



Planning & Architectural Review Board Workshop Agenda

Tuesday, May 5, 2026 at 4:30 PM

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

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. General Business
 - a. Competing and/or "Gray" Ordinances
 - b. Site Development Applications
 - c. Review of Ordinances Adopted 2023-2026
Review of LDC Amendments 2025/2026
 - d. Zoning Map Updates

5. 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.



Staff Report

Planning & Architectural Review Board Workshop

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Competing and/or "Gray" Ordinances

Background:

- Ordinance 2025-12: Discussion: Retail Businesses and Required Receptacles
- Ordinance 2022-09: Discussion: Land Development Code: Amend Section 2.04.02.08 which permits all uses of MDR in the TC and GC Zoning Districts
- Ordinance: 2008-08 Discussion: Short Term Rentals SFR in TC and GC

Fiscal Impact:

Staff Recommendation:

Consensus to add Discussion Workshop Items to PARB June 2026 Regular Meeting Agenda for consideration of Ordinance amendments and official zoning map updates.

Attachments:

1. 2025-12_Garbage Receptacle Retail Establishments
2. 2022-09 MDR in TC GC
3. Ordinance 2008-08_Permitting MDR in TC and GC

ORDINANCE NO. 2025-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CREATING SECTION 11-9 RELATED TO LITTER AND REQUIRING OWNERS AND OPERATORS OF CERTAIN RETAIL ESTABLISHMENTS TO INSTALL ADEQUATE GARBAGE RECEPTACLES FOR LITTER GENERATED BY THE BUSINESS ACTIVITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, litter is a common problem facing all cities, towns, and counties; and

WHEREAS, litter has an obvious aesthetic impact which can have negative impacts on the quality of life within the community, tourism within the community, and business development within the community;

WHEREAS, beyond the aesthetic impact of litter, litter presents significant environmental impacts to the community as it enters sensitive bodies of water; and

WHEREAS, one of the easiest steps in preventing litter is to ensure the availability of appropriate receptacles for guests and consumers to deposit their litter before it enters the environment; and

WHEREAS, the City Commission finds this Ordinance is in the best interest of the health, safety, and welfare of the City, its residents, businesses, and guests.

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

SECTION ONE. Amendment of Code. Section 11-9 of the Code of Ordinances is created as follows:

Sec. 11-9. – Garbage receptacle availability at retail establishments.

The owner and operator of property used for on-site retail sales of food, drink, or merchandise shall provide enough garbage receptacles for employees and guests to properly dispose of any litter generated as a result of such retail transactions. The owner and operator of property used for on-site retail sales of food, drink, or merchandise shall at all times ensure the property is kept free of litter except such litter as is contained in properly installed receptacles on the property. The repeated observation by the city of litter not properly placed in receptacles or receptacles that are overflowing with litter shall establish a rebuttable presumption that additional garbage receptacles are needed upon the property. Violation of this requirement shall be subject to enforcement action by the city including issuance of a code enforcement notice of violation.

45 **SECTION TWO. Ordinances in Conflict.** All ordinances or parts thereof, which may be
46 determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to
47 the extent of such conflict.

48 **SECTION THREE. Severability.** If any section, sentence, phrase, word or portion of this
49 Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not
50 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
51 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
52 unconstitutional.

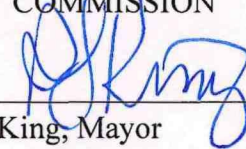
53 **SECTION FOUR. Codification.** It is the intent of the City Commission of the City of Flagler
54 Beach that the provisions of this Ordinance shall be codified. The codifier is granted broad and
55 liberal authority in codifying the provisions of this Ordinance.


56 **SECTION FIVE. Effective Date.** This Ordinance shall become effective immediately upon its
57 passage and adoption.

58 PASSED ON FIRST READING THIS 10th DAY OF July 2025.

59
60 PASSED AND ADOPTED THIS 28th DAY OF August, 2025.

61
62 CITY OF FLAGLER BEACH, FLORIDA
63 CITY COMMISSION

64 
65 _____
66 Patti King, Mayor

67 ATTEST:
68 
69 _____
70 Penny Overstreet, City Clerk

PUBLIC NOTICE

The City of Flagler Beach proposes to adopt the following ordinances entitled:

ORDINANCE 2025-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CREATING SECTION 11-9 RELATED TO LITTER AND REQUIRING OWNERS AND OPERATORS OF CERTAIN RETAIL ESTABLISHMENTS TO INSTALL ADEQUATE GARBAGE RECEPTACLES FOR LITTER GENERATED BY THE BUSINESS ACTIVITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

City Commission: Thursday, August 28, 2025 @ 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 decides 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 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

Aug. 14

25-00242F

ORDINANCE NO. 2022-09

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING APPENDIX "A", LAND DEVELOPMENT REGULATIONS, ARTICLE II, ZONING; AMENDING SECTION 2.04.02.8. ZONING SCHEDULE ONE LAND USE CONTROLS, TOURIST COMMERCIAL DISTRICT PERMITTED SPECIAL EXCEPTION USES, REALLOCATING LAND USE ITEM TWO, ALL PRINCIPAL USES PERMITTED IN MEDIUM DESIDENTIAL RESIDENTIAL DISTRICT FROM PERMITTED SPECIAL EXCEPTION USES CLASSIFICATION TO THE TOURIST COMMERCIAL DISTRICT UNRESTRICTED PRINCIPAL PERMITTED USES; ESTABLISHING SECTION 2.04.02.9.1 - BARRIER ISLAND RESIDENTIAL, NON-RESIDENTIAL AND MASTER PLANNED DEVELOPMENT, DEVELOPMENT STANDARD TABLES; ESTABLISHING SECTION 2.05.03.3 SINGLE FAMILY RESIDENTIAL FRONT YARD SETBACK EXCEPTION; AMENDING SECTION 2.06.07. - TOWNHOUSES TO READ TOWNHOUSE AND DUPLEX DEVELOPMENT; ESTABLISHING SECTION 2.06.07.1 PURPOSE AND INTENT THROUGH SECTION 2.06.07.17 HOMEOWNERS ASSOCIATION; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of Flagler Beach is actively rewriting the Land Development Regulations, a portion of which is dedicated to evaluating the established zoning district tables and use classifications; and

WHEREAS, in the process of rewriting the Land Development Regulations the City of Flagler Beach after having considered a recommendation to establish development standards specific to the barrier island determined such action warranted given the distinction between the physical characteristics of the mainland and barrier island; and

WHEREAS, in rewriting the Land Development Regulations it was determined the section devoted to townhouses lacked elements to effectively enable the efficient use of land; and

WHEREAS, to facilitate judicious development based upon a concept of reducing the area of individually owned lots and grouping such lots together to utilize the total area more efficiently as it relates to infill development, redevelopment, and new project development; and

Whereas, by requiring common open spaces, passive and active recreational areas, and other spaces which would compensate for the reduction of land area contained within the individually owned lot; and

WHEREAS, the City Commission, after recommendation by the Planning and Architectural Review Board, finds this Ordinance to be in the best interest of public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AS FOLLOWS:

SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Commission pertaining to this Ordinance.

SECTION TWO. Article II, "Zoning," of the City of Flagler Beach Land Development Regulations is hereby amended as follows (note, underlined text notates additions, strikethrough text notates deletions, and ellipses (***) notate text which remains unchanged and is not reprinted here:

* * *

Section 3. Appendix A - Land Development Regulations, Section 2.04.02.8. Zoning Schedule One Land Use Controls

SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS CITY OF FLAGLER BEACH			
CATEGORY OF USE	USES PERMITTED		
	UNRESTRICTED USES		SPECIAL EXCEPTION USES
	PRINCIPAL	ACCESSORY	
<p>TC — TOURIST COMMERCIAL The provisions of this district are to provide for uses to serve tourist needs in the community. The primary uses are intended for commercial uses for lodging, dining establishment(s), and minor retail establishments which primarily serve tourist(s) and other visitors to the city. NOTE: <u>Section 2.06.05</u> provides for special requirements of Tourist Commercial in several areas of the city.</p>	<ol style="list-style-type: none"> 1. Motels and hotels. 2. Bed and breakfast inns. 3. Restaurants. 4. Gift shops. 5. Convenience commercial uses such as: <ol style="list-style-type: none"> a. Beauty or barber shops. b. Laundromat, laundry and dry cleaning pick-up stations. c. Newsstands or bookstores. 6. Off-street parking and loading. 7. Commercial recreational entertainment facilities. 8. Boat and marine supply sales. 9. Marinas. 10. Resort dwellings. 11. Resort condominiums. 12. Mixed Use Buildings within the defined Downtown A1A Retail Corridor (See Note 11. Section 2.04.02.9, Zoning Schedule Two 13. All principal uses permitted in MDR District. 	<ol style="list-style-type: none"> 1. Automobile parking structures. 2. Cocktail lounges and bars which are accessory to and within a motel, hotel or restaurant. 3. Monopole communication towers and communication antennas which do not exceed the established height limitations. 	<ol style="list-style-type: none"> 1. Temporary structures including carnivals, circuses and other temporary commercial activities and religious gatherings for special events of a nature with the city commission establishing the period for which such events shall begin and end. 2. Professional Offices. 3. Mixed use building — Conversion of existing buildings within the Downtown Mixed-Use District and Downtown A1A Retail Corridor. 4. Convenience commercial uses such as: food, grocery, drug, or convenience stores. 5. Marinas allowing liveaboard vessels for residential uses. 6. Farmer's Markets. NOTE: All special exception uses are subject to <u>Section 2.03.00</u>, <u>Section 2.06.01</u> and additional specific requirements as noted. [7.] Private, social, recreational or fraternal clubs or organizations. [8.] Churches, synagogues or other houses of worship.

* * *

Section 4. Appendix A - Land Development Regulations, Section 2.04.02.9. Zoning Schedule Two, Lot, Yard, Height, and Bulk Regulations.

Section 2.04.02.9.1 - BARRIER ISLAND DEVELOPMENT STANDARDS TABLES.

A. RESIDENTIAL DIMENSIONAL STANDARDS

BARRIER ISLAND RESIDENTIAL DEVELOPMENT DIMENSIONAL STANDARDS			
DEVELOPMENT STANDARD	ZONING DISTRICT		
	LOW DENSITY RESIDENTIAL 1	MEDIUM DENSITY RESIDENTIAL 1	HIGH DENSITY RESIDENTIAL
Minimum Lot Area (sq. ft.)	6,000 ^{2,3} Except Lots of record	7,260	9,000
Density/Sq. Ft. Per Dwelling Unit Single family ⁴	6,000 3,000 Duplex	2,400 ⁵	2,100
Maximum Density (units/acre)	7	18.0	20.0
Minimum Lot Width at Building Setback (ft.)	50	75	100
Minimum Front Setback (ft.)	20 ⁶	20	25
Minimum Interior Side Setback (ft) ⁷	10% lot width	10%	15%
Minimum Street Side Setback (ft)	10	15	15
Minimum Rear Setback ⁸	10	20	25
Maximum Impervious Surface Ratio (%) (ISR)	65 50 Flood Plain	60 ⁹ 50 Flood Plain	60 50 Flood Plain
Building Height (Ft.) ¹⁰	35	35	35

Rounding Off: When calculating unit density is other than a whole number, the total number of units shall not be rounded to the nearest whole number (e.g. 5.65 u.p.a. = 5 u.p.a./5 35 = 5 u.p.a.).

FOOTNOTES:

- 1 Confirm location in Mixed Use District — See Downtown Design Guidelines Mixed Use Overlay District character area development standards.
- 2 Duplex - 3,000SFT.
- 3 Binding Lots - In all residential zoning districts, landowners may combine one (1) or more lots of record for development purposes. All setbacks shall be computed from the perimeter of new lot boundaries.
- 4 A residential land use if allowed in a more intense residential zoning district shall adhere to the less intense residential land use development standards (e. g. single-family residential in Medium Density Residential).
- 5 Townhouses — (See Sec. 2.06.07.4. - DEVELOPMENT STANDARDS).
- 6 See Sec. 2.05.03.3 Single Family Residential Front Yard Setback Exception.
- 7 Irregular shaped lot side setbacks shall be established by noting the mid-point of each side lot line; the setback dimension shall be determined by measuring the distance between the respective side lot line mid-points.
- 8 When abutting a street right-of-way twenty-five (25) feet (each street frontage shall be a front yard).
- 9 Pavers are deemed impervious and shall be included in the calculation of impervious surface ratio.
- 10 See Sec. 2.05.06.2 Building height measurement.

B. NON-RESIDENTIAL AND MASTER PLANNED DEVELOPMENT DIMENSIONAL STANDARDS

BARRIER ISLAND							
NON-RESIDENTIAL AND MASTER PLANNED DEVELOPMENT DIMENSIONAL STANDARDS							
DEVELOPMENT STANDARD	ZONING DISTRICT						
	GC ^{1, 2,}	TC ^{1, 2,}	PF	PRE	CON	REC	PUD
Minimum Lot Area (sq. ft.)	4,000	4,000	N/A	N/A		N/A	10,000
Density Sq. Ft. Per Dwelling Unit	N/A	N/A	N/A				N/A
Maximum Density (units/acre)	N/A	N/A	N/A				18
Minimum Front Setback (ft.) ³	10	10	20	N/A		15	N/A
Minimum Interior Side Setback (ft)	5	7.0	10	N/A		10	N/A
Minimum Street Side Setback (ft) ⁴	10	10	20	N/A		15	N/A
Minimum Rear Setback (ft)	10	10	10	N/A		10	N/A
Maximum Impervious Surface Ratio (%) (ISR) ⁵	70	70	65	N/A	N/A	N/A	N/A
Building Height (ft.) ⁶	CBD 75 35	35	35	N/A	35	35	35

FOOTNOTES:

- 1 Residential uses allowed in Non-Residential Zoning Districts (e.g. single-family residential, duplex, etc. in the General Commercial District or Tourist Commercial District) shall follow the corresponding land use development standards of the Residential Zoning District Tables.
- 2 Confirm location in Mixed Use District — See Downtown Design Guidelines Mixed Use Overlay District character area development standards.
- 3 Backout parking not permitted.
- 4 See Section 2.05.01.4 *Intersection visibility*.
- 5 See Section 2.05.06.2 *Building height measurement*.
- 6 Pavers are deemed impervious and shall be included in the calculation of impervious surface ratio

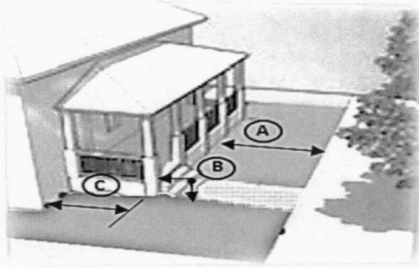
Section 5. Appendix A - Land Development Regulations, Section Sec. 2.05.03. – Yard regulations

* * *

2.05.03.3 Single Family and Duplex Front Yard Porch Setback Exception.

1. With exception of the Ocean Shore Blvd. corridor, first story open covered porches may be decreased as described herein.
 - i. Minimum front setback – 15ft. (See Illustration 45)
 - ii. Minimum setback to principal structure/garage – 23ft.
 - iii. Porch steps – may encroach into front setback to meet requirement of the current edition of the Florida Building Code.

Illustration 45



Setback Dimensions:

A – 15ft. minimum,

B – Minimum to porch landing

C – 8ft. minimum

Sec. 2.06.07. - TOWNHOUSES AND DUPLEX DEVELOPMENT

Sec. 2.06.07.1. - PURPOSE AND INTENT.

These guidelines are adopted to address the qualitative considerations of townhome and duplex development, particularly as it relates to the downtown area and barrier island. The guidelines are adopted to allow for flexible and creative site planning and creative infill lot design, the intent of which is to design townhome and duplex units in a manner that is attentive to physical characteristics aesthetics, functionality, compatibility and safety and welfare with respect to vehicular access and circulation.

This section is designed to allow the grouping of separately owned one-family dwelling units into a duplex or a group of townhomes in a manner to advance:

- i. efficient, economical, and aesthetically pleasing use of land.
- ii. continued well maintained grounds and structures.
- iii. health, welfare, and safety concerns, and conveniences within the surrounding neighborhood.
- iv. equitable area of open space and architectural variety, and
- v. enable ownership by fee simple or condominium ownership.

For purposes of this section a duplex or a townhouse may be either one (1), two (2) or three (3) stories. A townhome grouping may be designed with a combination of different stories. The maximum building height shall be in accordance with the requirements of the LDC.

Sec. 2.06.07.2. - APPLICABILITY AND CONFLICTS.

