

City of Palm Coast, Florida

Agenda Item

Agenda Date: January 19, 2022

Department	PLANNING	Amount
Item Key	13042	Account
		#
Subject RF2 STORAGE SPECIAL EXCEPTION - APPLICATION # 4965		
Presenter: Estelle Lens, Planner, AICP		
<p>Background:</p> <p>A request for a Special Exception in the General Commercial (COM-2) Zoning District to allow <i>Mini-warehouses, Office Warehouses and Self-Storage</i>. The RF2 Storage facility is proposed on a vacant 12.75 +/- acre site located on the east side of Old Kings Road, approximately 0.8 miles north of the intersection with Town Center Boulevard.</p> <p>The applicant is proposing a mini storage and RV and boat storage facility with six buildings totaling approximately 86,950 square feet plus approximately 68,580 square feet of covered boat and RV storage spaces. Stormwater ponds will be located on the north side and south side of the proposed development. The site will be buffered with 25' to 120' natural buffers along Old Kings Road and a 25' natural/landscaped buffer on the southern property line to screen the site from northbound traffic on Old Kings Road. The northern and eastern boundaries will have 10' landscaped buffers. The site is adjacent to a large conservation area to the east which is part of the Hidden Lakes MPD and provides an approximately 650' wide buffer between this site and the residential development to the east (Toscana).</p> <p>Section 3.03.02 of the City Code identifies allowable uses within nonresidential and mixed use zoning districts. Table 3-4 lists <i>Mini-warehouses, Office Warehousing and Self-Storage</i> under the Warehousing category as only being allowed in the General Commercial (COM-2) District via approval of a Special Exception. <i>Mini-warehouses, Office Warehousing and Self-Storage</i> are permitted uses within the High Intensity Commercial (COM-3) District and the Light Industrial and Warehousing (IND-1) District.</p> <p><u>Public Participation:</u> Required letter notifications to the adjacent property owners were sent via Certified Mail before January 5, 2022. Neither the LDC nor state law requires signs to be posted or newspaper ads to be placed. Additionally, no Neighborhood Meeting is required for Special Exception applications. The Planning Division has not received any communications from members of the public regarding this application.</p>		
<p>Recommended Action:</p> <p>Planning staff recommends that the Planning and Land Development Regulation Board approve Application No. 4965 to allow a Special Exception for <i>Mini-warehouses, Office Storage and Self-Storage</i> in the COM-2 zoning district subject to the following conditions.</p> <ol style="list-style-type: none"> 1. Outdoor vehicle storage services are limited to operable boats, automobiles, pickups, vans, trailers, and recreational vehicles. Storage services shall not be provided for any heavy duty trucks, semi-tractor trailers, dump trucks, full-size buses, shipping containers, or large construction equipment. 2. Onsite boat and vehicle repair and maintenance is limited to washing, cleaning, detailing, tire changing, battery replacement, and other minor servicing and repairs. 		

Recreational vehicles shall not be used for on-site residential use.

3. An onsite business for the sale, leasing or rental of boats, recreational vehicles, trucks, trailers, or construction related equipment is prohibited.
4. All vehicles and boats being stored shall be limited to the designated boat/recreational storage spaces and shall not extend into or occur within driving lanes or other non-designated storage areas.
5. A business shall not use storage units for retail display and/or sale of merchandise.
6. No individual business signage shall be visible from the exterior of any storage unit except for the storage business itself.
7. During the Technical Site Plan process the applicant shall provide a tree survey and demonstrate on the engineering and landscaped plans that as many trees as reasonably possible are being saved within the landscape buffers along Old Kings Road as well as the interior and perimeter buffers.
8. Approval of a Technical Site Plan, Site Development Permit and all other developmental permits required by the Land Development Code.
9. The technical site plan must show the 35' right-of-way and drainage and easement and 6' TCE along Old Kings Road for the widening of Old Kings Road, and must not have any of the improvements and required buffering encroaching in the 35' right-of-way and drainage easement.
10. The site shall be buffered with 25' to 120' natural buffers along Old Kings Road and the southern property line. Supplemental plantings may be required. Within four years of the certificate of completion for the storage facility, such plantings shall provide at least 80% opacity of the area to a minimum height of twelve feet.



**COMMUNITY DEVELOPMENT DEPARTMENT
RF2 STORAGE SPECIAL EXCEPTION STAFF REPORT
PLANNING AND LAND DEVELOPMENT REGULATION BOARD
JANUARY 19, 2022**

OVERVIEW

Project #	4965
Applicant:	Walker Douglas, Douglas Property & Development, Inc.
Property Description:	12.75 +/- acres
Property Owner:	La Jolla Cove, LLC & Span, LLC, Irvine, CA
FLUM Designation:	Mixed Use
Zoning Designation:	General Commercial (COM-2)
Current Use:	Vacant land
Property Tax ID:	32-11-31-0000-01010-0021
Property Location:	East side of Old Kings Road approximately 0.8 miles north of the intersection with Town Center Boulevard
Requested Action:	Special Exception to allow <i>Mini-warehouses, Office Warehouses and Self-Storage</i> in the General Commercial (COM-2) Zoning District

ANALYSIS

REQUESTED ACTION

A request for a Special Exception in the General Commercial (COM-2) Zoning District to allow *Mini-warehouses, Office Warehouses and Self-Storage*. The RF2 Storage facility is proposed on a vacant 12.75 +/- acre site located on the east side of Old Kings Road, approximately 0.8 miles north of the intersection with Town Center Boulevard.

BACKGROUND/SITE HISTORY

The subject parcel, according to the deed, was purchased by La Jolla Cove, LLC, a Florida limited liability company as to a 66 2/3% undivided interest and Span, LLC, a California limited liability company as to a 33 1/3% undivided interest on November 20, 2003.

The applicant is proposing a mini storage and RV and boat storage facility with six buildings totaling approximately 86,950 square feet plus approximately 68,580 square feet of covered boat and RV storage spaces. Stormwater ponds will be located on the north side and south side of the proposed development. The site will be buffered with 25' to 120' natural buffers along Old Kings Road and a 25' natural/landscaped buffer on the southern property line to screen the site from northbound traffic on Old Kings Road. The northern and eastern boundaries will have 10' landscaped buffers. The site is adjacent to a large conservation area to the east which is part of the Hidden Lakes MPD and provides an approximately 650' wide buffer between this site and the residential development to the east (Toscana).

Section 3.03.02 of the City Code identifies allowable uses within nonresidential and mixed use zoning districts. Table 3-4 lists *Mini-warehouses, Office Warehousing and Self-Storage* under the Warehousing category as only being allowed in the General Commercial (COM-2) District via approval of a Special Exception. *Mini-warehouses, Office Warehousing and Self-Storage* are permitted uses within the High Intensity Commercial (COM-3) District and the Light Industrial and Warehousing (IND-1) District.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Mixed Use	No change proposed
Zoning District	General Commercial (COM-2)	No change proposed
Use	Vacant	Self-storage facility including covered boat/RV parking

SURROUNDING ZONING AND LAND USES:

NORTH:	FLUM:	Mixed Use
	Zoning:	Multi Family Residential (MFR-2)
	Use:	Vacant
EAST:	FLUM:	Conservation and Mixed Use
	Zoning:	Master Planned Development (MPD)
	Use:	Wetland conservation area
SOUTH:	FLUM:	Mixed Use and Conservation
	Zoning:	Master Planned Development (MPD)
	Use:	Wetland conservation area
WEST:	FLUM:	Mixed Use
	Zoning:	High Intensity Commercial (COM-3)

Use: Vacant (Encumbered by FPL Easements)

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

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

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

Staff Finding: The proposed self-storage facility with covered parking for boat and RV storage is not in conflict with or contrary to the public interest. It is located within the Mixed-Use Future Land Use designation and within a commercial use corridor along Old Kings Road. This corridor is screened from residential homes to the east by a large wetland conservation area and the site is bordered by Multifamily Residential (MFR-2) zoning to the north and High Intensity Commercial (COM-3) zoning to the west. The COM-2 Zoning District is intended to provide sufficient areas for general commercial and office uses to meet community-wide demand for retail, services, businesses, and employment opportunities.

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

Staff Finding: The request is consistent with the following objectives and policies of the Comprehensive Plan. (Note that not all chapters of the Comprehensive Plan are applicable to this request.)

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

-Objective 1.1.4 - Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.

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

Staff Findings: The proposed boat and recreational vehicle storage facility site provides a location for Palm Coast residents to store their boat or RV away from their homes as most boats and RVs will not fit within most residents' garages. Additionally, the self-storage buildings will provide a location for residents and small businesses to store items. The proposed storage use as shown on the conceptual plan and as conditioned by staff is consistent with the wide range of non-residential development that is existing and expected along Old Kings Road.

-Policy 1.4.2.1 The City shall provide an appropriate balance of commercial, retail, office, and industrial land uses on the FLUM to balance jobs and housing.

Staff Findings: The site is located in the *Mixed Use* FLUM designation that represents existing and future mixed use corridors and employment centers throughout the City. This designation is intended to provide general retail, business/professional services, offices, and appropriately located light industrial uses. The *Mixed Use* designation also offers opportunities for residents to work, shop, and perform a range of daily activities within reasonably close proximity to their residential dwellings.

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

Staff Findings: Should the applicant be granted a Special Exception as conditioned by staff, no significant financial liability or hardship will be created for the City as all services are already available with sufficient capacity at this location or will be extended by the developer at his costs. The applicant's engineer submitted ITE Trip Generation calculations that show that the 12.75 +/- acre self-storage facility would only generate 359 average annual daily trips, including approximately 40 PM Peak Hour trips.

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

Staff Finding: Approving a Special Exception for a boat and RV storage facility where the facility is very well buffered as shown on the conceptual site plan will not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. In addition, the applicant stated that the facility will be secured, gated and have security cameras.

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

Staff Finding: A Technical Site Plan will need to be submitted by the applicant. Since the Technical Site Plan will have six buildings totaling 86,950 sq. ft. it will be a Tier - 2 that will be reviewed initially by staff, followed by review and determination by the PLDRB. All businesses must comply with the requirements of the LDC and all other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.07.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.07.03 states: "*No application for a special exception use shall be approved unless the Planning and Land Development Regulation Board finds that the request meets the findings listed in Subsection 2.05.05 and the following:*"

A. Is consistent with the specific requirements for that particular use as set forth in this LDC;

Staff Finding: The proposed location will be on a site that will be developed under all applicable development standards of the LDC including specific standards for the General Commercial (COM-2) Zoning District. Landscaping standards shall meet or exceed, as applicable, the standards of Chapter 11, including Table 11-4 Planting and Maintenance Requirements. Additional sections of the LDC that address outdoor storage of boats and RVs include:

- 5.04.10 *Boat and recreational vehicle commercial storage facilities*, which states: Where boats or recreational vehicles are commercially stored outside, they shall only be stored on pavement located behind buildings or preserved wooded areas so they are generally hidden from the public rights-of-way, unless specifically permitted by Code, and
- 4.17.02 *Outdoor Storage in COM... Districts*, which requires screening by architectural features, a fence, a wall or natural buffer; and further states that no items may be stored above the height of the screening. With the submittal of the Technical Site Plan, the applicant must submit elevations which will be reviewed to be compliance with LDC Chapter 13- Architectural Design Regulations; including building massing, exterior articulation, fenestration, roof types and exterior colors. The wall or fence requirement may be waived upon a finding that a natural buffer adequately screens the area.

