicking downtown Bunnell through PUD zoning and master planning. The area will allow flexibility of development and integrate a variety of commercial, office, residential, public service uses. The town center will be connected with and easily accessible from within the Reserve at Haw Creek through roads and trails.***

#### **FLU Policy 5.1.3**

The conversion of Agricultural lands to urban development or uses shall only be permitted consistent with the Comprehensive Plan need for growth and economic development during the planning time frame and such conversion shall not contribute to leapfrog or scattered development patterns.

***The City of Bunnell, FL proactively incorporated many adjacent lands to guide their contiguous future growth, of which Reserve at Haw Creek lies within previously incorporated boundaries. The existing location of Bunnell's water and sewer facility, and proposed adjacent expansion practically guides contiguous, orderly growth westerly out from the plant. Additionally, bound by two major arterial roadways, Highway 100 on the north, State Road 11 on the east/south, the cost effective and efficient connection to existing external roadways further guides contiguous practical growth over leap frogged development. The entire community of Reserve at Haw Creek***

***will be bound by zoning and development regulations requiring smart growth and preventing leapfrog development.***

### **FLU Objective 5.2**

New development in the City shall comply with “Smart Growth” principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl. The following policies shall be incorporated into the City’s land development regulations after the adoption of the updated Comprehensive Plan.

***The boundary for the Reserve at Haw Creek is currently within the City of Bunnell’s jurisdiction as the city annexed the westerly / southwesterly area in anticipation of smart growth patterns. The existing location of Bunnell’s water and sewer facility, and proposed adjacent expansion practically guides contiguous, orderly growth westerly out from the plant. PUD zoning will promote compact, higher density development within a town center on the easterly portion of the project, a contiguous expansion of the existing Bunnell urban core. Neighborhoods expanding out from the town center will integrate with the natural topography and vegetation, providing an efficient variety of housing products, connecting back to the town center efficiently through roads and trails, providing alternate modes of transportation.***

### **FLU Policy 5.2.1**

Mixed use developments, whether infill or rural clusters shall provide pedestrian-friendly street design (buildings close to street; porches, windows and doors; tree-lined streets; hidden parking lots; garages in rear; narrow, slow-speed streets).

***Reserve at Haw Creek community integrates two cluster communities, one the traditional town center and the other, the rural estates. Both “small town” and rural in nature, the town center will be designed to promote pedestrian connectivity, increased density through clustering, pedestrian friendly roadway design and a mix of commercial, office and multiple residential use types. The rural estates cluster will focus on smaller lots in exchange for preserving larger open greenspace tracts. The cluster will integrate shared agricultural features which may include riding trails, pastures, gardens, etc.***

### **FLU Policy 5.2.2**

New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow

streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

**The mixed-use town center within Reserve at Haw creek includes entry boulevards connecting with the external roadways, including Highway 100 and State Road 11, as well as an internal boulevard system, providing a large-scale community grid of connectivity, all coming back to the town center. Within the town center, there will be a mix of street sizes and types, providing on-street and shared parking, pedestrian connections and facilities promoting the use of bicycles and walking. A trail network will be established throughout the community, also providing for and promoting alternative modes of transportation. The mixed-use town center will allow for and encourage a variety of housing types, including multifamily, townhomes, condos, small lot single family, mid lot single family and live work, encouraging an overall higher density suitable for a mixed-use town center.**

#### **FLU Policy 5.2.3**

New Development in the Commercial and Residential Mixed Use land use categories, and in Agriculture and Silviculture where appropriate, shall provide a mix of shops, offices, apartments and homes on site and provide mixed-use within neighborhoods, within blocks and within buildings.