- A. *Applicability.* The provisions of this section shall apply to all development meeting one (1) or more of the following thresholds:
 1. All new construction requiring building permits; and/or

2. Redevelopment, additions, or alterations to a building, excluding interior-only improvements, which total twenty-five percent (25%) or more of the gross square footage (GSF) of the existing building(s) or site.

B. *Conflicts.* If any provisions of these regulations are determined to conflict with any other City regulation, these regulations prevail except where otherwise specified or regulated by a special district or other overlay zoning district.

The following general set of standards shall be used by the Planning and Architectural Review Board in reviewing plans for such development.

Sec. 2.06.07.3. - GENERAL REQUIREMENTS.

(a) Development of a duplex or two (2) or more townhome units, shall be allowed only when the site area is compliant with the density caps as set forth within the Comprehensive Plan and consistent with the applicable zoning district unless otherwise determined to be a vested development in accordance with the terms of this chapter. The following unit density area standards are established to maintain consistency with the adopted comprehensive plan, as follows:

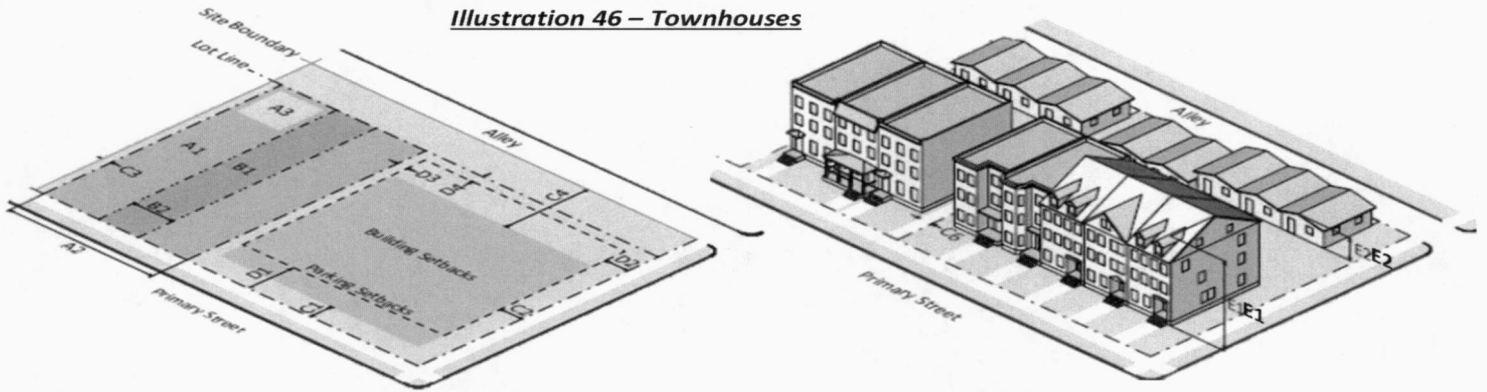
1. High density residential development: Maximum density shall not exceed twenty (20) units per acre or fraction thereof. Dwelling unit density per square feet is established at one unit per one thousand eighty-five (1,085).
2. Medium density residential development: Maximum density shall not exceed eighteen (18) units per acre or fraction thereof. Dwelling unit density per square feet is established at one unit per two thousand four hundred and twenty (2,420).

(b) Development of townhomes and duplexes or conversion to townhomes and duplexes where permitted, shall be allowed only in compliance with Florida Building Codes related to adequate firewall separation between units and from a common property line. Further, development of townhomes, or conversion to townhomes, shall be allowed only when in accordance with this section as well as applicable provisions of Part I, Chapter 177, Florida Statutes.

Sec. 2.06.07.4. - DEVELOPMENT STANDARDS

Intent: To promote development that is well-suited architecturally, demonstrates compatibility with surrounding land uses, provides shared open space amenities, and pedestrian oriented.

Illustration 46 – Townhouses



DUPLIX AND TOWNHOME DEVELOPMENT STANDARD SCHEDULE			
A. Site Dimensions		D. Parking Setbacks	
A1	Net site area/two (2) unit min.	6,000 sf	1
A2	Width (min)	50ft	
A3	Outdoor amenity area (min)	10%	2
B. Lot Dimensions		E. Height	
B1	Length	n/a	3
B2	Width (min)	16'	
C. Principal Building/Structure Setbacks		E1 Principal building (max)	
C1	Front - (min)	20'	4
C2	Side - Corner lot – street side (min)	10'	
C3	Side - Interior side lot line (min)	10%	Lot width 5
C4	Rear - From rear site boundary line (min)	15'	
C5	Rear - From alley (min)	10'	or 25'6
C6	Internal building separation (min)	10'	7
		E2 Accessory structure (max) (Detached)	
		15'	

FOOTNOTES:

1. One (1) unit per 2,420 sf.
2. Applies to infill lots only.
3. Size of the unit(s) working in concert with required minimum setbacks. Establishes the "townhouse lot" area within the parcel.
4. To habitable space. 10' to open porch or courtyard.
5. Infill lots
6. 10' to habitable space; 25ft. with garage or parking off alley.
7. Or in accord with Florida Building Code.

Sec. 2.06.07. 5. PARKING REQUIREMENTS

- 1) Resident - A minimum two (2) parking spaces shall be provided for each townhome located on the townhome lot. The garage and the driveway may count towards the required parking.
- 2) Guest - A minimum of one (1) parking space per every four (4) townhomes and fraction thereof shall be required for guest parking.

Sec. 2.06.07.6 - Common Open Space

- a. Recreation - A townhome community of twenty (20) or more dwelling units shall provide recreation/open space at a standard of one hundred-fifty (150) square feet

per townhome. Such open space shall be provided with an activity such as a children's play area, gazebo, pool, sports court, or like recreational facility.

- b. Open Space - A minimum of thirty (30) percent of the site to be developed shall be provided as common open space. Fifty (50) percent of the space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, trees, shrubbery, and ground cover.
- c. Homeowner's Association - All townhome developments shall have a Homeowners Association or Condominium Association, registered in the State of Florida. The Association shall maintain the entire exterior of the buildings, front yards, side yards, fences, common areas and accessory structures. The association documents shall be approved by the City Commission prior to a Certificate of Occupancy of the first townhome dwelling unit or any facility constructed on the property.

Sec. 2.06.07.7 - SITE DESIGN

Purpose: -

These policies are adopted to address qualitative aspects when considering infill townhome and infill duplex site development. These same principles shall apply to new townhome developments, or redevelopment, particularly pertaining to the barrier island and downtown area.

Design standard principles are intended to ensure the desired outcome. The following principles implement the City's vision for housing as set forth in the City's Comprehensive Plan. The standards serve three (3) basic purposes:

1. To promote quality development,
 2. To increase neighborhood compatibility,
 3. To Encourage a more pedestrian-friendly environment through attention to human-scale design and site features;
 4. To Enhance the appearance of development along major streets, and
 5. To provide alternative single-family residential opportunities that adds to the City's tax base.
- A. Infill site – A minimum of two (2) connected dwelling units shall be oriented to the adjacent street wherein an infill site is suited to support townhome or duplex development.

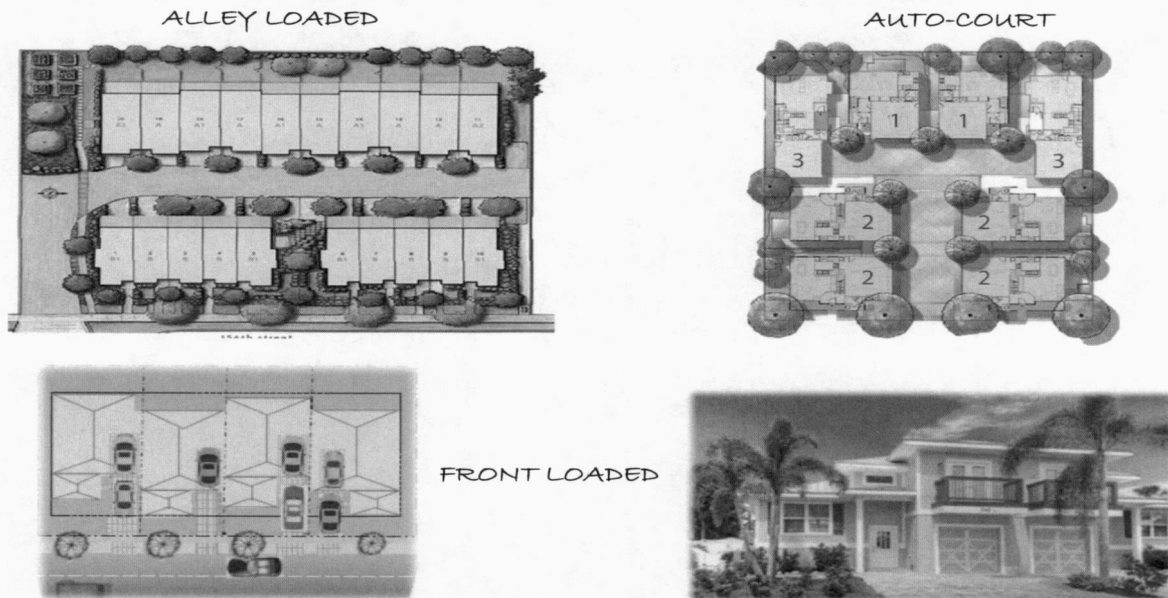


- B. Townhome development - site configuration shall not be limited to any one (1) form of the following principles. Rather, best practices development standards that best serve the locale and

are consistent with the vision of the Flagler Beach charrette, and Downtown Master Plan should be considered.

1. **Alley-loaded.** A development with a single row of dwellings that front on a street and are served by an alley in the rear. See Figure: ALLEY-LOADED AND AUTO COURTS.
2. **Auto Court.** A development with two (2) rows of dwellings grouped around an auto court. One (1) row fronts on the street, the other on the auto court. See Figure: ALLEY-LOADED AND AUTO COURTS.
3. **Front loaded.** A development with a single row of dwellings the front of which faces the street

Figure: ALLEY-LOADED, AUTO COURT and FRONT LOADED configurations.



2.06.07.8. - BUILDING COMPOSITION

Intent: To create a "street facade" which enhances the streetscape and the overall pedestrian experience.



2.06.07.9. - BUILDING ORIENTATION AND DESIGN

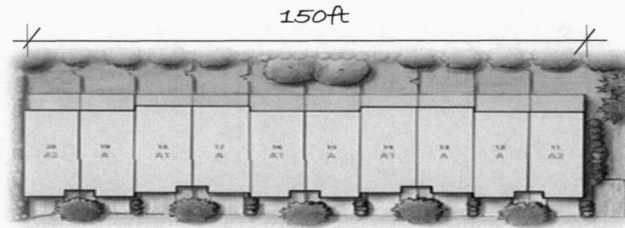
Intent:

- 1) Provide a building presence on the street for pedestrian access, provide “eyes on the street,” and contribute to the streetscape with visually interesting buildings.
- 2) To achieve aesthetically appealing building design within the context of a functional, safe living environment.
- 3) To make use of traditional residential forms such as porches, gables, bay windows, color and texture provide human scale that contributes to a sense of ownership and comfort.



2.06.07.10. - BUILDING GROUP LENGTH

- a. Maximum length - Shall not exceed one hundred-fifty (150) maximum.



- b. Architectural Character - Building Group(s)

Architectural design of a townhome group shall have variations and articulation of the front elevation, side elevation facing a street and rear elevation facing a street or common space. Not more than two adjacent townhomes front elevation shall be in the same plane for an individual story. In addition, a minimum of three (3) of the following architectural treatments shall be incorporated into the townhome group elevations:

1. Set-back of two (2) feet	6. Dormers
2. Front Yard setback of a minimum of two (2) feet.	1. Roof Style
3. Projected bay windows or boxed window	2. Color
4. Front porches	3. Material
5. Balcony	4. Front Door and Garage Door Style

Townhome groups shall be designed to create an appearance of individuality with the use of one of the following:

- 1) Change of body color per individual townhome.
- 2) Change of materials.
- 3) Change of front door and garage door color.



c. INFILL TOWNHOME UNIT DESIGN

1. Individual townhome or groups shall have a presence on the street, vehicle access and or common space.
2. Townhome groups shall be designed to create an appearance of individuality with the use of one of the following elements:
 - i. Change of body color per individual townhome.
 - ii. Change of materials.
 - iii. Change of front door and garage door color.
3. No solid wall or fencing over three (3) feet in height shall be permitted. Front yard wall or fence design shall be in character and enhance the architecture of the building.



2.06.07.11. - VEHICULAR ACCESS, CIRCULATION AND AUTO COURTS

Intent: To provide adequate capacity for motor vehicles while reducing their impact on the built environment by encouraging parking to the rear of buildings.

- A. Vehicular access to individual townhomes and duplexes may be via front loaded, rear alley or auto court separate from the street.
- B. The creation of dead-end streets shall be permitted only where there is no feasible connection with an adjacent street in accordance with the Florida Fire Prevention Code (FFPC).
- C. Developments with private streets, alleys, and auto courts shall be required to allow for additional access by adjacent properties when the City Planner determines that adjacent properties may be developed in the future and that it would be in the public interest to provide a joint access easement. A covenant shall be placed on the subject property(ies) allowing use of the access easement.
- D. **Auto Courts.**

1. **Maximum Length.** One hundred fifty (150) feet.
 - a. Accessibility and the length of an auto court shall also be subject to Florida Fire Prevention Code (FFPC).
2. **Traffic Calming and Materials**
 - a. **Traffic Calming Elements.**

Auto courts shall have at least one (1) of the traffic calming elements listed below to reduce the speed of vehicles.

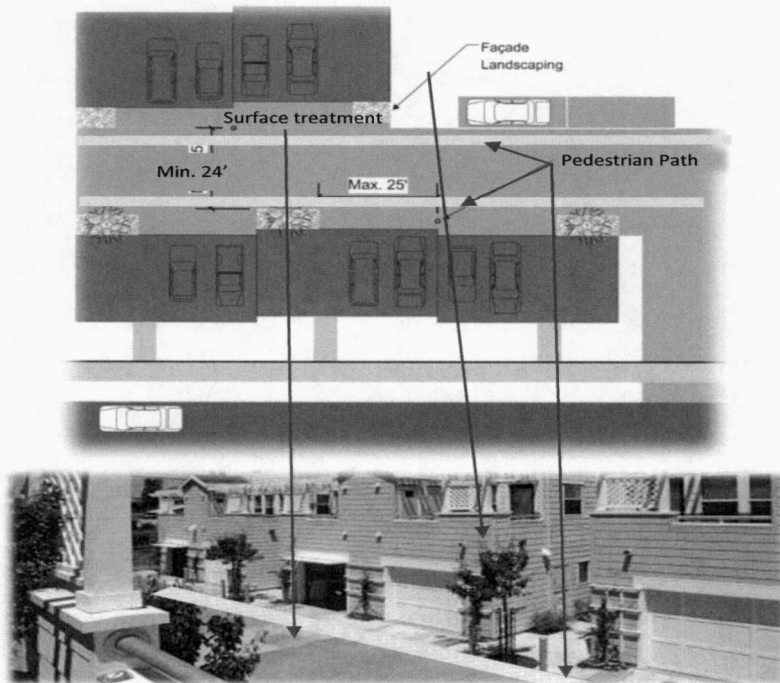
 - i. Trees;
 - ii. Landscape islands: Minimum depth and width of five (5) feet with the use of coastal friendly, waterwise, landscaping;
 - iii. Raised planters: Minimum height of three (3) feet and depth and width of two (2) feet; or
 - iv. Another element that the City Planner determines accomplishes the intent.

Traffic calming elements shall be located on both sides of the auto court and spaced no more than twenty-five (25) feet apart (on center for trees, edge-to-edge for landscaping islands and planters) in either direction. **See Illustration: AUTO COURT TRAFFIC CALMING ELEMENTS** below.

- b. **Materials.**

Auto courts shall be constructed with decorative concrete, paving blocks, bricks, permeable pavement, or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles using pavement color changes, material changes or borders.

