

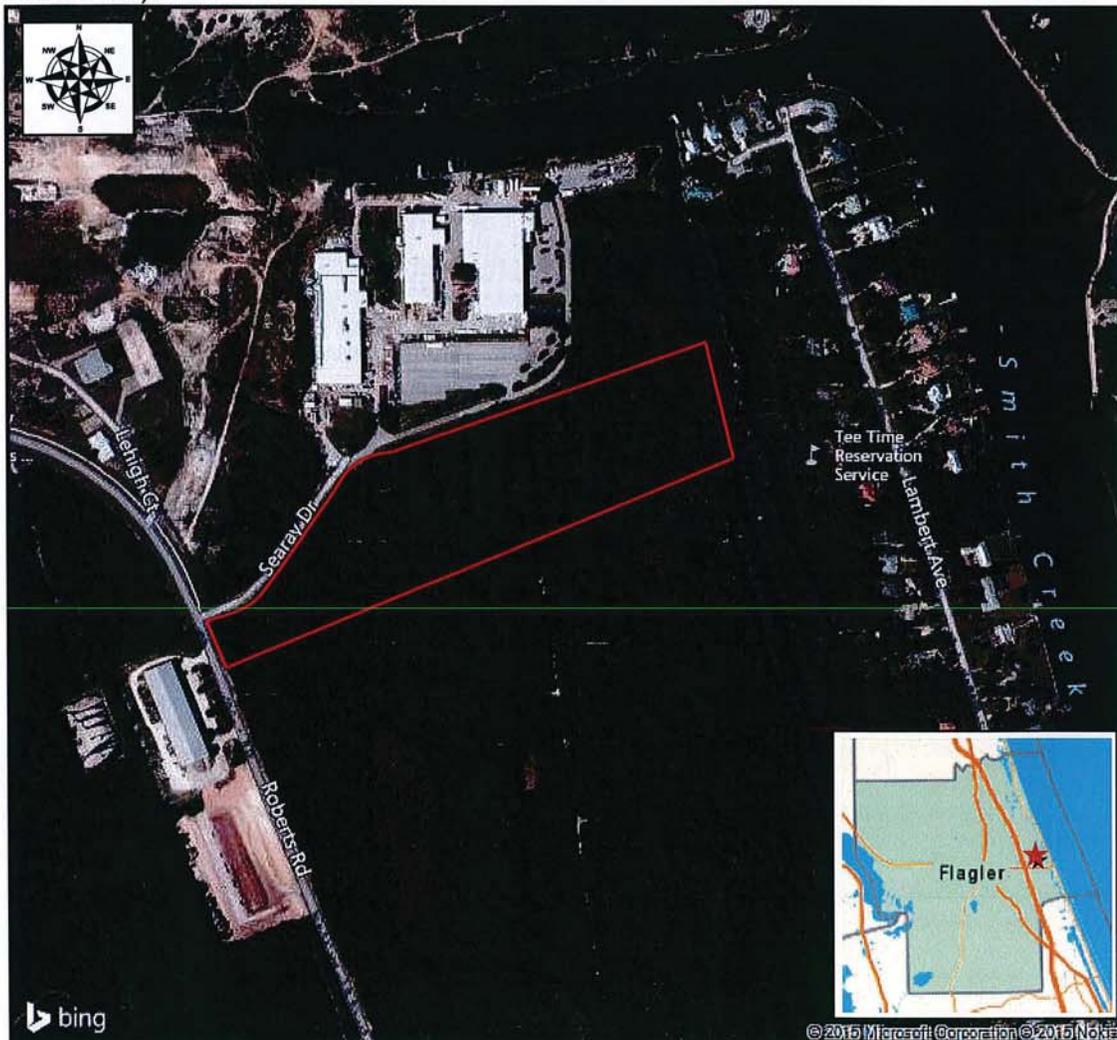
**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING / AGENDA ITEM # 16**

SUBJECT: **LEGISLATIVE** – Adoption Hearing – Request to Amend the 2010-2035 Future Land Use Map and Future Land Use Element from Residential Low Density Single Family and Conservation to Commercial High Intensity and Adopt a Parcel-Specific Limiting Policy; Parcel #s 02-12-31-0000-01010-0140 and 02-12-31-0000-01010-0150; Owner: Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust / Agent: Sidney F. Ansbacher, Brunswick Corporation and Sea Ray Boats, Inc. (Application #2972).

DATE OF MEETING: July 20, 2015

OVERVIEW/SUMMARY: This request is for an amendment to the 2010-2035 Future Land Use Map and Future Land Use Element to permit the construction of a parking lot, finished boat staging area, and an office building not to exceed 40,000 square feet on two parcels of land adjacent to Sea Ray's industrial facility on Roberts Road.

The subject parcels (Property Appraiser's Bing aerial photo link, limits of the parcels shown in red below):



Overview

On December 31, 2014, Sea Ray Boats, Inc., through their agent, Sidney Ansbacher, submitted applications for a Future Land Use amendment (Application #2972) and rezoning (Application

#2973) for the 24.4 acres located south of and abutting the existing Sea Ray plant site on Roberts Road. The subject parcels are part of the approved Grand Reserve East Planned Unit Development (PUD), a single-family residential development consisting of a maximum of 300 dwelling units on 139.87 acres (the net remaining acreage, excluding areas designated Conservation; total project area of 165.89 acres) for a density of 2.15 units/acre (the Residential Low Density Single Family (RLDSF). Future Land Use designation allows densities from 1 to 3 units per acre, permitting a maximum build-out of 420 dwelling units).

Just over ten years ago, this area's Future Land Use designation was amended from Industrial to Low Density Residential. The intent at the time was to permit residential development since the economy – then and now for Flagler County – continues to depend on new housing development. This conversion was strongly discouraged through the Department of Community Affairs' Objections, Recommendations, and Comments (ORC) Report, which sought the County and the applicant to be more cautious about the amendment. The County ultimately rezoned the area as the single-family residential Grand Reserve East PUD. In the succeeding years marked by the Great Recession, the former LandMar projects, inclusive of Grand Reserve East, transferred back to their original owners or to successor lenders. Grand Reserve East never developed, and its sister project to the west, Grand Reserve West, likewise sits entitled, but undeveloped.

The County in 2013 sought to generate some interest in industrial development by pursuing an Industrial Future Land Use Map amendment for the northern portion of Grand Reserve East, inclusive of the subject parcels. The hope was that the proactive Industrial amendment could entice marine-related industries, including storage and distribution uses, to locate adjacent to Sea Ray, whether these are suppliers or otherwise. But neighborhood opposition culminating in the April 9, 2013 Planning and Development Board hearing and the Board's recommendation for denial caused the County Planning staff to abandon this approach. The landowner at the time of the amendment request subsequently sold the lands comprising the Grand Reserve East PUD inclusive of the subject parcels to the present owner.