B. Meets the concurrency requirements of this LDC;

Staff Finding: The site will need to meet all applicable concurrency provisions in the LDC as it goes through the permitting process. The traffic statement submitted indicates that the proposed project will not reduce the existing Level of Service Standards for Old Kings Road. Traffic will be further reviewed upon Site Plan submittal.

C. *Is compatible with the surrounding neighborhoods and promotes the value of surrounding land, structures or buildings.*

Staff Finding: As conditioned in staff's recommendation of approval, the proposed use will be compatible with existing and expected future uses of the neighboring area.

a. *Compatibility shall be further reviewed in light of the following components:*

<i>Architectural design;</i>	The proposed buildings will have to meet the requirements in the LDC Chapter 13 – Architectural Design Regulations, before approval of the Technical Site Plan.
<i>Fencing and screening, landscaping;</i>	The landscape buffers as shown on the site plan meet and exceed those standards within the LDC.
<i>Noise reduction, sign and light control;</i>	No noise, or lighting impacts are anticipated at this location based on the type of use and site plan layout and perimeter buffers, including expansive conservation areas to the east and south. If applicable, a photometric lighting plan will be required at Site Plan. Signage will be addressed in accordance with Chapter 12 of the LDC.
<i>Storm drainage, sanitation collection;</i>	The applicant's project engineer has designed a stormwater system that will be reviewed by the City and SJRWMD during the Technical Site Plan process.
<i>Police and fire protection;</i>	Fire standards will also be reviewed during the Technical Site Plan review process. No significant fire or police risk is anticipated by this use.
<i>On and off-site traffic control</i>	The proposed access point(s) and any off-site improvements will be reviewed during the Technical Site Plan review process.
<i>Off-street parking and loading; and</i>	The interior vehicular design area being provided will be analyzed in detail during the Technical Site Plan review process.
<i>Other matters relevant to assuring that the proposed development site fosters desirable conditions and compatibility with the existing environment.</i>	In Planning staff's recommendation are conditions staff suggests to the PLDRB to ensure the self-storage facility with covered parking for boat and RV storage remains compatible with neighboring properties and creates no undesirable aesthetics for motorists along Old Kings Road.

Summary Finding: The applicant has found a use for his site that is consistent and compatible with the existing and expected future developments along this section of Old Kings Road. The site plan shows a concerted effort to minimize the impact of the self-storage facilities upon motorists driving along Old Kings Road and neighboring properties.

PUBLIC PARTICIPATION

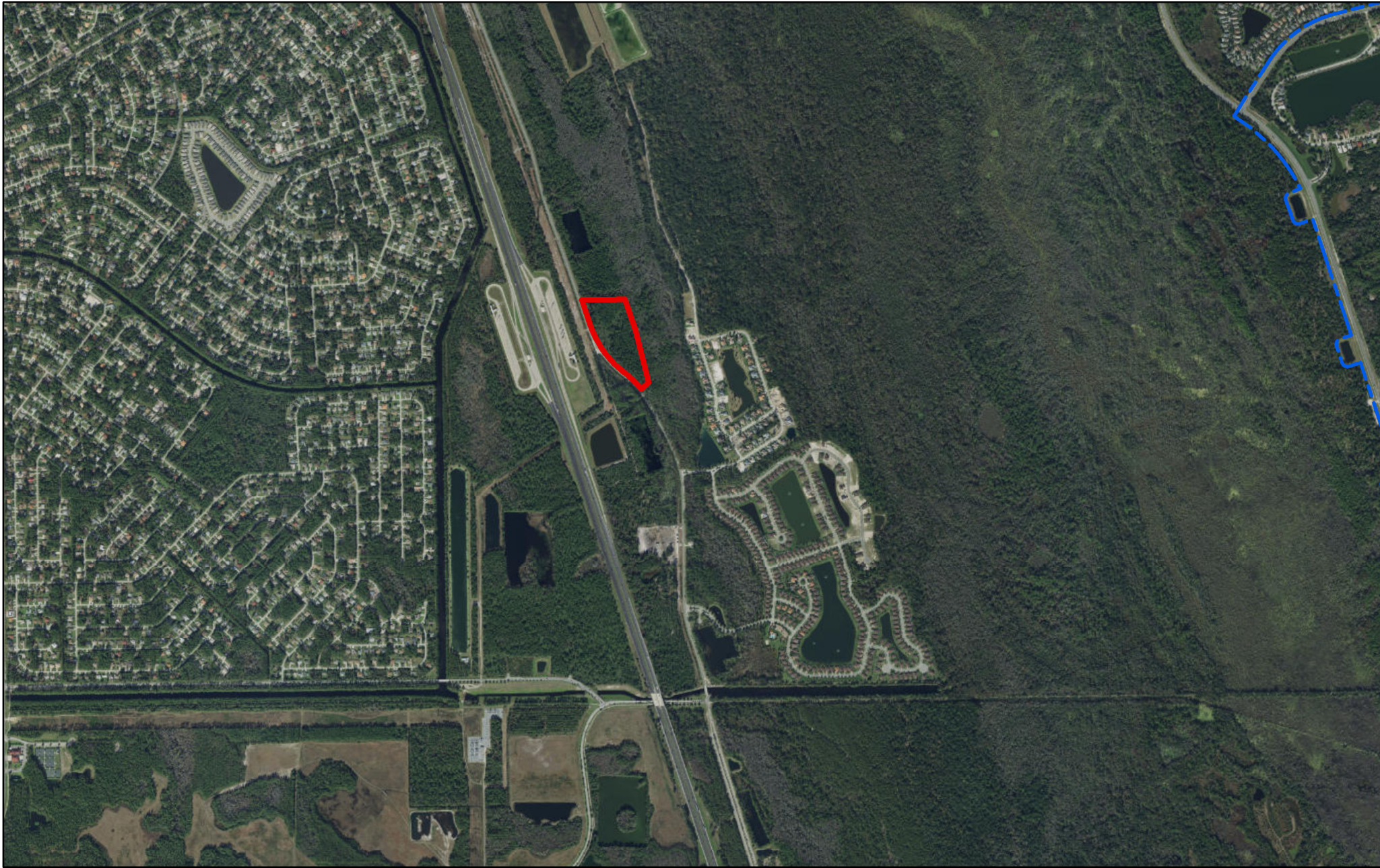
Unified Land Development Code Chapter 2, Part II, Section 2.07 requires that applicants notify adjacent property owners of the PLDRB meeting date at least 14 days in advance of the public hearing. The required letter notifications to the adjacent property owners were sent via Certified Mail by January 5, 2022. Neither the LDC nor state law requires signs to be posted or newspaper ads to be placed. Additionally, no Neighborhood Meeting is required for Special Exception applications. The Planning Division has not received any communications from members of the public regarding this application.

RECOMMENDATION



Planning staff recommends that the Planning and Land Development Regulation Board approve Application No. 4965 to allow a Special Exception for *Mini-warehouses, Office Storage and Self-Storage* in the COM-2 zoning district subject to the following conditions.

1. Outdoor vehicle storage services are limited to operable boats, automobiles, pickups, vans, trailers, and recreational vehicles. Storage services shall not be provided for any heavy duty trucks, semi-tractor trailers, dump trucks, full-size buses, shipping containers, or large construction equipment.
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9. The technical site plan must show the 35' right-of-way and drainage and easement and 6' TCE along Old Kings Road for the widening of Old Kings Road, and must not have any of the improvements and required buffering encroaching in the 35' right-of-way and drainage easement.
10. The site shall be buffered with 25' to 120' natural buffers along Old Kings Road and the southern property line. Supplemental plantings may be required. Within four years of the certificate of completion for the storage facility, such plantings shall provide at least 80% opacity of the area to a minimum height of twelve feet.

RF2 STORAGE DISTANT AERIAL



Legend

-  Palm Coast City Limits
-  La Jolla Cove LLC & Span LLC



0 1,000 2,000
Feet

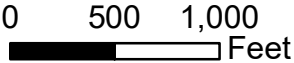


RF2 STORAGE - CLOSE UP AERIAL

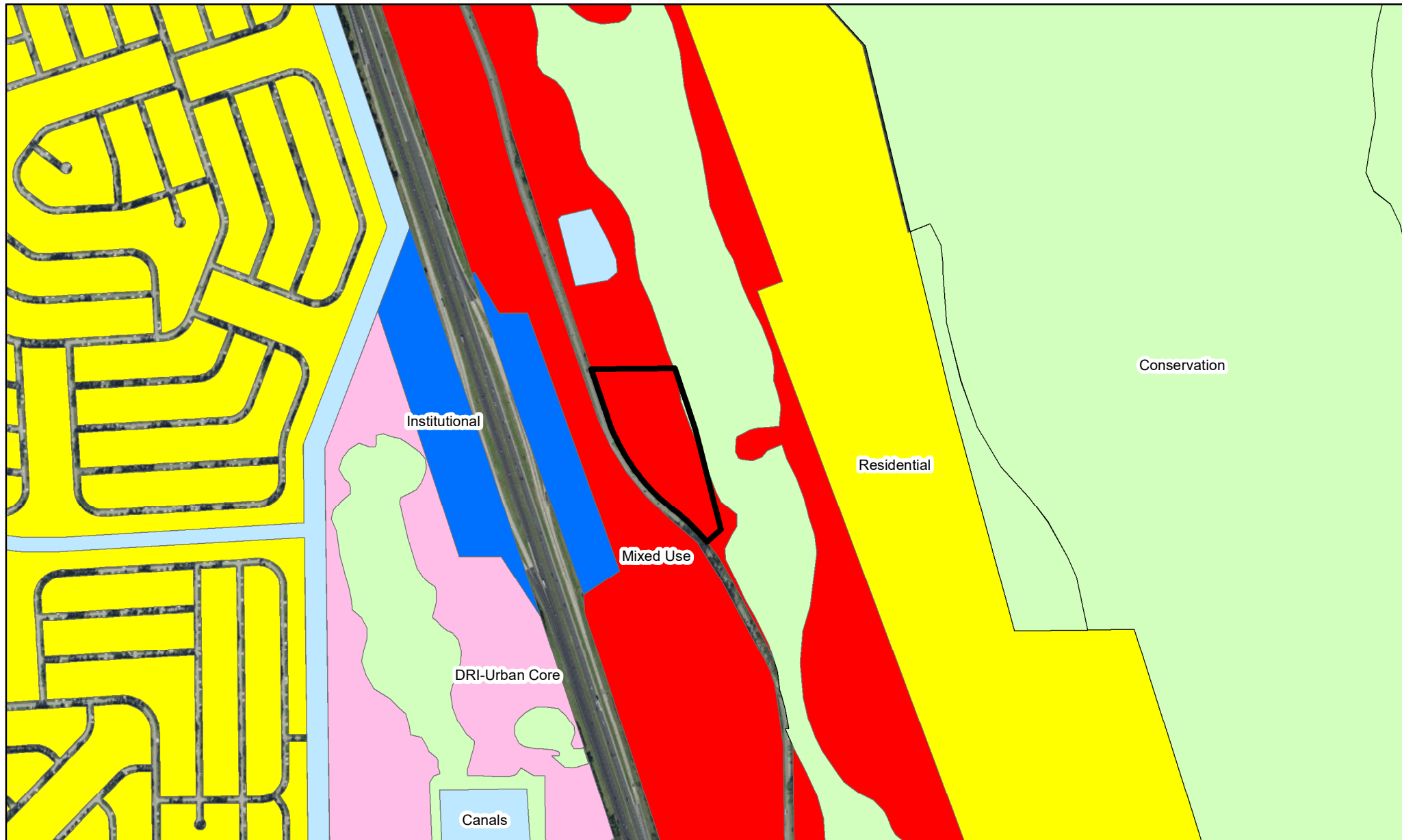


Legend

-  Palm Coast City Limits
-  La Jolla Cove LLC & Span LLC



RF2 STORAGE FUTURE LAND USE MAP (FLUM)