See Illustration: AUTO COURT TRAFFIC CALMING ELEMENTS *Location of traffic calming elements in an auto court.*



2.06.07.12 – GARAGE DESIGN

- 1) The placement of the garage may be front loaded, rear loaded, side loaded, attached or detached adjacent to the dwelling.
- 2) The design of the garage shall be the same architectural style, details as the townhouse dwelling and group.
- 3) Flush garage doors are prohibited.
- 4) The width of the garage doors shall be either nine (9) or six-teen (16) on front elevations and shall not be more than;
 - a. 57% of a sixteen (16) foot wide townhome, allowing for a nine (9) foot wide door
 - b. 45% of a twenty (20) foot wide townhome, allowing for a nine (9) foot wide door
 - c. 67% of a twenty-four (24) foot wide townhome, allowing for a six-teen (16) foot wide door
 - d. 75% of a twenty-four (24) foot wide townhome, allowing for two (2) nine (9) foot wide doors
- 5) When two garages with six-teen (16) foot wide doors are adjacent to each other, one garage shall be set back minimum of twenty-four (24) inches and incorporate a roof style change.
- 6) Garage size shall be a minimum:
 - a. One car, ten (10) feet wide nineteen (19) feet depth
 - b. Two car, nineteen (19) foot wide nineteen (19) feet depth

2.06.07.13. - PEDESTRIAN ACCESS AND CIRCULATION

Intent: To enhance pedestrian safety and convenience by providing an integrated pedestrian circulation system throughout the development. Contact points between pedestrians and vehicular paths should be minimized; where necessary they should be designed to alert drivers to crossing pedestrians.

- A. All developments shall feature a fully integrated pedestrian circulation system that connects buildings, open space, and parking areas with the adjacent street sidewalk system.
- B. Pedestrian circulation shall consist of sidewalks or designated pathways, raised or otherwise separated from parking and vehicular circulation (per Sec. 2.06.07.11., 2B).
- C. Sidewalks and pathways shall be a minimum of five (5) feet in width, clear of any vehicle overhangs.
- D. Pedestrian pathways paths separate from parking areas shall connect main entries of townhouse units facing the street, directly to sidewalks.
- E. Pedestrian paths shall be visible from buildings or parking areas, and shall be designed to avoid creating “dead ends” or isolated areas.
- F. Pedestrian paths shall be illuminated to the following minimum standards:
 - 1) The walkway, pathway, or ground area shall be illuminated to a level of at least three-tenths (0.3) footcandles and no more than five-tenths (0.5) footcandles.
 - 2) The vertical illumination levels at a height of five (5) feet above grade shall be at least three-tenths (0.3) and no more than five-tenths (0.5) footcandles.
 - 3) Lighting fixtures shall be designed to direct light downward, and light sources shall have an initial output of no more than one thousand (1,000) lumens.

2.06.07.14. - Service and Utility Areas

Intent: To site and screen service and utility areas to minimize their prominence.

- A. All exterior maintenance equipment, including HVAC equipment, electrical equipment, storage tanks, satellite dishes, which shall not be attached to buildings and garbage dumpsters, shall be screened from off-site and on-site common area view in an architecturally integrated manner.
- B. Utility infrastructure shall be in areas that are not highly visible or screened from public view.

2.06.07.15. – STORAGE SPACE

- 1) Each townhome dwelling shall provide for a storage space. The storage space can be either part of the garage, and or separate closet or a space interior of the dwelling.
- 2) Providing storage in a garage the width or length of the garage shall increase by two (2) foot minimum for fifty (50) percent of the length. The garage door shall be offset to allow for a minimum of three (3) feet for the door jamb.
- 3) A storage closet shall be a minimum of three (3) feet in depth, seven (7) feet in length, and ceiling height of seven feet six inches (7'6").
- 4) Interior storage in the dwelling may be under the stairs of a two-or three-story townhome providing a minimum of three (3) feet in width and six (6) feet in length with an average ceiling height of six (6) feet.
- 5) A storage space of a usable shape shall meet the floor area and volume area as stated in the above

2.06.07.16.– HOMEOWNERS ASSOCIATION

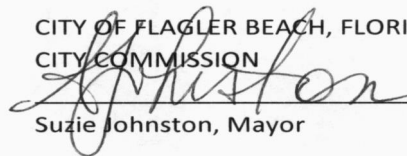
All townhome developments shall have a Homeowners Association or Condominium Association, registered in the State of Florida. The Association shall maintain the entire exterior of the buildings, And accessory structures, front yards, side yards, fences, common areas and structures. The association documents shall be approved by the City Commission prior to a Certificate of Occupancy of the first townhome dwelling or any constructed facility on the property.

SECTION 6. It is the intent of the City Commission of Flagler Beach and is hereby provided that the provisions of this ordinance shall be made a part of the Flagler Beach Code; that the sections of this ordinance may be re-numbered or re-lettered; and that the word "ordinance" may be changed to "section", "article", "chapter" or other appropriate designation to accomplish such intention.

SECTION 7. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 8. This ordinance shall take effect immediately upon passage as provided by law.

PASSED ON FIRST READING THIS 14th DAY OF July, 2022.
PASSED AND ADOPTED THIS 28th DAY OF July, 2022.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

Suzie Johnston, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'Penny Overstreet', written over a horizontal line.

Penny Overstreet, City Clerk

RECEIVED
JUL 05 2022

THE DAYTONA BEACH

BY: _____

NEWS-JOURNAL

P.O. Box 630476, Cincinnati, OH 45263-0476

PROOF OF PUBLICATION

CITY OF FLAGLER BEACH CITY OF FLAGLER - LEGAL
City Of Flagler - Legal
Po Box 70
Flagler Beach FL 32136-0070

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who, on oath says that he/she is LEGAL COORDINATOR of The News-Journal, a daily and Sunday newspaper, published at Daytona Beach in Volusia and Flagler Counties, Florida; that the attached copy of advertisement, being a Public Notices in the Circuit Court, was published in said newspaper in the issues dated or by publication on the newspaper's website, if authorized, on:

06/26/2022

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.
Subscribed and sworn to before on 06/26/2022

Mariah Vorreger
Legal Clerk

Sarah Bertelsen
Notary, State of WI, County of Brown
7/27/25

My commission expires

Publication Cost: \$438.92
Order No: 7439759
Customer No: 464924
PO #: ORDINANCE 2022-XX
of Copies: 1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

SARAH BERTELSEN
Notary Public
State of Wisconsin



CITY OF FLAGLER BEACH
NOTICE OF PROPOSED
LAND DEVELOPMENT
REGULATIONS AMENDMENT

The City of Flagler Beach Planning and Architectural Review Board (PARB) will consider and make a recommendation to the City Commission regarding Ordinance No. 2022-XX Entitled:

ORDINANCE 2022-XX

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING APPENDIX "A", LAND DEVELOPMENT REGULATIONS, ARTICLE II, ZONING; AMENDING SECTION 2.04.02.8. ZONING SCHEDULE ONE LAND USE CONTROLS, TOURIST COMMERCIAL DISTRICT PERMITTED SPECIAL EXCEPTION USES, REALLOCATING LAND USE ITEM TWO, ALL PRINCIPAL USES PERMITTED IN THE MEDIUM DENSITY RESIDENTIAL DISTRICT FROM THE PERMITTED SPECIAL EXCEPTION USES CLASSIFICATION TO THE TOURIST COMMERCIAL DISTRICT UNRESTRICTED PRINCIPAL PERMITTED USES; ESTABLISHING SECTION 2.04.02.9.1 - BARRIER ISLAND RESIDENTIAL, NON-RESIDENTIAL AND MASTER PLANNED DEVELOPMENT, DEVELOPMENT STANDARDS TABLES; ESTABLISHING SECTION 2.05.03.3 SINGLE FAMILY RESIDENTIAL FRONT YARD SETBACK EXCEPTION; AMENDING SECTION 2.06.07. - TOWNHOUSES TO READ TOWNHOUSE AND DUPLEX DEVELOPMENT; ESTABLISHING SECTION 2.06.07.1 PURPOSE AND INTENT THROUGH SECTION 2.06.07.17 HOMEOWNERS ASSOCIATION; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

Public Hearings will be conducted to consider the amendment, as follows:

Planning and Architectural Review Board: Tuesday, July 5, 2022 at 5:30 P.M.

City Commission: Thursday, July 14, 2022 at 6:00 P.M. or as soon thereafter.

City Commission: Thursday, July 28, 2022 at 6:00 P.M. or as soon thereafter.

The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

A copy of this notice, the file relating to the proposed amendments and the proposed ordinance are available for public inspection at the Planning and Building Department during regular business hours Monday through Friday from 8:00 a.m. to 5:00 p.m. at 800 South Daytona Avenue, Flagler Beach, Florida.

Any person wishing to express his/her opinion may submit written comments regarding the proposed amendment to the City through the Planning and Building Department. Comments should be made as early as possible to ensure full consideration.

If a person decides 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 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

L:#7439759 6/26/2022 11

ORDINANCE 2008-08

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, RELATING TO THE RENTAL OF CERTAIN SINGLE-FAMILY DWELLINGS AS RESORT DWELLINGS; RELATING TO THE RENTAL OF CERTAIN CONDOMINIUMS AS RESORT CONDOMINIUMS; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY; AMENDING APPENDIX "A", LAND DEVELOPMENT REGULATIONS ZONING SCHEDULE OF USE ADDING "RESORT DWELLING" AND "RESORT CONDOMINIUM" AS PRINCIPAL PERMITTED USES IN GENERAL COMMERCIAL (GC) AND TOURIST COMMERCIAL (TC) ZONING DISTRICTS; PROVIDING FOR CONTINUATION OF CERTAIN RESORT DWELLINGS AND RESORT CONDOMINIUMS IN RESIDENTIAL AREAS; AMENDING CHAPTER 18, ARTICLE II BUSINESS TAX; PROVIDING FOR A FLAGLER BEACH LOCAL BUSINESS TAX RECEIPT FOR RESORT DWELLINGS AND RESORT CONDOMINIUMS; ESTABLISHING A RESORT DWELLING AND RESORT CONDOMINIUM RENTAL PERMIT; ESTABLISHING RESORT DWELLING AND RESORT CONDOMINIUM REQUIREMENTS; REQUIRING THE FILING OF A RESORT DWELLING AND RESORT CONDOMINIUM MINIMUM APPLICABLE STANDARDS FORM; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Commission for the City of Flagler Beach desires to amend the Land Development Regulations to define the terms "Resort Dwelling" and "Resort Condominium" and "Long-term Rental;" and

WHEREAS, the City Commission for the City of Flagler Beach desires to amend the Land Development Regulations, to provide that Resort Dwellings and Resort Condominiums are permitted uses within TC and GC; and

WHEREAS, the City Commission for the City of Flagler Beach desires to expressly provide that Resort Dwellings and Resort Condominiums are not permitted uses within residential zoning districts; and

WHEREAS, the City Commission for the City of Flagler Beach finds it is in the best interest of the City of Flagler Beach to establish a standard by which certain existing Resort Dwellings and Resort Condominiums shall be found to constitute non-conforming uses as governed by Section 2.06.08.5 of the City of Flagler Beach Code of Ordinances; and

WHEREAS, the City Commission for the City of Flagler Beach finds it is in the best interest of the City of Flagler Beach to require a Local Business Tax Receipt for Resort Dwellings and Resort Condominiums; and

WHEREAS, the City of Flagler beach has been accepting application forms for Local Business Tax Receipts for Resort Dwellings and Resort Condominiums; and

WHEREAS, the City Commission for the City of Flagler finds it is in the best interest of the City of Flagler Beach to establish certain minimum housing and development standards applicable to Resort Dwellings and Resort Condominiums; and

WHEREAS, the City Commission for the City of Flagler Beach finds it is in the best interest of the City of Flagler Beach to create a Resort Dwelling/Resort Condominium Rental Permit; and

WHEREAS, the City Commission for the City of Flagler Beach finds it is in the best interest of the City of Flagler Beach to provide for enforcement proceedings and the denial of a Resort Dwelling/Resort Condominium Rental Permit in the event of non-compliance with these provisions; and

WHEREAS, the City Commission for the City of Flagler Beach has determined it is in the best interest of the City of Flagler Beach to amend the City of Flagler Beach Code of Ordinances as provided herein; and

WHEREAS, this ordinance is not intended to authorize the establishment or operation of Resort Dwellings or Resort Condominiums which have not been licensed by the State of Florida

or filed an application for Local Business Tax Receipt as of the effective date of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. The City of Flagler Beach Code of Ordinances, Appendix A, “Land Development Regulations,” Article II, “Zoning”, Section 2.02.00, “Definitions,” is hereby amended as follows (NOTE: additions are identified by underline, deletions are identified by ~~striketrough~~ and text remaining unchanged and not reproduced here is identified by asterisks * * *):

* * *

Impervious surface --A surface which has been compacted or covered with a layer of material so that it will not permit the passage of water. It includes surfaces such as compacted clay, as well as most conventionally surfaced streets, driveways, roofs, parking lots, and other similar surfaces

Long-term rental --Any residential rental that is rented for a period of six (6) months or longer.

* * *

Public administrative and service facilities --Any publicly owned property and structures necessary to provide services to the surrounding area such as fire and police protection or other normal community service.

Resort Condominium --Any unit or group of units in a condominium, cooperative, or timeshare plan which is rented less than six (6) months or rented more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented for periods of less than 30 days or 1 calendar month, whichever is less.

Resort Dwelling --Any single-family dwelling that is rented less than six (6)

months or rented more than three (3) times in a calendar year for periods of less than thirty (30) days or which is advertised or held out to the public as a place regularly rented to guests.

* * *

SECTION 2. The Schedule of Uses for TC-TOURIST COMMERCIAL contained in the City of Flagler Beach Code of Ordinances, Appendix A, “Land Development Regulations, Article II, “Zoning,” Section 2.04.02 “Application of regulations,” is hereby amended as follows (NOTE: additions are identified by underline, deletions are identified by ~~striketrough~~ and text remaining unchanged and not reproduced here is identified by asterisks * * *):

* * *

SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS CITY OF FLAGLER BEACH			
CATEGORY OF USE	USES PERMITTED		
	UNRESTRICTED USES		SPECIAL EXCEPTION USES
	PRINCIPAL	ACCESSORY	
<p>TC - TOURIST COMMERCIAL The provisions of this district are to provide for uses to serve tourist needs in the community. The primary uses are intended for commercial uses for lodging, dining establishment(s), and minor retail establishments which primarily serve tourist(s) and other visitors to the city.</p> <p>NOTE: Section 2.06.05 provides for special requirements of Tourist Commercial in several areas of the city.</p>	<p>1. Motels and hotels. 2. Boarding houses. 3. Restaurants. 4. Gift shops. 5. Convenience commercial uses such as: a. Beauty or barber shops. b. Laundromat, laundry and dry cleaning pick-up stations. c. Newsstands or bookstores. 6. Off-street parking and loading.</p>	<p>1. Automobile parking structures. 2. Cocktail lounges and bars which are accessory to and within a motel, hotel or restaurant. 3. Monopole communication towers and communication antennas which do not exceed the established height limitations.</p>	<p>1. Temporary structures including carnivals, circuses and other temporary commercial amusement activities and religious gatherings for special events of a temporary nature with the city commission establishing the period for which such events shall begin and end. 2. All principal uses permitted in MDR District. 3. Professional Offices. 4. Combined use</p>

	7. Commercial recreational entertainment facilities. 8. Boat and marine supply sales. 9. Marinas. 10. Private Clubs <u>11. Resort Dwellings</u> <u>12. Resort Condominiums</u>		buildings outside of the defined boundary excluding properties adjacent to A-1-A. 5. Convenience commercial uses such as: food, grocery, drug, or convenience stores. NOTE: All special exception uses are subject to Section 2.03.00, Section 2.06.01 and additional specific requirements as noted. (Ord. No. 2005-02, § 2, 3-24-05; Ord. No. 2005-24, § 2, 9-22-05; Ord. No. 2007-30, § 2, 9-27-07)
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* * *

SECTION 3. The Schedule of Uses for GC-GENERAL COMMERCIAL contained in the City of Flagler Beach Code of Ordinances, Appendix A, “Land Development Regulations, Article II, “Zoning,” Section 2.04.02, “Application of regulations,” is hereby amended as follows (NOTE: additions are identified by underline, deletions are identified by ~~strikethrough~~ and text remaining unchanged and not reproduced here is identified by asterisks * * *):

* * *

SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS CITY OF FLAGLER BEACH			
CATEGORY OF USE	USES PERMITTED		
	UNRESTRICTED USES		SPECIAL EXCEPTION USES
	PRINCIPAL	ACCESSORY	
GC - GENERAL COMMERCIAL The provisions of this district are	1. Off-street parking facilities or structures.	1. Automobile parking structures. 2. Cocktail lounges	1. Temporary structures as provided in the

<p>intended to serve the general commercial needs of the city, wherein a large variety of retail, commercial, governmental, financial, professional office services and other general commercial are permitted. The activities permitted are intended to be compatible with a pedestrian-oriented area, and uses not compatible with such an environment are discouraged. These include activities which require substantial parking requirements and generate traffic volumes which would be in conflict with the pedestrian character of the area.</p>	<ol style="list-style-type: none"> 2. Business and financial services. 3. Professional offices. 4. Funeral homes. 5. Automotive service stations. 6. Retail building supplies. 7. Restaurants. 8. Retail sales of food, hardware and other household items normally required to serve the residents of the community. 9. Medical services and facilities. 10. Public administrative facilities. 11. Essential public services and facilities. 12. Park and recreational facilities. 13. Private clubs. 14. Veterinary hospitals with no kennels. There shall be no overnight stays of animals, except for emergency care. 15. All principal uses permitted in the MDR District. 16. Mini-warehouses. 17. Combined use buildings within the defined boundary. <u>18. Resort Dwellings</u> 	<p>and bars which are accessory to and within a motel, hotel or restaurant.</p> <ol style="list-style-type: none"> 3. Customary uses and structures clearly incidental to one (1) or more permitted uses or structures. 4. Residential uses accessory to a principal use, the maximum requirements of which are the same as in the MDR District. 5. Monopole communication towers and communication antennas which do not exceed the established height limitations. 	<p>TC District.</p> <ol style="list-style-type: none"> 2. All principal uses permitted in TC District. 3. Day care centers. 4. Commercial recreational facilities. 5. Zero lot line setbacks. 6a. Conversion of existing buildings lying within the defined boundary to combined use buildings. 6b. Combined use buildings outside of the defined boundary excluding properties adjacent to A-1-A. 7. Adult Arcades, as permitted in Chapter 4 of the Code of Ordinances. <p>NOTE: All special exception uses are subject to Section 2.03.00, Section 2.06.01 and additional specific requirements as noted.</p>
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	<u>19. Resort Condominiums</u>		
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* * *

SECTION 4. The City of Flagler Beach Code of Ordinances, Chapter 18, “Taxation,” Article II, “Business Tax,” Section 18-18, “Classifications,” is hereby amended as follows (NOTE: additions are identified by underline, deletions are identified by ~~striketrough~~ and text remaining unchanged and not reproduced here is identified by asterisks * * *):

* * *

RETAIL/WHOLESALE SALES

Brief Description. Every person engaged in the business of trading, bartering, serving, or selling tangible personal property, excluding the sale of motor vehicles, as owner, agent, dealer or otherwise wholesale or retail level, shall pay a business which entitles him to maintain one place of business. Vehicles used by any person for the sale delivery of tangible personal property from his established place of business on which a business tax is paid shall not be constructed to be separate places of business, and no business tax may be levied on such vehicles or the operators thereof.

