



# Planning & Architectural Review Board Special Meeting Agenda



Tuesday, July 15, 2025 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

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All meeting items will be continued until meeting is complete.

1. **Call the meeting to order**
2. **Pledge of Allegiance**
3. **Roll Call / Determination of Quorum**
4. **Approve Minutes**
  - a. June 3, 2025 Meeting Minutes
5. **Old Business**
6. **New Business**
  - a. ORDINANCE NO. 2025-09: COMPREHENSIVE PLAN AMENDMENT AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT AND INCORPORATE THE UPDATED WATER FACILITIES SUPPLY WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER FACILITIES SUPPLY WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT; PROVIDING FOR ADOPTION OF AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT PROVIDING FOR UPDATED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
  - b. ORDINANCE NO. 2025-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO INCORPORATE AND MAKE REFERENCE TO CERTAIN STATE LEGISLATION INCLUDING THE STATE'S ADOPTION OF AND AMENDMENTS TO THE LIVE LOCAL ACT AND OTHER STATE LEGISLATION RELATED TO AFFORDABLE HOUSING, ENERGY RESOURCES, AND RESILIENCY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
  - c. ORDINANCE NO. 2025-11: AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO ADD A PROPERTY RIGHTS ELEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.
7. **Other Business**
8. **City Planner Report**
9. **Board Comments**
10. **Adjournment**

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



# Planning & Architectural Review Board Regular Meeting Minutes

Tuesday, June 3, 2025 at 5:30 PM



City Commission Chambers – 105 S. 2ND Street, Flagler Beach,  
FL 32136

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## 1. Call the meeting to order

Vice-Chair Scott Chappuis called the meeting to order at 5:30 p.m.

## 2. Pledge of Allegiance

Vice-Chair Chappuis led the Pledge of Allegiance.

## 3. Roll Call / Determination of Quorum

Present: Boudie Estberg, Barbara Revels, Joann Soman, Lisa Smith and Scott Chappuis

Absent: Paul Chestnut, Suzie Johnston

Staff Present: City Attorney Drew Smith, City Clerk Penny Overstreet and Secretary Michele Ficocello

## 4. Approve Minutes

### a. May 6, 2025 Meeting Minutes

Motion by Barbara Revels, seconded by Joann Soman to Approve. The motion carried unanimously.

## 5. Old Business

None

## 6. New Business

### a. Application OE-25-06-01 Request for an Annual Outdoor Entertainment Permit - Compass Hotel 1111 S. Daytona Avenue - Applicant - Syra Bhoola

City Clerk Penny Overstreet presented the item. Attorney Dennis Bayer was present and spoke on behalf of his client, the applicant. Attorney Bayer stated the application submitted lacked details. Attorney Bayer clarified live music will be played on the rooftop bar, facing the ocean, with acoustic type music and one speaker. There will also be speakers on the northeast corner downstairs and one small speaker by the entrance portico. The speakers on the outdoor pool deck will be operating from dawn till dusk. Ms. Overstreet clarified, after speaking to the applicant, the only speaker with live music would be on the rooftop bar. All other speaker locations would be ambient sound. The latest the music would play is 11:00pm. Ms. Overstreet reported mailing notices to surrounding property owners and no

complaints were received. Board discussion was opened and included visiting the location and hours of operation. Public comment was opened. Anthony Cinelli, 204 S. Ocean Shore Blvd, spoke before the Board in favor of the permit if there is no D.J. Public comment was closed. Joann Soman made a motion to approve item 6a.; Lisa Smith seconded. Motion passed unanimously after a roll call vote.

**7. Other Business**

Barbara Revels spoke regarding appointing a new member to the PAR Board considering PAR Board Member Paul Chestnut is absent for the third consecutive meeting. Ms. Overstreet stated she will confirm with the City Code on how to proceed, begin putting advertisements out for applications and notify Mr. Chestnut he will be removed from his position by default.

**8. City Planner Report**

None

**9. Board Comments**

None

**10. Adjournment**

Motion by Joann Soman to adjourn the meeting. Vice-Chair Chappuis adjourned the meeting at 5:38pm.

ORDINANCE NO. 2025-09  
COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT AND INCORPORATE THE UPDATED WATER FACILITIES SUPPLY WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER FACILITIES SUPPLY WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT; PROVIDING FOR ADOPTION OF AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT PROVIDING FOR UPDATED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, the State Legislature of the State of Florida has mandated that all municipalities adopt comprehensive plans to regulate development and planning regarding land within their corporate limits; and

**WHEREAS**, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

**WHEREAS**, Subsection 163.3167(9), Florida Statutes, requires each local government to address in its Comprehensive Plan water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

**WHEREAS**, Subsection 163.3177(4)(a), Florida Statutes, requires the city to coordinate its local Comprehensive Plan with the North Florida Regional Water Supply Plan; and

**WHEREAS**, Subsection 163.3177(6)(c), Florida Statutes, requires local governments to prepare and adopt an updated Water Facilities Supply Plan and to amend their comprehensive plans within 18 months after the St. Johns River Management District approves the North Florida Regional Water Supply Plan Update; and,

**WHEREAS**, the St. Johns River Water Management District approved the North Florida Regional Water Supply Plan Update on December 12, 2023; and,

**WHEREAS**, the CITY OF FLAGLER BEACH, Florida, has carefully prepared amendments to its comprehensive plan pursuant to sub-section 163.3177(6)(c), Florida Statutes, to adopt amendments or revisions in conformance with the adopted Water Supply Facilities Work Plan; and

**WHEREAS**, the purpose of the Capital Improvements Element is to demonstrate the fiscal feasibility of the City's Comprehensive Plan accomplished by estimating costs of improvements, analysis of the City's fiscal capability to finance and construct improvements, and adoption of financial policies to guide funding.

**WHEREAS**, the goal for Capital Improvements is to provide the necessary capital facilities to meet current infrastructure deficiencies and to accommodate future growth concurrent with demonstrated infrastructure needs in a timely and fiscally sound manner.

**WHEREAS**, the Five-year Schedule of Capital Improvements is required for identification and to ensure that the goals, objectives and policies established in the Capital Improvements Element are met or exceeded and contain the project description, location, determination of consistency, and projected costs and revenue sources needed to construct the project.

**WHEREAS**, the CITY OF FLAGLER BEACH has held duly required public hearings; prior to submission of the proposed amendment of the plan to the State Land Planning Agency, Department of Economic Opportunity and after the proposed amendment of the plan was returned to the CITY OF FLAGLER BEACH, in accordance with Chapter 163.3184, Florida Statutes; and

**WHEREAS**, the City Commission desires to adopt the updated Work Plan along with amendments to the current comprehensive plan to guide and control the future development of Flagler Beach, and to preserve, promote and protect public health, safety and welfare;

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

**Section 1:** Whereas clauses are hereby incorporated as true and correct findings of fact of the City COMMISSION.

**Section 2:** The CITY OF FLAGLER BEACH hereby adopts the updated Water Facilities Supply Work Plan which is attached hereto and incorporated herein as Exhibit "A", and which shall be attached to and become an exhibit of the

Comprehensive Plan. The CITY OF FLAGLER BEACH's Comprehensive Plan is hereby amended by adopting water supply related amendments to its current Comprehensive Plan; as set forth in Exhibit "B" and made a part hereof. These amendments specifically add Objectives and Policies to its Public Facilities Element of the Comprehensive Plan.

**Section 3:** A copy of the Comprehensive Plan, as amended, shall be kept on file in the office of the City Clerk, CITY OF FLAGLER BEACH, Florida.

**Section 4:** The Planning and Zoning Department is hereby directed to transmit copies of the amendments to the State Land Planning Agency, Department of Economic Opportunity, and the appropriate state and regional agencies.

**Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 6:** Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 7:** Effective Date. The effective date of this ordinance amending the City's Comprehensive Plan shall be 31 days after the State Land Planning Agency notifies the City that the plan amendment package is complete. No development orders dependent on this amendment may be issued or commence before the effective date of this ordinance. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless become effective by the City Commission's adoption of an ordinance affirming its effective status, a copy of which ordinance shall be sent to the State Land Planning Agency, Department of Economic Opportunity. If timely challenged, this amendment shall not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment be in compliance.

**APPROVED** on first reading after due public notice and hearing the 24<sup>th</sup> of July, 2025.

**ADOPTED** on second reading after due public notice and public hearing this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA  
CITY COMMISSION

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
Patti King, Mayor

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
DREW SMITH, CITY ATTORNEY

EXHIBIT A

10-YEAR WATER SUPPLY FACILITIES WORK PLAN

Prepared by  
City of Flagler Beach  
and  
Mead and Hunt

Ordinance 2025-09

PREPARED BY



# 2025-2035 Water Supply Facilities Work Plan City of Flagler Beach

July 2025



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## 1. Introduction

The North Florida Regional Water Supply Plan (2020-2045) [NFRWSP] was approved by the St. Johns River Water Management District's (SJRWMD's) Governing Board on December 12, 2023. The NFRWSP was developed as part of the North Florida Regional Water Supply Partnership in coordination with the Suwannee River Water Management District. In accordance with Section 163.3177(6)(c), Florida Statutes (F.S.), local governments within the NFRWSP area are required to amend their comprehensive plans to include a new or updated Water Supply Facilities Work Plan (WSFWP) within 18 months after the governing board approves an updated RWSP. A WSFWP and its related comprehensive plan amendment identify and plan for the water supply sources and facilities needed to serve existing and new development within a local government's water service area.

The planning period reflected in this WSFWP is 2025-2035. At a minimum, it will be necessary to update the WSFWP prior to the end of the planning period, or at such time as SJRWMD updates the NFRWSP. Public Facilities Element Policy D.1.7.1 contains enabling language that incorporates the WSFWP into the Comprehensive Plan as Appendix A of the Public Facilities Element. Intergovernmental Coordination Element policies G.1.4.4, G.1.4.5, G.1.4.6, G.1.4.7 contain enabling language to ensure maintenance of the work plan and coordination of the City's Comprehensive Plan with SJRWMD's NFRWSP.

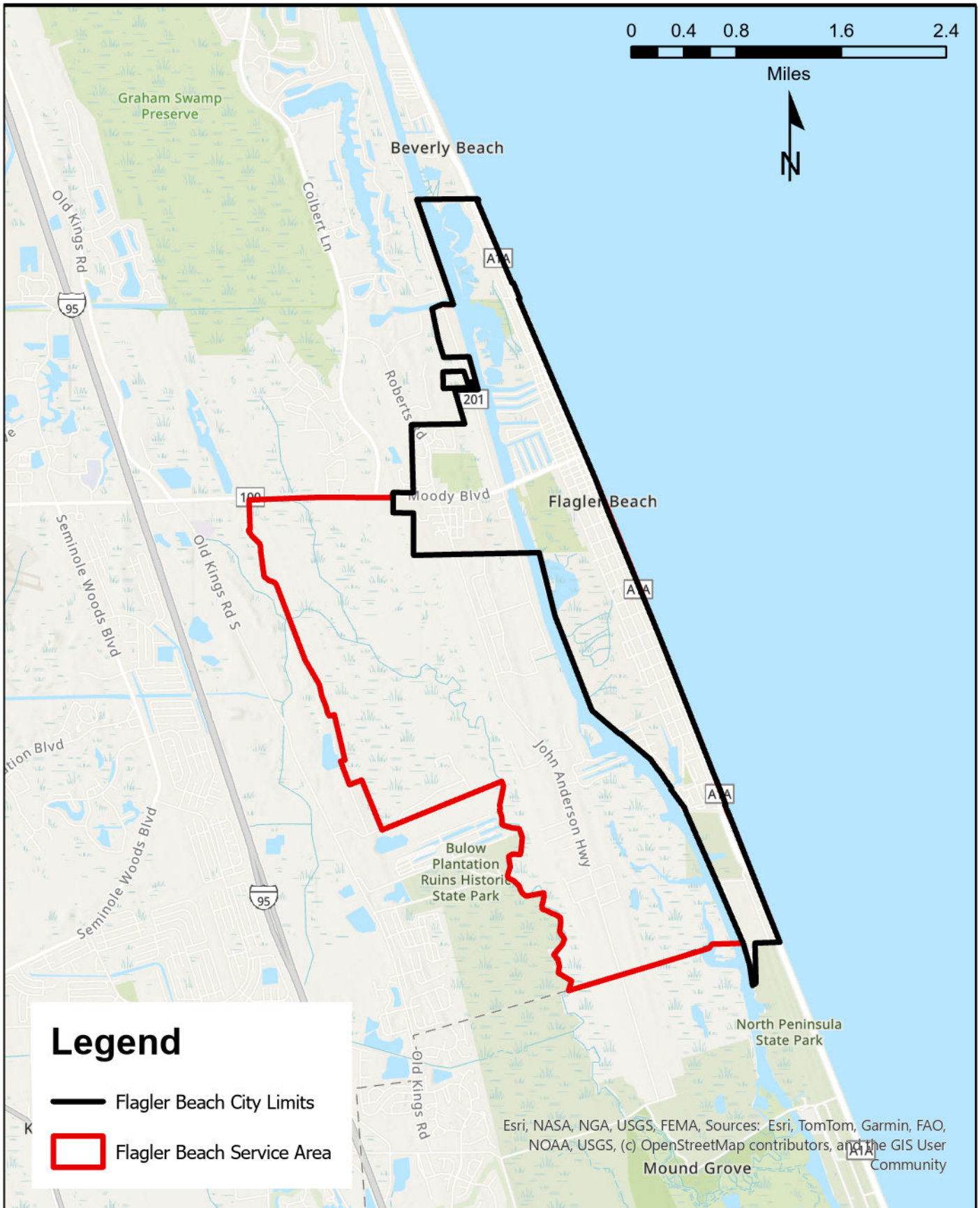
## 2. Potable Water Supplier Information

### 21 Service Area and Agreements

The City of Flagler Beach (City) is located south of Palm Coast and north of Ormond Beach. It has a municipal boundary and a utility service area encompassing approximately 10.3 square miles, as shown in **Figure 2-1**. The utility service area does overlap into some unincorporated areas. The current utility planning area has a population of 5,550 (as of April 1, 2024). The City is the only potable water supplier within its municipal limits, which includes sections of the City located on both the mainland and barrier islands. The City also provides water and sewer service to Ocean Palm Villas South Condos in northeast Volusia County. This service is not a wholesale agreement.

In January 2007, the City, Flagler County, the City of Palm Coast, and a private developer (i.e., The Gardens at Hammock Beach Property Owners Association, Inc) entered into a stipulated settlement agreement that delineated the water and wastewater services areas for each utility provider. The City is financially responsible for the maintenance and improvements to the potable water system within its service area. The City currently has no plans to expand its potable water service area within the next ten years. All planned development occurring within this WSFWP's planning period will be located within the City's existing potable water service area.

The City has interlocal agreements with the City of Palm Coast, the City of Beverly Beach, and Flagler County for emergency interconnects. These interconnects allow for uninterrupted water service during water outages caused by emergencies. Intergovernmental Coordination Element Policy G.1.4.4 and G.1.4.5 of the City's Comprehensive Plan contains enabling language for the City's intergovernmental agreements relative to water supply, service, and planning. In addition, Intergovernmental Coordination Element Policy G.1.4.6 contains enabling language for this coordination activity.



**City of Flagler Beach  
Water Supply Facilities  
Work Plan**

**Figure 2-1  
Potable Water  
Service Area**

## 22 Potable Water System and Consumptive Use Permit

The City's wellfield is located outside City limits, in the City of Palm Coast and unincorporated Flagler County, just south of the Flagler County airport. Currently, the City has four active Upper Floridan Aquifer (UFA) wells for public supply and owns and operates one low pressure reverse osmosis (RO) water treatment plant (WTP). The WTP has a maximum treatment capacity of 2.0 million gallons per day (MGD) potable water. This facility also discharges up to 0.50 MGD maximum daily flow RO concentrate water, which is blended with the City's existing wastewater facility discharge into the Intercoastal Waterway (ICW).