Legend

- Palm Coast City Limits
- La Jolla Cove LLC & Span LLC

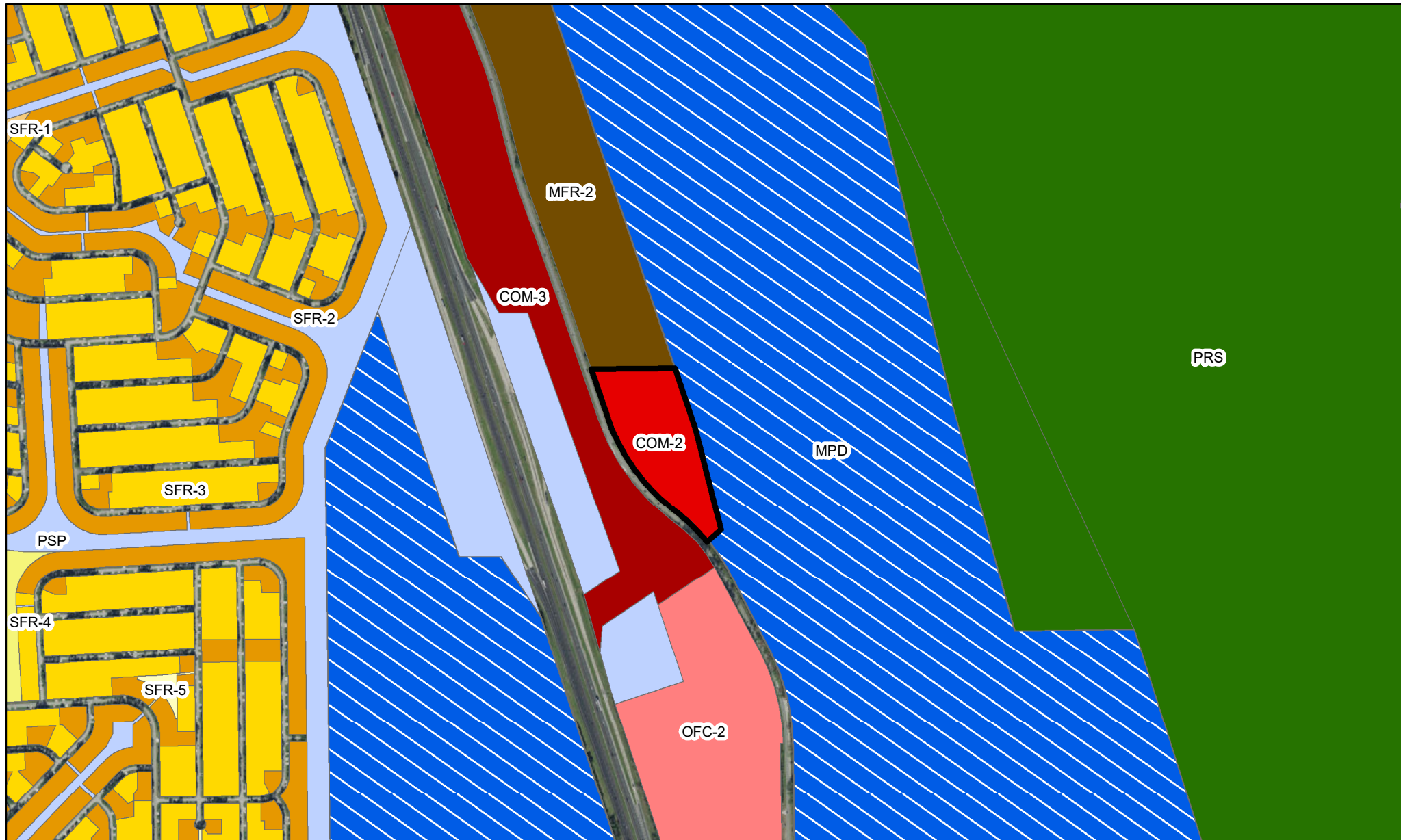
Palm Coast FLUM

- Canals
- Conservation
- DRI-Urban Core
- Institutional
- Mixed Use
- Residential

0 500 1,000
Feet



RF2 STORAGE ZONING MAP



Legend

Palm Coast City Limits

La Jolla Cove LLC & Span LLC

Palm Coast Zoning

COM-2

COM-3

MFR-2

MPD

OFC-2

PRS

PSP

SFR-1

SFR-2

SFR-3

SFR-4

SFR-5

0 500 1,000
Feet





city of PALM COAST

GENERAL - APPLICATION

DATE 11/07/2021

APPLICATION TYPE SPECIAL EXCEPTION

PROJECT NAME		RF2 Storage			
LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS)					
PROPERTY APPRAISER'S PARCEL NUMBER		32-11-31-0000-01010-0021			
LEGAL DESCRIPTION		12.75 AC POR NE CRNR SEC, S 89.1629W 701.64 ALONG N LINE TO POB, S 18.4329E 450.01', S 14.1335E 724.52', S 50.2037W 130 TO ELY R/W OKR, ALONG ELY R/W CB N 45.5637W 315.57', CB N 35.2840W 805.07'			
SUBDIVISION NAME					
SECTION	32	BLOCK	01010	LOT	0021
PROPERTY ACRES	12.75	PROPERTY SQ FT	555390		
FUTURE LAND USE MAP DESIGNATION		EXISTING ZONE DISTRICT			
OVERLAY DISTRICT					
COMMUNITY PANEL NUMBER		MAP PANEL DATE			
FLOOD ZONE					
PRESENT USE OF PROPERTY					
DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS)					
Mini Storage and RV & Boat Storage					
PROPOSED NUMBER OF LOTS		IS THERE EXISTING MORTGAGE?	No		



City of PALM COAST

OWNER	APPLICANT / AGENT
Name: LA JOLLA COVE LLC & SPAN LLC	Name: WALKER DOUGLAS
Mailing Address: 18800 VON KARMAN AVE, SUITE A 18800 VON KARMAN AVE, SUITE A IRVINE, CA 92612	Mailing Address: 145 CITY PL PALM COAST, FL 32169
Phone Number: (207) 205-6988	Phone Number: (207) 205-6988
E-mail Address: WALKER@DOUGLASPD.COM	E-mail Address: WDOUGLAS@WESTMONT.EDU
MORTGAGE HOLDER	ENGINEER OR PROFESSIONAL
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
ARCHITECT	TRAFFIC ENGINEER
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
SURVEYOR	LANDSCAPE ARCHITECT
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
ATTORNEY	
Name:	
Mailing Address:	
Phone Number:	
E-mail Address:	

APPLICANT / OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning

APPLICANT / OWNER'S ELECTRONIC SUBMISSION STATEMENT: Under penalty of perjury, I declare that all the information contained in this development application is true and correct. By signing this Electronic Submission Form, I consent to use electronic communications, electronic records, and electronic signatures rather than paper documents for the form(s) provided on this web site. I understand that my electronic signature is legally binding, as stated by [2016 Florida Statutes Title XXXIX Chapter 668 Section 50](#)

Signature of Property Owner or Applicant

WALKER DOUGLAS

Jan 4, 2022

To Whom It May Concern:

La Jolla Cove LLC & Span LLC is the owner of the property described in "Exhibit A" attached hereto. Currently the owner has an application into the City of Palm Coast for a Special Exception to allow the property, currently zoned COM-2, to include self-storage and boat/RV storage.

The application will be presented for approval at the Palm Coast Planning and Land Development Regulation Board Meeting on January 19 at 5:30pm held at Palm Coast City Hall.

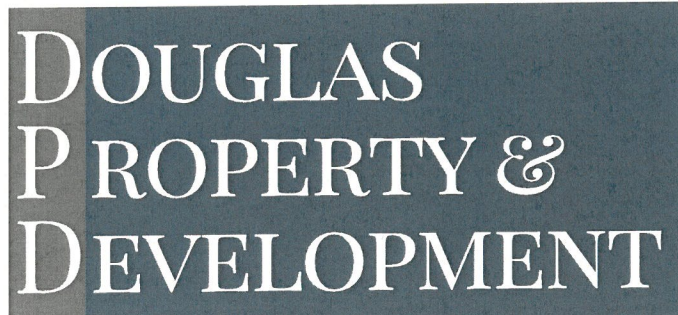


Exhibit A



Tax Parcel ID: 34-10-30-0000-01010-0060

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Seville, FL 32190

0315

01/04/2022

FL 32190

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee \$2.00 per fee)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To OKR Inksters LLC

Street and Apt. No., or PO Box No.

City, State, ZIP+4® Seville, FL 32190

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Deland, FL 32720

0315

01/04/2022

FL 32720

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee \$2.00 per fee)

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Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To State of Florida Dept. of Trans.

Street and Apt. No., or PO Box No.

City, State, ZIP+4® Deland, FL 32720

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Torrington, NY 82240

0315

01/04/2022

FL 82240

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Certified Mail Fee \$3.75

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Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To King's Business Center LLC

Street and Apt. No., or PO Box No.

City, State, ZIP+4® Torrington, NY 82240

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Davenport, FL 33896

0315

01/04/2022

FL 33896

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee \$2.00 per fee)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To Tassara Community Association Inc

Street and Apt. No., or PO Box No.

City, State, ZIP+4® Davenport, FL 33896

0202 097E 1000 2579 1226

0202 097E 1000 2579 8676

0202 097E 1000 2579 1226

0202 097E 1000 2579 1876



NOTIFICATION AFFIDAVIT for VARIANCE / SPECIAL EXCEPTION

COUNTY OF FLAGLER X
STATE OF FLORIDA X

Before me this 5th day of January, 2022 personally appeared

Walker Douglas who after providing

Personally known as identification and

who _____ did, ✓ did not take an oath, and who being duly sworn, deposes and says as follows:

"I have read and fully understand the provisions of this instrument."