Examples:

- Retail sales
- Mail order
- Wholesale petroleum products
- Wholesales
- Gas distributors
- Sand, dirt and shell dealers

Fruits and vegetables sold from stands for trucks (only in appropriately zoned areas)

Fertilizer agent or dealer

RESORT DWELLINGS AND RESORT CONDOMINIUMS

Brief Description. Every person engaged in the business of renting Resort Dwellings or Resort Condominiums shall obtain a local business tax receipt. The application for a local business tax receipt shall include Proof of a Florida Department of Revenue Sales Tax Number issued pursuant to Chapter 212 Florida Statutes. In addition, owners of properties rented for periods less than thirty (30) days or of properties advertised or held out to the public as a place regularly rented to guests, shall also include in their application a valid and current license in accordance with Section 509.241, Florida Statutes.

* * *

SECTION 5. The City of Flagler Beach Code of Ordinances, Appendix A, “Land Development Regulations,” Article II, “Zoning,” is hereby amended by creating a new section to be numbered 2.06.12 and titled “Rental Units” as follows:

2.06.12. Rental Units.

- 1) *Applicability.* This section shall be applicable to the rental of all dwelling units within the City of Flagler Beach, but shall not apply to hotels, motels, resorts, long-term rentals, or bed and breakfast inns as defined in Florida Statute Section 509.242. This ordinance shall not be taken to authorize the establishment or operation of Resort Dwellings.
- 2) *Resort Dwellings and Resort Condominiums not Permitted Uses within Single Family Residential Districts, Low Density Residential, Medium Density Residential and Planned Unit Development Districts.*

(a) It is not a permitted use for an owner to operate a Resort Dwelling or Resort Condominium in a Single Family Residential, Low Density Residential, Medium Density Residential or Planned Unit Development zoning district.

(b) Owners of a single family dwelling or condominium located within a Single Family Residential, Low Density Residential, Medium Density Residential or Planned Unit Development zoning district that establish such dwelling or condominium has been operated as a Resort Dwelling or Resort Condominium during the period between January 1, 2006 and the effective date of this ordinance shall be allowed to continue such use in a manner consistent with the provisions of Appendix A, Article II, Section 2.06.08.5, of this Code. The City shall accept as evidence of use of a single family dwelling or condominium as a Resort Dwelling or Resort Condominium that the owner filed a proper application with the State of Florida pursuant to Chapter 509, Florida Statutes, or filed a proper application form for a Local Business Tax Receipt with the City of Flagler Beach for operation of the property as a Resort Dwelling or Resort Condominium prior to the effective date of this Ordinance. For purposes of this Section, use of a Resort Dwelling or Resort Condominium as a Long-term Rental shall not constitute an abandonment of the nonconforming use provided that all licenses and permits required to operate the rental property as a Resort Dwelling or Resort Condominium (including any license required by the State of Florida, a local business tax receipt and a Resort Dwelling/Resort Condominium Rental Permit) are kept current and up to date during the period in which the rental property is used as a Long-term Rental.

3) Local Business Tax Receipt Required.

After the effective date of this Ordinance, all owners who operate a Resort

Dwelling or Resort Condominium shall obtain a Local Business Tax Receipt as provided in Chapter 18, Taxation, prior to entering any new rental agreement for the Resort Dwelling or Resort Condominium.

4) *Rental Permit Required.*

a) All owners who operate a Resort Dwelling or Resort Condominium shall obtain a Resort Dwelling/Resort Condominium Rental Permit from the City of Flagler Beach.

b) A Resort Dwelling/Resort Condominium Rental Permit shall apply from October 1 of each year and shall expire on September 30 of the succeeding year.

c) The City Commission may, by resolution, adopt an application fee to be paid upon application for a Resort Dwelling/Resort Condominium Rental Permit.

d) At the time of applying for a Resort Dwelling/Resort Condominium Rental Permit, the owner of the Resort Dwelling or Resort Condominium shall provide in writing to the City the name, local street address and local phone number of a local contact or representative who is available twenty-four hours a day, seven days a week for emergency contact. Within ten (10) days of any change to the name, local address or local phone number of the local contact or representative, the owner shall notify the City in writing of such change and provide updated information. The name and local phone number of the local representative shall also be posted at the property for emergency contact.

e) At the time an initial application for a Resort Dwelling/Resort Condominium Rental Permit is submitted to the City, the City shall schedule an inspection of the rental property by the Fire Marshall or his designee. The City shall also provide the owner with a Resort Dwelling Compliance Regulations Worksheet. Within thirty days prior to the date a Resort Dwelling/Resort Condominium Rental Permit expires, each owner shall

perform an annual self-inspection of the rental property and complete the Compliance Regulations Worksheet. The Completed Compliance Worksheet shall be provided to the City upon application for a renewal of the Resort Dwelling/Resort Condominium Rental Permit.

f) Upon application for a Resort Dwelling/Resort Condominium Rental Permit, the City shall provide the owner with a Notice of Minimum Applicable Standards. The Notice shall include information regarding property standards and City Codes applicable to all residential and commercial structures within the City of Flagler Beach. At a minimum, the Notice of Minimum Applicable Standards shall include a description of all ordinances, regulations and requirements regarding housing, development standards, noise, parking, dune protection, turtle nesting season, littering and trash collection. The owner shall sign the Notice of Minimum Applicable Standards, acknowledging receipt of the Notice and certifying that the owner shall comply with all requirements mandated by this Ordinance and the Code of Ordinances. A copy of the Notice Minimum Applicable Standards signed by the owner of the rental property shall be submitted to the City prior to the issuance of a Resort Dwelling/Resort Condominium Rental Permit.

5) Restrictions and Regulations Applicable to Resort Dwellings and Resort Condominiums.

a) No Resort Dwelling or Resort Condominium shall be rented for a period of fewer than seven (7) days.

b) The total number of guests in any Resort Dwelling or Resort Condominium shall be limited to two (2) people per bedroom with an additional allowance for up to two (2) people per sleeper sofa not to exceed a total of four (4) additional people.

c) The Notice of Minimum Applicable Standards provided by the City of Flagler

Beach shall be maintained within the rental property at all times

d) A copy of the most recent Compliance Worksheet shall be maintained in the rental property at all times.

e) The property owner shall ensure that any notification provided by the City of Flagler Beach and its staff to the local representative designated by the owner pursuant to this Section is promptly responded to.

f) Upon written request by the City's Code Enforcement Department based on any complaint received by the Code Enforcement Department, the property owner shall schedule and allow inspection of the rental property by the City's Code Enforcement Officer.

6) *Penalties.*

Failure to obtain or maintain a Local Business Tax Receipt, failure to obtain or maintain a Resort Dwelling/Resort Condominium Rental Permit or failure to maintain a property in compliance with all Code requirements, including the provisions of this Section, shall subject the violator to enforcement proceedings and penalties in accordance with City Code and Florida Statutes.

7) *Denial of Resort Dwelling/Resort Condominium Rental Permit*

In addition to the enforcement proceedings and penalties provided by this Code, failure to comply with the provisions of this ordinance shall be considered just cause for denial of the issuance of a Resort Dwelling/Resort Condominium Rental Permit for the subject property in accordance with the procedure set forth in this Section. Prior to the denial, the City Manager or his designee shall issue a denial notifying the applicant of the City's intent to deny. The Notice shall be sent certified mail, return receipt requested, to the last known address for the applicant. Within ten (10) calendar days from the date of mailing of said notice, the Resort Dwelling/Resort

Condominium Rental Permit shall be automatically denied, unless the applicant files with the City Manager or his designee a written statement setting forth the grounds for an appeal. Upon the filing of such written statement, the City Manager or his designee shall schedule and conduct a hearing before the Code Enforcement Board within thirty (30) days from the date the written statement was filed. The applicant shall be given notice of the hearing by certified mail, return receipt requested, and shall have the opportunity to present evidence, cross examine witnesses and be represented by counsel. The City shall have the burden of proof by clear and convincing evidence presented at the hearing. Within ten (10) calendar days of the hearing, the City Manager or his designee shall send by certified mail, return receipt requested, the written decision of the Code Enforcement Board to the applicant. The written decision of the Code Enforcement Board shall contain a short and plain statement of the facts considered by the Code Enforcement Board and the conclusions at which the Code Enforcement Board arrived. The decision shall become final within thirty (30) days of the date the City Manager or his designee mails the written decision of the Code Enforcement Board to the applicant unless the applicant files a petition for writ of certiorari in the Circuit Court for Flagler County. The filing of a pleading seeking judicial review shall automatically stay the denial until judicial review has been exhausted unless the City obtains injunctive relief. Any applicant who has had a Resort Dwelling/Resort Condominium Rental Permit denied under this Section or other City Codes shall not be eligible to submit a renewal application in the City relating to the same property.

SECTION 6. If any Section, Subsection, sentence, clause, phrase, or portion of this ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 7. It is the intent of the City Commission of Flagler Beach, and is hereby

provided that the provisions of this ordinance shall be made a part of the Flagler Beach Code; that the sections of this ordinance may be re-numbered or re-lettered; and that the word "ordinance" may be changed to "section", "article", "chapter", or other appropriate designation to accomplish such intention.

SECTION 8. All ordinances or parts thereof that are in conflict with this ordinance, be and the same are hereby repealed.

SECTION 9. This ordinance shall become effective immediately upon passage as provided by law.

PASSED ON FIRST READING THE 25TH DAY OF SEPTEMBER, 2008.

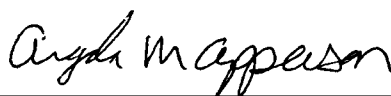
ADOPTED ON SECOND READING THIS 16TH DAY OF OCTOBER, 2008.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

Failed to sign

Alice M. Baker, Mayor
In accordance with Section 2.03 of the Charter; if the Mayor fails to sign during a period of five days to approve said ordinance or resolution, the ordinance or resolution shall then become law.

ATTEST:



Angela M. Apperson, City Clerk

The News-Journal

Published Daily and Sunday
Daytona Beach, Volusia County, Florida

**State of Florida,
County of Volusia:**

Before the undersigned authority personally appeared

Kathleen N. Coughlin

Who, on oath says that she is

Advertising Director

of The News-Journal, a daily and Sunday newspaper,
published at Daytona Beach in Volusia County, Florida;
that the attached copy of advertisement, being a

Ad # 0000757572
Notice of Change to Permitted Uses
The City of Flagler Beach
Ordinance 2008-08

was published in said newspaper in the issues

Thursday, September 18, 2008

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement.

K. Coughlin

Sworn to and subscribed before me

this 22nd day of OCTOBER

A.D. 2008

Cheryla A. Longino



CHERYLA A. LONGINO
Notary Public, State of Florida
My Comm. Expires Aug. 29, 2011
Comm No DD 687766

Kim, 66, reportedly suffered a

Associated Press said.

NOTICE

0000756026

PAID NOTICE

0000757572

PUBLIC HEARING IN SOUTH DAYTONA

City of South Daytona, Florida, will consider the adoption of the Report (EAR) for the South Daytona Plan, for transmittal to the Community Affairs (DCA) for its compliance with the requirements of Florida Statutes.

ORDINANCE NO. 08-17

THE CITY COUNCIL OF SOUTH DAYTONA, VOLUSIA COUNTY, FLORIDA, RELATING TO ZONING AND APPRAISAL MAPS OF THE CITY OF SOUTH DAYTONA, COMPREHENSIVE ZONING PLAN; AMENDMENT OF THE CITY OF SOUTH DAYTONA ZONING ORDINANCES BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT OF THE PLANNING DEPARTMENT OF THE CITY OF SOUTH DAYTONA, FLORIDA, IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES, PROVIDING AN

A public hearing will be held on September 23, 2008 at 7:00 p.m. in City Hall located at 105 S. 2nd St., South Daytona, Florida. The report may be inspected by the Planning Department in City Hall, between the hours of 9:00 a.m. and 5:00 p.m. Interested parties may provide comments regarding the report. For additional information, contact the Planning Department at (386) 322-3011.

RECORD

Any decision made by the City Council with respect to any matter referred to any public hearing, or the proceedings of the hearing, shall be a public record. For such a record to be made, a verbatim transcript must be made, which record includes the proceedings upon which the appeal is to be based. The City assumes no responsibility for the transcript; however, the hearings will be a public record for the City Council for public use.

Persons with disabilities who need accommodations for the hearing should contact the Office of the City Clerk, 105 S. Ridgewood Avenue, South Daytona, Florida, at (386) 322-3011 at least 72 hours prior to the meeting.

NOTICE OF CHANGE TO PERMITTED USES

The City of Flagler Beach proposes to adopt the following ordinance:

ORDINANCE 2008-08

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, RELATING TO THE RENTAL OF CERTAIN SINGLE-FAMILY DWELLINGS AS RESORT DWELLINGS; RELATING TO THE RENTAL OF CERTAIN CONDOMINIUMS AS RESORT CONDOMINIUMS; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY; AMENDING APPENDIX "A", LAND DEVELOPMENT REGULATIONS ZONING SCHEDULE OF USE ADDING "RESORT DWELLING" AND "RESORT CONDOMINIUM" AS PRINCIPAL PERMITTED USES IN GENERAL COMMERCIAL (GC) AND TOURIST COMMERCIAL (TC) ZONING DISTRICTS; PROVIDING FOR CONTINUATION OF CERTAIN RESORT DWELLINGS AND RESORT CONDOMINIUMS IN RESIDENTIAL AREAS; AMENDING CHAPTER 18, ARTICLE II BUSINESS TAX; PROVIDING FOR A FLAGLER BEACH LOCAL BUSINESS TAX RECEIPT FOR RESORT DWELLINGS AND RESORT CONDOMINIUMS; ESTABLISHING A RESORT DWELLING AND RESORT CONDOMINIUM RENTAL PERMIT; ESTABLISHING RESORT DWELLING AND RESORT CONDOMINIUM REQUIREMENTS; REQUIRING THE FILING OF A RESORT DWELLING AND RESORT CONDOMINIUM MINIMUM APPLICABLE STANDARDS FORM; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

A PUBLIC HEARING AND FIRST READING WILL BE HELD ON SEPTEMBER 25, 2008 AT 6:30 P.M., OR AS SOON THEREAFTER AS POSSIBLE, IN THE CITY COMMISSION CHAMBERS, 105 S. 2ND ST., FLAGLER BEACH, FL.