Concurrent with the Great Recession, Brunswick, Sea Ray's parent company, scaled back its various divisions, closing several plants and consolidating boat manufacturing operations here and at several other facilities. Now, the production of more models of boats occurs at the Flagler Sea Ray plant, and consumer demand has increased. As Sea Ray has described its operations, employee parking areas are now constrained by more outside storage, necessitated by the increase in production and the variety of boat models, requiring the use of multiple fiberglass boat molds through the production process. Likewise, employment has increased, although still not at peak pre-Recession levels; multiple shifts are now operating at the plant site. Through the present application, Sea Ray is seeking to expand its footprint – but not its plant site – to accommodate additional storage on its present plant site by shifting its employee parking to the south onto the adjoining subject parcels.

Sea Ray's intent, as stated to Planning staff and now demonstrated through the related PUD development agreement and PUD site development plan and their respective applications, is principally to develop a parking lot (setback a minimum of 400 feet from the east property line or 50 feet from any jurisdictional wetland line, whichever is greater) on the subject parcels to accommodate employee parking, including a finished boat staging area to be located no more than 1,000 feet from Roberts Road, all as presently located on the Sea Ray plant site. Another potential use, although not intended to be developed immediately, would be an office, not to exceed 40,000 square feet in size; staff proposes that an office, if developed, would not be located more than 1,000 feet from Roberts Road.

A comprehensive analysis of the effect of this Future Land Use amendment request accompanies this staff report.

Technical Review Committee (TRC) review

Staff presented the applicant with comments as part of the January 21, 2015 Technical Review Committee meeting; as of the date of this report, all staff comments have been satisfactorily addressed.

Planning and Development Board review

The Planning and Development Board at their February 10, 2015 regular meeting voted unanimously to recommend to the Board of County Commissioners not to transmit the subject amendment.

Board of County Commissioners review

The Board of County Commissioners at their March 16, 2015 regular meeting voted unanimously to transmit the proposed amendment. For the transmittal hearing, the Board also considered this request as the County's Local Planning Agency (LPA).

Transmittal agencies review

Following the transmittal hearing, County staff routed the amendment package to the State Land Planning Agency and other Agencies. Several agencies presented comments; these are addressed by staff in Attachment 3, accompanied by the full text of the agency comments.

This agenda item is:

quasi-judicial, requiring disclosure of ex-parte communication; or
 legislative, not requiring formal disclosure of ex-parte communication.

DEPT./CONTACT/PHONE #: Planning & Zoning / Adam Mengel / 386-313-4065

RECOMMENDATION: Request the Board adopt Application #2972, an ordinance amending the 2010-2035 Future Land Use Map and Future Land Use Element for Parcel #s 02-12-31-0000-01010-0140 and 02-12-31-0000-01010-0150, finding that the proposed amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan.

ATTACHMENTS:

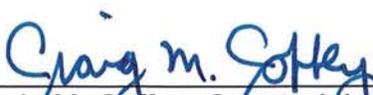
1. Technical Staff Report (TSR)
2. Amendment Summary of Impacts
3. Reviewing Agency Comments
4. Ordinance and Amendment Map
5. Application and Supplemental Materials
6. Public Notice



Adam Mengel, Planning & Zoning Director

7/16/2015

Date



Craig M. Coffey, County Administrator

16 July 2015

Date

Electronically Approved 07/16/15 by Deputy County Administrator, Sally Sherman
Electronically Approved 07/16/15 by County Attorney's Office As To Form

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Related Application

Application #2973 – Rezoning from PUD (Planned Unit Development) District to PUD (Planned Unit Development) District

Location and Legal Description

Generally lying south east of the corner of Roberts Road and Sea Ray Drive lying within Section 2, Township 12 South, Range 31 East, Flagler County, Florida; Parcel #02-12-31-0000-01010-0140 (5.23 acres) and 02-12-31-0000-01010-0150 (18.38 acres); Total project area is approximately 24.4 acres.

Owner and Applicant/Agent

- Owner: Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust
- Applicant: Sidney F. Ansbacher, Brunswick Corporation and Sea Ray Boats, Inc.

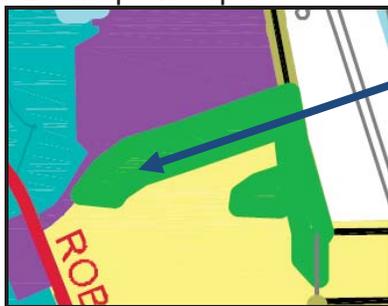
Existing Zoning and Land Use Classification

- Zoning: PUD (Planned Unit Development) District
- Land Use: Residential Low Density Single Family and Conservation

Future Land Use Map Classification/Zoning of Surrounding Land

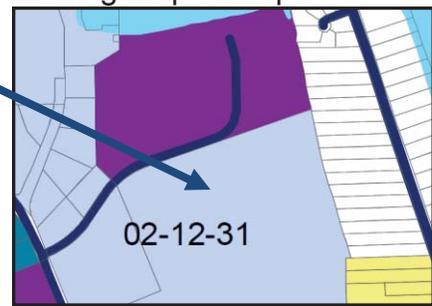
- North: Industrial / I (Industrial)
- East: City of Flagler Beach single-family residential
- South: Residential Low Density Single Family and Conservation / PUD (Planned Unit Development) District
- West: Roberts Road; Mixed Use: High Intensity Medium/High Density / MUH PUD (Mixed Use High Intensity Planned Unit Development) District (Grand Reserve West)

FLU Map excerpt:



SUBJECT PARCEL

Zoning Map excerpt:



Staff Analysis

The Grand Reserve East PUD included a buffer, designated as Conservation on the Future Land Use Map and 250 feet in width (a total of 10.36 acres in area), along a majority portion of the common parcel boundary with Sea Ray. This buffer of Conservation was intended to physically separate the proposed residential uses to the south from Sea Ray's industrial operations to the north. Staff has proposed a minimum setback to the east parcel line of the subject parcels of 400 feet or 50 feet from any

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jurisdictional wetland line, whichever is greater, and inclusive of existing wetland areas and adjacent upland buffers, within which no development would occur. The Conservation Future Land Use designation would ultimately be applied to wetland areas on both parcels through Comprehensive Plan Policy A.4.1.1. Based on Policy A.4.1.1, the limits of the Conservation Future Land Use designation will be determined based on the limits of the flagged jurisdictional wetland line as agreed to by the St. Johns River Water Management District, inclusive of the adjacent minimum 15 foot wide, average 25 foot, upland buffer.