*The master development will provide for a mixture of uses offering a variety of housing types, commerce, services and recreational elements integrated together into a unified and walkable community. Utilizing development principles from the past, much like historic Bunnell, Reserve at Haw Creek is being created to offer a balance of community and private life in an affordable, attractive and sustainable setting, integrating with nature. Plan elements provide for a diversity of housing types including single family residences, townhomes, apartments, condominiums and live/work units as well as a vibrant commercial and public realm in a Village Center balanced with active parks and natural preserves throughout.*

#### **FLU Policy 5.2.4**

Developments that require site plan review and approval shall be evaluated on the use of site and building design that emphasizes beauty, aesthetics, human comfort, creating a sense of place, special placement of civic uses and sites and human-scale architecture and amenities, especially at street level.

***The developer acknowledges that the successful design of the public realm of the community is paramount to the overall success of the community. As such, the master development plan provides a design aesthetic acknowledging rural and small town aesthetics, not unlike the historic character of Bunnell, which deploys principles that integrate a mixture of land uses with pedestrian oriented streetscapes as well as programmed and preserved areas.***

#### **FLU Policy 5.5.2**

The City's infill, mixed-use and cluster policies will increase densities, proximity and diversity of land uses in an effort to encourage efficient land use patterns and reduce greenhouse gases.

***The Reserve will provide a mixture of uses to be clustered intentionally for transitional purposes as well as preserving natural areas throughout the master development. The variety of densities and uses will be a conscientious effort to be efficient and less disruptive.***

#### **FLU Policy 6.1.2**

Proposed residential developments shall be required to meet state subdivision requirements and the City's land development codes with regard to platting and providing improvements such as roads, drainage and other facilities and services. All divisions of land, whether requiring a subdivision plat or not, shall be required to meet concurrency management and access requirements as stated in this comprehensive plan.

***The developer will commit to providing the necessary community facilities and infrastructure through a mutually agreed Development Agreement with the City of Bunnell. Platting and development will comply with the City of Bunnell's land development regulations and state requirements.***

#### **FLU Policy 6.1.4**

The land development regulations shall determine where buffers shall be required between adjacent land uses. Buffers may be either prescriptive standards or variable and shall be defined in the land development regulations. Buffers may serve one or more of the following purposes: provide functional separations between dissimilar uses; provide landscaping adjacent to parking lots and other vehicle use areas; and provide protection from uses that may have some degree of incompatibility that can be mitigated wholly or partially to protect against light, glare, noise or appearance.

***There are wetlands that meander throughout the subject property, creating natural buffers and delineations for clustered development. With this kind of natural order that is imposed, and through strategic planning, the mixture of uses live well amongst each other having separations that serve for transitions of compatibility, natural buffers, preservation, impacts, and density management. Within developments, buffer requirements adjacent to parking and vehicular use areas will be implemented through the implementation of the Planned Unit Development (PUD) regulations, which will also regulate types of uses allowed within any jurisdiction within the community.***

#### **FLU Policy 6.1.5**

The City shall maintain in the land development regulations procedures and standards for planned developments to encourage mixed-use projects, to encourage traditional neighborhood development, and to encourage and allow innovative site design and development approaches.

***The master development will provide for a mixture of uses offering a variety of housing types, services and recreational elements integrated together into a unified and walkable community. Utilizing development principles from the past, much like historic Bunnell, the Reserve at Haw Creek is being created to offer a balance of community and private life in an affordable, attractive and sustainable setting, integrating with nature. Plan elements provide for a diversity of housing types including single family residences, townhomes, apartments, condominiums and live/work units as well as a vibrant commercial and public realm in a Village Center balanced with active parks and natural preserves throughout.***

#### **FLU Policy 6.1.8**

The implementation of the future land use plan by the City through the City's Comprehensive Plan Map Series and subsequent Land Development Code intends to discourage urban sprawl and encourage an efficient, viable and sustainable land use pattern within the City of Bunnell.