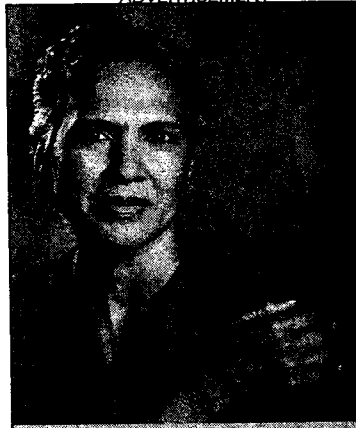
THE ORDINANCE MAY BE VIEWED AT THE ABOVE LOCATION. INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE.

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, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. 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.

ADVERTISEMENT PDFA-0000761704



When you have pain after shingles, even the slightest touch can hurt.

Get in touch with us and join our clinical research study.

You may be able to join a clinical research study if you suffer from the pain experienced after having shingles, which is also called post-herpetic neuralgia (PHN). The purpose of this study is to test an investigational drug in people who no longer have shingles but who still have PHN pain.

You may be able to be in this study if you:

- Are at least 18 years old
- Have had a diagnosis of PHN and associated pain for at least 3 months

The study doctor will go over other requirements with you. If you take part in the study, you can expect at least 9 clinic visits. Your time in the study will last 4-5 months. Qualified participants will not be charged for study-related office visits, medical exams, and study medicine.

To find out if you pre-qualify for this study, please contact us at **877-40-HURTS** or visit us at **www.HugsHurt.com**.

Notice of Change to Permitted Uses

The City of Flagler Beach proposes to adopt the following ordinance:

ORDINANCE 2008-08

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, RELATING TO THE RENTAL OF CERTAIN SINGLE-FAMILY DWELLINGS AS RESORT DWELLINGS; RELATING TO THE RENTAL OF CERTAIN CONDOMINIUMS AS RESORT CONDOMINIUMS; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY; AMENDING APPENDIX "A", LAND DEVELOPMENT REGULATIONS ZONING SCHEDULE OF USE ADDING "RESORT DWELLING" AND "RESORT CONDOMINIUM" AS PRINCIPAL PERMITTED USES IN GENERAL COMMERCIAL (GC) AND TOURIST COMMERCIAL (TC) ZONING DISTRICTS; PROVIDING FOR CONTINUATION OF CERTAIN RESORT DWELLINGS AND RESORT CONDOMINIUMS IN RESIDENTIAL AREAS; AMENDING CHAPTER 18, ARTICLE II BUSINESS TAX; PROVIDING FOR A FLAGLER BEACH LOCAL BUSINESS TAX RECEIPT FOR RESORT DWELLINGS AND RESORT CONDOMINIUMS; ESTABLISHING A RESORT DWELLING AND RESORT CONDOMINIUM RENTAL PERMIT; ESTABLISHING RESORT DWELLING AND RESORT CONDOMINIUM REQUIREMENTS; REQUIRING THE FILING OF A RESORT DWELLING AND RESORT CONDOMINIUM MINIMUM APPLICABLE STANDARDS FORM; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

A PUBLIC HEARING AND FINAL READING WILL BE HELD ON OCTOBER 16, 2008 AT 6:30 P.M., OR AS SOON THERE AFTER AS POSSIBLE, IN THE CITY COMMISSION CHAMBERS, 105 S. 2ND ST., FLAGLER BEACH, FL. THE ORDINANCE MAY BE VIEWED AT THE ABOVE LOCATION. INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE.

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, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. 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.



Staff Report

Planning & Architectural Review Board Workshop

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Site Development Applications

Background:

Aligning site development applications with Ordinance(s) and LDC; providing graphics; and definitions.

Fiscal Impact:

Staff Recommendation:

PARB ask that Staff and City Attorney prepare Site Development Applications and relevant graphics for consideration at PARB regular meeting of 06/2026 in order to codify and/or adopt applications by resolution.

Attachments:

1. Non-Statutory Land Division
2. Non Residential Site Development Application
3. Tree-Removal-Permit-ada
4. Site Triangle
5. Intersection Visibility
6. Signage: Freestanding
7. Signage: Suspended
8. Awning Marquee
9. Signage: Projecting
10. Wall Sign
11. Window Sign
12. Retaining Wall



APPLICATION

NON-STATUTORY LAND SUBDIVISION, LOT SPLIT OR PARCEL RECONFIGURATION

Purpose:

This section describes the process for the dividing or reconfiguration of land that is deemed Nonstatutory according to *Florida Statutes*, the qualification of which complies with one of the following:

- A. The combination or reconfiguration of previously platted lots or portions of such lots where the total number of lots is not increased and the resultant lots comply with City requirements.
- B. The public acquisition by purchase, acceptance of deed of dedication, or exercise of the right of eminent domain of strips of land for the widening or opening of streets, or acquisition of property for public purposes or public amenities.
- C. The division of land into no more than three (3) lots, parcels, tracts, tiers, blocks, units, or any other division of land of into no fewer than 20 acres each provided:
 - 1. Said division of land does not create a new street.
 - 2. Each resulting lot, tract, or parcel shall have access to a public street and no public improvement may be dedicated including, but not limited to, any dedication of rights-of-way, easement, or physical improvement of any kind intended for public use.
 - 3. Each lot, tract, or parcel shall meet or exceed the minimum requirements of the zoning district in which it is located adjacent to the public street.
 - 4. The owner of the subject property shall not be allowed to further subdivide under this section.

Application Process:

- A. A complete application must be submitted to the City. A meeting with City Staff is recommended for submittal of the application package.
- B. Upon acceptance, the application package shall be reviewed for compliance.
- C. *The City will submit the reconfigured parcel or newly created division of land to the Flagler County Clerk's Office for recording purposes upon satisfying compliance review.*
- D. *The Applicant is responsible for payment of all fees associated with the recording costs.*



CITY OF FLAGLER BEACH BUILDING AND PLANNING DEPARTMENT

GENERAL APPLICATION	
<input type="checkbox"/> <i>Final Site Plan</i>	<input type="checkbox"/> <i>Preliminary Plat</i>
<input type="checkbox"/> <i>Master Site Plan</i>	<input type="checkbox"/> <i>Final Plat</i>
<input type="checkbox"/> <i>Site Development Plan(s)</i>	<input type="checkbox"/> <i>Plat Vacating</i>
<input type="checkbox"/> <i>Rezoning</i>	<input type="checkbox"/> <i>Subdivision Master Plan</i>
<input type="checkbox"/> <i>Comprehensive Plan Amendment</i>	<input type="checkbox"/> <i>Non-statutory Land Division/Parcel Reconfiguration/Lot Split</i>
<input type="checkbox"/> <i>Future Land Use Map Amendment</i>	<input type="checkbox"/> <i>Site Plan Modification (Post approval)</i>
<input type="checkbox"/> <i>Special Exception</i>	<input type="checkbox"/> <i>Development Order Modification</i>
<input type="checkbox"/> <i>Variance</i>	<input type="checkbox"/> <i>Wireless Communication Facility (new structure)</i>

Application Submittal Date: _____

Fee Paid: \$ _____ . Date Received: _____

Employee Accepting Application (print name): _____

Rejected Date: _____ . Rejected by: _____

Reason for Rejection: _____

A. PROJECT NAME: _____

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): _____

C. PROPERTY APPRAISER'S PARCEL ID NUMBER(s): _____

D. LEGAL DESCRIPTION: _____ Subdivision Name; _____

Section; _____ Block(s); _____ Lot(s); _____

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: _____

F. FUTURE LAND USE MAP DESIGNATION: _____ EXISTING ZONING DISTRICT: _____

OVERLAY DISTRICT: _____

G. FLOOD ZONE: _____ FEMA COMMUNITY PANEL NUMBER: _____ DATE: _____

H. CURRENT USE OF PROPERTY: _____

I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) _____



CITY OF FLAGLER BEACH BUILDING AND PLANNING DEPARTMENT

J. PROPOSED NUMBER OF LOTS (If Applicable): _____ Development Phasing: Yes No

K. LIST BELOW ANY APPLICATIONS CURRENTLY UNDER REVIEW OR RECENTLY APPROVED ASSOCIATED WITH THIS APPLICATION:

L. WATER/SEWER PROVIDER: _____

M. EXISTING MORTGAGE? Yes No

OWNER:	APPLICANT/AGENT:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:

MORTGAGE HOLDER:	ENGINEER OR PROFESSIONAL:
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:

PLANNER:	TRAFFIC ENGINEER:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

ATTORNEY OF RECORD:	DEVELOPER:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS CORRECT:

Signature of owner OR person authorized to represent this application:

Signature(s): _____

Printed or typed name(s): _____

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization this ___ day of, _____ 20___ by _____ individual submitted by ___ Personal Knowledge ___ Satisfactory Evidence: Type _____

Signature of Notary Public, State of Florida (SEAL)



NONSTATUTORY LAND DIVISION, LOT SPLIT or PARCEL RECONFIGURATION APPLICATION CHECKLIST

= Mandatory

= As applicable

= Sub items

The following checklist is a tool to facilitate compliance with the submittal application. Place a check in each symbol below to indicate that the item has been addressed. As indicated in the above key legend, an item with a square indicates the item is mandatory, while the triangle indicates it may or may not be applicable. If applicable, then the item is mandatory.

At a minimum, the documents listed below are required to process a request for a *nonstatutory land division, lot split, or parcel reconfiguration*. This checklist **must** be completed by the Applicant and included in the application submittal package for the application to be accepted. If a required document is not provided then a statement justifying the action is to be submitted, which will be taken into consideration.

It is recommended to schedule an appointment for submittal of the application package by contacting a Land Development Technician at (386) 986-3736.

- A. Complete application form filed by property owner or property owner’s representative.
 - 1. Application notarized
- B. For an owner’s representative, submit Letter of Authorization.
- C. Current survey (2 copies) on paper size no greater than 8.5 x 14 illustrating:
 - 1. Prepared by a registered land surveyor licensed to practice in the State of Florida.
 - 2. Contains the legal description and total acreage of the subject property.
 - 3. Surveyor’s certificate of accuracy.
 - 4. All existing on-site or adjacent easements, including drainage, electricity, gas, water, wastewater, or other pipeline or utility easements.
 - 5. All existing on-site improvements, including buildings, structures, drainage facilities, or other utilities.
 - 6. All wetlands.
 - 7. Flood Insurance Rate Map (FIRM) information: community panel number, date, and flood zone(s). Flood zone boundary shall be depicted.
 - 8. Streets adjacent to the tract, including rights-of-ways and pavement widths.
 - 9. Completed with the benefit of a current title opinion and a statement that it is current.
- D. Boundary sketch (2 copies) on paper size no greater than 8.5 x 14, prepared by a Florida registered land surveyor, depicting the proposed lot divisions or lot reconfigurations and the following:
 - 1. Metes and bounds description of each newly created or reconfigured parcel.
 - 2. All newly established parcels shall be labeled and numbered accordingly.



NONSTATUTORY LAND DIVISION, LOT SPLIT or PARCEL RECONFIGURATION APPLICATION CHECKLIST



= Mandatory



= As applicable



= Sub items

- 3. Any proposed easements and square footage or acreage of each newly created or reconfigured parcel.
- 4. Must state at top of survey "Nonstatutory Land Division," "Nonstatutory Parcel Reconfiguration" or Lot Split, whichever is applicable.
- 5. Name of project.
- 6. Vicinity map.
- E. Draft deed for each proposed parcel.
- F. An Opinion of Title:
 - 1. Prepared by an attorney at law licensed to practice in Florida or a certification by an abstractor or a title company.
 - 2. Shows that record title to the land as described and shown on the survey is in the name of the person, persons, corporation, or entity wanting the division.
 - 3. List all mortgages not satisfied or released of record nor otherwise terminated by law.
 - 4. List all encumbrances (i.e. easements, etc.) on the subject property.
 - 5. Current (within six (6) months of the date of application submittal).
- G. **Filing fee:** \$250.00 or \$25.00 per acre, whichever is greater (payable to 'City of Flagler Beach).



Property Owner Letter of Authorization

*****IF APPLICANT IS NOT PROPERTY OWNER*****

Dear Planning Manager,
I / We,

(All property owners)
being the current property owner(s) of the property legally described as Parcel Number(s)

and described as Subdivision _____,
Section _____, Block _____, Lot _____, OR

Street Address or Physical Location:

Do hereby designate and authorize

(name of agent / applicant)

representing _____

(Individual or Corporate Name)
to sign on my/our behalf, as my/our agent to apply for an application

(type of application)

for the property described above.

Signature of property owner Signature of property owner

Print name Print name

NOTARY: This instrument was acknowledged before me on this _____ day of _____,

20____ by _____ who is/are personally known to
me, or who has/have produced _____ as
identification.

(SEAL)

Signature of Notary Public, State of Florida



Property Owner Letter of Authorization

AFFIDAVIT OF CORPORATE IDENTITY / AUTHORITY

STATE OF _____

COUNTY OF _____

COMES NOW, _____, being first duly sworn, who deposes and says:

(1) That he/she is the _____, an officer of _____ corporation existing under the laws of the State of _____.

(2) That he/she is authorized to execute the following deeds or instruments on behalf of the above named corporation: _____ relating to the following described real property:

(3) That this affidavit is made to induce the City of Flagler Beach to accept the above described property.

Signature of owner OR person authorized to represent this application

Signature

Print name

NOTARY: This instrument was acknowledged before me on this _____ day of

_____,

20__ by _____ who is/are personally

known to me, or

who has/have produced _____ as

identification.

(SEAL)

Signature of Notary Public, State of Florida

JOINDER AND CONSENT AFFIDAVIT:

JOINDER AND CONSENT BY: _____

Name of Lending Institution / Mortgage Holder

COME NOW, _____ and Joins and Consents to the covenants and conditions set forth herein and hereunto sets his hand and seal this ____ day of _____, 20__.

ATTEST: _____

Name of Lending Institution

Corporate Secretary Corporate President

Printed Name Printed Name

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by

_____, who is/are personally known to me or who

has produced _____ as identification and who did execute said instrument for the purpose therein expressed.

WITNESS my hand and official seal the day month and year aforesaid.

NOTARY PUBLIC (SEAL)

NOTARY PUBLIC SIGNATURE



APPLICATION SITE DEVELOPMENT PLAN

**Planning & Zoning Department
PO Box 70 – 800 South Daytona Ave.
Flagler Beach, Florida, 32136
Phone (386) 517-2000 ext. 231**

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Conceptual Site Plan Application	2
Owner Authorization	3
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Project Description	5 - 6
Existing Conditions	6 - 7
Checklist	7 - 9



APPLICATION NON-RESIDENTIAL SITE DEVELOPMENT PLAN

SITE PLAN REVIEW SUBMITTAL REQUIREMENTS

Note:

- *A Technical Review Committee meeting is required with City Staff.*
- Application for Site Plan requires appointment with City Planner prior to meeting cut off date. Please call (386) 517-2000 ext. 231
- Application will **not** be accepted unless all required documents are submitted and complete.

Required Documents:

- Conceptual Site Development Plan Application
- Two (2) hard copy sets of required documents (11"x17") and electronic set of required documents.
- Application Intake Fee - \$35.00 + Application Fee - \$150.00 (*payable to the City of Flagler Beach*)
- Warranty Deed
- Survey
- Surrounding Land Use
- Location Map
- Site Development Plan
- Building Elevations

CSP#: _____ DATE FILED: _____

PROJECT TITLE:

ADDRESS: _____

Subdivision: _____ Block: _____ Lot(s): _____

TAX PARCEL NUMBER(S): _____

ZONING DISTRICT: _____

OWNER INFORMATION:

OWNERS NAME: _____

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

SIGNATURE OF OWNER: _____

APPLICANTS INFORMATION:

APPLICANTS NAME (IF OTHER THAN OWNER): _____

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

SIGNATURE OF APPLICANT: _____

REPRESENTATIVE:

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

SIGNATURE OF REPRESENTATIVE: _____

PROPERTY OWNER AUTHORIZATION

*FOR USE WHEN APPLICANT IS **NOT** THE OWNER OF SUBJECT PROPERTY:*

Property Address: _____

Parcel ID: _____

This is to certify that I am the owner of the subject property described above and that I authorize: (PRINT NAME) _____ to make and file the aforesaid application for site plan review.

OWNER'S SIGNATURE: _____

PRINT OWNER'S NAME: _____

Sworn to and subscribed before me this _____ day of _____, 20_____.