Consistent with Table A.1 from Policy A.1.1.2, development on these combined parcels following the amendment to Commercial High Intensity would be limited to a maximum Floor Area Ratio (FAR) of 0.40 and maximum impervious area of 70%, corresponding to a maximum commercial square footage of 424,971.36 s.f. (9.76 acres) and a maximum impervious area of 17.08 acres.

Trip generation would be based, since parking is shifting off of the Sea Ray plant site to this location, first on background traffic currently utilizing the plant site, inclusive of employees, shipments, and deliveries, and then the net trips yielded from the reduction in residential dwelling units in the Grand Reserve East PUD. Applying the PUD's approved 2.15 unit/acre density to the 14.07 acres of Residential Low Density Single Family in these parcels yields 30 dwelling units, resulting in 286 daily trips (based on 9.52 average weekday trips generated by a single-family detached dwelling unit; Land Use 210, ITE Trip Generation, 9th Edition) available to Sea Ray in addition to those presently impacting Roberts Road associated with the plant's operations. The available trips increases to 400 daily trips (based on 42 dwelling units) utilizing the Future Land Use's "worst-case" analysis of impacts based on the maximum density permitted by the existing Residential Low Density Single Family Future Land Use maximum of three units per acre.

The Future Land Use amendment to Commercial High Intensity would permit a higher intensity of use and potential development than the presently approved Residential Low Density Single Family designation. Inclusion of a parcel-specific limiting policy in the Future Land Use Element provides assurances to adjacent properties that more intense development will not occur on these parcels than the proposed parking lot, the finished boat staging area, and office building. It remains staff's contention and recommendation, even absent the limiting policy, that the requested amendment is appropriate in light of the historic Industrial Land Use designation for these parcels amended just over ten years ago.

Previous Public Hearings

February 8, 2005 – Planning Board voted 3-2 (dissenting members not noted in the minutes) to recommend approval of a Future Land Use Map amendment from I (Industrial) to RSFL (Residential Single Family Low Density) on 166.0 acres, subject to:

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1. Approximately 26.2 acres of conservation and 139.8 acres of residential low density to provide a buffer to Sea Ray Boats, protection of salt water marsh areas and an overall reduction in gross density.
2. Participation in Colbert Lane improvements to maintain evacuation time and maintain level of service for future traffic volumes and emergency evacuations (Application #2400).

December 12, 2005 – Board of County Commissioners voted unanimously to approve the Future Land Use Map amendment for 139.8 acres from Industrial to Residential Low Density – Single Family and 26.2 acres from Industrial to Conservation (Application #2400; Ordinance No. 2005-31).

April 9, 2013 – Planning and Development Board voted unanimously to recommend denial of the Future Land Use Map amendment from Residential Low Density and Conservation to Industrial, Conservation, and Residential Medium Density (Application #2920)[Note: Application #2920 was subsequently withdrawn by the County and did not advance to the BCC.].

February 10, 2015 – Planning and Development Board voted unanimously to recommend not to transmit the Future Land Use amendment (Application #2972) [Note: The companion rezoning request from PUD to C-2 was withdrawn by the applicant at the March Planning and Development Board meeting, with the intent to return with a rezoning application following transmittal of the Future Land Use amendment and receipt of comments from the reviewing agencies].

March 16, 2015 – Board of County Commissioners voted unanimously to transmit the Future Land Use Map amendment from Residential Low Density and Conservation to Commercial High Intensity (Application #2972).

Analysis of Consistency with Florida Statutes

The proposed amendment has been evaluated by staff for its consistency with Section 163.3177(6) of Florida Statutes:

- “2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:
 - a. The amount of land required to accommodate anticipated growth.”

This request is related to the conflicts originally identified through the State’s review as part of FLUA #05-1 for Application #2400, a/k/a Roberts Landing. The conflict created through amending the area immediately adjacent to Sea Ray has had significant impacts on Sea Ray’s operations. Many of the cautions raised by the DCA in evaluating #05-1 can be resolved through this request.

- “b. The projected permanent and seasonal population of the area.”

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The amendment would represent a permanent decrease in population in the area of 101 persons, using 2.4 persons per household (pph) for the reduced 42 dwelling units.

“c. The character of undeveloped land.”

The land is level and composed of poorly drained piney flatwoods. The easternmost portion of the subject parcels is wetland and will ultimately be placed in the Conservation Future Land Use designation and will remain undeveloped.

“d. The availability of water supplies, public facilities, and services.”

These services are provided by the City of Palm Coast to adjacent parcels.

“e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.”

This amendment is not facilitated by a need for redevelopment, but is instead prompted by Sea Ray’s need for additional area on their plant site. This amendment does not renew blighted areas or eliminate nonconforming uses.

“f. The compatibility of uses on lands adjacent to or closely proximate to military installations.”

Not applicable – the subject parcels are not adjacent or proximate to a military installation.

“g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.”

Not applicable – the subject parcels are not adjacent to an airport.

“h. The discouragement of urban sprawl.”

Urban sprawl is not relevant here since this request has been previously amended as part of the previous urban service area located east of U.S. Highway 1.

“i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community’s economy.”

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Transitioning the Future Land Use Map to an Industrial category for part of the amendment would foster additional job creation and capital investment; however, this amendment only seeks to change existing Residential Low Density Single Family lands to Commercial High Intensity, which could ultimately also create additional jobs. Instead, based on the proposed use of the subject parcels as a parking lot, finished boat staging area, and office building supporting the adjacent Sea Ray plant, this amendment request can be viewed as directly supporting Sea Ray's continued operations and serves to strengthen the community's economy by ensuring Sea Ray's continued presence in the area.

- "j. The need to modify land uses and development patterns within antiquated subdivisions."

Not applicable – while this request is part of an antiquated subdivision plat, the amendment request is not linked to or caused by the plat.

- "8. Future land use map amendments shall be based upon the following analyses:

- a. An analysis of the availability of facilities and services."

This report and the attached analyses provide a preliminary analysis of the availability of facilities and services. Final determination of the availability of facilities and services will be made at the time of final platting or permit issuance.

- "b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site."

No site characteristics would hinder development of the subject parcels.

- "c. An analysis of the minimum amount of land needed as determined by the local government."

Approval of this amendment will provide sufficient additional area for Sea Ray's continued operations. Arguably, maintaining the additional residential density as presently designated is unnecessary at this time due to the continuing residential surplus of housing stock within the County.