1. Each abutting property owner (as defined in the Unified Land Development Code) of the boundary lines of **Application #4965**, has been mailed a letter by certified mail at least fourteen (14) calendar days before the hearing date notifying them of the date, time, and place of the _____, Planning & Land Development Regulation Board (PLDRB) hearing; and
2. No other documentation was provided in the envelope with the notification letter.

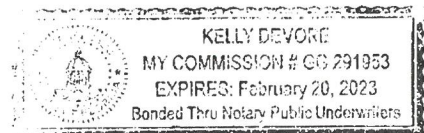
[Signature]
Signature of Responsible Party

Walker Douglas
Printed Name

145 City Pl Palm Coast, FL
Mailing Address

[Signature]
Signature of Person Taking Acknowledgement

Kelly Devore
Name of Acknowledger (Typed, Printed or Stamped)



SEAL

This document, once executed, must be returned to a Land Development Technician in the City of Palm Coast Community Development Department at least seven (7) days prior to the hearing date. Failure to provide document by that time will result in the application not being placed on the agenda for a public hearing.

Estelle Lens

From: Walker Douglas <walker@douglaspd.com>
Sent: Wednesday, January 5, 2022 6:09 PM
To: Damaris Ramirez; Estelle Lens
Subject: OKR Special Exception Notices

Estelle and Damaris,

I got the certified mailings sent before the end of day yesterday. Dropped off the affidavit with certified mail receipts with Scott this afternoon, and here is a list of the abutting property owners who will be receiving the notices

TOSCANA COMMUNITY ASSOCIATION
INC C/O AEGIS CMS
8390 CHAMPIONSGATE BLVD SUITE 304
CHAMPIONSGATE, FL 33896

OKR INVESTORS LLC
P.O. BOX 34
SEVILLE, FL 32190

KINGS BUSINESS CENTER LLC
PO BOX 670
TORRINGTON, WY 82240

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION
719 SOUTH WOODLAND BLVD
DELAND, FL 32720
|

-Walker Douglas
Douglas Property & Development, Inc.
207.205.6988
www.DouglasPD.com

City of Palm Coast, Florida

Agenda Item

Agenda Date: January 19, 2022

Department	PLANNING	Amount
Item Key	12996	Account
		#
Subject	AN AMENDMENT TO THE COMPREHENSIVE PLAN BASED ON THE EVALUATION AND APPRAISAL PROCESS	
Presenter :	Jose Papa, Senior Planner, AICP	
Background: Florida Statutes requires each municipality to submit and have an approved Comprehensive Plan. As stated in Florida Statutes, “the comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development” ... of a community. A Comprehensive Plan contains the goals, objectives, and policies that describe how the local government’s programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations. Additionally, the Comprehensive Plan includes a map series which includes the Future Land Use Map (FLUM). The FLUM is a general depiction of the potential uses for a parcel of land in the City and provides the basis for the more detailed zoning map.		
The City of Palm Coast adopted its first Comprehensive Plan in 2004. In addition to site specific Future Land Use Map amendments, the City also adopted amendments as follows:		
<ul style="list-style-type: none">• 2010 - Major update of the Comprehensive Plan to move timeframe from 2020 to 2035,• 2015 – Evaluation and Appraisal Based Amendment, and• 2018 - Update of the Water Supply Plan (Infrastructure Element, and Capital Improvements Element).		
Proposed Amendments based on Evaluation and Appraisal of the Comprehensive Plan		
The proposed amendments are initiated based on the Evaluation and Appraisal of the Comprehensive Plan as outlined in Florida Statutes.		
The Evaluation and Appraisal of the Comprehensive Plan Process (Chapter 163.3191)		
<ol style="list-style-type: none">1. Every seven years, the City must determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated. The last Evaluation and Appraisal Update to the Comprehensive Plan was in 2015.2. Notify the state land planning agency by letter of this determination. The DEO received the City’s Evaluation and Appraisal letter on February 10, 2021.3. If the local government determines amendments to the comprehensive plan are		

necessary, the local government shall prepare and transmit the proposed amendments to the State Land Planning Agency within one year of such determination. **The City's amendments are due on February 10, 2022.**

4. Failure to submit proposed amendments within one year of notification may not amend its comprehensive plan until it complies with the requirements. **City staff proposes adoption of the Evaluation and Appraisal Amendments by April 2022.**
5. The evaluation and appraisal should address **changes in state requirements** since the last update of the comprehensive plan and **update the plan based on changes to local conditions.**

In order to meet the requirements of Chapter 163.3191, City staff reviewed the Comprehensive Plan to identify amendments required due to changes in state statutes since 2015 (the time of the last Evaluation and Appraisal Update), as well as necessary updates (changes to dates or references). These amendments are summarized below.

Amendments Due to Changes in State Statutes

No amendments necessary. In 2021, the Florida Legislature passed legislation requiring all Comprehensive Plans to include a Private Property Rights Element. The City adopted this element on September 2021. Other changes to Florida Statutes since 2016 do not require an amendment to the Comprehensive Plan.

Amendments to Update References (Housekeeping Items):

A review of the comprehensive plan revealed some outdated references to documents associated with capital improvements. As a result, staff proposes to update dates and references to documents and projects in the following elements of the Comprehensive Plan.

- Public Recreation and Open Space – the proposed amendment will update the inventory of Recreation facilities, and the list of short-range (5-years and less), mid-range (6-10 years), and long-range (10+ years) park projects based on the capital improvements plan as reviewed and adopted annually by City Council.
- Capital Improvements – the proposed amendment will update reference to the most recently adopted School District Work Plan (FY 21/22). This most recent work plan includes proposed capacity improvements through addition of seats at Matanzas High School, the construction of a new Middle School, and planning for a new High School.
- Public School Facilities – update language to cite most recent School District Work Plan. See summary for Capital Improvements above.

Recommended Action: Staff recommends that the PLDRB find the proposed amendments internally consistent with the Comprehensive Plan and recommend that City Council approve the transmittal of the amendments to the State Land Planning Agency.

ORDINANCE NO. 2022-XX
UPDATE OF THE COMPREHENSIVE PLAN BASED ON THE EVALUATION
AND APPRAISAL PROCESS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE FOLLOWING ELEMENTS: PUBLIC RECREATION AND OPEN SPACE, CAPITAL IMPROVEMENTS, AND PUBLIC SCHOOL FACILITY; TO UPDATE REFERENCES RELATED TO CAPITAL IMPROVEMENTS TO REFLECT BEST AVAILABLE DATA AND CHANGES IN LOCAL CONDITIONS; PROVIDING FOR CONFLICTS, RATIFICATION OF PRIOR ACTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

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

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

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

WHEREAS, Section 163.3191 requires a local government to review and evaluate its Comprehensive Plan every seven (7) years to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the comprehensive plan; and

WHEREAS, Section 163.3191 requires a local government to prepare and transmit within 1 year, plan amendment(s) for review if the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements; and

WHEREAS, the City submitted an Evaluation and Appraisal Letter (EAL) to the State Land Planning Agency on January 26, 2021 stating the City intends to amend the Comprehensive Plan as required by Chapter 163.3191(2); and

WHEREAS, the City of Palm Coast Planning and Land Development Regulation Board (PLDRB), acting as the Local Planning Agency, considered the proposed Comprehensive Plan Amendments at a public hearing on January 19, 2022; and

WHEREAS, the PLDRB acting as the Local Planning Agency has determined that the proposed text amendments are internally consistent with the goals, objectives, and policies of the City's Comprehensive Plan; and

WHEREAS, the PLDRB voted to recommend to the City Council the transmittal and APPROVAL of the amendments; and

WHEREAS, the City Council of the City of Palm Coast has determined that amending the Comprehensive Plan is necessary and appropriate; and

WHEREAS, the City Council of the City of Palm Coast has determined that amending the Comprehensive Plan is internally consistent with the goals, objectives, and policies of the City's *Comprehensive Plan*; and

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PALM COAST, FLORIDA, THAT THE COMPREHENSIVE PLAN IS AMENDED AS FOLLOWS:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

(a). The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast which are based on the staff report, the City Council agenda memorandum and all supporting data and analysis related to this amendment.

(b). The City Council of the City of Palm Coast hereby adopts and incorporates the exhibits into this Ordinance as if fully set forth herein verbatim.

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

(d). This Ordinance is internally consistent with the goals, objectives, and policies of the *City of Palm Coast Comprehensive Plan*.

SECTION 2. AMENDMENT TO THE POLICIES OF THE FOLLOWING ELEMENTS OF THE COMPREHENSIVE PLAN: PUBLIC RECREATION AND OPEN SPACE, CAPITAL IMPROVEMENTS, AND PUBLIC SCHOOL FACILITIES.

The associated Policies are amended as shown in Exhibit 1.

SECTION 3. CONFLICTS/RATIFICATION OF PRIOR ACTIONS.

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

SECTION 4. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.

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

SECTION 5. SEVERABILITY.

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

SECTION 6. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be when the state land planning agency posts a "Notice of Intent" on its website. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission issues a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

APPROVED on first reading after due public notice and public hearing the _____ day of _____, 2022.

ADOPTED on second reading after due public notice and public hearing the _____ day of _____ 2022.

ATTEST:

CITY OF PALM COAST, FLORIDA

Virginia A. Smith, City Clerk

David Alfin

Approved as to form and legality

Neysa Borkert, City Attorney

Exhibit 1 – Evaluation and Appraisal Based Comprehensive Plan Amendments

CHAPTER 4 PUBLIC RECREATION AND OPEN SPACE ELEMENT

Amendment to Update of Inventory of Recreation and Parks Facilities

Table 4.1 Inventory of Existing and Future City of Palm Coast Parks and Recreational Facilities				
Facility Name	Acres	Type	Classification	Status
Belle Terre Park/Frieda Zamba Pool	10.09	Community	Active	Developed
Big Mulberry Creek	58.1	Environmentally Sensitive Land (ESL)	Resource	Undeveloped
Bird of Paradise Park	2.92	Neighborhood	Resource	Developed
Cobblestone Canoe Launch	1.52	Neighborhood	Resource	Undeveloped
Cypress Knoll/East Hampton	14.5 96.12	Neighborhood	Active	Undeveloped
Heroes Memorial Park	1	Special Facility	Active	Developed
Hidden Lakes Park	9.1	Neighborhood	Resource	Developed
Holland Park-James F. Holland Memorial Park	26.75	Community	Active	Developed
Indian Trails Park	32.71	Community	Active	Undeveloped
Indian Trails Sports Complex	164.11	Community (50.37 acres upland)	Active	Developed
Long Creek Nature Preserve	225.36	Environmentally Sensitive Land (ESL)	Resource	Developed
Matanzas Woods	12.4	Neighborhood	Active	Undeveloped
<u>Matanzas Woods Canoe/Kayak Launch</u>	<u>2.5</u>	<u>Neighborhood</u>	<u>Resource</u>	<u>Undeveloped</u>
Palm Coast Community Center Park	4.79	Community	Active	Developed
Palm Coast Linear Park/St. Joe Walkway	56.77	Environmentally Sensitive Land (ESL)	Resource	Developed
Palm Coast Park DRI (<u>Sports Complex</u>)	65.1 103.51	Community	Active	Undeveloped
<u>Palm Coast Tennis CenterRegional Racquet Center</u>	47.98	Special Facility	Active	Developed
Palm Harbor Golf Course	143.59	Special Facility	Active	Developed
Pine Lakes Parkway Multi-Purpose Trail	7.56	Neighborhood	Active	Developed