The City's current consumptive use permit (CUP) [#59-5] was issued in October 2016 and expires in 2036. The CUP has an allocation of 0.912 MGD annual average of groundwater (333 million gallons per year (mgy)) from the UFA for public supply use.

### 2.2.1 Well Capacity

The City's current combined operating well capacity is rated for 1,550 gpm or 2.23 MGD as shown in **Table 2-1**. The City has constructed a total of 16 wells as shown in **Figure 2-2**. As of May 2025, Wells 10, 12R, 14, and 15 are active. Wells 1-9 and Well 12 have been abandoned. Well 13 is out of service due to water levels caused by the current water drought, with sand and grout plugging the pre-filters. Well 11 is offline for modification due to water quality issues.

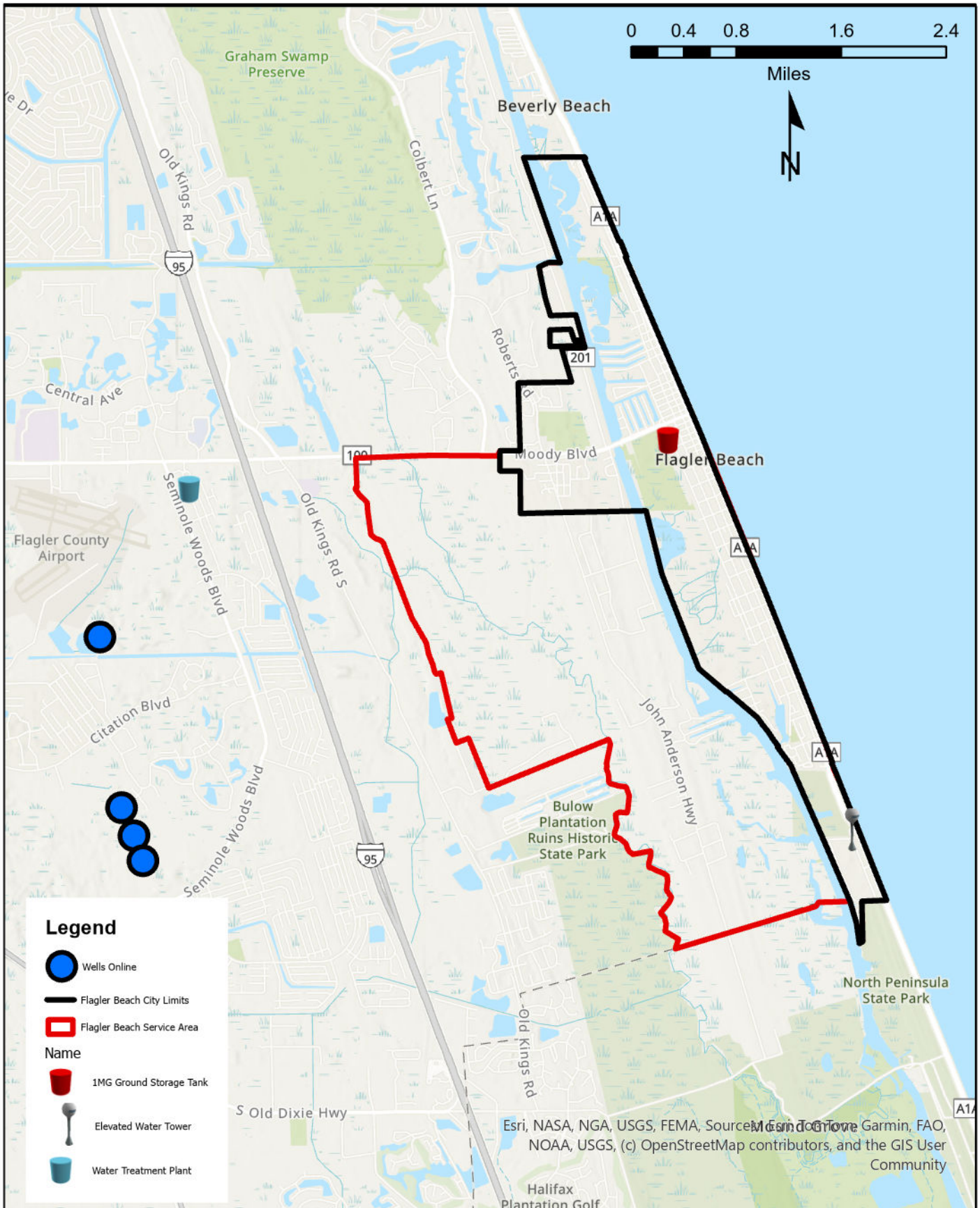
TABLE 2-1: WELL INVENTORY

Well Number (PWS)	Status	Source	Total Depth (feet)	Casing Depth (feet)	Casing Diameter (inches)	Capacity (GPM)
10	Active	FAS-Upper Floridian Aquifer	250	125	8	500
11 <sup>(1)</sup>	Offline	FAS-Upper Floridian Aquifer	250	127	8	500
12R	Active	FAS-Upper Floridian Aquifer	200	110	12	350
13 <sup>(2)</sup>	Offline	FAS-Upper Floridian Aquifer	186	108	12	350
14	Active	FAS-Upper Floridian Aquifer	200	110	12	350
15	Active	FAS-Upper Floridian Aquifer	200	110	12	350
16 <sup>(3)</sup>	Constructed	FAS-Upper Floridian Aquifer	200	110	12	350
<b>Operating Capacity (MGD)</b>						<b>2.23</b>
<b>Total Well Capacity (MGD)</b>						<b>3.96</b>
<b>Well Availability Factor</b>						<b>1.7</b>

(1) Well 11: Offline for modification

(2) Well 13: Offline due to severe water drought

(3) Well 16: Is still not being Monitoring by the EN50.



**City of Flagler Beach  
Water Supply Facilities  
Work Plan**

**Figure 2-2  
Active Wells**

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### 3. Water Demand and Supply

#### 3.1 Population Projection

##### 3.1.1 Historical Demand and Population

Data from monthly records from the City are reflected in **Table 3-1**, which exhibits the annual average daily flow and annual peak flow demand including peak factor observed over the last 10 years (2014 – 2024).

TABLE 3-1: HISTORICAL WATER DEMAND

Year	Annual Average Daily Flow (MGD)	Annual Average Peak Flow (MGD)	Peak Factor
2014	0.529	0.556	1.05
2015	0.518	0.591	1.14
2016	0.598	0.712	1.19
2017	0.591	0.654	1.11
2018	0.581	0.653	1.12
2019	0.579	0.669	1.16
2020	0.647	0.750	1.16
2021	0.704	0.791	1.12
2022	0.606	0.668	1.10
2023	0.568	0.611	1.08
2024	0.595	0.639	1.07
<b>10-year average</b>			<b>1.12</b>
<b>5-year average</b>			<b>1.11</b>

The Bureau of Economic Business Research (BEBR) is part of the University of Florida and is a leading source of population data on Florida cities and counties. Review of historical population projections from the BEBR are reflected in **Table 3-2**. Historically, the population in the utility service area has grown at an average of 2.25% over the past 10 years with slightly higher growth observed over the last 5 years (3.36%). Development trends for Flagler County area remain strong and population is expected to increase steadily throughout the planning period.