Personally known to me or produced identification: _____ (type)

Notary Public: _____ My commission expires: _____



Notary Seal

General Information

NON RESIDENTIAL SITE DEVELOPMENT PLAN APPLICATION

A. Technical Review Committee Meeting:

It is required that the applicant meet with City Staff Technical Review Committee (TRC) prior to electing to submit a Non Residential Site Plan Development application. Staff will meet with the applicant to discuss any questions regarding plan proposals, City processes, fees, and requirements listed on the Conceptual Development Plan Application Checklist.

B. Application Submittal:

Once the application is submitted, City Staff will review the application for completeness. Unless otherwise determined, all items on the checklist must be completed prior to scheduling a Planning and Architectural Review Board hearing date.

C. Application Hearing Process

Once any issue related to the application have been resolved and the application is deemed acceptable by City Staff, the application will be scheduled for the next timetabled Planning and Architectural Review Board (PARB) meeting.

The PARB is an advisory board that reports directly to the City Commission. The Board is comprised of City of Flagler Beach residents appointed by the City Commission. The Board's responsibility and authority as it relates to the Conceptual Site Development Plan application is as follows:

Purpose –

1. To provide comments and concerns related to all aspects of the proposed development within the context of compliance with the adopted requirements and development standards outlined in the Land Development Code.
2. To facilitate the Final Site Plan approval process should the applicant elect to proceed.

PROJECT DESCRIPTION

PRINT OR TYPE INFORMATION

A. Provide a detailed description of the proposed project:

B. Provide the lot size (parcel) and square footage of all building(s):

C. Provide the size, height and proposed use of each building:

D. Provide a detailed description of the following:

Exterior finish and color: _____
Roof material and color: _____

E. Indicate the project floor area ratio or lot coverage (if applicable):

F. Provide the total number of:

Required on-site parking spaces: _____
Proposed on-site parking spaces: _____
Required on-site Handicapped parking spaces: _____
Proposed on-site Handicapped Parking spaces: _____

G. Any off-site parking spaces proposed? If yes, describe number, location, and distance from proposed project location:

H. Will project be accomplished in phases? If Yes, describe phasing plans and timeframe:

I. Describe the nature of any tree and native vegetation removal, if applicable:

J. If a Commercial use, describe the operational characteristics of the development (proposed hours of operation, any unique characteristics of the proposed use.

K. Provide other pertinent information regarding the proposed development:

----- *EXISTING CONDITIONS* -----

A. Describe all previous uses or activities on the site:

B. Describe all existing structures on the site in terms of their use, construction type, height, density, and size:

C. Describe the project site as it presently exists before the project in terms of:

- Site topography:

- Plant life (existing trees, vegetative cover):

- Soil conditions:

- Historic or cultural resources (if applicable):
-
-
-
-
-

D. Describe the land use and zoning of surrounding properties within 200 feet of project location:

North:

South:

East:

West:

-----**APPLICATION CHECKLIST**-----

Note: All plans submitted with the application must be folded and stapled to standard notebook size.

1. **SURVEY**

The survey shall be based on current title work and shall be reflected as such on the survey. The following information is required:

- Boundary survey

NOTE: ALL SITE PLAN RELATED DOCUMENTS TO BE SUBMITTED ON PLAN SHEETS NO LARGER THAN 11"X17".

3. **LOCATION MAP**

4. **SITE PLAN**

Note: Drawn to a regular engineering scale (i.e. 1 inch = 10 feet, 1 inch = 20 feet, but no larger than 1 inch = 40 feet) and plotted on a sheet no larger than 11 by 17 inches in size.

- Parcel boundaries and dimensions.

- Title Block:
 1. Development's name
 2. Site address
 3. Scale
 4. North arrow
 5. Legend
 6. Name and address of the Developer and plan(s) designer.
 7. Date

- Building footprint(s).
- Dimensions - all proposed improvements.
- Street improvements (if applicable)
- Adjacent rights of ways and street names.
- Pedestrian Facilities.
- Driveways - points of access.
- Parking lots, including circulation patterns.
- Walls, fences and retaining walls, including height and materials
- Trash/Dumpster location, including screening material(s) and height.
- HVAC equipment
- Drainage structures (if applicable).
- Minimum setback lines.
- Dimensions between building(s) and all perimeter uses.
- Open space and parks (if applicable).
- Phase lines (if applicable).
- Site Plan Summary to include, but not limited to:
 - Total site area
 - Pervious/impervious land coverage
 - Required vs. proposed parking spaces

5. BUILDING ELEVATIONS

Building elevations must be drawn for all sides of the building to an architectural scale (1/4 inch = 1 foot is preferred).

- The height of the building is measured from grade to the top of the roof for a flat roof, or from grade to the mean height between the eave and the ridge for pitched roofs.
- Elevations for all sides of structures as they will appear upon completion.
- Building materials and finishes for all exterior surfaces, including roofs.
- Color of all exterior surfaces, including roofs.

6. PRELIMINARY LANDSCAPE PLAN (OPTIONAL))

- Proposed landscape program.
- Walls, fences, screening materials (characteristics)
- Buffer areas and specific landscape treatment.
- landscape treatment (if applicable) – e.g. dumpsters, transformer vaults, lift stations, etc.

9. PRELIMINARY SIGNAGE PLAN (OPTIONAL)

- Sign type, location, characteristics of existing/proposed.

10. OTHER DESIGN FEATURES (IF APPLICABLE)

- Awnings (material, design and color).
- Address, directory signs.
- Hardscape features (e.g. pavement, walkway treatment, etc.)
- Other _____



Office of Planning and Zoning

Tree Removal Permit

Owner's Name _____ Phone _____

Owner's Address (Mailing) _____

Applicant/Agent Name _____ Phone _____

Applicant/Agent Address (Mailing) _____

Project Name (if applicable) _____

Project Physical Location _____

Zoning _____ Section _____ Township _____ Range _____ Alt. Key # _____

Subdivision /Phase _____ Block _____ Lot _____

Type of Development:

Submittal Information

A tree inventory, including an aerial photograph or drawing at a scale of one inch equals two hundred feet (1" = 20') or a greater legible scale, if needed, showing:

- Property boundaries, type of trees being proposed for removal, number of trees and size of trees.
- All specimen trees that are proposed for removal, six (6) inches or larger, measured four (4) feet above grade.

The following trees and palms are designated specimen trees:

- Ash, Blackcherry, Cherry Laurel, Bald Cypress, Pond Cypress, Elm, Hickory, Holly, Magnolia, Maple, Oak, Eastern Redbud, Red Cedar, Sweetgum, American Sycamore, Black Tupelo, Swamp Tupelo, Yellow Poplar.

List all trees to be removed and their measure caliper.

- Mitigation plan, if required, indicating location, size and species of trees used as replacements. The total tree inches of replacement trees shall match those removed.

Reason for tree removal: _____

Owner/Applicant Signature: _____ Date: _____

Application Fee: \$25.00

Tree Removal Fee: \$500.00 after the fact permit)
After the Fact:

Mitigation Fee: Six (6) inch to less than 10 inch DBH, \$25.00 per inch removed.
Ten (10) inch to less than twenty inch DBH, \$50.00 per inch removed.

Notes: This site could be subject to inspection by City staff. This permit expires 12 months after issuance.

Total caliper of protected trees removed or to be removed:

TREE TYPE	# of Trees	DBH Total inches	*No. of replacement Trees at least six (6) feet tall	*Total Equivalent Tree Inches
Specimen				
Any tree at least 15' tall with 6" trunk diameter				
TOTAL				

To measure DBH(Trunk Diameter), measure the tree trunk at 4.5 feet above the ground. An applicant may choose to provide the mitigation through either tree replacement OR mitigation fee.

To be completed by staff only

TRP# _____ Address # _____

Tree Removal Permit: Approved _____ Denied _____ Permit Expiration Date: _____

Fees	Amount	Total
Application fee	\$25.00 or \$500.00 (after the fact)	
Mitigation (if required)	\$	
	Total Fees Paid:	

Comments or Conditions: _____

Staff Name and Signature _____ Date _____

Inspection

Inspection Date: _____ Approved _____ Denied _____

Comments or Conditions: _____



Office of Planning and Zoning

Agent Authorization Form

I/we, (print property owner name(s)) _____, as the property owner(s) of the real property described as follows, _____, do hereby authorize _____ (print agent's name) to act as my/our agent, to execute any petitions or other documents necessary (excluding impact fee deferral agreements) to affect the application approval requested and more specifically described as follows, _____, and to appear on my/our behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the application. I/we hereby grant permission for staff to conduct a site visit in conjunction with this application.

Signature Print Name of Property Owner Date

Signature Print Name of Property Owner Date

State of Florida

County of Lake

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, 20____, by _____.

Personally Known OR Produced Identification

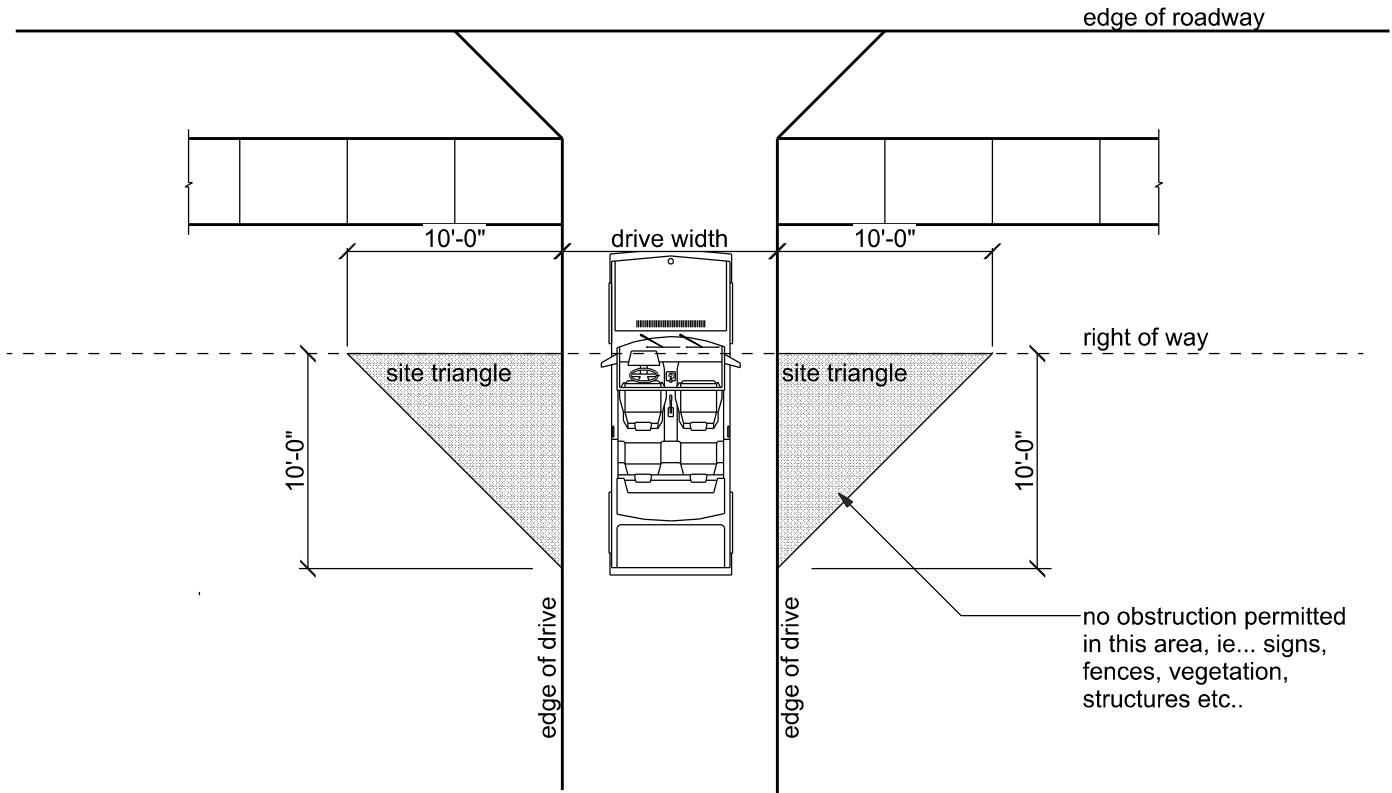
Type of Identification Produced _____

Notary Signature

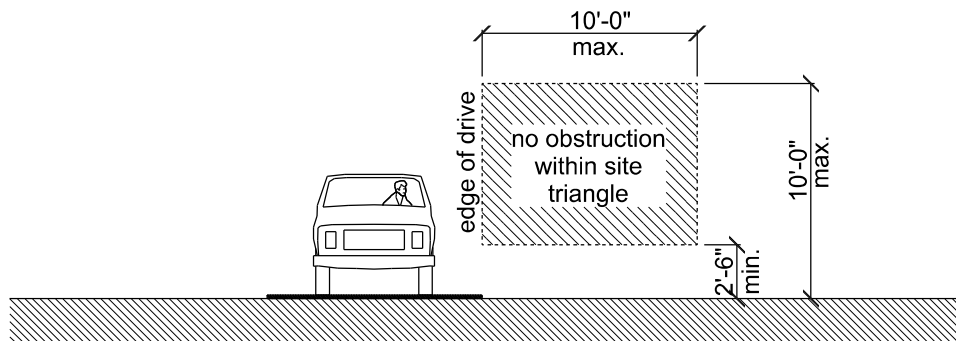
(SEAL)

Legal Description(s), Alternate Key Number(s), or Physical Address is required:
Alternate Key or Physical Address:
Legal Description:

NOTE: All Applications shall be signed by the Owner(s) of the Property or some person duly authorized by the Owner to sign. The authority authorizing such person other than the Owner to sign must be attached.



CLEAR ZONE



ELEVATION VIEW

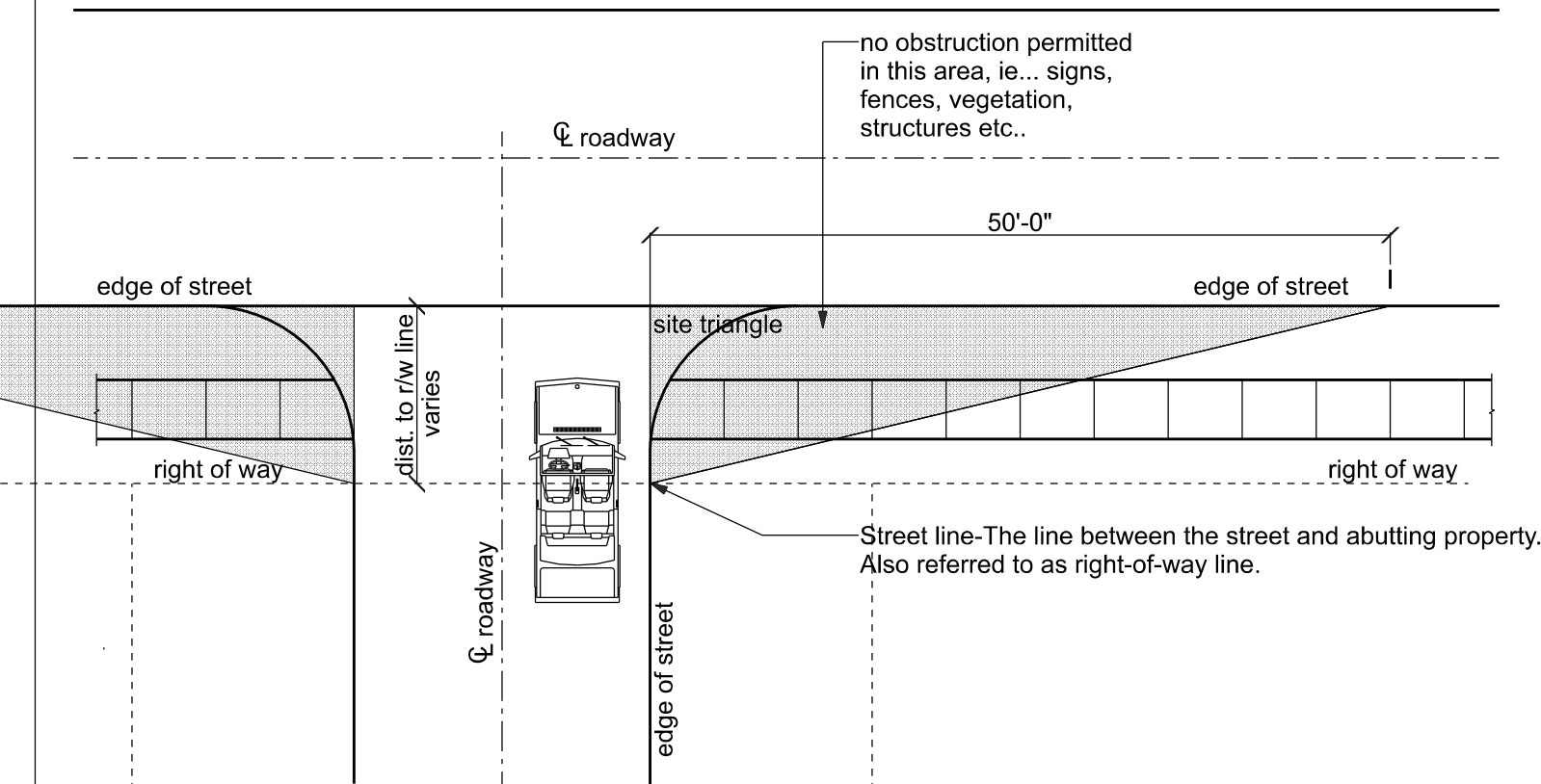


SIGNAGE

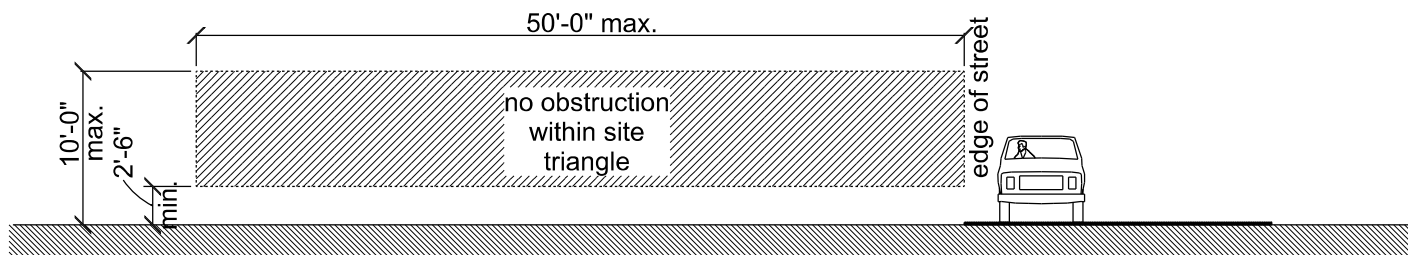
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SITE DISTANCE