EXHIBIT 1 – EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENTS

Ralph Carter Park	13.12	Neighborhood	Active	Developed
Seminole Woods Neighborhood Park	12.4	Neighborhood	Active	Developed
Town Center Central Park	10	Special Facility	Active	Developed
Town Center-Community Center	3.5	Community	Active	Undeveloped
Town Center-Cultural Arts Center	8.5	Special Facility	Active	Undeveloped
Town Center-Pocket Park	0.63	Neighborhood	Passive	Developed
Waterfront Park	21.1	Special Facility	Resource	Developed
Wild Oaks Park	1.3	Neighborhood	Resource	Undeveloped
Sub Total	955.05			
	987.43			

Lands Committed from Developments of Regional Impact (Lands Not under City Ownership)				
JX Properties-DRI	56.48	Community	Active	Undeveloped
JX Properties-DRI	33.87	Community	Resource	Undeveloped
Neoga Lakes DRI	29	Community	Active	Undeveloped
Neoga Lakes DRI	16	Neighborhood	Active	Undeveloped
Neoga Lakes DRI	75	Community	Resource	Undeveloped
Old Brick Township DRI	25	Community	Active	Undeveloped
Old Brick Township DRI	30	Neighborhood	Active	Undeveloped
Old Brick Township DRI	45	Community	Passive	Undeveloped
Palm Coast Park DRI	10	Neighborhood	Active	Undeveloped
Sub Total	320310.35			

TOTAL ACRES	1275.4			
	1297.78			

Other Providers				
Lehigh Greenway Rail Trail	194.95	ESL/Open Space	Active	Developed
Graham Swamp	3,790	ESL/Open Space	Resource	Developed
Belle Terre Swim & Racquet Club	N/A	Special Facility	Active	Developed
Cypress Knolls Golf Course	125	Special Facility	Active	Developed
Matanzas Woods Golf Course	125	Special Facility	Active	Developed
Pine Lakes Golf Course	125	Special Facility	Active	Developed

EXHIBIT 1 – EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENTS

TOTAL ACRES (OTHER OWNERSHIP)	4234359.9 5
Source: City of Palm Coast Comprehensive Plan Update provided by the City of Palm Coast Parks and Recreation Department and Community Development Department (Updated September 1, 2014 December 2021)	

Objective 4.2.2 - Future Recreation and Park and Open Space Facilities

Establish a list of priority recreation and park projects needed to meet population growth through the year 2035 with projects including acquisition of additional parkland, and the development of existing and future park sites. The priority list below will be updated based on the findings of the Evaluation and Appraisal Report (EAR) process, as well as the Recreation and Parks Facilities Master Plan.

Policy 4.2.2.1 - The following prioritized projects shall be considered short-range priorities planned for completion within the next five (5) years:

- ~~A. Complete renovation to Holland Park~~
- ~~B. Complete renovation and addition to the Community Center.~~
- ~~C.~~ A. Complete the development of Long Creek Nature Preserve (Phase 2-Boardwalks).
- ~~B.~~ Complete development of the Lehigh Trail Trailhead@ Palm Coast Tennis Center Belle Terre Pkwy.
- C. Lehigh Trail Trailhead
- D. Waterfront Park Water Access – Phase 1 and Phase 2
- E. Matanzas Woods Neighborhood Park
- F. Matanzas Lakes Canoe/Kayak Launch
- G. Quail Hollow Neighborhood Park
- H. Seminole Woods Neighborhood Park Expansion
- I. Regional Racquet Center
- J. Community Center Parking Expansion
- ~~D.~~ K. Indian Trails Sports Complex Parking Expansion

Policy 4.2.2.2 - The following prioritized projects shall be considered mid-range priorities planned for completion within five to ten (5-10) years:

- A. Land acquisition (if necessary), design, and construction of a neighborhood or community park as dictated by growth patterns and needs within the City in one of the following neighborhoods: Matanzas Woods, Pine Lakes, or Quail Hollow Construction of Indian Trails Park
- B. Complete design and construction of Graham Swamp Trail Phase 2 (from Old Kings Rd. trailhead to Lehigh Trail).
- ~~C. Complete master plan, design, and construction of Central Park Phase 3 improvements.~~
- ~~B.~~ D. Design and construction of Long Creek Nature Preserve Phase 3.

EXHIBIT 1 – EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENTS

Policy 4.2.2.3 - The following prioritized projects shall be considered long-range priorities planned for completion within 10 to 20 years of Plan adoption:

- A. ~~Land acquisition (if necessary), d~~Design and construction of a neighborhood or community park as dictated by growth patterns and needs within the City.
- B. Identify potential location and complete design and construction for a Citywide special recreational facility (sports complex, aquatic center, or Frieda Zamba Pool renovation).
~~Land acquisition (if necessary) and construction of a neighborhood park in one of the following neighborhoods: Matanzas Woods, Pine Lakes, or Quail Hollow.~~

CHAPTER 8 CAPITAL IMPROVEMENTS ELEMENT

Policy 8.1.1.3 - The Capital Improvements Element includes, by reference, the Flagler County School District ~~2017-2018~~2021-2022 Work Plan, adopted on September ~~19, 2017~~7, 2021 by the Flagler County School Board.

CHAPTER 9 PUBLIC SCHOOL FACILITIES ELEMENT

Policy 9.1.1.7 – The Capital Improvements Element includes, by reference, the Flagler County School District ~~2014-2015~~2021-2022 Work Plan, as adopted on September ~~16, 2014~~7, 2021 by the Flagler County School Board.

City of Palm Coast, Florida Agenda Item

Agenda Date: January 19, 2022

Department	PLANNING	Amount
Item Key	13037	Account
		#
Subject	PRESENTATION BY THE BEAUTIFICATION AND ENVIRONMENTAL ADVISORY COMMITTEE CHAIR PERSON ON THE CITY'S GREEN BUILDING INCENTIVE PROGRAM	
Presenter: Jeffery Seib, Chairperson of the BEAC		
Background: As a follow up to the January 2020 PLDRB meeting where Climate Change and Sea Level Rise was brought before the board. The members of the BEAC have come up with specific suggestions to update the Green Building Incentive Program in the hopes that it will increase the use of the program.		
Recommended Action: Presentation and feedback from the PLDRB		

A Community Responds to Climate Change

By the Beautification and Environmental Advisory Committee (BEAC)

January 2022

Introduction and Background

When the BEAC first brought this issue to the PLDRB in January 2020, immediately prior to all the pandemic closings it was clear that the earth's environment was changing rapidly, and not for the better. Since then, things have only gotten worse. Increasing amounts of the heat trapping greenhouse gases have been pumped into the atmosphere. All the scientifically derived evidence of carbon and methane amounts in the air have steadily increased at an increasing rate. Lines on the graphs presented at that time have kept going up. Right now, there is more of these gases in our atmosphere than ever before, or at least in the last one million years. We have all seen the droughts, fires, monster storms, and floods over the entire world. This situation will not go away by itself tomorrow. This phenomenon of climate change is real, and all sectors of society have taken notice.

The banking and investment sectors have expressed concern over the negative effects a worsening climate would have on world-wide financial markets and nations economic systems. A recent report on the effects of climate change on the U.S. banking and financial systems expresses alarm about the risks of more and stronger natural disasters such as hurricanes, wildfires, droughts, and floods. "The financial sector may experience credit and market risks associated with loss of income, defaults, and changes in the value of assets." The Securities and Exchange Commission (SEC) has developed rules to require companies to disclose how climate change risks could affect their operations and earnings. Additional reports also state concerns over liquidity and legal issues.

Scientists studying this rapidly degrading situation have termed it a “code red for humanity” and called on everyone to do something to slow this train down. Many have taken up this challenge and began the work to change this process. Cities in Florida such as Miami, Tampa, Jacksonville, Gainesville, Orlando, and others have already introduced programs to encourage the changes that are necessary to do what we here in America have always done and that is to pass on to the future generations a nation and a world that is better than the one before. So, what is a person to do? Better yet, what is a community to do? The answer is simple: something. We the people have always risen to the task no matter how difficult or dangerous to achieve a goal. Now is the time for us here to join that challenge. We hope that this modest proposal can be put into place as a choice for the entire community to make.

As a follow up to our recommendations made at the January 2020 report we at the BEAC are presenting our proposal for changes in the Green Building Incentive Program (GBIP) that will reduce the carbon footprint of the city, encourage smart growth, and promote a transition to a green community by offering a schedule of incentives that we hope will begin the process of creating a model for climate change awareness by the people of Palm Coast.

The BEAC supports and encourages new commercial and multi-family residential construction that meets or exceeds the highest standards of good environmental and sustainability technological innovation. We realize the need for all communities to respond to the phenomenon of climate change so therefore we are proposing that the incentive program utilize the strategy of the tax abatement for a period as the primary mechanism to incentivize change in commercial and multi-family building practices. The city has already utilized the tax abatement policy

As incentives in other business dealings, such as to attract and retain new businesses, so the BEAC believes it is appropriate to use here and fits neatly into the cities overall strategy of attracting the type of quality that our city is accustomed to. In addition, these programs we are proposing are forward thinking and will, over time, no doubt be in perfect synch with the cities medical and educational long-term goals.

The BEAC will recommend to the city of Palm Coast the adoption of this package that will address the issues of climate change and sea level rise. The elements presented here would be incorporated into the cities GBIP. It is hoped this will re-invigorate the valuable, but infrequently used, community resource. The first element involves the technologies associated with building and development in Palm Coast. The second element involves the city encouraging the transition of fossil fuel powered vehicles to the cleaner environmental advantage of electric vehicles. Studies show these two elements account for over 80% of all greenhouse emissions and atmospheric heat increases. The electric vehicle (EV) element will apply to new and retrofitting multi-family housing and business construction and retrofitting of EV facilities.

These elements are already in effect in many cities in Florida and the results are what some have called the beginning of a new age in the future of communities built and lived in in conjunction as opposed to opposition with the natural environment. The changed or revamped GBIP will not impact any revenue or spending contained in the cities 2022 budget. The reduction in revenues caused by property tax deductions for users of the GBIP in budget year 2023 and thereafter will be more than offset by the increased tax payments made by spending on the technologies involved by users of the program and the ‘Good Will’ generated for the city of Palm Coast.