TABLE 3-2: CITY'S HISTORICAL POPULATION GROWTH

Year	BEHR Historical Population	Growth (%)
2014	4,462	
2015	4,503	0.9%
2016	4,582	1.8%
2017	4,625	0.9%
2018	4,666	0.9%
2019	4,719	1.1%
2020	4,700	-0.4%
2021	5,133	9.2%
2022	5,182	1.0%
2023	5,216	0.7%
2024	5,550	6.4%
<b>Historical 10-year Average Growth</b>		<b>2.25%</b>
<b>Historical 5-year Average Growth</b>		<b>3.36%</b>

An average growth rate of 2.25%, as observed from the historic growth rate over the previous 10-year period, was used to project the population growth over the next 10-year period. In addition to this growth, the City has provided approval for additional development, including both residential and commercial units (see **Appendix A**). As the number of units and timeline for completion are known from the developer, a density of 2.08 persons per residential unit per US Census was assumed. The resulting projected population over the planning period is shown in **Table 3-3**. Based on this projection, the estimated population in 2035 is 11,790.

*TABLE 3-3: CITY'S PROJECTED POPULATION GROWTH*

Year	Projected Population	Projected Growth (%)
2025	5,899	6.29%
2026	7,048	19.48%
2027	8,144	15.55%
2028	8,560	5.11%
2029	8,907	4.05%
2030	9,379	5.30%
2031	9,855	5.07%
2032	10,333	4.86%
2033	10,815	4.66%
2034	11,301	4.49%
2035	11,790	4.33%
<b>Average Growth Expected</b>		<b>7.2%</b>

Using the City's historical population data listed above along with the annual average daily flow produced at the City's WTP, the per capita potable water demand per capita for the City of Flagler Beach was calculated for the past 5 and 10-year periods and are shown in **Table 3-4**.

*TABLE 3-4: HISTORIC PER CAPITA DEMAND*

Year	Annual Average Daily Flow (MGD)	Service Area Population	Per Capita Consumption (GPCD)
2014	0.529	4,462	118
2015	0.518	4,503	115
2016	0.598	4,582	131
2017	0.591	4,625	128
2018	0.581	4,666	125
2019	0.579	4,719	123
2020	0.647	4,700	138
2021	0.704	5,133	137
2022	0.606	5,182	117
2023	0.568	5,216	109
2024	0.595	5,550	107
<b>10-year average</b>			<b>122</b>
<b>5-year average</b>			<b>122</b>

The 5-year and 10-year average gross per capita demands were both 122 GPCD. This demand is inclusive

of both residential and non-residential water use. An average per capita demand of 125 GPCD was used for the purposes of estimation in this report see **Section 3.3** for more details.

The City’s billing records from 2015 to 2024 were used to determine historical water use. The data identifies water used per the categories represented in Table 3-5. The irrigation category is reflective of both commercial and residential historical usage. These percentages were used to calculate historical and projected water use over the next 10 years. The historical and projected water uses are shown in Table 3-6.

TABLE 3-5: WATER USE BY CATEGORY

User	Percent of Total Demand
Residential	83%
Commercial	8%
Irrigation	8%
Utility	1%

TABLE 3-6: HISTORICAL AND PROJECTED ANNUAL AVERAGE WATER USE BY CATEGORY

	Year	Residential Water Use (MGD)	Commercial/Industrial/Institutional (MGD)	Recreation and Landscape Irrigation (MGD)	Water Utility (MGD)	(1)Total Annual Demand (MGD)
Historical	2015	0.431	0.042	0.042	0.005	0.519
	2016	0.497	0.048	0.048	0.006	0.599
	2017	0.491	0.047	0.047	0.006	0.591
	2018	0.483	0.047	0.047	0.006	0.582
	2019	0.481	0.046	0.046	0.006	0.579
	2020	0.538	0.052	0.052	0.006	0.648
	2021	0.585	0.056	0.056	0.007	0.705
	2022	0.504	0.049	0.049	0.006	0.607
	2023	0.471	0.045	0.045	0.006	0.568
	2024	0.495	0.048	0.048	0.006	0.596
Projected	2025	0.612	0.059	0.059	0.007	0.737
	2026	0.731	0.070	0.070	0.009	0.881
	2027	0.845	0.081	0.081	0.010	1.018
	2028	0.888	0.086	0.086	0.011	1.070
	2029	0.924	0.089	0.089	0.011	1.113
	2030	0.973	0.094	0.094	0.012	1.172
	2031	1.022	0.099	0.099	0.012	1.232
	2032	1.072	0.103	0.103	0.013	1.292
	2033	1.122	0.108	0.108	0.014	1.352
	2034	1.172	0.113	0.113	0.014	1.413
	2035	1.223	0.118	0.118	0.015	1.474

(1) Summation and rounding of the residential, commercial, irrigation and water utility

### 32 Level Of Service Standard (LOS) and Water Supply Concurrency

The City’s service area has a variety of water users including residential, commercial and industrial users. The City has adopted a level of service standard for potable water in the Capital Improvements Element of its Comprehensive Plan (i.e., Objective H.6.1). The US Census estimate for people per residential unit is 2.08 and the City’s Comprehensive Plan includes a water LOS of 125 gallons per capita. The LOS flow for each residential unit is 125 gal/person multiplied by a 2.08 people/unit or 260 gpd/unit. The adopted level of service is summarized below.

- Residential potable water usage is calculated at a rate of 125 gpcd
- Commercial potable water usage is calculated at a rate of 2,000 gallons per acre per day
- They City has a price per gallon measurement and tied to set amounts of water in usage or tiers. The number and size of the usage is based on the customer classification. The City has a tiered rate system to encourage water conservation.

The City ensures compliance with the State’s water supply and facility concurrency requirements (i.e., Section 163.3180, F.S) through implementation of Policy D.1.2.3.

### 33 CUP Allocation / Water Supply Projection

Using the projected population and the per capita demand of 125 gallons per capita day per the City’s LOS, the total water demand anticipated for the City is depicted in **Table 3-7**. The permitted capacity for the wells will be exceeded in 2026 due to the growth of population and will require a CUP modification beginning in late 2025. The CUP modification will review the flow demand required through 2045 and is estimated to be approximately 2.2 MGD. This currently aligns with planned wellfield expansion as further described in Section 8.

TABLE 3-7:PROJECTED AND PERMITTED ANNUAL WITHDRAWALS

Year	Projected Population	(1)Total Avg. Annual Demand (MGD)	(2)Total Annual Peak Demand (MGD)	(3)Annual Average Raw Water Demand (MGD)	(3)Annual Peak Raw Water Demand (MGD)	(4)CUP Surplus/ Deficit Capacity	(5)WTP Surplus/ Deficit Capacity
2025	5,899	0.74	0.83	0.87	0.97	0.04	1.17
2026	7,048	0.88	0.99	1.04	1.16	-0.12	1.01
2027	8,144	1.02	1.14	1.20	1.34	-0.29	0.86
2028	8,560	1.07	1.20	1.26	1.41	-0.35	0.80
2029	8,907	1.11	1.25	1.31	1.47	-0.40	0.75
2030	9,379	1.17	1.31	1.38	1.54	-0.47	0.69
2031	9,855	1.23	1.38	1.45	1.62	-0.54	0.62
2032	10,333	1.29	1.45	1.52	1.70	-0.61	0.55
2033	10,815	1.35	1.51	1.59	1.78	-0.68	0.49
2034	11,301	1.41	1.58	1.66	1.86	-0.75	0.42
2035	11,790	1.47	1.65	1.73	1.94	-0.82	0.35

(1) Population \*125 GPCD

(2) 1.12 peak flow\* AADF (Based on historical annual peak factor)

(3) Assuming a minimum RO Recovery of 85%

(4) CUP Allocation 0.912 MGD

(5) WTP Capacity 2.0 MGD

Although **Table 3-7** confirms that the capacity of the plant will not be exceeded over the planning period (2035), FDEP requires water utilities to begin planning for expansion when annual average flows exceed 80% of the permitted capacity. This is expected to occur in 2031 per the RO system nameplate rating and will be considered as part of CIP planning for 2031 through 2035.

Irrigation currently accounts for approximately 8% of the City's potable water demand. As the City is planning to incorporate reclaimed water in the future, the portion of potable water used for irrigation is expected to be offset. See **Section 4** for more information on non-potable water.