***The City of Bunnell, FL proactively incorporated many adjacent lands to guide their contiguous future growth, of which Reserve at Haw Creek lies within previously incorporated boundaries. The existing location of Bunnell's water and sewer facility, and proposed adjacent expansion practically guides contiguous, orderly growth westerly out from the plant. Additionally, bound by two major arterial roadways, Highway 100 on the north, State Road 11 on the east/south, the cost effective and efficient connection to existing external roadways further guides contiguous***

***practical growth over leap frogged development. The entire community of Reserve at Haw Creek will be bound by zoning and development regulations promoting efficient and viable development.***

### **FLU Objective 7**

#### **FLU Policy 7.1, FLU Policy 7.2, and FLU Policy 7.4:**

The City shall ensure that future development and redevelopment activities are located in appropriate areas of the City through a Future Land Use Map Series included as **Appendix A** of this element that contains the Future Land Use Map (FLUM), which forms the basis for consideration of future land use plan amendments. The Future Land Use Map Series, along with the City's land development regulations, shall reduce or eliminate existing land uses that are inconsistent with the community's character.

***See Future Land Use Map Exhibit, which illustrates the community growth proposed in context of the objectives and policies outlined here within.***

### **FLU Objective 8**

**Residential Land Use Category.** The residential categories are established to provide for the preservation of existing, predominantly residential neighborhoods. These categories allow a range of housing types of single-family low, single-family medium, multi-family and residential mixed use at a maximum density of up to 20 units per acre.

#### **FLU Policy 8.1, FLU Policy 8.2, FLU Policy 8.7 and as previously stated above in FLU Policy 1.2.1.:**

Performance standards for residential uses shall include, but are not limited to, the following:

- The land development regulations shall include performance standards for multi-family and residential mixed-use residential uses that control the location of proposed buildings in relation to the overall dimension of the site, provide sufficient on-site/structured parking where applicable, and provide open space and recreation amenities.



- The land development regulations shall contain requirements for significant open space, landscaping and buffers to effectively screen multi-family developments from single-family low density residential zoning districts.
- Grid street networks are highly encouraged to serve residential developments and provide connectivity throughout the City. Cul-de-sacs and gated developments are discouraged.
- Themes are encouraged for residential developments to include cohesive streetscape, landscape architecture and streetscape furniture to create an identity for the neighborhoods in the City.

***Planned Unit Development (PUD) regulations will be developed that outline building regulations, setbacks, heights, maximum coverage and other site development parameters to ensure a properly balanced and aesthetically pleasing mixed use-development. Open space and landscaping will also be outlined, ensuring proper open space balances and/or buffers the built environment. Parking regulations and incentives for clustering to maximize the preservation of greenspace will also be outlined as well as roadway design for vehicular and pedestrian circulation. Measures and triggers for development may be outlined within a Development Agreement, all of which in mutual agreement with the City of Bunnell.***

**Agricultural Land Use Category.** Encourage the agricultural lifestyle within the municipal limits of the City.

**FLU Policy 13.1:**

**Protection of Agricultural Uses**

The City shall implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the agricultural lifestyle presently enjoyed in Flagler County as they are annexed into the municipal limits of the City of Bunnell.

**Rural estates will be implemented along the westerly portion of the property, transitioning from surrounding agricultural land uses. The rural estates community within the Reserve at Haw Creek will utilize clustering and implement a minimum 1du/gross acre threshold, providing planned development guidelines that allow for larger agriculturally oriented residential lots adjacent to and around the perimeter of the rural estates area and smaller, clustered housing options internally, with access to shared agricultural services provided within the community, such as equestrian trails, community gardens, orchards, etc.**

The balance of the community will be implemented in the spirit of a small town/rural community through the protection of significant wetlands and creating “greenway” corridors, by creating a walkable town center, by integrating nature trails and many connections to nature, by implementing designs that encourage front porches and social neighborhoods.

**FLU Policy 18.2.8**

The rural preservation program also includes incentives to preserve resources, encourage efficient development and preserve open space if connected to central utilities.