ELEVATION VIEW

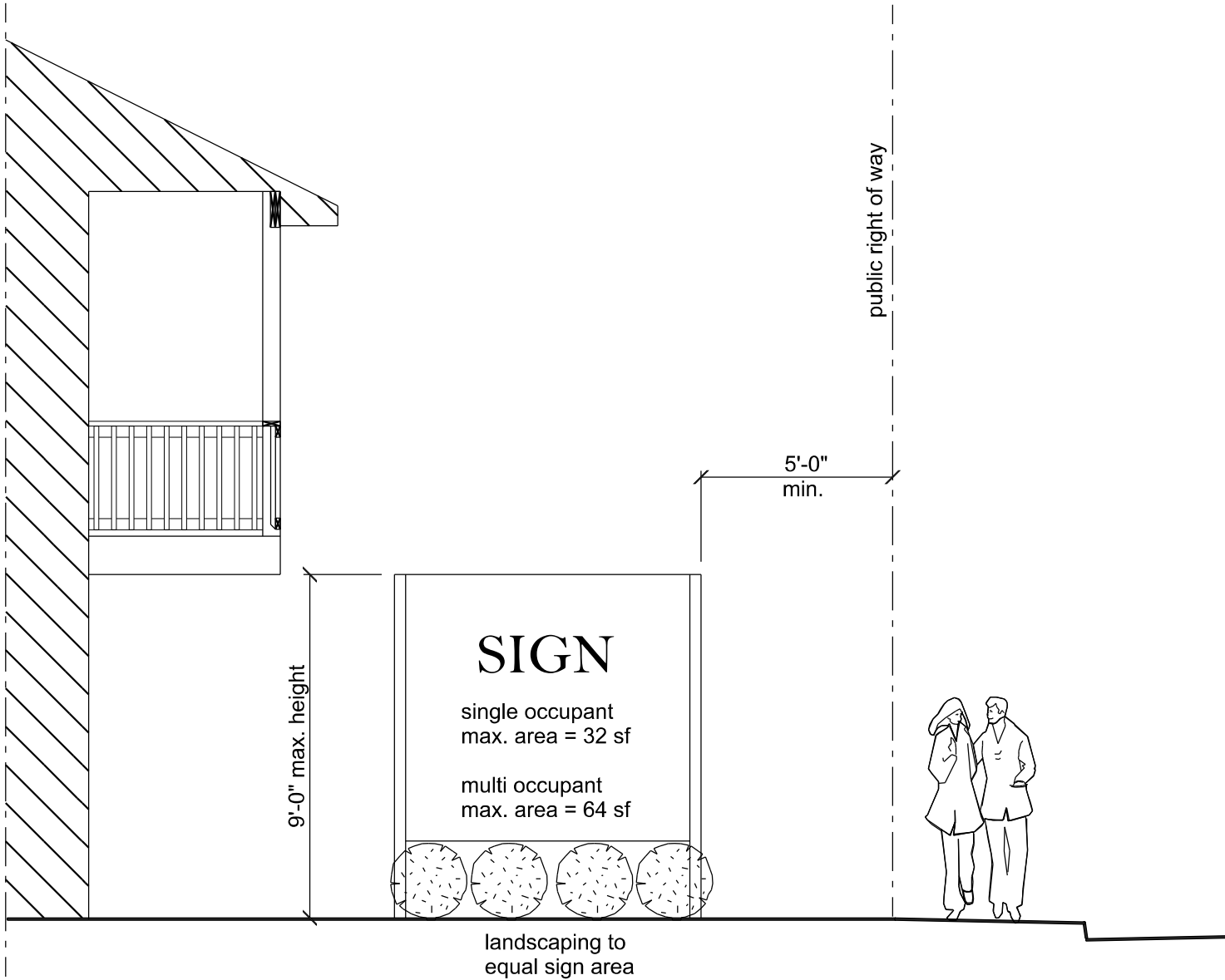


INTERSECTION VISIBILITY

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FREESTANDING

NTS

Freestanding signs.

- a. Only one (1) on-site freestanding sign shall be permitted per lot or outparcel along each public street abutting the premises. However, such signs shall not be placed in the right-of-way.
- b. The freestanding sign copy area for multi-tenant building shall not exceed sixty-four (64) square feet.
- c. Freestanding signs shall not exceed nine (9) feet in height above the base of the sign or if the sign is located on a berm or other raised landscape feature said sign shall not exceed nine (9) feet above the crown of the road to which the sign is adjacent.

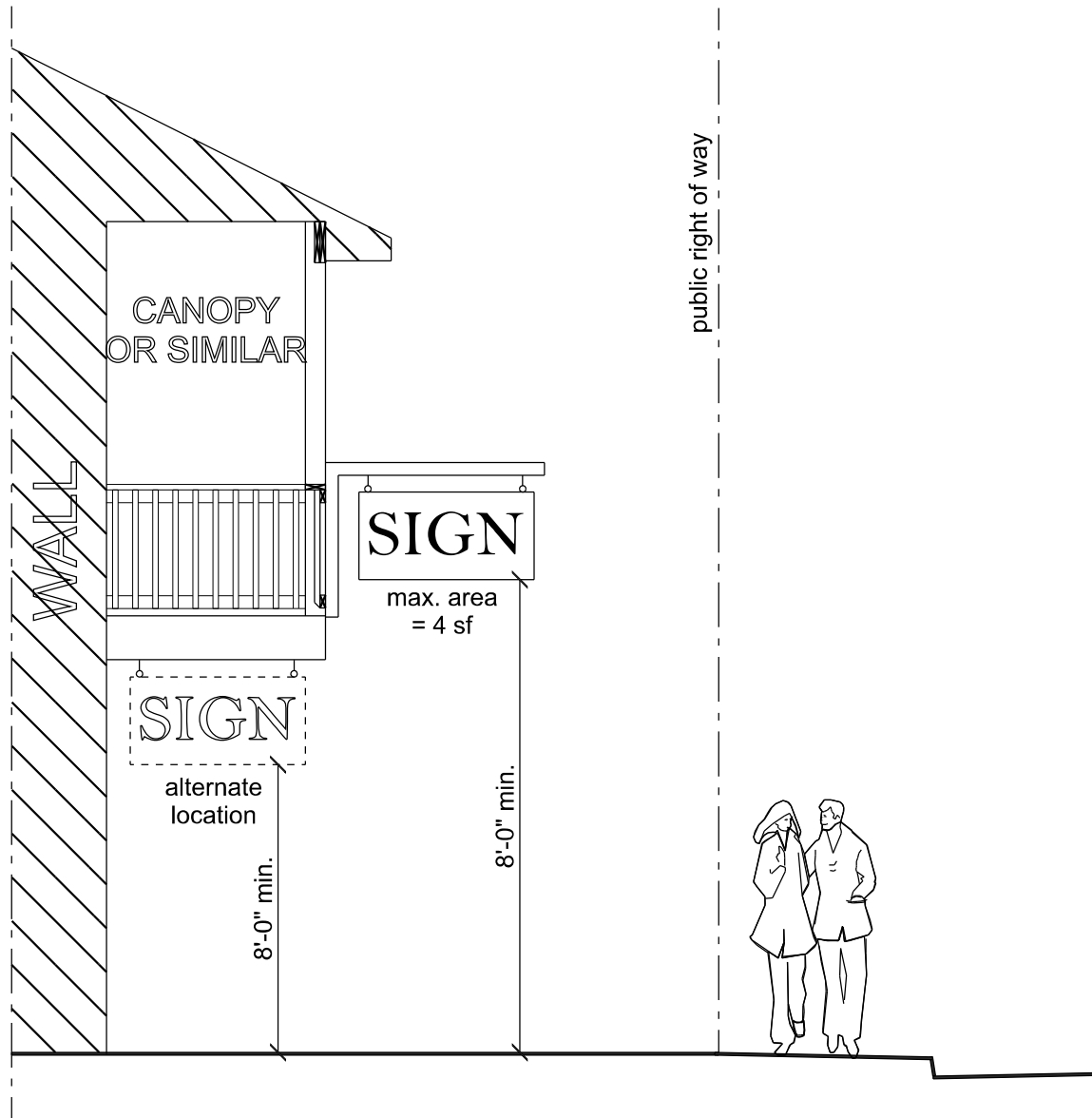


SIGNAGE

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MARCH 2026



SUSPENDED

NTS

Suspended signs.

- a. One (1) suspended sign is permitted at a location immediately adjacent to the use the sign identifies but may not be located over or in the right-of-way or sidewalk.
- b. Suspended signs of four (4) square feet or less in area are not counted in the total sign copy area. Suspended signs exceeding four (4) square feet in area shall be counted in the total aggregate sign copy area permitted for the premises.
- c. Suspended signs should be mounted perpendicular with the building facade and shall maintain a minimum clearance of eight (8) feet between the bottom of the sign and the pedestrian walkway.

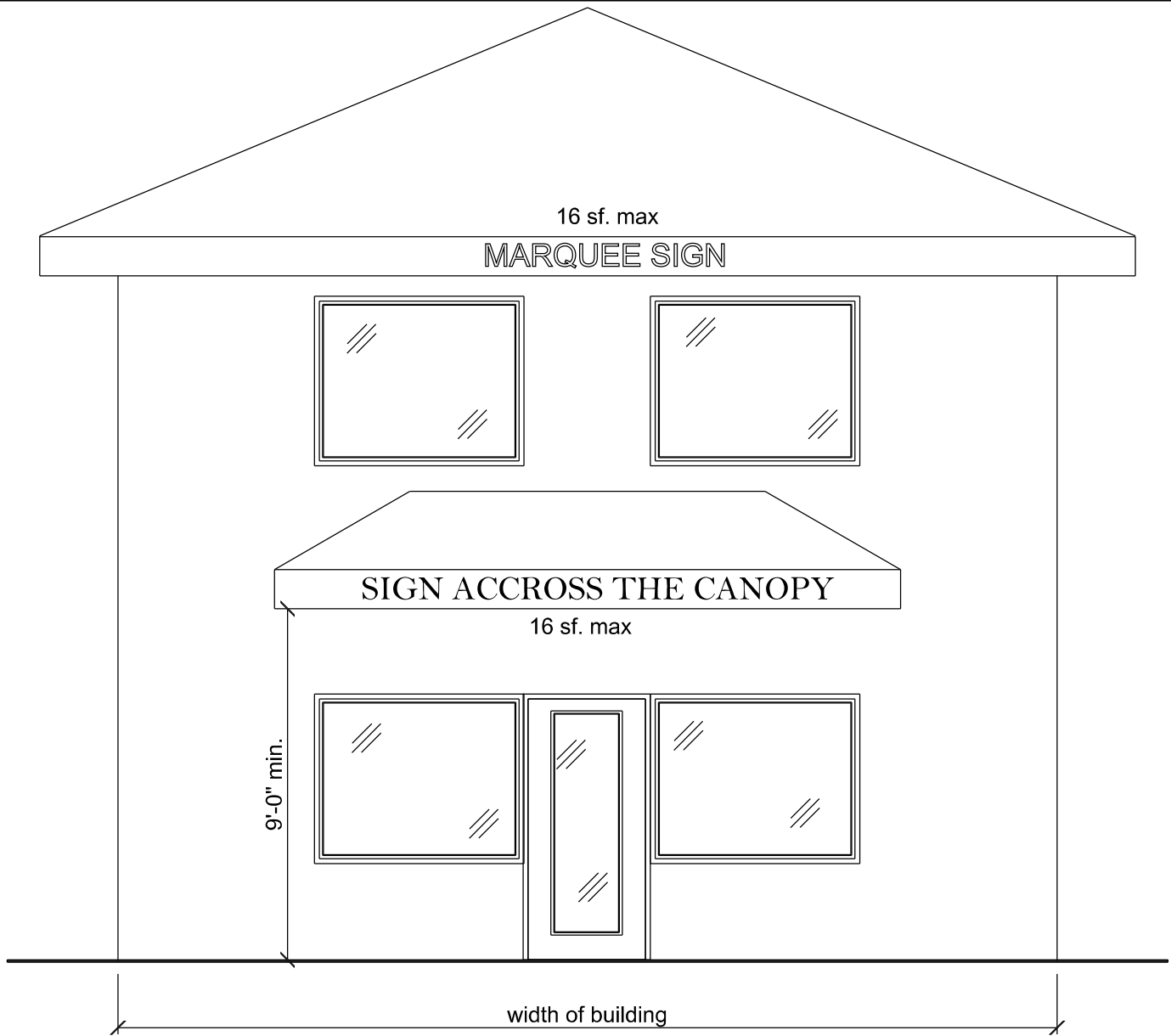


SIGNAGE

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AWNING SIGN/MARQUEE SIGN

NTS

Marquee signs.

Only one (1) marquee sign not to exceed sixteen (16) square feet may be erected to or hung from a marquee. When said sign is hung from a marquee it shall have a minimum clearance of nine (9) feet above the finished grade of a sidewalk and further, said sign shall not extend outside the perimeter of the marquee. A marquee's sign copy area shall be counted as part of the total allowable copy area for wall signs.

Awning/Canopy signs.

- a. The awning/canopy sign copy area shall be counted as a part of the total allowable area for wall signs.
- b. The sign's copy area shall not exceed sixteen (16) square feet.
- c. The supporting structure of an awning or canopy may not encroach into or over the public right-of-way.
- d. A minimum clearance of nine (9) feet shall be maintained between the bottom of the awning/canopy to any pedestrian walkway not within a public right-of way.



SIGNAGE

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PROJECTING SIGN

NTS

4. Projecting signs.

- A maximum of one (1) projecting sign is permitted per use. A projecting sign's copy shall not exceed sixteen (16) square feet except that a projecting sign's copy area within the community redevelopment area shall not exceed eight (8) square feet.
- A projecting sign may extend more than twelve (12) inches but less than four (4) feet beyond the wall of the building to which it is attached.
- A minimum clearance of nine (9) feet above the finished grade of a pedestrian walkway not within the public right-of way shall be maintained but shall not impede pedestrian movement or cause a safety hazard.
- The projecting sign copy area shall be counted as a part of the total allowable area for wall signs.