## 4. Nonpotable Water Supplier Information

The City currently owns and operates one wastewater treatment plant (WWTP) with a maximum capacity of 1.0 MGD, located three miles east of the WTP. The WWTP provides advanced secondary treatment and disposes of the effluent into the Intercoastal Waterway (ICW). The City's wastewater service area is nearly identical to the potable water service area. The City does not currently produce reclaimed water for beneficial use, nor does it have a distribution system network for public access reuse (PAR). However, the City is planning upgrades to the WWTP to allow for PAR and will install transmission lines for a future reuse system. In addition, new developments are installing reclaimed dry lines/mains to receive reclaimed water once available.

### 4.1 Reuse Water Practices

#### 4.1.1 Service Area Inventory

The City completed a Reuse Master Plan in September 2024 as a guide for the orderly development and phased implementation of a PAR system for the City to ultimately eliminate effluent surface water discharges into the ICW as required by Senate Bill 64. Per the City's Reuse Master Plan, the City's initial reclaimed water service area is planned to serve customers along John Anderson Highway, Roberts Road, and Lambert Avenue/Palm Drive; at the WWTP; and at Wadsworth Park along SR 100. The development and expansion of the PAR system is proposed to occur in five phases over six (6) fiscal years. The Reuse Master Plan proposes a PAR system comprised of the following components:

- Reclaimed Water Supply
- Reclaimed Water Storage (at least 2.0 MGD storage volume in short-term)
- High Service Pumping via Reclaimed Water Distribution Pump Station
- Reject Water Storage System (1.0 MG storage volume)
- Reclaimed Water Distribution System Layout
- Controls and Instrumentation Systems

#### 4.1.2 Reuse Demand

Per the Reuse Master Plan, proposed reclaimed PAR demands were compared to wastewater flow projections. With the City's current WWTP treatment and capacity, the City would be able to meet the projected PAR demand until approximately 2032 when deficits would occur. The Reuse Master Plan details proposed improvements to the WWTP that would enable the City to meet the growing demand for wastewater and reuse and avoid the projected deficits. As the City begins reclaimed water production and installing a reclaimed water distribution system, the City will be able to offset a portion of its potable demand using reclaimed water as an alternative water supply.

## 5. Water Supply and Facility Capacity Projects – Alternative and Traditional; Potable and Non-Potable

### 5.1 Distribution System Interconnects

Currently, the City only uses its interconnects as an alternative water source in the event of an emergency. **Section 8** details specific projects planned during this WSFWP’s planning period.

### 5.2 WWTP Upgrades

In June 2023, the City proceeded with a project to upgrade the existing WWTP, which is the first phase of future plans to provide a reclaimed water distribution system to future developments. To produce reclaimed water, the WWTP needs to be upgraded to add filtration, pumping, and storage facilities for advanced wastewater treatment (AWT). The project includes the design of the WWTP-AWT Plant Expansion with funding provided by an FDEP grant. Expansion of the City’s wastewater facilities in conjunction with the development of a comprehensive PAR system as an alternative water source will allow the City to offset a portion of its potable water demand for irrigation as the City experiences projected growth.

### 5.3 CUP Modification and Wellfield Expansion

Saltwater intrusion and projected growth have driven the need for new wells to meet the required wellfield demand. Additional Wells (including #17 and #18) are anticipated within the current WSFWP planning period. Additionally, the increase in demand necessitates an increase in the CUP allocation. **Section 8** provides additional details on these planned projects.

## 6. Water Source Protection Practices

The City’s wellfield is located outside of the City’s municipal limit, in the City of Palm Coast and unincorporated Flagler County. Therefore, the City coordinates with Flagler County relative to water source protection. To protect the City’s sources of water, the City works with the City of Palm Coast and Flagler County to not allow certain development within certain limits of the wells. The City’s comprehensive plan includes water source protection for quality and quantity of water as well as aquifer recharge protection. A summary of source protection policies is below.

- Land use restrictions to protect water quality (Policies E.1.1.1, E.1.1.2)
- Restrictions in septic tanks (Policy E.1.1.4, D.2.1)
- Intergovernmental coordination for wellfield protection (Policy E.1.2.5)

## 7. Water Conservation

The City has implemented a variety of water conservation practices. For example, the City implements a water conservation rate structure. In addition, the City is implementing its Water Conservation Plan that was submitted as part of the CUP process. The City’s comprehensive plan includes additional water conservation policies, which are summarized below. The City plans to maintain these policies and improve upon them when feasible.

- Monitoring water consumption trends (Policy D.1.4.1)
- Conduct public education efforts informing and encouraging responsible water use (Policy D.1.6.1)

- Implementation of City's Water Conservation Plan and associated practices (Policy D.1.6.2)
- Enforce Florida Building Code (FBC) requirements for max flow rates in new developments (Policy D.1.6.3)
- Investigate potential use of graywater for certain onsite irrigation systems (Policy D.1.6.4)
- Metering Requirements (Policy D.1.6.5)
- Requirements for native plants (Policies E.2.5.3 and E.2.6.3)
- Intergovernmental coordination of water conservation (Policies G.1.4.4-G.1.4.7)

## 8. Capital Improvements

The latest NFRWSP (2023) did not identify any project options related to the City. In 2017, the City completed construction of Well #12R as a replacement for Well #12 per the recommendations of the previous NFRWSP. The City plans to expand the wellfield capacity from 2.0 MGD to 5.0 MGD (10 wells), beginning with Well #17 and Well #18 and will also focus on increasing the CUP allocation per the projected demands. In addition, there are plans to expand the water treatment plant capacity to provide potable water to future developments. To increase storage, ability to deliver water to the distribution system, and increase resiliency, the City plans to build a 1.0 MGD tank at the WTP to have sufficient storage on the mainland, as well as run a 16-inch water main along Lambert Avenue for a second river crossing in the future.

**Appendix A** details the capital improvements the City has scheduled to occur from FY2026 to FY2030 to meet growing demand within the WSFWP's ten-year planning period.

# **APPENDIX A**

## **CITY OF FLAGLER BEACH CAPITAL IMPROVEMENT PROGRAM (CIP)**

## EXHIBIT B

**Ordinance 2025-09** adopts the updated Water Facilities Supply Plan along with amendments to the current comprehensive plan to guide and control future development of Flagler Beach. It provides amendments to the comprehensive plan to implement the updated Water Facilities Work Plan policies in the Public Facilities Element; amendments to the Capital Improvements Element, Five-year Capital Improvements Schedule required for identification to ensure Levels of service (LOS) and established goals, objectives, and policies in the Capital Improvements Element are met or exceeded. The annually updated Five-Year Schedule of Improvements contains the project description, location, determination of consistency, projected costs and revenue sources needed to construct the project; and includes grant funded capital facility improvements to be funded each year.

### E. Public Facilities Element

**Policy D.1.7.1** ~~The City shall comply with its 2025-2035 Water Supply Facilities Work Plan, prepared by the City and Mead & Hunt, which is incorporated by reference into as Appendix A to this Element of the Comprehensive Plan.~~

**Policy D.1.7.2.3** Groundwater quality degradation may constrain the availability of fresh groundwater due to the susceptibility to both vertical and lateral saltwater intrusion. The City shall continue wellfield management including implementing as needed back plugging, reduced pumping rates, and relocation of withdrawals to less susceptible areas to effectively manage increasing chloride trend.

### I. Capital Improvement Element

#### IMPLEMENTATION

#### Five-Year Capital Improvements Schedule

The five-year schedule of capital improvements required for identification as the program to be adopted to ensure that the goals, objectives and policies established in the Capital Improvements Element are met or exceeded is contained in Appendix A, Capital Improvements Schedule- ~~Fiscal Years 2017-18 to 2021-2022~~ 2022/2023 to 2027/2028.

The Annual Schedule of Improvements is the basis for the annual capital improvement program adopted by ordinance and contains the project description, location, determination of consistency, and projected costs and revenue sources needed to construct the project.