- Resource based preservation incentives:
  - Agricultural land set-aside .3 du per acre incentive
  - Greenway Corridor .3 du per acre incentive
  - Wetland set-aside .2 du per acre incentive
  - Floodplain set-aside .1 du per acre incentive
  - Recreation and Open Space .1 du per acre incentive
- Efficient development incentives:
  - Firewise/waterwise/Greenwise .3 du per acre incentive
  - Clustered development .2 du per acre incentive
  - Central utilities  
(Potable water, sanitary sewer, reclaim water)
- Mixed use .2 du per acre incentive
- Preservation of open space incentives:
  - Increase open space ratio 70/30 .3 du per acre incentive
  - Increase open space ratio 80/20 .4 du per acre incentive
  - Increase open space ratio 90/10 .5 du per acre incentive

Incentives are totaled based on the development proposal, and limited by Policies 17.2.2 and 17.2.9. All development design standards outlined in Policy 17.2.7 apply.

**Note: The zoning for the rural estates based land use shall integrate the above incentives.**

**TRAFFIC CIRCULATION ELEMENT**

**TC Policy 1.2.6**

Proposed residential developments shall be required to meet state subdivision requirements and the City's land development codes with regard to platting and providing improvements such as roads, drainage and other facilities and services. All divisions of land, whether requiring a subdivision plat or not, shall be required to meet concurrency management and access requirements as stated in this comprehensive plan.

***As mentioned above in FLU 6.1.2, the developer will commit to providing the necessary community facilities and infrastructure through a mutually agreed Development Agreement with the City of Bunnell. Platting and development will comply with the City of Bunnell's land development regulations and state requirements.***

#### **TC Policy 1.4.4**

The City shall promote the use of bicycles and walking through the establishment of trip attractors (i.e., shopping destinations, banking establishments, et cetera) within a comfortable traveling distance from residences.

***The master development will be programmed with a network of interconnected streets, a walkway/trail system, parks and open space that will link the mixture of uses together. The town center will serve as a core of trip attractors within the community with a strong walkway/trail system radiating out from this center. Throughout, the intent is to maximize residents' ability to access all services as a pedestrian by various means of transit.***

#### **TC Objective 1.5**

New development in the City shall comply with "Smart Growth" principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl.

**The City of Bunnell, FL proactively incorporated many adjacent lands to guide their contiguous future growth, of which Reserve at Haw Creek lies within previously incorporated boundaries. The existing location of Bunnell's water and sewer facility, and proposed adjacent expansion practically guides contiguous, orderly growth westerly out from the plant. Additionally, bound by two major arterial roadways, Highway 100 on the north, State Road 11 on the east/south, the cost effective and efficient connection to existing external roadways further guides contiguous practical growth over leap frogged development.**

***Internally, the neighborhoods expanding out from the town center will maximize walkability and alternative modes of transportation. Collector roads will internally connect neighborhoods and***

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***lead back to services within the town center, minimizing external trip generation, as well as provide alternative transportation options.***

#### **TC Policy 1.5.1**

Mixed use developments, whether infill or rural clusters shall provide pedestrian-friendly street design (buildings close to street; porches, windows and doors; tree-lined streets; hidden parking lots; garages in rear; narrow, slow-speed streets).

***The master plan maximizes residents' ability to access all services as a pedestrian by various means of transit. Incentives will be provided in the zoning document to encourage rear loaded parking and buildings close to street. Landscape and roadway design will provide for tree-lined street and alternative street design with intersection nodes and on-street parking will also be outlined.***

#### **TC Policy 1.5.2**

New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

***As abovementioned in FLU Policy 5.2.2, the master development will be programmed with a network of interconnected streets, a walkway/trail system, parks and open space that will link the mixture of uses together recognizing an organic pattern providing transitions between uses while preserving natural areas. The intent is to maximize residents' ability to access all services as a pedestrian by various means of transit. Within and adjacent to clustered development, grid street networks will be utilized to more effectively disperse traffic, minimize thru traffic and encourage walkability.***

#### **TC Policy 1.5.3**

New Development in the Commercial and Residential Mixed Use land use categories, and in Agriculture and Silviculture where appropriate, shall provide a mix of shops, offices, apartments and homes on site and provide mixed-use within neighborhoods, within blocks and within buildings.