- "9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

- a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and

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characteristics unique to each locality in order to determine whether the plan or plan amendment:

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
- (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
- (VI) Fails to maximize use of existing public facilities and services.
- (VII) Fails to maximize use of future public facilities and services.
- (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
- (IX) Fails to provide a clear separation between rural and urban uses.
- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- (XI) Fails to encourage a functional mix of uses.
- (XII) Results in poor accessibility among linked or related land uses.
- (XIII) Results in the loss of significant amounts of functional open space.”

Staff concludes that this request neither results in the 13 sprawl indicators being met or not met; the approval of the request would have an overall de minimis impact on the sprawl indicators.

“b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner

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that does not have an adverse impact on and protects natural resources and ecosystems.

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
- (IV) Promotes conservation of water and energy.
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
- (VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.
- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.”

Staff concludes that this request neither results in the eight “anti-sprawl” objectives being met or not met; the approval of the request would have an overall de minimis impact on the sprawl indicators. The present Future Land Use designation creates an ongoing conflict for adjacent industrial uses.

Analysis of Consistency with the Comprehensive Plan

The proposed amendment has been evaluated by staff for its consistency with the Comprehensive Plan:

“GOAL A.1: Flagler County shall strive to achieve orderly, harmonious and judicious use of the land through a distribution of compatible land uses, fostering the viability of new and existing communities while maintaining the agricultural pursuits of the County, and recognizing and preserving the integrity of the natural environment.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective A.1.2: Flagler County shall eliminate or reduce uses of land within the County which are inconsistent with community character or desired future land uses.”

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Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.1.2.2: The Flagler County Planning and Zoning Department shall maintain consistency between the Land Development Regulations (LDRs) and the Comprehensive Plan by the following means:

- (1) Parcels being considered for amendment to the Future Land Use Map shall be concurrently evaluated for rezoning to the most appropriate zoning district.
- (2) Parcels seeking site plan approval shall continue to be designed, developed and used for activities allowed by the appropriate zoning district.
- (3) Property owners will be asked to conform to pending land use/zoning regulations as they request development approval.”

The owner is concurrently seeking rezoning of the subject parcels to replace the present Planned Unit Development (PUD) to complete the action to make the use conform to the Comprehensive Plan and the Land Development Code (LDC). This amendment attempts to reduce or eliminate the conflict between the present Future Land Use designation and Sea Ray and coincides with the PUD rezoning. The only possible zoning designation is Planned Unit Development (PUD) as provided in the parcel-specific limiting policy. Acceptance of the development agreement by the owner and recordation in the public records is required prior to issuance of any development order or permit.

“Objective A.1.4: Flagler County shall coordinate future land uses with topography, soil conditions, and the availability of facilities and services through the implementation of its Comprehensive Plan, Land Development Code (LDC), and Concurrency Management System.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.1.4.1: During the review of requests for plan amendments, topography, vegetation, wildlife habitat, flood hazard, the 100-year flood plain, and soils for the areas to be amended will be analyzed and specific findings made as part of the plan amendment process.”

No site characteristics are present on these parcels that would impact the requested amendment.

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“Objective A.1.5: Upon plan adoption, Flagler County shall limit urban sprawl by directing urban growth to those areas where public facilities and services are available.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.1.5.6: The impact resulting from new non-residential development along collector and arterial roadways shall be managed through access management, shared or joint access, traffic signalization and other similar techniques.”

This policy is satisfied at the time of site plan submittal. Sea Ray Drive will serve as the common access point for the present plant and the proposed parking area.

“Objective A.1.6: Flagler County shall continue to ensure that the Future Land Use Map series and the Comprehensive Plan are implemented through consistent and coordinated land development regulations and the Official Zoning Map.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.1.6.1: Flagler County shall implement its Comprehensive Plan through land development regulations which maintain the quality of existing and proposed residential areas by establishing regulations for roadway buffers, landscape and natural vegetation buffers, fences and walls, and the use of intervening common open space.”

The County’s Land Development Code provides for appropriate buffers.

“Policy A.1.6.2: Flagler County shall implement its Comprehensive Plan through land development regulations which protect residential neighborhoods from encroachment by incompatible land uses such as commercial and industrial development. This type of protection may require as part of the Land Development Code (LDC) standards for natural and planted landscape buffers and that less intensive office, commercial, or industrial uses be located adjacent to residential development and that the intensity may increase the further the distance away from residential development.”

The County’s Land Development Code does this; commentary that this policy is not met would mean that the County’s Land Development Code does not provide for buffering, but it does provide for buffering.

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“GOAL A.3: Flagler County shall use its home rule powers and coordination with other public and private organizations to strive for an economy that is diversified, stable and flexible.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective A.3.1: Flagler County shall coordinate with the Economic Development Element to ensure consistency with the implementation of economic development activities throughout the County.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.3.1.3: Flagler County shall encourage the continued development and improvement of appropriate existing industrial areas, while also providing new sites for industrial development.”

This amendment request encourages the continued operation of an established, conforming, appropriately-zoned industrial use.

“GOAL A.6: In coordination with the Coastal Management Element, Flagler County shall use the Future Land Use Element and Land Development Code to protect, preserve and efficiently manage natural and man-made resources within the coastal areas of the County.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective A.6.1: Consistency shall be maintained between Flagler County’s Future Land Use Element, Transportation Element, and Coastal Management Element related to development occurring within the coastal areas of the County.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.6.1.1: Land use plan amendments shall be reviewed under the criteria established in the Coastal Management Element, Transportation Element, and other applicable standards contained in the adopted Flagler County Comprehensive Plan.”

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This analysis satisfies this Policy's requirements.

“GOAL A.7: Flagler County shall establish and enforce land uses such that the resulting development will be efficiently and effectively served by needed public services and facilities.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective A.7.1: Flagler County shall coordinate the utility needs of the private and public utilities and the need to accommodate dredge spoil disposal sites within the County consistent with the policies and criteria of the Flagler County Comprehensive Plan and consistent with the facility implementation plans of the various utilities and other federal and state agencies.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy A.7.3.6: All requests for amendments to the Future Land Use Map shall include an analysis of the level of service for public facilities, including an analysis of the potable water supply. Applications for land use map amendments shall be provided to the appropriate potable water supplier and the St. Johns River Water Management District (SJRWMD) for their review.”

This analysis satisfies this Policy's requirements. Potable water requirements are satisfied through permitting by the City of Palm Coast for this use.

“GOAL G.1: Flagler County will strive to maintain a diverse and stable economy by providing for a positive business climate that assures maximum employment opportunities while maintaining a high quality of life.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective G.1.2: Flagler County shall continue to support economic development organizations recognized by the Board of County Commissioners in order to promote economic development efforts on behalf of Flagler County.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

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“Policy G.1.2.7: Flagler County shall coordinate economic development efforts with all cities and other applicable agencies within the County and throughout the Northeast Florida region.”