Approved FY 24/25 CIP Schedule

Project	Fund	Funding Source	FY 24/25	Budget	Status	FY 25/26	Budget	FY 26/27	Budget	FY 27/28	Budget	FY 28/29	Budget
CRA - City Parking Lot # 3 - S. 8th Street	CRA	CRA Fund Balance	FY 24/25	\$147,000	100 % Complete	FY 25/26	\$200,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
CRA - City Parking Lot # 4 - N. 5th Street	CRA	CRA Fund Balance / CRA Salary Section 2	FY 24/25	\$164,500	90 % Complete	FY 25/26		FY 26/27		FY 27/28		FY 28/29	
CRA - Light Replacements	CRA	CRA	FY 24/25	\$292,731	25% Complete	FY 25/26	\$200,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
CRA - Crosswalks (Re-stamp)	CRA	CRA	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$460,000	FY 27/28	\$0	FY 28/29	\$0
CRA - Underground Utilities	CRA	CRA	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$700,000
BCI - Sound Dampening Building Dept - Main Space	BCI	75 BCI / 25 GF	FY 24/25	\$18,750	CC Agenda Pending	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Pier - Pier Reconstruction	Pier	FEMA / State Grant	FY 24/25	\$16,600,000	Grant in Process	FY 25/26	\$1,400,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Pier - Pier Bathroom / Beach Walk	Pier	TDC Grant/ GF Transfer	FY 24/25	\$2,658,600	Grant in Process	FY 25/26	\$1,131,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
P&Z - Sound Dampening Building Dept - Main Space	General	75 BCI / 25 GF	FY 24/25	\$6,250	CC Agenda Pending	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Recreation - Sun Trail	General	Grant	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$2,000,000	FY 27/28	\$0	FY 28/29	\$0
IT - BSA Cloud Version Update	General	Funds / Split	FY 24/25	\$0		FY 25/26	\$75,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Library - Bathroom Renovations	General	Unrestricted GF	FY 24/25	\$50,000	TBD	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Library - Interior LED Lighting Replacement & Wiring Update	General	Unrestricted GF	FY 24/25	\$0		FY 25/26	\$10,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Roads / Bridges - Street Paving	General	Paving Reserves	FY 24/25	\$100,000	Pending Scope	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Sanitation - Awning Big Blue	Sanitation	Sanitation Fund	FY 24/25	\$25,000	TBD	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Maintenance - Bypass Pump On Trailer	Utility	Unrestricted Utility Fund	FY 24/25	\$70,000	Pending Quotes	FY 25/26	\$0	FY 26/27	\$72,000	FY 27/28	\$0	FY 28/29	\$75,000
Maintenance - Wet Well Rehabs	Utility	Unrestricted Utility Fund	FY 24/25	\$80,000	Pending Scope	FY 25/26	\$80,000	FY 26/27	\$80,000	FY 27/28	\$80,000	FY 28/29	\$80,000
Maintenance - LS # 11 S. Flagler Ave & S. 25th					Unfunded								
Maintenance - Manhole Rings and Covers / Installation	Utility	Unrestricted Utility Fund	FY 24/25	\$239,756	CC Agenda Pending	FY 25/26	\$239,756	FY 26/27	\$239,756	FY 27/28	\$239,756	FY 28/29	\$239,756
Maintenance - Lift Stations Rebuild - Emergency	Utility	Unrestricted Utility Fund	FY 24/25	\$300,000	25% Complete	FY 25/26	\$0	FY 26/27	\$350,000	FY 27/28	\$0	FY 28/29	\$375,000
Maintenance - Backup Diesel Driven Pumps	Utility	Grant	FY 24/25	\$0	3rd Qtr Reporting	FY 25/26	\$500,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Maintenance - Fire Hydrant Replacement	Utility	Infrastructure Reserve	FY 24/25	\$87,954	25% Complete	FY 25/26	\$130,100	FY 26/27	\$131,100	FY 27/28	\$132,100	FY 28/29	\$0
Maintenance - Sewer Connection Oak Street	Utility	Transfer from Reserves	FY 24/25	\$80,000	CC Agenda Pending	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0
Maintenance - Abandon 2" Galvanized Lines - S. 13th to 15th	Utility	Transfer from Reserves	FY 24/25	\$125,000	CC Agenda Pending	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0

Approved FY 24/25 CIP Schedule

Project	Fund	Funding Source	FY 24/25	Budget	Status	FY 25/26	Budget	FY 26/27	Budget	FY 27/28	Budget	FY 28/29	Budget	
Maintenance - S. 13th Alleyway A1A & Central - Replace Galvanized Line	Utility	Impact Fees - Water	FY 24/25	\$475,000	CC Agenda Pending	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Maintenance - (4) Grant Rehab - Lift Stations	Utility	HNWAG Grant - HA009	FY 24/25	\$2,059,785	Grant in Process	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Wastewater Plant - Screw Press Project	Utility	50/50 Match (\$850K Each) Total \$1.7 M	FY 24/25	\$1,287,000	Value Engineering Review	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Wastewater Plant - WWTP - New Plant	Utility	SRF Loan/ Line of Credit	FY 24/25	\$25,000,000	Out for Bid	FY 25/26	\$10,000,000	FY 26/27	\$5,000,000	FY 27/28	\$0	FY 28/29	\$0	
Wastewater Plant - Flow Equalization Basin / Master Lift Station	Utility	HNWAG Grant	FY 24/25	\$1,693,681	Out for Bid	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Well # 17 Design	Utility	Impact Fees - Water	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$150,000	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Well # 17 Construction	Utility	Impact Fees - Water	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$1,400,000	FY 28/29	\$0	
Water Production - Potable Water (Intercoastal) Upland Swale - River Crossing Design	Utility	Unrestricted Utility Fund	FY 24/25	\$150,000	25% Complete	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Potable Water (Intercoastal) Upland Swale -River Crossing Construction	Utility	Unrestricted Utility Fund / Grant	FY 24/25	\$0		FY 25/26	\$1,500,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Potable Water (Lambert) River Crossing Construction	Utility	Grant	FY 24/25	\$1,500,000	TBD	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Replacement S. Central Water Line	Utility	Unrestricted Utility Fund	FY 24/25	\$900,000	90 % Complete	FY 25/26	\$2,500,000	FY 26/27	\$2,500,000	FY 27/28	\$2,500,000	FY 28/29	\$2,500,000	
Water Production - 1 MG Tank Design	Utility	Impact Fees - Water	FY 24/25	\$150,000	50% Complete	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - 1 MG Tank Construction	Utility	Impact Fees - Water	FY 24/25	\$0		FY 25/26	\$2,000,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Plant Ground Stone - Wells 16	Utility	Unrestricted Utility Fund	FY 24/25	\$17,000	TBD	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Stabilization Well 13 Road	Utility	Unrestricted Utility Fund	FY 24/25	\$0		FY 25/26	\$20,000	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Water Production - Well # 18 Design	Utility	Impact Fees - Water	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$150,000	FY 28/29	\$0	
Water Production - Well # 18 Construction	Utility	Impact Fees - Water	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$1,800,000	
Storm Water - Improvements South Flagler Avenue Rte. 100-S 7th City Share	Storm Water	HMPG 4486 Grant 10% City	FY 24/25	\$0		FY 25/26	\$943,800	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
Storm Water - Custer's Palm Harbor	Storm Water	Storm Water Funds	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$395,400	FY 28/29	\$0	
Storm Water - Palm Harbor	Storm Water	Storm Water Funds	FY 24/25	\$0		FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$757,800	
Storm Water - Storm Water Improvement McKim & Creed	Storm Water	Storm Water Funds	FY 24/25	\$520,000	25% Complete	FY 25/26	\$0	FY 26/27	\$0	FY 27/28	\$0	FY 28/29	\$0	
				<b>\$54,798,007</b>			<b>\$20,929,656</b>			<b>\$10,982,856</b>			<b>\$4,897,256</b>	<b>\$6,527,556</b>

Serial Number  
25-00233F

# Observer

You. Your Neighbors. Your Neighborhood.  
Palm CoastObserver.com

Palm Coast Observer  
Published Weekly  
Palm Coast, Flagler County, Florida

COUNTY OF FLAGLER

STATE OF FLORIDA

Before the undersigned authority personally appeared Nancy Kay Raymond who on oath says that he/she is Publisher's Representative of the Palm Coast Observer a weekly newspaper published at Palm Coast, Flagler County, Florida; that the attached copy of advertisement,

being a Public Announcement

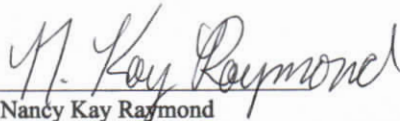
in the matter of Adoption of Ordinances

in the Court, was published in said newspaper by print in the

issues of 7/3/2025

Affiant further says that the Palm Coast Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.