Element One: Building and development

The BEAC proposes incentives that are appropriate for action by the city for present and future mechanisms that would attract utilization of the GBIP. The first area of action involves commercial and multi-family construction done in accordance with the Leadership in Energy and Environmental Design (LEED). The LEED certification system was developed by the US Green Building Council (USGBC) as a rating system for the design, construction, operation, and maintenance of green buildings. An LEED certification action would initiate a percentage property tax alleviation for a length of time for utilizing GBIP. The property tax reduction has been used by many communities to provide businesses with an incentive for a specific action. If a business achieves an LEED certification of silver, gold, or the highest designation, platinum, they will receive an increasing gradient of property tax alleviation for a specified length of time based on that LEED certification for a new or existing business. Single family residential homeowners installing green tech items such as solar power, energy efficient AC/Heating system or water resources efficiencies to a new home or retrofitting an existing home will utilize the existing benefits of the current GBIP. All users of this program will also be eligible for any new or existing state, or federal programs that provide benefits for installation of energy efficient systems that reduce greenhouse gas emissions.

Commercial and multi-family development projects would be eligible to receive a schedule of property tax reductions for a period of five years depending on the LEED designation. A designation of silver earns a 25% tax reduction for five years. An LEED gold designation earns a 50% reduction, and a LEED platinum, the highest level, earns a 75% tax reduction for the five-year period. Single-family residential

developments would be included under the terms of the original GBIP. This incentive package for LEED certification also applies to retrofitting of existing businesses. For businesses retrofitting items of energy efficiency, emission reductions, and storm surge hardening projects that are not at the LEED level a schedule of property tax deductions for a period would be available. For example, if a business installed a solar power generating system the 50% tax deduction for a two-year period would apply. If a business installed a high efficiency air and heating system a 25% deduction for a two-year period would apply. Other energy efficiencies such as window treatments, water heaters, and other enhancements would receive a 10% property tax deduction for a one-year period. In addition, any state and federal benefits the home or business would be eligible for would continue as under the existing program and be activated after proof of system installation.

Building permit fee reimbursements and expedited permitting for green buildings, would continue to be included in this GBIP package. This would help to speed up the process of construction approval which would allow businesses to begin the building process soon rather than later. Other Incentives offered by FPL, and other state and federal agencies would also be available and taken into consideration.

Element Two: Electric Vehicle Charging Stations

The second element of this GBIP package involves the city of Palm Coast re-committing to the electric vehicle (EV) revolution occurring now that will accelerate in the future as more vehicles on the roadways will be EV. All the major vehicle manufacturers such as Ford, Tesla, GM, Audi, Nissan, and Toyota, are among companies with EV's already on the road or planning to be. Ford has recently committed to an over

11-billion-dollar investment in building four factories that will put out over one million EV's a year. Other automakers such as Volkswagen, BMW, Mercedes-Benz, and Hyundai are also investing in EV technology.

At present, there are 110,000 public EV charging stations in the United States. The EV market analyst calls for over one million charging stations that will be needed by 2030. The lack of an EV charging infrastructure is the single biggest barrier to EV adoption. The EV charging station technology is rapidly advancing with faster fill-ups and now even portable charging stations that can be moved to locations, much attention is being paid. The recently passed federal infrastructure legislation includes 7.5 billion dollars for the installation of several million EV charging stations along major highways. Palm Coast, at present, has two public charging stations and a few others at private businesses. The BEAC calls for the city to join with FPL in a partnership to place additional EV charging stations in city locations that would highlight EV technology. Just as the charging station located at City Hall these EV charging stations would be located at facilities like Holland Park and Indian Trails Park.

The growth in new business construction along with multi-family housing such as apartments, townhouses, and condominiums are locations where EV charging stations would be in high demand. The BEAC requests the city of Palm Coast to partner with housing factions and FPL to encourage installation of EV charging stations at these places and at new and existing hospitals, business, and shopping centers by agreeing to some form of assistance such as FPL picking up the electricity costs for the EV stations for a length of time and Palm Coast

providing a 10% property tax deduction for five years for each charging station installed or some other incentive to encourage action. The increased numbers of multi-family construction projects and large businesses and health care enterprises now being planned and proposed for the city make now the most opportune time to also include EV charging stations at these locations. The initial construction cost would be much lower than in the future where it would be a retrofitting action would much involve greater costs for all than at the initial stage of the process. In addition, the GBIP would offer multi-family construction projects the option of installing an EV charging station in exchange for the construction of a now required garage, on a one-to-one basis up to a maximum of four EV charging stations in place of garage tradeoff. The city could also call for FPL to join the Electric Highway Coalition which is an electric utility group building EV charging stations at intervals of one hundred miles or less along major thoroughfares.

Conclusion

The addition of this incentive package into the GBIP is a win-win for the city of Palm Coast. A win for the builders, a win for the end users, a win for the environment, and a win for the people of Palm Coast who will now live in a city that is prepared to face the realities of a future that will most assuredly have greater and greater attention paid to factors of the environment that can and should be a win-win for all those that will come here after. Actions on climate change will be a major factor in communities of the 21st century. The homes and businesses being built now will be here for all or much of the 21st century if all goes well.

The city of Palm Coast supports and encourages new business and residential construction and any retrofitting of homes and businesses that meets or exceeds the highest standards of good environmental and sustainability technological innovation. The city of Palm Coast realizes the need for all communities to respond to the phenomenon of climate change so therefore we are proposing the incentive program utilize the strategy of the tax abatement for a period as the primary mechanism to incentivize change in building and retrofitting both homes and businesses practices in technologies that will impact this situation. The program we have presented here with the amounts and time schedules recognized that this is our proposal. The amounts and times may change but it is of critical importance for Palm Coast to begin this process

The plan we are presenting to you here tonight is neither a small step for a man, nor a giant leap for humankind. It is a first step forward in a process, baby steps in what will be a continuing movement in the areas we presented as this city continues its path forward. As we progress the principles of sustainable use will be even more important and utilized by increased numbers of communities. Now is the time that we can walk into the future with our heads held high. If we deny or delay these obvious changes then we may have to be dragged kicking and screaming. But one way or the other, it will happen. The choice is ours. This choice is yours. Please consider what we are recommending here.

Beautification and Environmental Advisory Committee

Green Building Incentive Program

Planning and Land Development Regulation Board
Public Hearing

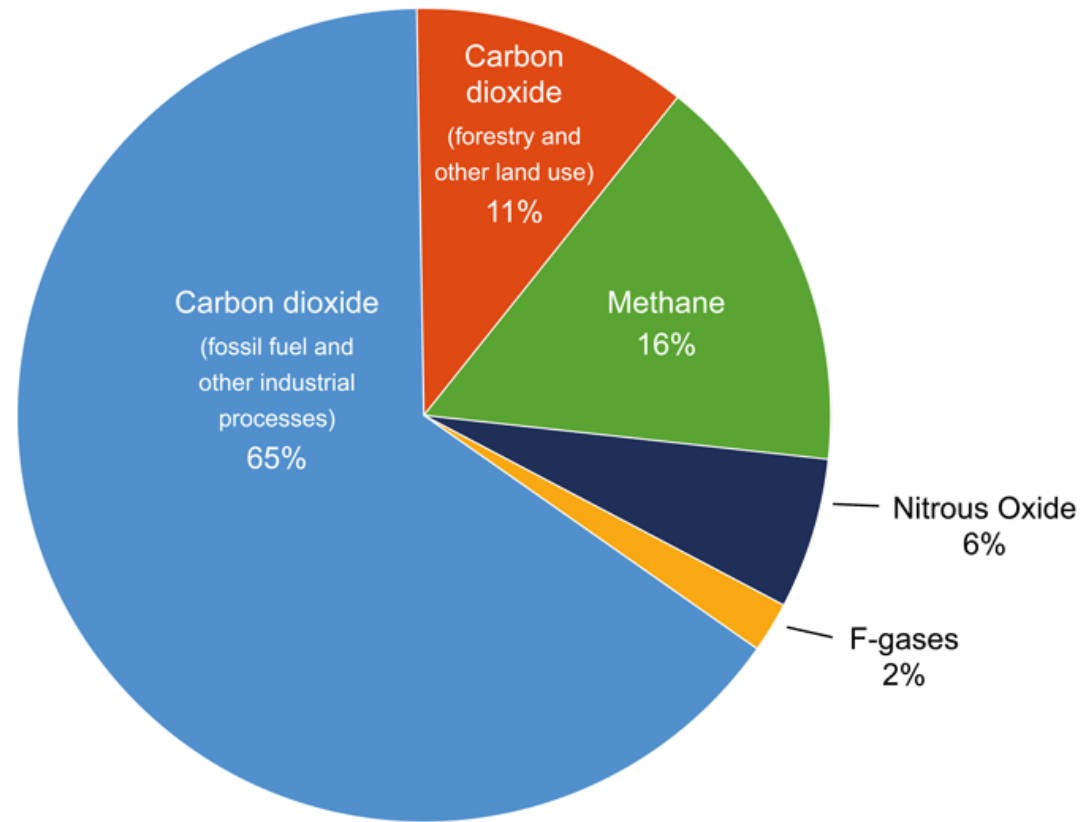
Recommendations referencing January 2020 report to the PLDRB

- The BEAC addressed the PLDRB in early 2020 on the issues of climate change and sea level rise prior to the pandemic one-year meeting cancellations.
- At that meeting the BEAC proposed recommendations for action by the city of Palm Coast that would do our part in reducing greenhouse gas emissions and begin the process of a sustainable energy future.