Coordination is accomplished through the required transmittal of this Future Land Use amendment to reviewing agencies, as required by Florida Statutes.

“GOAL G.5: Flagler County shall promote balanced economic growth while enhancing the quality of life in the County.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective G.5.1: Flagler County shall promote the County’s character and quality of life by ensuring the provision of adequate infrastructure.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“GOAL I.1: Flagler County will develop and maintain intergovernmental coordination mechanisms necessary to achieve consistency among local, county and regional plans and policies and coordinate all development activities in order to improve delivery of services, enhance the quality of life and protect the natural environment.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Objective I.1.5: Flagler County shall attempt to resolve inconsistencies between adjacent local governments and state or federal permitting agencies through negotiating techniques.”

Goal and objective statements are not measurable, unlike policy statements that are measurable. This is provided for reference for the implementing policy to follow.

“Policy I.1.5.2: Flagler County shall utilize the Northeast Florida Regional Council (NEFRC) as a mediator when development issues or annexation issues cross-jurisdictional boundaries and cannot be resolved by Flagler County or other local governments involved.”

Should consultation with the NEFRC be ultimately necessary, then the County will pursue the Council’s mediation of any dispute. At this point, the

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Council's involvement is premature since the Board has not yet transmitted the amendment request (i.e., the elected body of the local government having jurisdiction over this request has not yet acted on this request).

Analysis of Compatibility with the Land Development Code

The requested small scale amendment has been evaluated by staff for its compatibility with the Land Development Code:

“8.04.00.: Plan amendments. A report shall be prepared by county staff as required and forwarded as part of the major plan amendment process to the long range planning and land development review board, planning board and the board of county commissioners. The report shall indicate the anticipated impact of the administrative action on the levels of service adopted in this ordinance. This report is intended to be a general analysis and should identify corrective actions and any responsibility for the cost of those actions.”

This request is considered a major plan amendment. Staff has addressed the concurrency-related requirements of Florida Statutes, the Comprehensive Plan, and this section of the LDC through this staff report and the accompanying materials.

Ultimately, the plan amendment process provides a “forward look” at concurrency issues, with the LDC requiring concurrency to be met or programmed at the time of final plat approval or permit issuance, as applicable.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Existing FLUM Category	Proposed FLUM Category	Existing Maximum Density (DU/Acre)	Proposed Maximum Density (DU/Acre)	Existing Maximum Intensity (FAR)	Proposed Maximum Intensity (FAR)	Net Increase or (Decrease) in Maximum Density	Non-Residential Net Increase or (Decrease) in Potential Floor Area
Residential: Low Density Single Family – 14.07 acres	Commercial High Intensity – 24.39 acres	3 DU/Acre	N/A	N/A	0.40	-42 units	+424,971.36 square feet [Parcel-specific limiting policy sets FAR limit at 40,000 square feet, less than 10% of maximum potential]
Conservation – 10.36 acres							

Summary:

This request is proposed as a 24.4 acre amendment changing to Commercial High Intensity that provides an area adjacent to Sea Ray for employee parking to be relocated off the existing plant site and an office building. The lands under this amendment were last part of Application #2400 for Roberts Landing (FLUA Amendment #05-1). Analysis of concurrency-related impacts – through Chapter 8 of the Flagler County Land Development Code – indicates that through the parcel-specific limiting policy, the capacity exists within existing public facilities so that an adopted Level of Service (LOS) threshold will not be degraded to a point of failure.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Transportation Impacts:

Trip Generation Potential of Parcels Affected by FLUA #2972

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips
				Acres	Units or Area	
Existing	Residential: Low Density Single Family	3 dwelling units per acre	210	14.07	42 units	-400 trips
	Commercial High Intensity		813		424,971.36 square feet	+21,569 trips
Proposed	Commercial High Intensity with Parcel-Specific Limiting Policy	0.40 FAR	715	24.39	40,000 square feet	+466 trips
Change in Daily Trips (Difference between Existing and Proposed with Limiting Policy)						

Note: Estimated impact is the worst-case scenario assuming ITE #813, Free-Standing Discount Superstore, and is based on a daily trip rate of 50.75 trips per 1,000 s.f. GFA. For the parcel-specific limiting policy and its maximum 40,000 s.f. office, ITE #715, Single Tenant Office Building, was used, with a daily trip rate of 11.65 trips per 1,000 s.f. GFA. Trip generation based on Institute of Traffic Engineers (ITE) Trip Generation Manual, 9th Edition.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Potable Water:

Water Supply Impacts of Parcels Affected by FLUA #2972

Scenario	Land Use Designation	Maximum Allowed Intensity	Criterion	Size of Development		Daily Potable Water Demand
				Acres	Units or Area	
Existing	Residential: Low Density Single Family	3 dwelling units per acre	125 gals per capita per day	14.07	42 units	-12,600 gallons
Proposed	Commercial High Intensity	0.40 FAR	300 gals per ERU per day	24.39	424,971.36 square feet	+16,575 gallons
	Commercial High Intensity with Parcel- Specific Limiting Policy				40,000 square feet	+1,560 gallons
Change in Potable Water Demand (Difference between Existing and Proposed with Limiting Policy)						

Note: Single-family demand based on 2.4 pph. Commercial demand based on non-intensive user (primarily public/employee restrooms) with a 0.130 ERU per 1,000 s.f.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Sanitary Sewer:

Sanitary Sewer Impacts of Parcels Affected by FLUA #2972

Scenario	Land Use Designation	Maximum Allowed Intensity	Criterion	Size of Development		Daily Sanitary Sewer Demand
				Acres	Units or Area	
Existing	Residential: Low Density Single Family	3 dwelling units per acre	110 gals per capita per day	14.07	42 units	-11,088 gallons
Proposed	Commercial High Intensity	0.40 FAR	240 gals per ERU per day	24.39	424,971.36 square feet	+13,260 gallons
	Commercial High Intensity with Parcel- Specific Limiting Policy				40,000 square feet	+1,248 gallons
Change in Sanitary Sewer Demand (Difference between Existing and Proposed with Limiting Policy)						

Note: Single-family demand based on 2.4 pph. Commercial demand based on non-intensive user (primarily public/employee restrooms) with a 0.130 ERU per 1,000 s.f.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Solid Waste:

Solid Waste Impacts of Parcels Affected by FLUA #2972

Scenario	Land Use Designation	Maximum Allowed Intensity	Criterion	Size of Development		Daily Solid Waste Demand
				Acres	Units or Area	
Existing	Residential: Low Density Single Family	3 dwelling units per acre	9.3 pounds per capita per day	14.07	42 units	-937 pounds
			3.12 pounds per 100 s.f. per day	24.39	424,971.36 square feet	+13,260 pounds
Proposed	Commercial High Intensity	0.40 FAR	6 pounds per 1,000 s.f. per day			40,000 square feet
	Commercial High Intensity with Parcel- Specific Limiting Policy					
Change in Solid Waste Demand (Difference between Existing and Proposed with Limiting Policy)						

Note: Single-family demand based on 2.4 pph. Commercial demands based SWANA Tech. Bull. 85-6; Recovery Sciences, 1987; and Matrix Mgmt Group, "Best Management Practices Analysis for Solid Waste" generator for department stores and offices, respectively.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Parks and Recreation:

Parks and Recreation Impacts of Parcels Affected by FLUA #2972

Scenario	Land Use Designation	Maximum Allowed Intensity	Criterion	Size of Development		Parks and Recreation Demand
				Acres	Units or Area	
Existing	Residential: Low Density Single Family	3 dwelling units per acre	Resident population	14.07	42 units	-101 persons
Proposed	Commercial High Intensity	0.40 FAR	N/A	24.39	424,971.36 square feet	N/A
	Commercial High Intensity with Parcel-Specific Limiting Policy				40,000 square feet	N/A
Change in Parks and Recreation Demand (Difference between Existing and Proposed with Limiting Policy)						

Note: Parks and recreation LOS demand is based on aggregated population counts. Non-residential uses do not generate parks and recreation demand.

**FUTURE LAND USE AMENDMENT
SUMMARY OF IMPACTS FOR APPLICATION #2972**

Educational Facilities:

Educational Facilities Demand of Parcels Affected by FLUA #2972

Scenario	Land Use Designation	Maximum Allowed Intensity	Criterion	Size of Development		Educational Facilities Demand
				Acres	Units or Area	
Existing	Residential: Low Density Single Family	3 dwelling units per acre	FTE	14.07	42 units	-14 students
Proposed	Commercial High Intensity	0.40 FAR	N/A	24.39	424,971.36 square feet	N/A
	Commercial High Intensity with Parcel-Specific Limiting Policy				40,000 square feet	N/A
Change in Educational Facilities Demand (Difference between Existing and Proposed with Limiting Policy)						

Note: Educational facilities LOS demand is based on FTE counts determined within Concurrency Service Areas (CSAs). This project is located within CSA Number 2. No deficiencies in service have been indicated through the most recent District Work Plan. Non-residential uses do not generate educational facilities demand.

FLAGLER COUNTY PLANNING DEPARTMENT
REVIEWING AGENCY COMMENTS / APPLICATION # 2972

On March 20, 2015, County Planning staff provided the amendment transmittal package to the following individuals/agencies pursuant to the State's Expedited Review Process:

- Ray Eubanks, Dept. of Economic Opportunity
- Florida Dept. of Agriculture and Consumer Services
- Sherri Martin, Florida Dept. of Economic Opportunity, Bureau of Economic Development
- Tracy Suber, Florida Dept. of Education
- Florida Dept. of Environmental Protection
- Deena Woodward, Florida Dept. of State, Bureau of Historic Preservation
- Scott Sanders, Florida Fish and Wildlife Conservation Commission
- Hope Goeman, Florida Dept. of Transportation, District 5
- Lindsay Haga, Northeast Florida Regional Council
- Malissa Dillon, St. Johns River Water Management District
- Mayor Stephen Emmett, Town of Beverly Beach
- Mick Cuthbertson, City of Bunnell
- Larry Torino, City of Flagler Beach
- Mayor Leslie S. Babonis, Ph.D., Town of Marineland
- Ray Tyner, City of Palm Coast
- S. Laureen Kornel, City of Ormond Beach
- Mike Brown, Putnam County
- Teresa Bishop, St. Johns County
- Becky Mendez, Volusia County

Over the next month, comments were received from (in order of receipt):

- Florida Dept. of Education
- Northeast Florida Regional Council
- St. Johns River Water Management District
- Florida Dept. of Transportation, District 5
- Florida Dept. of Environmental Protection
- Florida Dept. of Agriculture and Consumer Services (2 sets of comments)
- City of Flagler Beach
- Florida Dept. of Economic Opportunity
- Florida Fish and Wildlife Conservation Commission

**SUMMARY OF REVIEWING AGENCY TRANSMITTAL COMMENTS
FLAGLER COUNTY 15-1ESR**

Agency Name	Comments	County Staff Analysis
Florida Dept. of Education April 3, 2015	"Because the amendment does not appear to have the potential to adversely affect public educational facilities, I offer no comment."	Comment acknowledged; no action required.
Northeast Florida Regional Council April 3, 2015	<p>"The amendment will not result in adverse effects to significant regional resources and facilities identified in the SRPP because the associated text amendment limits intensity regarding infrastructure and defines placement criteria regarding environmental resources."</p> <p>"Notwithstanding the history of the site to be previously designated Industrial on the Flagler County Future Land Use map and immediately adjacent to the existing Sea Ray industrial facility, the site is due west of the City of Flagler Beach area along Lambert Lane [sic]. Without site controls like the text policy requiring a Planned Unit Development and locational criteria for uses and placement, the proposed amendment could result in the introduction of incompatible uses (i.e. uses that exceed reasonable changes with noise, odor, and sight impacts continuing for extended periods of time)."</p>	<p>The parcel-specific limiting policy language included at Policy A.1.1.10(11), implemented through the PUD development agreement and PUD site development plan, provide the limits in intensity and prevents adverse effects.</p> <p>The Regional Council staff concurs with County staff's approach for the use of the text policy requiring a PUD and its locational criteria as a method to ensure that incompatible uses do not occur on the subject parcels.</p>
	<p>"The uses described for this parcel to do permit expansion of industrial product manufacturing on the amendment property. However, <i>it could be made clearer if the relocation of the employee parking from the parent parcel will result in expansion of the existing facility so as to address suitability concerns from the adjacent neighborhood.</i>" [original emphasis]</p>	<p>The first portion of the comment is unclear; however, County staff believes that the intended comment was: "The uses described for this parcel do not permit expansion of industrial product manufacturing on the amendment property." As stated by representatives of Sea Ray, the relocation of the parking will not result in expansion of manufacturing at the existing plant site.</p>
St. Johns River Water Management District April 8, 2015	"District staff have no comments on the proposed amendment because no adverse impacts to important state resources and facilities were identified."	Comment acknowledged; no action required.