Nancy Kay Raymond

Sworn to and subscribed, and personally appeared by physical presence before me,

3rd day of July, 2025 A.D.

by Nancy Kay Raymond who is personally known to me.

**PUBLIC NOTICE**  
The City of Flagler Beach proposes to adopt the following ordinances entitled:  
**ORDINANCE NO. 2025-09**  
**COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT AND INCORPORATE THE UPDATED WATER FACILITIES SUPPLY WORK PLAN AS REQUIRED BY 163.377, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER FACILITIES SUPPLY WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT; PROVIDING FOR ADOPTION OF AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT PROVIDING FOR UPDATED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE NO. 2025-10**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO INCORPORATE AND MAKE REFERENCE TO CERTAIN STATE LEGISLATION INCLUDING THE STATE'S ADOPTION OF AND AMENDMENTS TO THE LIVE LOCAL ACT AND OTHER STATE LEGISLATION RELATED TO AFFORDABLE HOUSING, ENERGY RESOURCES, AND RESILIENCE; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE NO. 2025-11**  
AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO ADD A PROPERTY RIGHTS ELEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Public Hearings will be conducted to consider the amendments as follows:

Planning & Architectural Review Board Special Meeting, Tuesday July 15, 2025, at 3:30 p.m., or soon thereafter

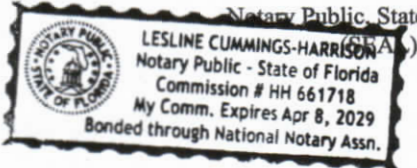
City Commission Meeting (First Reading), Thursday July 24, 2025, at 5:30 p.m., or soon thereafter

City Commission Meeting (Second Reading), Thursday August 28, 2025, at 5:30 p.m., or soon thereafter

The public hearings may be continued to a future date or dates. The times and dates of any continuance of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 5:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida. If a person desires to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-577-2000 Ext. 333 at least 48 hours prior to the meeting.

Jul. 3 25-00233F

Notary Public, State of Florida



## **FREQUENTLY ASKED QUESTIONS REGARDING WATER SUPPLY FACILITIES WORK PLANS**

### **Why update the Water Supply Facilities Work Plan (Work Plan)?**

- Ensure adequate water supply for current and future residents
- Strengthen position to compete for funding assistance
- Plan for alternative water supply sources that take time to develop and finance
- Ensure local needs are considered by regional water suppliers and the South Florida Water Management District (SFWMD)
- Meet statutory requirements (Chapter 163, Florida Statutes) after the applicable Regional Water Supply Plan (RWSP) has been updated

### **How is the Work Plan updated?**

- As a Comprehensive Plan amendment, pursuant to Chapter 163, Florida Statutes, under the Expedited State Review Process or the State Coordinated Review Process. The Work Plan can be incorporated into the Comprehensive Plan in one of three ways:
  - Incorporated as a standalone document adopted by reference,
  - Incorporated as a separate element or sub-element, or
  - Incorporated into applicable elements.
- May be combined and submitted with other Comprehensive Plan amendments

### **Who prepares the Work Plan update?**

- Each local government, including those that obtain their water from another local government or utility

### **When are adopted Comprehensive Plan amendments due?**

- Within 18 months after the applicable RWSP update is approved by the SFWMD
- If a local government is in one or more water management districts or water supply regions, the Work Plan update is due 18 months after the later RWSP is adopted.

### **What is included in the Work Plan update?**

- Population estimates and projections
- Water demand estimates and projections
- Identification of viable water sources to meet demands
- Capital improvement needs to meet existing and future demands
- Conservation efforts

- Planning time frames
- Changes since the original Work Plan was adopted (e.g., water supplier, service area, planned facilities, water suppliers, water users, level of service standards)

### **Will assistance be provided to update the Work Plan?**

- The Water Supply Facilities Work Plan Updates Technical Assistance Guide is available on the SFWMD website at: <https://www.sfwmd.gov/our-work/water-supply/work-plans>
- Assistance can be provided through regional workshops, one-on-one meetings, and information on the SFWMD website
- SFWMD staff are available to conduct informal pre-submittal reviews

### **Is there a sample policy that incorporates a Work Plan into an adopted Comprehensive Plan?**

Below is a sample policy to incorporate the Work Plan into the Comprehensive Plan:

*The [local government] hereby adopts by reference the Water Supply Facilities Work Plan (Work Plan) into the [local government's] Comprehensive Plan, dated xxxx, for a planning period of not less than 10 years. The Work Plan addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the [local government].*

### **How are Comprehensive Plan amendments submitted to the SFWMD for review?**

Local governments are encouraged to submit Comprehensive Plan amendments to the SFWMD via the [SFLOCALGOVPLAN@sfwmd.gov](mailto:SFLOCALGOVPLAN@sfwmd.gov) email

Submit amendments to:

David Ragsdale, Policy and Planning Analyst  
Water Supply Implementation Unit  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, FL 33406  
[dragsdal@sfwmd.gov](mailto:dragsdal@sfwmd.gov)

## **ORDINANCE 2025-10**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO INCORPORATE AND MAKE REFERENCE TO CERTAIN STATE LEGISLATION INCLUDING THE STATE'S ADOPTION OF AND AMENDMENTS TO THE LIVE LOCAL ACT AND OTHER STATE LEGISLATION RELATED TO AFFORDABLE HOUSING, ENERGY RESOURCES, AND RESILIENCY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3187, Florida Statutes, provides for the authority and procedure for the City Commission of Flagler Beach, Florida to amend its Comprehensive Plan utilizing procedures applicable to large scale developments; and

**WHEREAS**, Section 163.3191, Florida Statutes, requires that local governments evaluate their comprehensive development plans to determine if plan amendments are necessary to reflect changes in state requirements; and

**WHEREAS**, Section 163.3191, Florida Statutes, requires that local governments who have determined that plan amendments are necessary to reflect changes in state requirements transmit the amendments to the state land planning agency; and

**WHEREAS**, on July 15, 2025, the Planning and Architectural Review Board sitting as the local planning agency for the city, recommended transmittal of the amendments to the comprehensive plan of the city; and

**WHEREAS**, the City Commission desires to adopt the amendments to the current comprehensive plan to guide and control the future development of the city, and to preserve, promote, and protect the public health, safety, and welfare.

**WHEREAS**, on July 24, 2025, the Flagler Beach City Commission authorized transmittal of the proposed plan amendments to the appropriate state agencies;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF FLAGLER BEACH, FLORIDA:

### **SECTION 1. APPROVAL**

The City of Flagler Beach Comprehensive Plan is hereby amended as set forth on Exhibit "A".

### **SECTION 2. CONSISTENCY WITH CITY OF FLAGLER BEACH COMPREHENSIVE PLAN**

The City Commission hereby finds and determines that the approval of the amendments is consistent with the goals, objectives and policies of the City of Flagler Beach Comprehensive Plan as amended.

**SECTION 3. ENFORCEMENT**

The city may enforce this Ordinance as authorized by law.