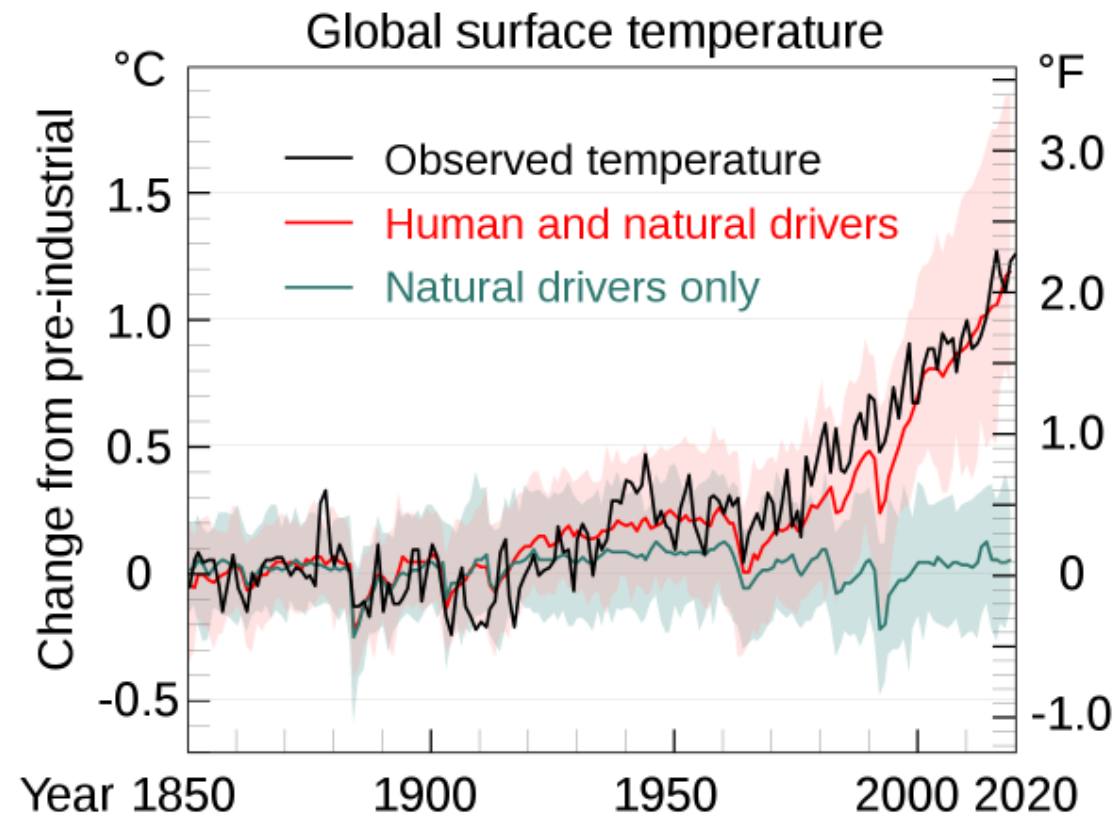
Climate Change and Sea Level Rise 2021

- The line on this slide shows the direction of the amounts of the combined total of carbon emissions, methane, nitrous oxide, and the earth's temperature since 2020.
- Scientists here and all over the world are have issued an emergency declaration stating that by mid-century, 2050, if the worlds levels have not leveled off and are dropping there will be catastrophic effects on all living things. The reports consensus is that something must begin by, at the latest 2030 to prevent this from occurring.
- At present, the world is engulfed by severe storms, record breaking hurricanes, flooding, droughts and fires of a magnitude unlike anything in the past.
- This is sort of make-or-break time for us. The chips are down and its when the going gets tough. So lets get going.

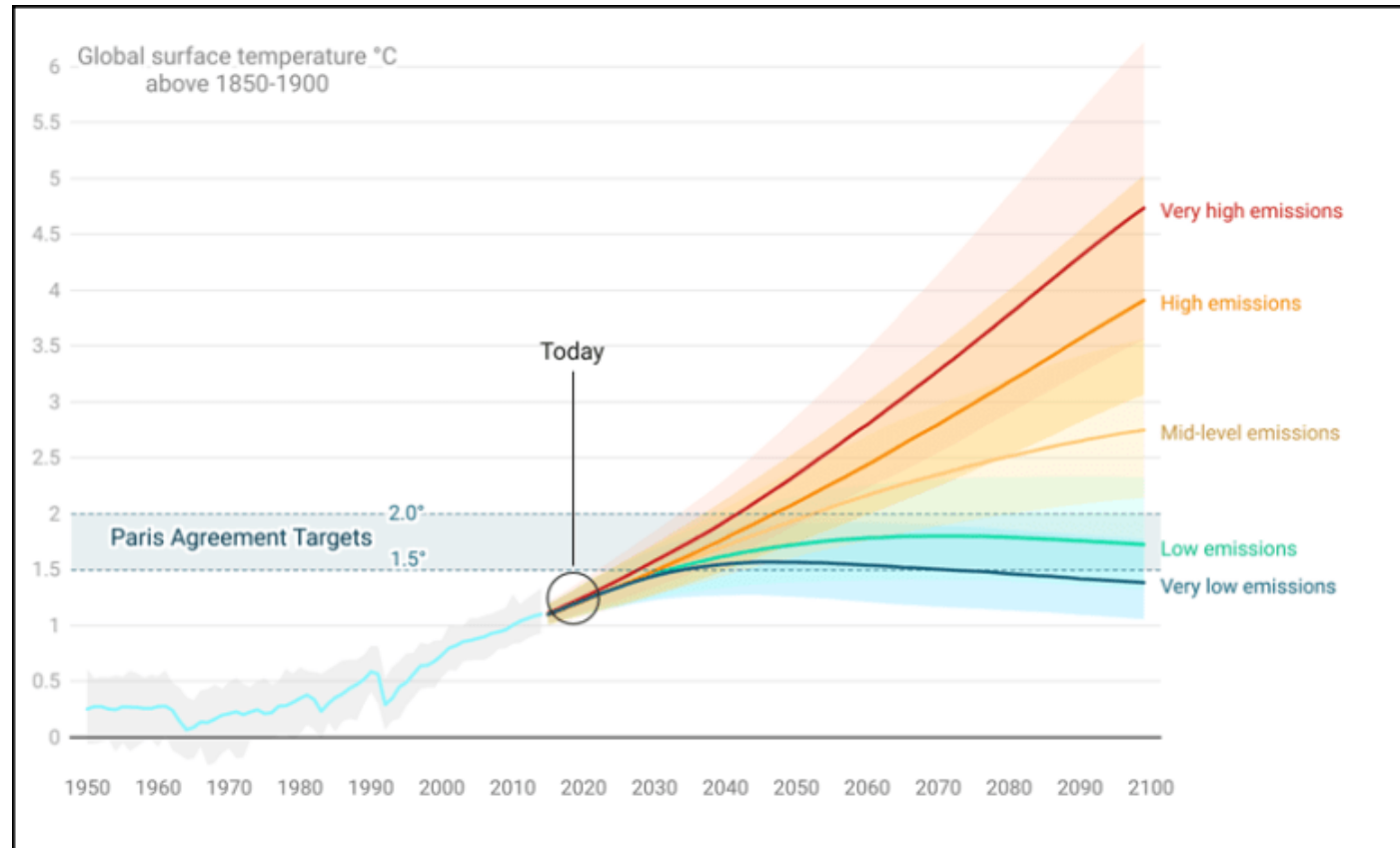
Percentages of CO₂, Methane, and other Greenhouse Gases Present in the Atmosphere



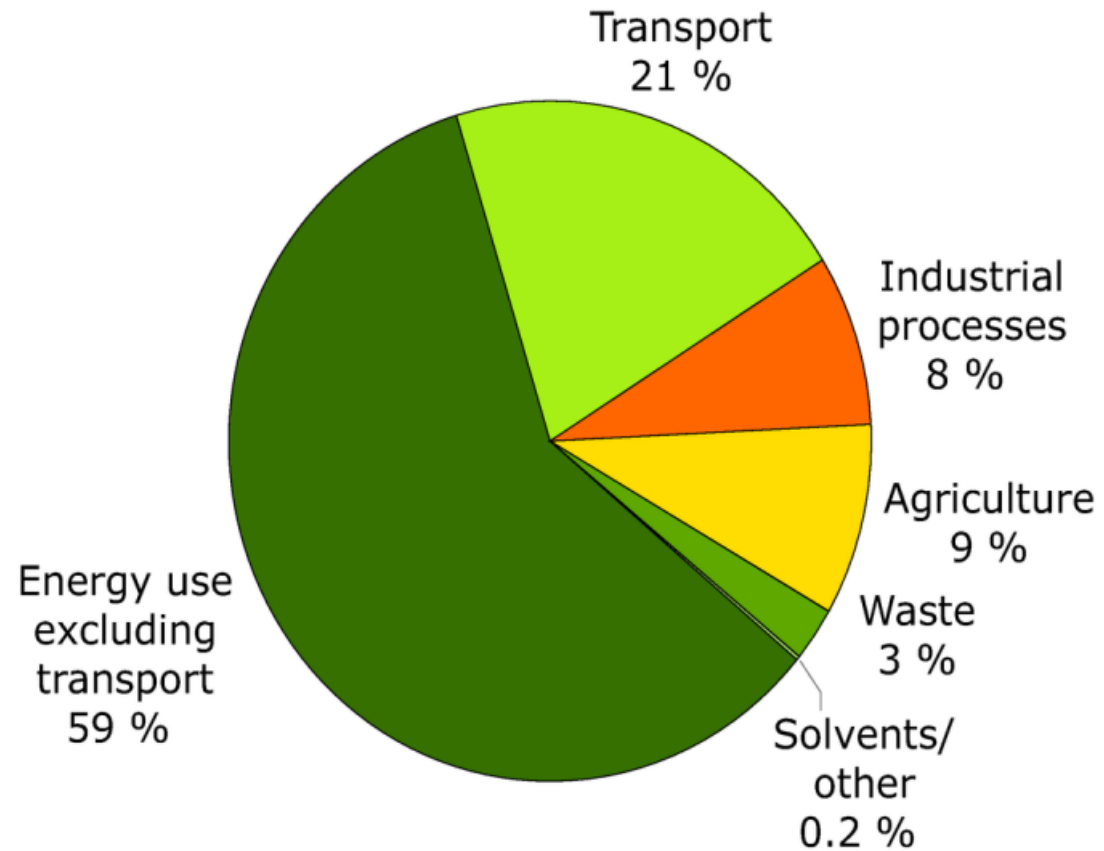
What is causing the temperature increases?



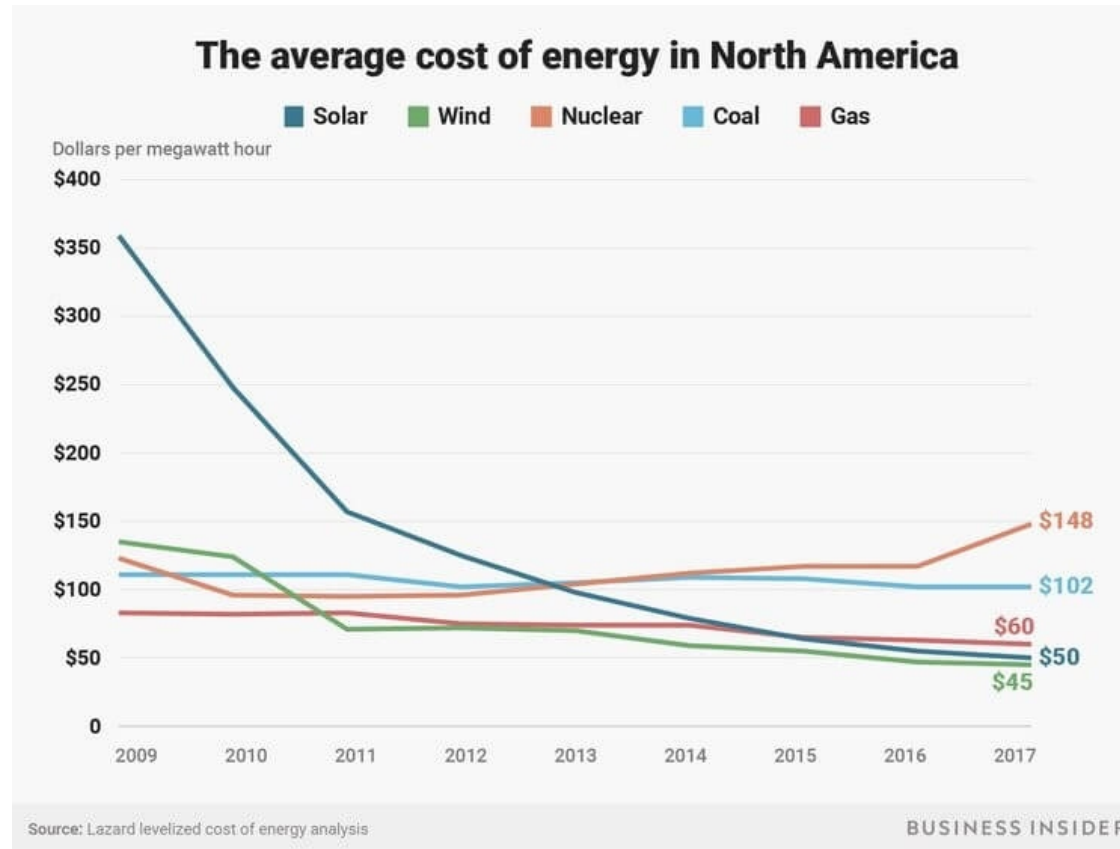
Present Day and Future Scenarios



Where do the heat trapping gases come from?