***The proposed land use amendment allows for a mixed use town center, allowing for commercial, office, services and residential uses mixed together. Ideally with commercial/office on the ground floor with residential above. Contiguous to the town center, the land uses allow for a mix of***

***medium and higher density single family detached, single family attached, live work, apartments and condo residential living. Throughout the community, the residential land use categories are established to provide for a mixture of residential use types, with multifamily strategically integrated within.***

#### **TC Policy 2.1.5**

Proposed development that is required to follow the site plan review process shall be required to submit a traffic analysis which identifies the development's impact on the City's transportation system per the concurrency management ordinance.

***The developer will provide the necessary traffic analysis during phased site plan review processes prior to permitting per the City of Bunnell's concurrency management ordinance.*** TC Policy 2.2.2, TC Policy 2.2.4, and TC Policy 4.1.5

The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

The conversion of Agricultural lands to urban development or uses shall only be permitted consistent with the Comprehensive Plan need for growth and economic development during the planning time frame and such conversion shall not contribute to leapfrog or scattered development patterns.

Development regulations shall require street, pedestrian and grid layouts that discourage non-residential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

***As previously identified, Reserve at Haw Creek encourages and complies with clustering higher density and intensity to create a mixed use community and maximize the preservation of greenspace, is contiguous to City of Bunnell, within existing City boundaries, and will provide a planned unit development regulations supporting grid layouts and interconnections between residential areas with connection to the town center.***

## **HOUSING ELEMENT**

#### **H Policy 1.1.5**

The City shall, through the land development code, continue to encourage the development/redevelopment of housing in a way that will integrate divergent choices of housing across

all neighborhoods such as by allowing and incentivizing mixed-use developments that include provisions for a wide variety of housing types and prices.

### **H Policy 1.2.1**

The City's Land Development Code shall require that sites for affordable housing are located in close proximity to a collector roadway or higher and provide access to the following facilities, services and/or activity centers through an interconnected system of sidewalks, bicycle paths/lanes and transit stops and amenities, where feasible:

- Employment centers;
- Shopping centers that include stores offering household goods and services needed on a frequent and recurring basis; and
- Public parks, recreation areas, and/or open space

### **H Policy 3.1.6**

The City shall promote mixed-use developments that include provisions for a wide variety of housing types and prices in close proximity to support facilities.

***The proposed amendment intends to allow for housing types ranging from affordable to market rate housing, consisting of attached and detached single family housing to multifamily, townhomes, condominiums, live work, rural lots, clustered rural lots and mobile homes. A village center is proposed in the eastern portion of the subject property that will provide a mixture of neighborhood and community services, retail and commercial spaces, parks and trails, public services and amenities, and infrastructure to support the Reserve at Haw Creek, providing employment and services within walking distance to multiple housing types and price points.***

## **INFRASTRUCTURE ELEMENT**

### **INFRA Policy 1.2.4**

New residences, residential subdivisions and commercial developments shall be required to connect to the City's central sewer system, where available.

**See response to Policy INFRA 4.1.7 below.**

### **INFRA Policy 3.2.2**

New developments shall design stormwater management systems to meet the rules and criteria established by the City of Bunnell, the St. Johns River Water Management District (SJRWMD), the Florida Department of Transportation and Flagler County, as applicable.

***The developer will be responsible for containing, retaining, and treating all runoff collected and produced on-site per the requirements of the City of Bunnell Stormwater Management, which are required to follow state requirements, currently through St. Johns River Water Management District (SJRWMD), Department of Environmental Protection (DEP) and when necessary, the US Army Corps of Engineers (USACE).***

#### **INFRA Policy 4.1.7**

All proposed land use amendments shall require an analysis of the impacts to the adopted LOS standard and the analysis of adequate planned water supply sources and facilities.