**SUMMARY OF REVIEWING AGENCY TRANSMITTAL COMMENTS
FLAGLER COUNTY 15-1ESR**

Agency Name	Comments	County Staff Analysis
<p>Florida Dept. of Transportation, District 5 April 9, 2015</p>	<p>“The proposed amendment does not appear to have significant adverse impacts to the State Highway System (SHS) or the Strategic Intermodal System (SIS) at this time.”</p> <p>“The segment of SR 100 west of Roberts Road is projected to operate at an unacceptable LOS by the horizon year 2035.”</p> <p>“FDOT supports the county’s economic development efforts and supports the use of the proposed policy in the Future Land Use Element as one method of accommodating economic development while minimizing adverse impacts to the SHS.”</p> <p>“The amendment does not appear to have significant adverse impacts to the State Highway System (SHS) or the Strategic Intermodal System (SIS) at this time. However, pursuant to F.S. 163.3184(3)(b), the Florida Department of Transportation (FDOT) has the following concerns at this time regarding the proposed amendment. FDOT would like to note that the acreage of each parcel is inconsistent throughout the various materials comprising the amendment package. For FDOT’s analysis, FDOT used the acreage values from the Trip Generation Potential of Parcels Affected by FLUA #2972 table in the technical staff report. The trip generation Technical Memorandum by Lassiter Transportation Group, Inc. accompanying the amendment package uses an area of 16.39 acres for its analysis of the existing development potential, which is larger than the acreage provided by the County in its technical staff report. The use of the larger area results in a greater potential trip generation under the existing conditions which diminishes the increase in trips resulting from the proposed amendment.”</p> <p>“The proposed amendment has the potential to increase the number of trips on segments of SHS facilities that are projected to operate at an unacceptable LOS by the horizon year 2035. The potential increase is minimal because of the text amendment accompanying the Future Land Use Map amendment. FDOT recommends that if the FLUM amendment is adopted, that the text amendment be adopted concurrently because taken together the amendments allow for the growth of the Sea Ray facility while minimizing impacts to a segment of the SHS that is projected to operate at an unacceptable LOS by 2035.”</p>	<p>Comment acknowledged; no action required.</p> <p>Comment acknowledged; no action required. Other comments reflect FDOT’s review of the policy limitation.</p> <p>The parcel-specific limiting policy is intended to minimize adverse impacts to the SHS.</p> <p>Staff had initially provided the applicant with the 16.39 acre amount as the size of available non-wetland acreage on the subject parcels. Staff opted instead to use the smaller 14.07 acre amount following repeated iterations of the analysis of potential wetland areas on the subject parcels. By using the smaller available non-wetland acreage, staff assigned a smaller available density – still calculated using the “worse case” at the maximum permissible three units per acre density – and a smaller resulting trip generation. This provided a conservative approach as to potential trip generation that would be available to Sea Ray – 400 daily trips – as supplemental to their existing background traffic generation. Without expansion of the plant, trip generation should be static; instead of new trips, the parking lot is shifting from the plant site to the subject parcels with no net increase in traffic.</p> <p>County staff has concurrently provided the parcel-specific limiting policy to the Board of County Commissioners for consideration as part of the Future Land Use amendment. Including the policy text as part of the amendment minimizes the impacts to SHS facilities by minimizing the intensity of development that can occur on the subject parcels.</p>

**SUMMARY OF REVIEWING AGENCY TRANSMITTAL COMMENTS
FLAGLER COUNTY 15-1ESR**

Agency Name	Comments	County Staff Analysis
Florida Dept. of Environmental Protection April 14, 2015	"Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction."	Comment acknowledged; no action required.
Florida Dept. of Agriculture and Consumer Services April 15, 2015	"Based on our review of your county's submission, the Department has no comment on the proposal."	Comment acknowledged; no action required.
Florida Dept. of Agriculture and Consumer Services May 14, 2015	"Based on our review of your county's submission, the Department has no comment on the proposal."	Comment acknowledged; no action required.
City of Flagler Beach April 22, 2015	<p>"As you are aware, prior to the required transmittal hearing conducted on March 16, 2015, the City of Flagler Beach submitted comments voicing opposition to the proposed land use amendment predicated upon identifiable inconsistency findings. That action was initiated subsequent to City leadership having raised concerns and requesting staff input as to the proposed amendment's compliance with the Flagler County Comprehensive Plan; perhaps an unorthodox action, nonetheless, deemed warranted given the urgency of concern expressed by the adjoining neighborhood and community leadership."</p> <p>"The amendment property (24+/- acres), which is proposed to maintain a limitation as to the use of said lands to an employee parking field, boat staging area, and office building, lies due west and adjoins the City of Flagler Beach, and more specifically, borders properties zoned Single Family Residential as depicted on the City's Official Zoning Map; Low Density Residential on the current Future Land Use Map. Given the general character and disposition of the adjoining residential neighborhood, it is anticipated the area will remain stable in the long term. However, as has been documented, to the immediate north of, and contiguous to the amendment property is the Sea Ray plant manufacturing facility, the property of which totals some 39+/- acres."</p>	<p>Comment acknowledged; no action required. County staff appreciates the breadth of the City's review, especially the prerogative of City staff to evaluate this project for consistency to the County's adopted Comprehensive Plan.</p> <p>County staff also acknowledges the statutory provisions for the City's review, as cited by City staff: "Municipal comments shall be in the context of the relationship and effect of the proposed plan amendments on the municipal plan." (ss. 163.3184(3)(b)3.c., Florida Statutes).</p>