Comparative energy costs by source



The BEAC's recommendations on Climate Change and Sea Level Rise

- Conferences such as the Paris Accords, and the recently completed Glasgow Summit involving hundreds of countries around the world pledging to reduce the man-made substances causing climate change require a commitment by us all to this process.
- The process of reducing climate changing substances will require all of us to do our part to make it work. Most of the efforts will be accomplished by changes in our habits on a very small scale.
- The city of Palm Coast's 'Green Building Incentive Program' (GBIP) has been in place as an effort to affect this process. Unfortunately, the GBIP has only been minimally utilized by homes and businesses in past years, but the BEAC believes, with a few changes to policy, the program will be seen as more beneficial and receive greater involvement by homeowners and businesses.

Recommendations cont.

- The BEAC recommends the following actions be taken that we believe will re-invigorate this program and achieve its desired purpose.
- In that spirit, the BEAC is delivering to the PLDRB the following plan to increase community utilization of the green technology incentive program.
- The compensation offered in these two elements will encourage greater participation in the plan and with it greater participation in the worldwide effort to keep our cities vibrant and growing, our economy thriving, and the planet as blue and beautiful as ever.
- Utilizing tax deductions as incentive tools is an instrument already in use by the city to assist in building and development. The losses in revenue are more than compensated by the increased numbers of users of the GBIP and the 'Good Will' credited to the city.

ELEMENT ONE

Support Sustainability in Homes and Businesses

Recommendations

- The first element involves incentivizing new and existing commercial construction and renovation with financial options for utilizing the LEED program, and other state, federal, and FPL programs available for sustainable construction practices. New and existing single-family home sustainable additions will be under the terms of the current GBIP.
- The LEED incentive involves the level of certification providing for a percentage property tax abatement for a specific time period.
- For a Silver LEED certification, a 25% property tax abatement shall be awarded for a period of five tax years.
- For a Gold LEED certification, a 50% property tax abatement shall be awarded for a period of five tax years.
- For a Platinum LEED certification, the highest, a 75% property tax abatement shall be awarded for a period of five tax years.
- The city will continue to offer a policy of expedited permitting and fee reimbursements for construction projects utilizing the GBIP.

LEED Certification requirements chart

LEED CERTIFICATION REQUIREMENTS

In order to achieve LEED certification, projects must earn points in these categories:



Innovation



Introduction of novel features and procedures

Indoor Environmental Quality



Use of natural light and efficient air conditioning

Materials and Resources



Responsible construction waste management and sustainable sourcing of materials



Land protection and access to public transportation and green vehicles

Sustainable Sites



Sufficient green open space and light pollution reduction

Energy and Atmosphere



Optimizing sustainable energy production and metering

Water Efficiency



Indoor and outdoor water reduction

Source: www.usgbc.org

Examples of LEED Platinum Building



Recommendations cont.

- The BEAC recommends the following actions be taken that we believe will re-invigorate this program and achieve its desired purpose.
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Additional Examples

LEED Gold Apartment Complex



LEED Silver Community Center



ELEMENT TWO

Incentives for Electric Vehicle (EV) Charging Stations

Recommendations

- As the world and all nations grapple with the negative effects of climate change new technologies emerge that may present the path to a less catastrophic future.
- Electric powered vehicles (EV) have become a rapidly rising area that business and consumers have become aware of.
- The EV is now a vastly growing new technology that promises and projects to outpace and overtake the fossil fuel powered vehicle and market in the not too distant future.
- The second element of improvements to stimulate greater utilization of GBIP is forward looking to promote a future where many more vehicles than at present are powered by electricity.
- If the EV is to become as commonplace as has been proposed then the ability to recharge the batteries must grow along with the growth of EV's on the roads.

Recommendations cont.

- Single family homes have the ability to recharge the EV battery overnight. But many living in apartment and other multi-family environments do not. In addition, the entire business community and medical and educational facilities would benefit by the addition of a charging station on their premises.
- The BEAC proposes a property tax reduction schedule for multi-family homes and businesses, under the GBIP, who undertake construction of EV charging stations.
- This property tax deduction would be a 10% reduction in property taxes for a five-year period, under the GBIP, for construction of one EV charging station.
- The city will alter the code requiring garages in multi-family construction to allow for a one-to-one exchange of an EV charging station for one garage under certain conditions .
- In addition, the BEAC calls on FPL to join with many other utilities in the Electric Highway Coalition which is constructing EV charging stations at regular intervals along major highway systems.
- Infrastructure legislation at the federal level call for the expenditure of approximately 8 Billion dollars over ten years for the construction of a nationwide system of EV charging

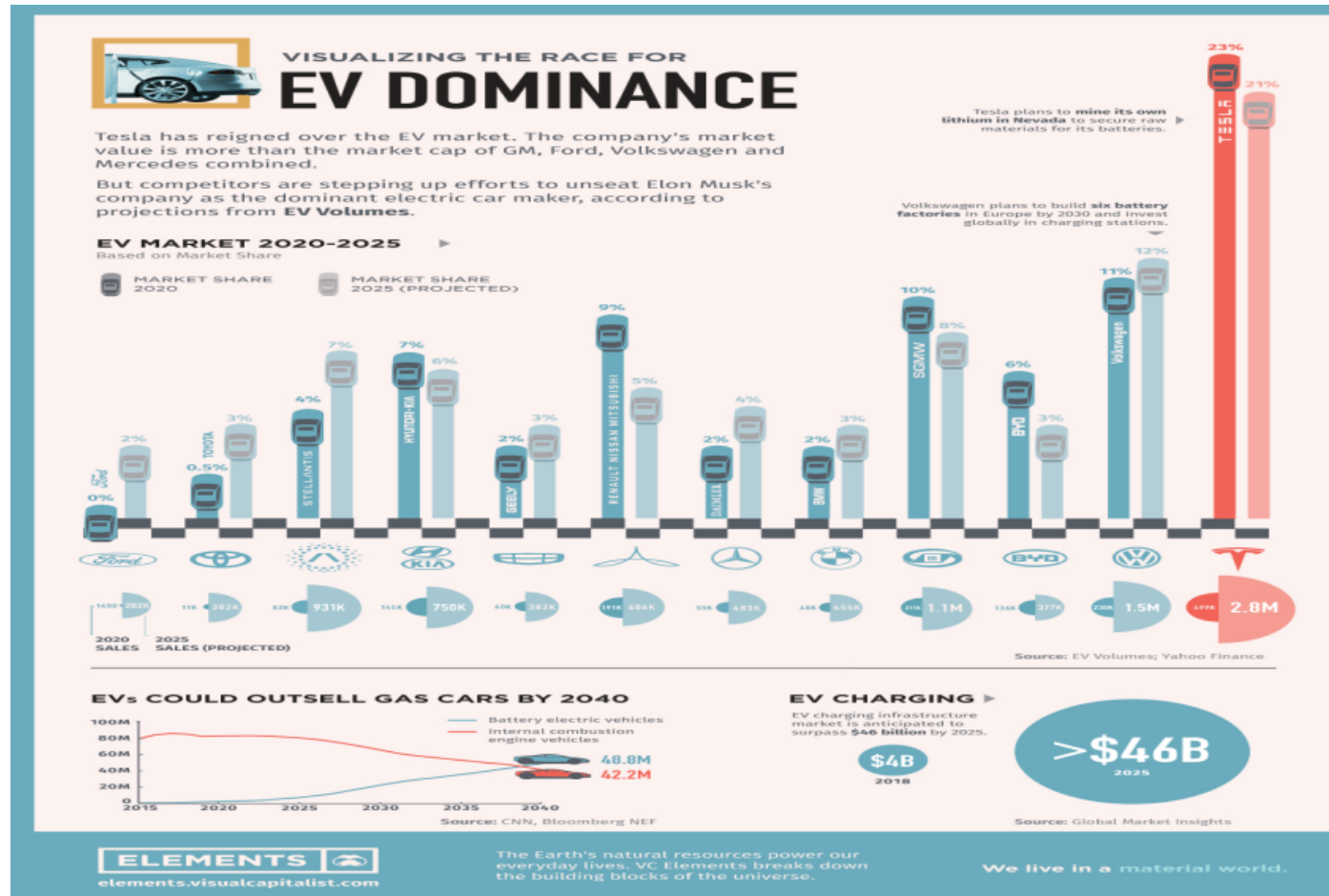
EV Charging Station Examples



Automakers plan to ramp-up EV production

- Every major, and some not so major auto manufacturer is planning on ramping up production of EV's.
- Some communities have already purchased and have in use EV school buses.
- Hertz rental car has made a huge deal with Tesla for the purchase of EV's for it's rental car market.
- Tesla and the convenience store Buc-ee's will install superchargers at 26 stores in seven states, Texas, Alabama, Georgia, Florida, Tennessee, Kentucky, South Carolina. Daytona Beach Buc-ee's is one of the stores selected.
- While our growth as a community has also ramped up this would seem, by any prudent estimate, a prime time for the city to join this wave and support the placement of EV charging stations built and maintained by the private marketplace but incentivized by the city by property tax abatements.

Market projections of EV companies sales and charging stations



EV Rapid charging research breakthrough

- The growing public interest in EV, and the environmental requirement to reduce automotive fuel emissions has prompted research to iron out many of the technical drawbacks to current EV technology.
- One of the obvious bottlenecks is the slow speed of re-charging.
- With the increased research efforts comes technological breakthroughs such as this one.
- Researchers at Purdue University working on a Ford grant research project have developed ultra-fast EV charging system.
- The claim is that now an EV can fully recharge in about the same time as a fuel fill-up.

Summary

- The BEAC recommends the adoption of these two elements into the Green Building Incentive Program in order to help our community and our world meet the recognized emission thresholds to keep the worldwide temperature from rising more than the 1.5 degrees Celsius.
- It is hoped that with the addition of these two elements the GBIP will see an increase in utilization by the home, business, construction, and EV groups in our community.
- These are the types of changes that are recognized and supported by more varied groups of consumers.

Questions?