***In response to the various Elements' Goals, Objectives, and Policies within the 2035 Comprehensive Plan related to potable water and wastewater, the developer has prepared an assessment entitled "Reserve at Haw Creek Limited Utility Due Diligence, August 2023" (See in Appendix) that articulates the current state of the City of Bunnell's potable water, wastewater treatment, and maintenance yard facilities. The following is a closing summary of the findings:***

#### **HAW CREEK PROJECTED FUTURE FLOWS AND LAND NEEDS**

***Based on the density study provided by the client and the estimated flows per use according to Table I of 64-E6 FAC, the estimated flow at buildout is approximately 1.44 mgd average daily with a peak hourly flow of 2,500 gpm. The tabular of this estimation can be found at the conclusion of this report. As stated earlier, the City of Bunnell systems do not have reserve capacity available beyond the current permitted flows. The City has no ability to supply the pressure for potable water supply to this location from the City's only water supply facility. The existing wastewater treatment facility planned expansion will take the remaining acreage available at that location. This results in a need for new regional potable water and new regional wastewater treatment facilities in the Haw development.***

#### **Potable Water Supply**

***Approximately five (5) acres would be required for a regional potable water supply facility. It would be anticipated to be phased for expansion as Haw Creek develops but centrally located within the same parcel to consolidate the treatment and supply system to one property.***

#### **Wastewater Treatment Facility**

***Approximately 12 acres would be required for a regional, advanced treatment facility. It also would be anticipated to be phased for expansion in step with the development, but also master planned within the same parcel to consolidate the treatment facility to one property, separate from the potable water property by a distance of at least 500 feet.***

### **Maintenance Yard**

***The City expressed a need for a maintenance yard in order to gain acreage for future expansion of the City's wastewater facility. The City's current yard is approximately 4.6 acres and is very tight according to the City. Considering the population growth that Haw would add to the City's growth, it is anticipated that this yard would be approximately 10 acres.***

## **CONSERVATION ELEMENT**

### CON Policy 1.7.6

The City shall encourage new developments to protect existing native vegetation in common areas and buffer zones and shall encourage additional planting of native plant species to enhance sparse vegetation in common areas and buffer zones.

***Reserve at Haw Creek will create a "greenway" or "wildlife" corridor through the connection of wetlands and uplands to create a vast interconnected greenway system. Through this, extensive preservation of native plant species, naturalized species and planted species left over from agricultural uses will occur.***

***Development within the uplands will implement natural buffers adjacent to existing wetlands and the greenway corridor.***

***The PUD development regulations will guide the implementation of buffers and common area landscaping based on Florida Friendly Landscape criteria.***

### CON Policy 1.11.5

All wetlands on any proposed development site must be identified and classified as part of the City's application process prior to the issuance of development orders which permit site alteration.

***The developer will comply with the City, SJRWMD and FDEP regulations prior to permitting.***



#### Conclusion

***The proposed amendment adheres to the City of Bunnell's Goals, Objectives and Policies for future planning and development; ensures growth patterns are in keeping with the character of the area; and follows best practices of thoughtful mixtures of uses, densities, development guidelines, amenities, open space planning and comprehensive integration of conservation. Furthermore, the subject parcels are entirely enveloped by the established arterial infrastructure and provide a balance of uses in demand contiguous to and within direct proximity to the City of Bunnell's existing commercial/industrial zones. This in turn discourages sprawl, reduces impacts on roadways and provides existing and entitled surrounding areas with the services needed. The location of the subject property meets or exceeds the Comprehensive Plans, Goals, Objectives and Policies for future growth and conservation in an orderly manner.***

**City of Bunnell**  
**Future Land Use Map Amendment**  
**Data and Analysis**  
**Reserve at Haw Creek Planned Unit Development**

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## **Status**

The intent of this amendment is to change the City's Future Land Use Map for approximately 2,787± acres of land to accommodate the Planned Unit Development known as the Reserve at Haw Creek. This is planned to be a mixed-use community containing multiple single and multi-family residential uses along side varying commercial uses. There are also some areas planned for industrial uses and public services.

There are two (2) parcels to be annexed into the city limits that will be annexed prior to the adoption of this Future Land Use Amendment.

Below is a summary of information for evaluation.