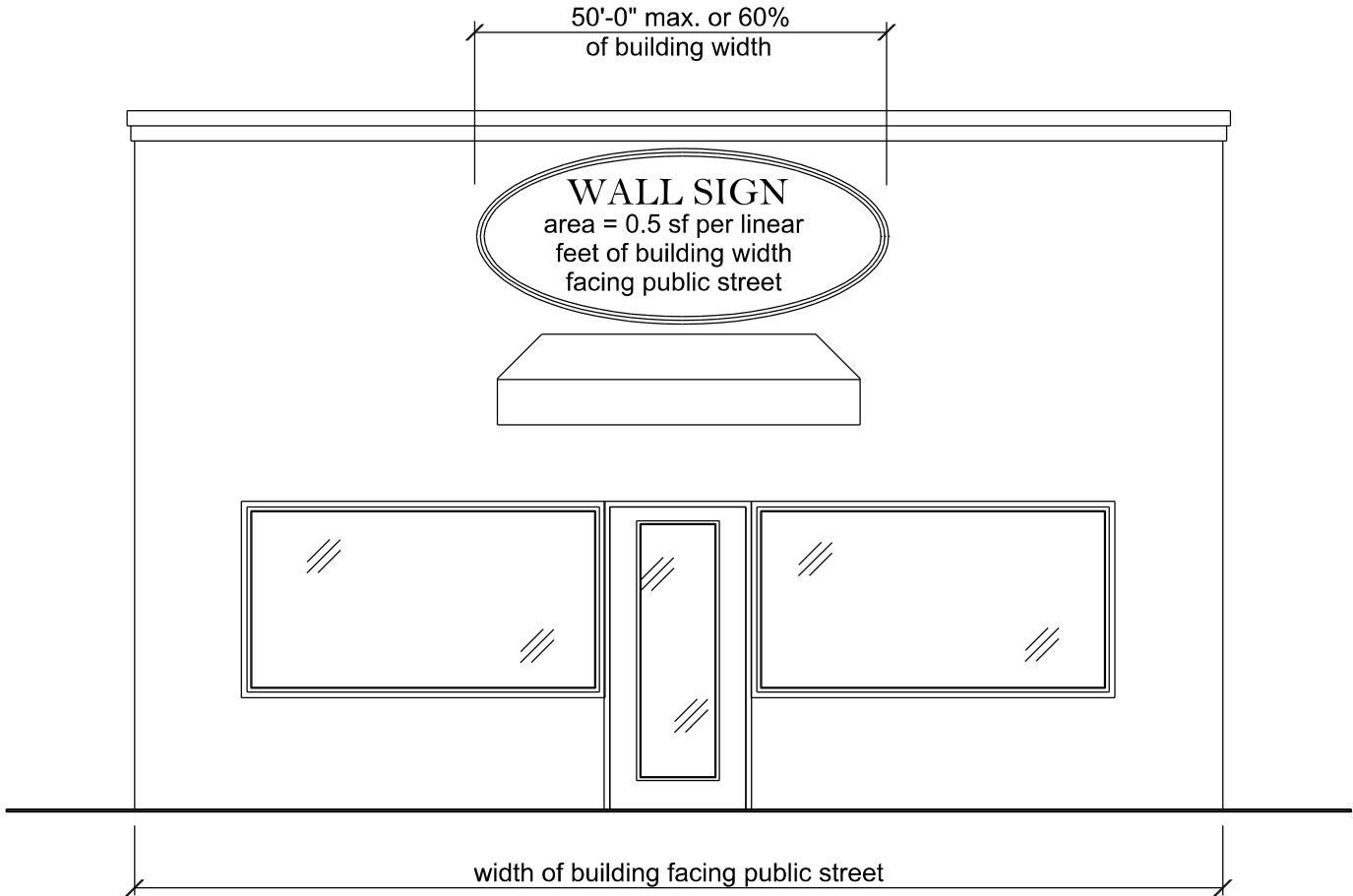


SIGNAGE

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WALL SIGN

NTS

Wall signs.

- a. Only one (1) wall sign shall be permitted for each use. On corner or double frontage lots, a maximum of two (2) wall signs are permitted provided that one (1) of the sign's copy area shall be figured on the basis of 0.5 square feet per linear foot of building wall facing a public street.
- b. A. multi-tenant building wall signage may be provided not to exceed a maximum of 1.5 square feet of signage per lineal foot of tenant store front facade length.
- c. Wall signs may not exceed fifty (50) feet in width or sixty (60) percent of the width of the building frontage, whichever is less.
- d. No wall sign shall extend above the wall of the building to which the sign is attached.

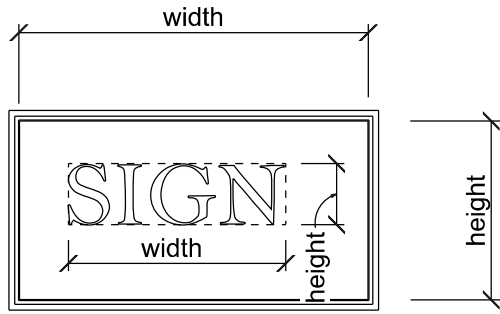


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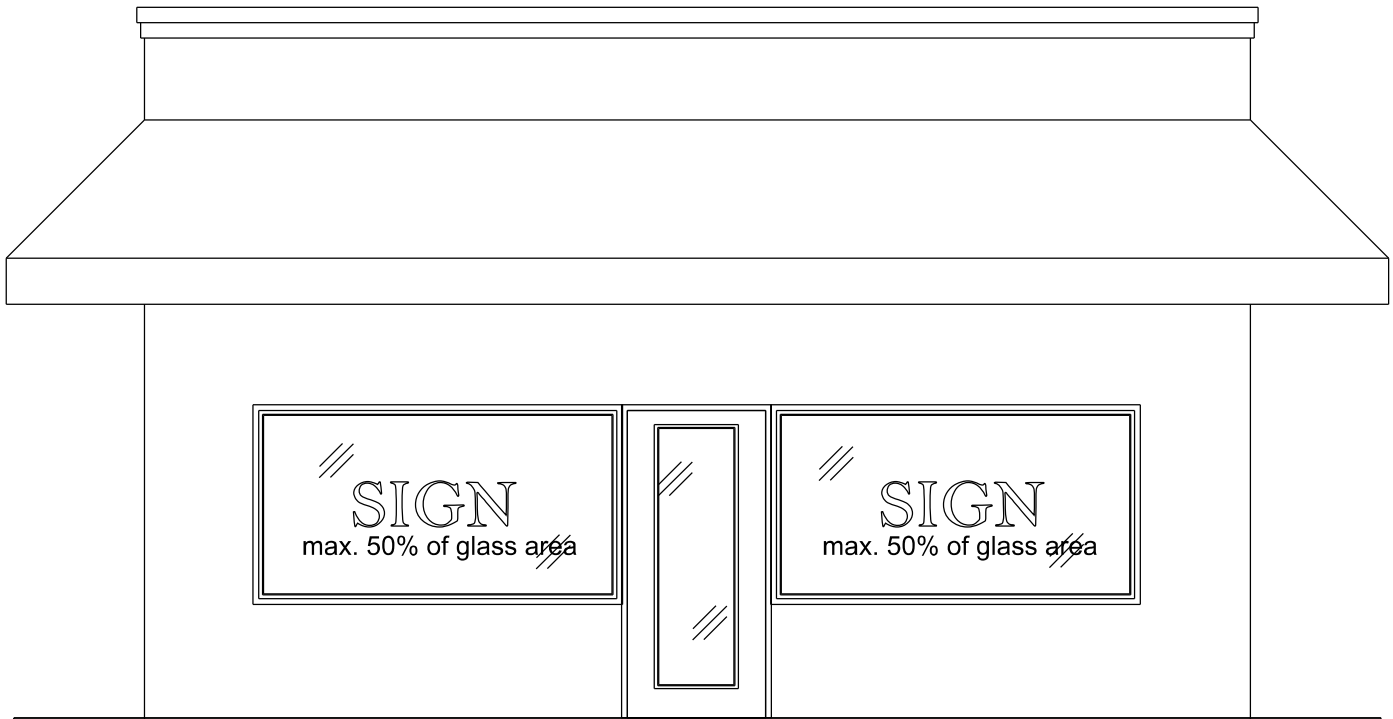
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AREA CALCULATION

GLASS AREA = width x height of glass
 SIGN AREA = width x height of sign
 MAX. SIGN COVERAGE = 50% of glass

NOTE:
 when determining the area coverage of the sign, draw an imaginary box around the lettering/image and measure the outside dimensions. the spaces between letters/images cannot be deducted



WINDOW SIGN NTS

Window signs shall not exceed fifty (50) percent of the building's window area. Such signage shall include permanently and temporarily affixed window signs, neon displays, or any other sign displayed in a manner to be readily visible from the exterior of the building. Window signs shall not be calculated in a lot or premises' total allowable number of signs and sign copy area unless otherwise specified in this article.

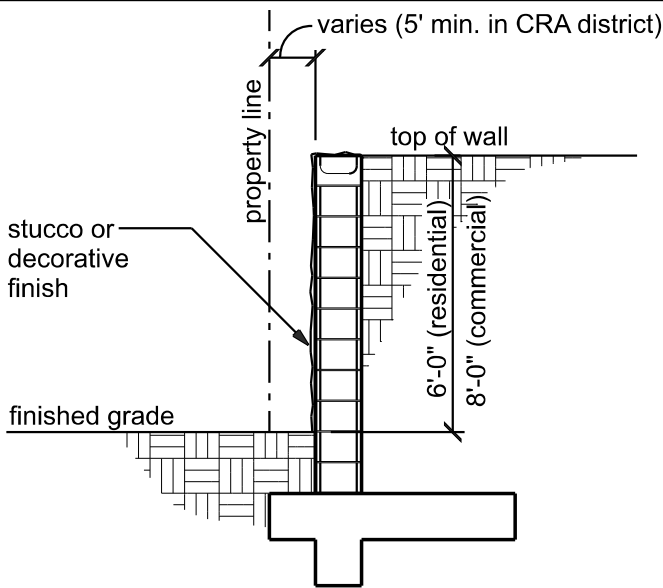


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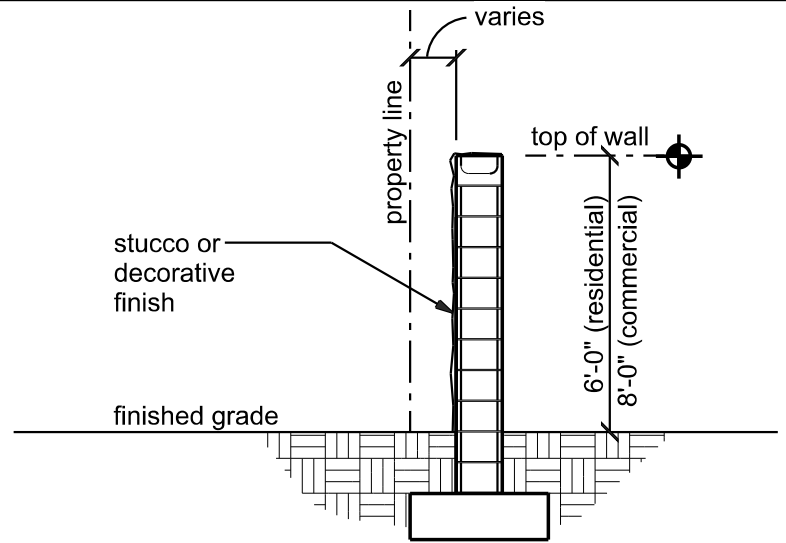
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RETAINING WALL SECTION

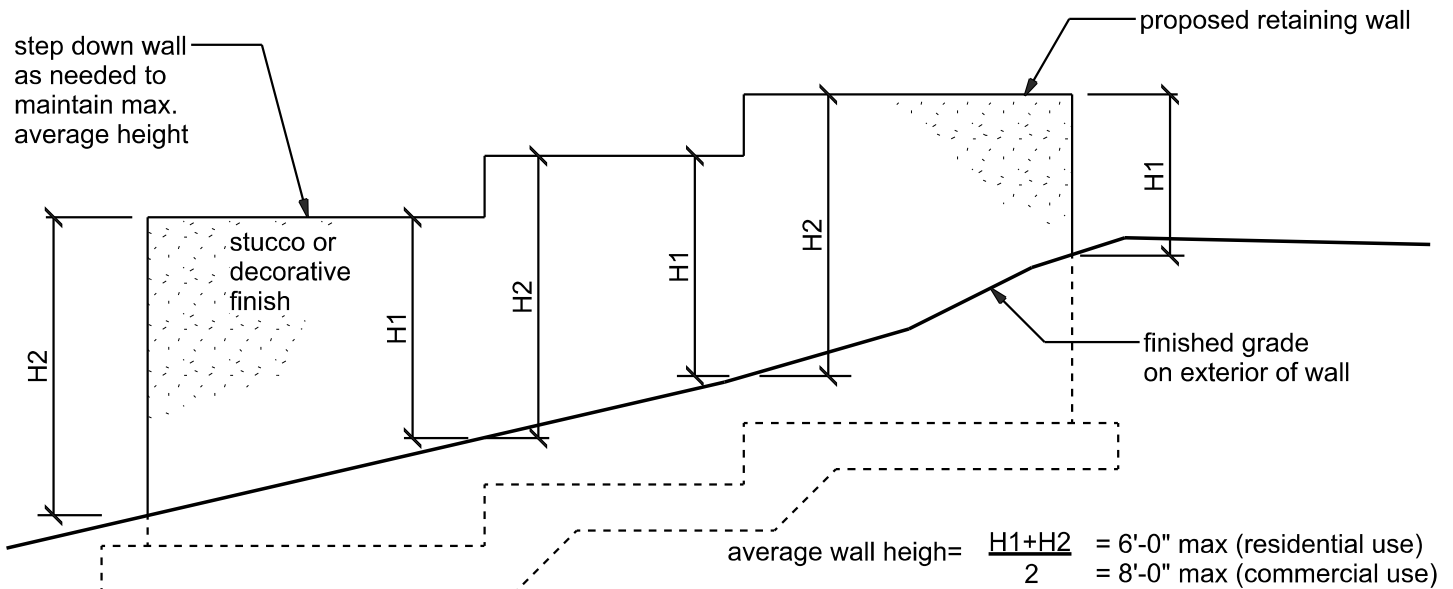


WALL SECTION

- All fences and all walls shall be located so that all portions of the structures, above or below grade, are inside the property line.
- (1) Front yard—No fence, hedge, wall, or retaining wall located within the required front yard shall exceed four (4) feet in height.
 - (2) Side yard—No fence, wall, except a retaining wall shall exceed six (6) feet in height from the required front yard to the rear property line.
 - (3) Rear yard--No fence, wall, except a retaining wall shall exceed six (6) feet in height along the rear perimeter lot line.

A fence, when proposed to be placed on top of a retaining wall that exceeds six (6) feet in height along a side or rear property line, shall require a variance and the approval of the city commission.

Retaining Wall - a structure, thirty (30) inches or taller, designed and constructed to resist the lateral pressure of soil when there is a desired change in ground elevation that exceeds a 3:1 slope of the soil.



NOTE:
short term rentals are not considered commercial use

WALL PROFILE



WALL/RETAINING WALLS

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Staff Report

Planning & Architectural Review Board Workshop

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Review of Ordinances Adopted 2023-2026
Review of LDC Amendments 2025/2026

Background:

Technical Amendments

- Article IV Environmental and Cultural Resource Protection Section 4.07.00
- Article V Development Design Standards
- Article VI Subdivision Section 6.00.05
- Article VIII Admin Enforcement
- Article IX Engineering Design Development

Fiscal Impact:

Staff Recommendation:

The City of Flagler Beach, in cooperation with the Florida Division of Emergency Management (FDEM) Office of Floodplain Management, updated the technical Articles (IV, V, VI, VIII, and IX) and Sections of the LDC as required. The purpose was to establish regulation of development in flood hazard areas; for the technical amendments to be administered and enforced, aligned and in compliance with the Florida Building Code. Provided as FYI only.

Attachments:

None



Staff Report

Planning & Architectural Review Board Workshop

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Zoning Map Updates

Background:

The A1A Design Guidelines were extended to N. 11th St. for properties in the Tourist Commercial District (TC) adjacent to N. Oceanshore Blvd.; Flagler Avenue to the west; S. 5th St to the south, and an eastern extension beginning at S. 5th St. extending to S. 9th St. along Central Avenue to include all property lying one-half block west of A1A, and further extended to S. 13th St. for properties lying within GC and TC adjacent to Oceanshore Blvd. *Source: Ordinance 2015-15*

Fiscal Impact:

Staff Recommendation:

Request that Staff prepare an updated zoning map for review and consideration at the June 7, 2026, regular PARB meeting; and for consideration and approval by the City Commission.

Attachments:

None