**SECTION 4. REPEAL**

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

**SECTION 5. SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

**SECTION 6. EFFECTIVE DATE**

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

This Ordinance was adopted in regular meeting after its second reading this \_\_ day of August, 2025.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA  
CITY COMMISSION

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
Patti King, Mayor

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
DREW SMITH, CITY ATTORNEY

## EXHIBIT "A"

[Note: Underline Text represents language to be added to the Comprehensive Plan, ~~strikethrough text~~ represents deletions, and ellipses (. . . or \* \* \*) represent portions of the Comprehensive Plan that are not reprinted here and which remain unchanged].

\* \* \*

**GOAL B.** Allow Mixed-Use Residential Development projects in commercial and industrial land uses in accordance with applicable Florida Statutes if the project includes affordable housing as defined in Section 166.04151, .

**Goal C.** To the extent required by the Florida Live Local Act, allow for administrative approval of multi-family and mixed-use residential development by developers of affordable housing as defined in Section 166.04151, Florida Statutes.<sup>1</sup>

**Policy C.1** In accordance with the Act, a developer must demonstrate they have the capacity to sustain affordability of the project and have resources available for determining income eligibility of future residents and ensure affordability thresholds are maintained.

**Policy C.1.2.** Update and maintain information on the City's website regarding Live Local procedures and policies as set forth in Section 166.04151, Florida Statutes.

**Policy C.1.3.** Certain development utilizing the Live Local Act are not required to obtain a rezoning, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, or density described in the Live Local Act.

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<sup>1</sup> As of 2025, the Live Local Act requires the City to administratively approve multi-family and mixed-use development if:

1. The property is zoned for commercial, industrial, or mixed use;
2. A minimum of 40% of the residential rental units are affordable to households 120% of area median income or below for a period of at least 30 years;
3. For mixed use developments - at least 65% of the development's total square footage must be residential.

**Policy C.1.4.** To the extent provided by Section 166.04151, Florida Statutes, the density of an affordable residential rental multi-family or mixed-use development may not be restricted below the highest allowed density on any City land where residential land use is allowed.

**Policy C.1.5.** To the extent provided by Section 166.04151, Florida Statutes, the height of an affordable residential rental multi-family or mixed-use development may not be restricted below the highest allowed height for a commercial or residential development located in the city which is 35'.

**Policy C.1.6.** Pursuant to Section 166.04151, Florida Statutes, the City is encouraged to reduce parking requirements for affordable housing.

**Policy C.1.7.** To the extent prohibited by Section 166.0451, Florida Statutes, to avoid is limiting the Floor Area Ratio (FAR) for affordable housing, as defined by said statute, below 150%, or such other percentage as the statute may be amended to provide, of the highest currently allowed FAR in the City.

**Policy C.1.8.** Live Local Act projects must adhere to all other limitations and requirements contained in the City's Comprehensive Plan, Land Development Code regulations, building code, and other regulations such as flood plain regulations and requirements to connect to City water and sewer service.

**Policy C.1.9.** Land to be developed utilizing Live Local must be zoned for commercial, industrial uses, or mixed-use. Planned Developments (PUDs) that allow commercial uses, industrial uses or mixed-uses qualify under Live Local.

\* \* \*

**Policy A.1.1.4** To the extent required by Section 163.32051, Florida Statutes, floating solar facilities are to be a permitted use in the appropriate land use category in local comprehensive plan, future land use element; mainland Highway Commercial or Industrial Land Use categories.

**Senate Bill 1624/House Bill 1645 Energy Resources –**

**Policy A.1.1.5** To the extent required by Section 163.3210, resiliency facilities are to be a permitted use in commercial, manufacturing, and industrial land use categories and local development regulations are not to conflict with resiliency facility citing.

Serial Number  
25-00233F

# Observer

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Palm CoastObserver.com

Palm Coast Observer  
Published Weekly  
Palm Coast, Flagler County, Florida

COUNTY OF FLAGLER

STATE OF FLORIDA

Before the undersigned authority personally appeared Nancy Kay Raymond who on oath says that he/she is Publisher's Representative of the Palm Coast Observer a weekly newspaper published at Palm Coast, Flagler County, Florida; that the attached copy of advertisement,

being a Public Announcement

in the matter of Adoption of Ordinances

in the Court, was published in said newspaper by print in the

issues of 7/3/2025

Affiant further says that the Palm Coast Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

*Nancy Kay Raymond*  
Nancy Kay Raymond

Sworn to and subscribed, and personally appeared by physical presence before me,

3rd day of July, 2025 A.D.

by Nancy Kay Raymond who is personally known to me.

**PUBLIC NOTICE**  
The City of Flagler Beach proposes to adopt the following ordinances entitled: **ORDINANCE NO. 2025-09 COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT AND INCORPORATE THE UPDATED WATER FACILITIES SUPPLY WORK PLAN AS REQUIRED BY 163.377, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER FACILITIES SUPPLY WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT; PROVIDING FOR ADOPTION OF AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT PROVIDING FOR UPDATED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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**ORDINANCE NO. 2025-11**  
AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO ADD A PROPERTY RIGHTS ELEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Public Hearings will be conducted to consider the amendments as follows:

Planning & Architectural Review Board Special Meeting, Tuesday July 15, 2025, at 5:30 p.m., or soon thereafter

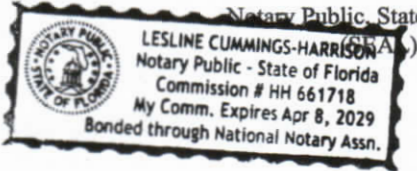
City Commission Meeting (First Reading), Thursday July 24, 2025, at 5:30 p.m., or soon thereafter

City Commission Meeting (Second Reading), Thursday August 28, 2025, at 5:30 p.m., or soon thereafter

The public hearings may be continued to a future date or dates. The times and dates of any continuance of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 5:30 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida. If a person desires to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-577-2000 Ext. 333 at least 48 hours prior to the meeting.

Jul. 3 25-00233F

Notary Public, State of Florida



**ORDINANCE NO. 2025-11**

**AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING  
THE COMPREHENSIVE PLAN TO ADD A PROPERTY RIGHTS ELEMENT;  
PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3167, Florida Statutes, requires the City to maintain a comprehensive plan to guide its future development and growth; and

**WHEREAS**, Section 163.3177(6)(i)1., Florida Statutes, requires the City’s comprehensive plan to include a property rights element; and

**WHEREAS**, the City of Flagler Beach respects judicially acknowledged and constitutionally protected private property rights; and

**WHEREAS**, the City of Flagler Beach respects the rights of all people to participate in land use planning processes; and

**WHEREAS**, this ordinance will amend the comprehensive plan by adding a new Section “J” Property Rights Element.

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

SECTION 1. The City of Flagler Beach comprehensive plan is amended by adding the property rights element attached as EXHIBIT A and made a part of this ordinance as if set forth in full.

SECTION 2. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 3. Codification. It is the intent of the City Commission of the City of Flagler Beach that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provisions of this Ordinance.

SECTION 4. Effective Date. This Ordinance shall become after adoption in accordance with applicable law.

Ordinance 2025-11 cont.

ADOPTED by the City Commission of the City of Flagler Beach, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

City of Flagler Beach, Florida

\_\_\_\_\_  
Patti King, Mayor

Attest:

\_\_\_\_\_  
Penny Overstreet, City Clerk

## EXHIBIT A

### J.- PROPERTY RIGHTS ELEMENT

GOAL J.1: Ensure that private property rights are considered in the City's decision-making process.

Objective J.1: Private property rights. The City will consider the property rights set forth in the policies of this element when making land use and zoning decisions. This objective and the policies within this element do not create any property rights or due process rights that are not already judicially acknowledged and constitutionally protected. This objective and the policies within this element are not intended to alter the legislative nature of decisions made in the adoption of comprehensive plan amendments and land development code amendments. This objective and the policies within this element are not intended to require evidence, discussion, or findings of fact concerning the matters set forth herein. Ordinances adopted and land use and zoning decisions made by the City are presumed to have considered the matters set forth in this element.

Policy J.1.1 The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy J.1.2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.

Policy J.1.3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy J.1.4 The right of a property owner to dispose of his or her property through sale or gift.

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