## **Data**

### **Location**

The subject area is located between State Highway 100 West and State Road 11. Part of the proposed development is also located along County Road 302 and County Road 65. See Exhibit "A" for the property location.

### **Existing Use of the Subject Properties**

The properties are currently vacant wooded land. There is a 300' FPL Easement that runs through from north to south of the eastern area of the subject area.

### **Size**

The total area of the subject area is approximately 2,787± acres.

## **Land Use**

### **Existing FLUM**

The existing Future Land Use designations for this area are Single Family-Low Density (SF-L), Agriculture and Silviculture (AG&S), and Conservation-1 (CON-1). These are shown in Exhibit "B".

The current Future Land Use allows:

- 132.64± acres of Single Family-Low Density use at 4.0 units per acre = 531 units
- 2,654.36± acres of Conservation-1 and Agriculture and Silviculture Density at 1.0 unit per 5 acres = 531 units

Total Allowable Density: 1,062 units

## Adjacent Properties

The Future Land Use designations for the properties adjacent to the subject area at the time of the City's proposed amendment are:

North:	Commercial-Medium (COM-M), Unincorporated Agriculture & Timberlands (AG-Timber), Unincorporated Conservation (CONS)
South:	Agriculture & Silviculture (AG&S) and Conservation-1 (CON-1)
East:	Commercial-Medium (COM-M), Single Family-Medium Density (SF-M), Single Family-Low Density (SF-L), Industrial (IND)
West:	Unincorporated Agriculture & Timberlands (AG-Timber) and Unincorporated Residential: Low Density/Rural Estate (RES-LOW-RE)

## Existing Conditions

The existing property uses abutting the subject area at the time of the City's proposed amendment are:

North:	Vacant; Timberland; Improved Agricultural; Single-Family
South:	Vacant
East:	Vacant; Business Park; Light Industrial; Single-Family
West:	Vacant; Improved Agricultural, Single-Family

The proposed amendment will ensure compatibility and harmony with the adjacent property uses through acceptable engineering and site development practices enforced through the City's Land Development Code, adopted additional PUD development standards, and through cooperation with the County during plan review.

## Proposed FLUM

The proposed Future Land Use designations are shown in Exhibit "B". The proposed zoning for the subject area will be PUD and will have additional zoning/development criteria for this area.

The proposed Future Land Uses would allow:

- 770 Acres of Rural Estates Density at 1.0 unit per acre = 770 Units
- 1,437.5 acres of Single Family-Low Density at 4.0 units per acre = 5,750 units
- 95.5 acres of Single Family-Medium Density at 8.0 units per acre = 764 Units
- 212 acres of Multifamily Density at 20.0 units per acre = 4,240 Units
- 44 acres of Commercial-Medium Density at 20.0 units per acre = 880 Units

- 44 acres of Commercial-Medium Intensity at 0.4 FAR = 766,656 square feet of commercial use
- 216 acres of Industrial Intensity at 0.5 FAR = 4,704,480 square feet of Industrial use
- 12.5 acres of Public Intensity at 0.6 FAR = 326,700 square feet of Public use

The change in the designations for the subject area would result in a density increase of 11,342 residential units while also adding 766,656 square feet of commercial use, 4,704,480 square feet of industrial use, and 326,700 square feet of public use.

## **Population Analysis**

The subject parcel is vacant at this time. Based on the extent of expected wetlands and limited uplands, development of the property will be about 50% - 60% of the total subject area. Given the developable acreage as provided by the applicant, the total approximate density will be 5,833± units for a total estimated population of 14,583 persons.

## **Impacts on Public Facilities and Services**

Any future development of the property, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the City review process to ensure that the development complies with all applicable federal, state, and local regulations and permitting requirements. No development may take place prior to compliance with all applicable regulations.

### **Sanitary Sewer Impacts**

The subject area will utilize a Regional, advanced Wastewater Treatment Facility the developer plans to construct for the mixed-use community and dedicate it to the City of Bunnell. There will be developer agreements in place for this mixed-use community as the City does not currently have capacity to service this area. The future flow rates and capacity needs for this area can be found in the Utility Limited Due Diligence Analysis completed and provided by the applicant.

### **Potable Water Impacts**

The subject area will utilize a Regional Potable Water Supply Facility the developer plans to construct for the mixed-use community and dedicate it to the City of Bunnell. There will be developer agreements in place for this mixed-use community as the City does not currently have capacity to service this area. The future flow rates and capacity needs for this area can be found in the Utility Limited Due Diligence Analysis completed and provided by the applicant.

### **Drainage**

Development of the subject area will be subject to the stormwater regulations of the St. Johns River Water Management District and the City of Bunnell. All appropriate stormwater permits will need to be obtained before the development can proceed.

## **Solid Waste**

The subject area will have a significant impact on the City's Solid Waste services. Therefore, the developer will be required to provide additional Solid Waste Vehicles to the City through developer agreements to maintain the City's level of service standards.

## **Traffic Circulation**

The subject area will have multiple access points along State Highway 100 West and State Road 11 with additional access points on County Road 302 and County Road 65. The buildout of this development will have significant impacts on the number of trips that these roads currently experience. A traffic study has been completed and provided by the applicant.

## **Schools and Recreation**

The subject area is expected to produce 862 students once the development is completed and built out. The School District will require for the individual phases of the development to acquire concurrency reservations. Currently, the middle and high schools are over capacity. Therefore, the developer will be required to further acquire proportionate share mitigation agreements with the School District. The development as a whole will contain a multitude of parks and recreational areas to service the surrounding residential uses. Thus, the subject area will not create a significant impact on the City's recreational facilities, but it may have some impact on the school system as determined by the School District.

## **Facility Conclusion**

These Future Land Use changes will create a significant impact to City facilities or public services; however, the developer has planned to construct appropriate water and sewer facilities for the Planned Unit Development through various developer agreements with the City and will dedicate these improvements once they are completed. There will be areas dedicated to Fire and Rescue to maintain the level of service and to reduce the response times for incidents the community may produce, and areas dedicated to the City for their maintenance yard which houses the Public Works and Solid Waste Departments.

## **Consistency with Goals, Objectives, and Policies of the City of Bunnell Comprehensive Plan, Northeast Florida Strategic Regional Policy Plan, and the State Comprehensive Plan**

This Future Land Use Map amendment is consistent with the State Comprehensive Plan and the Strategic Regional Policy Plan. It is also consistent with the 2035 Bunnell Comprehensive Plan.

## **Comprehensive Plan Analysis**

The City of Bunnell is starting to experience an increase in growth. The development of the subject area will create a significant impact on the public services the City provides, but the developer will be responsible for upgrading the existing services through developer agreements with the City. The proposed Future Land Use categories are consistent with the surrounding Future Land Use Designations and the existing land uses as it will be extending from the urbanized core of the City and inhibiting the effects of urban sprawl by promoting

higher-density development, encouraging mixed-used development, and preserving green spaces to maintain a balance between growth and environmental conservation.

# Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Bunnell has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Bunnell may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

## Proposed ordinance’s title/reference:

ORDINANCE 2024-09

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR THE LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP IN THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY TOTALING APPROXIMATELY 2,877± ACRES, OWNED BY JM PROPERTIES X LLC AND WEYERHAEUSER COMPANY, WITHIN THE CITY OF BUNNELL AS DESCRIBED IN EXHIBIT “B”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATIONS FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR SERVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

## Applicable Exemptions:

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
  - Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

**Business Impact Estimate:**

The City of Bunnell hereby publishes the following information:

1. **A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This ordinance is requested by an applicant to change the Future Land Use for 2,800+/- acres of land for a mixed-use development.
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2. **An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) **An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

n/a
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- (b) **Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

n/a
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- (c) **An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

n/a
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3. **A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

n/a
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4. **Additional information the governing body determines may be useful (if any):**

n/a
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**Note:** *The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*