**SUMMARY OF REVIEWING AGENCY TRANSMITTAL COMMENTS
FLAGLER COUNTY 15-1ESR**

Agency Name	Comments	County Staff Analysis
<p>City of Flagler Beach April 22, 2015 (continued)</p>	<p>“The proposed transfer of employee parking to the amendment property will cause to “free” 3+/- acres currently devoted to vehicular parking on the main plant site. The fact that a significant area on the prime manufacturing site will have been “freed” promotes the opportunity to expand the current manufacturing footprint, if deemed warranted. With the possibility of plant expansion, and unless an advancement to the boat manufacturing fabrication process occurring simultaneously, such possible increased plant output may bring with it added emissions known to be toxic in nature and therein, a judicious concern to the City of Flagler Beach. And as has been previously indicated, particularly as it relates to the potential negative impact(s) as it relates to quality of life matters at the local and community level.”</p> <p>“The City acknowledges Sea Ray’s standing as it relates to adhering to Department of Environmental Protection standards. However, in concert with an increase in production is the potential to exacerbate wafts of objectionable odor(s) from a known hazardous chemical (styrene) categorized “reasonably anticipated to be a human carcinogen” and understandably elevates the level of concern alluded to above.”</p> <p>“Therefore, to address this concern and to the extent that Sea Ray Boats and the City establish a level of understanding moving forward, should Sea Ray elect to expand plant production and/or the manufacturing footprint without such aforementioned “emission controlled” process advancement, the City of Flagler Beach request Sea Ray be required to execute a legally binding Memorandum of Understanding prior to the adoption date of the amendment which speaks to the following:”</p>	<p>The amendment request and the related PUD rezoning, including the adoption of the PUD development agreement and the PUD site development plan, all are respective to development of the subject parcels and not the development or potential for development or redevelopment of the Sea Ray plant site. No request has been filed for plant expansion. Any development at the Sea Ray plant site would be required to meet the industrial performance standards at LDC Sec. 3-03.18.G, with site plan submittals subject to LDC Sec. 3-03.18.F.</p> <p>Sea Ray’s operations conform to permitted limits set by FDEP. The request for a Future Land Use amendment that results in the construction of a parking lot is not the venue for FDEP emissions complaints.</p> <p>As for the Memorandum requested by the City, in staff’s opinion, this request is not pertinent to the land use discussion or rezoning of the subject parcels. The City has no land use authority over the subject parcels. Further, no regulated emissions would be generated by any use on the subject parcels to be utilized as a parking lot.</p>

**SUMMARY OF REVIEWING AGENCY TRANSMITTAL COMMENTS
FLAGLER COUNTY 15-1ESR**

Agency Name	Comments	County Staff Analysis
<p>City of Flagler Beach April 22, 2015 (continued)</p>	<p>“1. Odor Control Monitors: i. Install odor control monitor units along property perimeters, the number of which shall be deemed reasonable to effectively monitor odor levels within on [sic](1) year of the land use amendment adoption date, if favorably adopted (unless otherwise agreed to by the City of Flagler Beach). ii. Provide periodic, on-line, emissions data findings accessible to the public (timeframe to be mutually agreed to by Sea Ray and the City of Flagler Beach).”</p> <p>“2. <u>Flagler County Odor Ordinance</u> - Sea Ray agree to comply with the adopted Flagler County Odor Ordinance if emissions <i>fail</i> to meet the minimum standards set forth in the ordinance which Sea Ray participated in developing. a. Grandfather standing: Compliance Parameter i. Based upon succeeding three (3) year emissions report (DEP Annual Operating Reports) (FADS), if averaged emissions are equal to, or fall below the 2013 reported levels, the grandfathered status shall remain in force. ii. Based upon succeeding three (3) year emissions reports (DEP Annual Operating Reports) (FADS), if averaged emissions for the year 2014, 2015, 2016 exceed the levels reported in the year 2013 Annual Operating Report, Sea Ray shall agree to meet the requirements of the Flagler County Odor Ordinance within twelve (12) months (unless otherwise agreed to by the City of Flagler Beach) of the date of having received the DEP Annual Operating Report findings. (NOTE: Hazardous Air Pollutants (HAPS) emitted in the year 2013 measured 67.53 tons (See Attachment 4).”</p>	<p>The County’s adopted industrial odor provisions – found at LDC Sec. 3.03.18.G.9.(a) and (b) – apply to “applicants for industrial uses” where, specific to odor, Sec. 3.03.18.G.3, <i>Applicability</i>, states (in part): “If any existing, nonconforming use of land is extended, expanded or enlarged, the performance standards relating to odor shall apply only with respect to such extended, expanded, or enlarged portion or use of land. With respect to such extensions, expansions, or enlargements, compliance with the odor standards of this ordinance shall be based on a measurement using a thirty-minute average. The application of the performance standards relating to odor to an existing, nonconforming use of land shall not apply to the erection of new storage, office or administrative structures or the installation of equipment that will reduce emissions, provided that such erection or installation is not accompanied by an expansion or enlargement of industrial production capacity.” The subject parcels are not zoned Industrial; the County’s Industrial District performance standards do not apply. One additional item: Like the often-mentioned noise ordinance, the County has not adopted an odor ordinance.</p>
<p>Florida Dept. of Economic Opportunity April 30, 2015</p>	<p>“We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity’s authorized scope of review that will be adversely impacted by the amendment if adopted.”</p> <p>“The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.”</p>	<p>Comment acknowledged; no action required.</p> <p>Comment acknowledged; no action required. County staff believes that relevant comments have been addressed through the amendment adoption package, the PUD rezoning, and the PUD site development plan.</p>

**SUMMARY OF REVIEWING AGENCY TRANSMITTAL COMMENTS
FLAGLER COUNTY 15-1ESR**

Agency Name	Comments	County Staff Analysis
Florida Fish and Wildlife Conservation Commission May 1, 2015	"We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment."	Comment acknowledged; no action required.



Gary Chartrand, *Chair*
John R. Padget, *Vice Chair*
Members
John A. Colón
Marva Johnson
Rebecca Fishman Lipsey
Michael Olenick
Andy Tuck

April 3, 2015

Adam Mengel, AICP, LEED AP BD+C
Planning and Zoning Director
Flagler County Planning and Zoning Department
1769 East Moody Boulevard, Building 2, Suite 105
Bunnell, Florida 32110
Via email: amengel@flaglercounty.org

Re: Flagler County 15-1 ESR

Dear Mr. Mengel:

Thank you for the opportunity to review Flagler County's proposed 15-1ESR amendment package, which the Florida Department of Education received on March 24, 2015. According to the department's responsibilities under Section 163.3184(3), Florida Statutes, I reviewed the amendment considering the provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have the potential to create significant adverse effects on public school facilities.

The package proposes amendment of the future land use map to apply the county's Commercial High Intensity future land use designation to a 24.4-acre property, which is currently designated as Residential Low Density Single Family and Conservation. The effect would be to permit nonresidential development and would not create additional demand for public school facilities. Because the amendment does not appear to have the potential to adversely affect public educational facilities, I offer no comment.

Again, thank you for the opportunity to review the amendment package. If I may be of assistance, please contact me at 850-245-9312 or Tracy.Suber@fldoe.org.

Sincerely,

Tracy D. Suber
Growth Management and Facilities Policy Liaison

TDS/

cc: Mr. Charles Neis and Ms. Pam Billy, Flagler County Public Schools
Ms. Sherry Spiers and Mr. Joseph Addae-Mensa, DEO/State Land Planning Agency

Thomas H. Inserra
Director, Office of Educational Facilities

**FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01**

Regional Planning Council: **Northeast Florida Regional Council**
Regional Planning Council Item No. **Flagler County Transmittal Amendment 15-1ESR**
Date Mailed to Local Government and State Land Planning Agency: **April 3, 2015**
Local Government Item No: **Flagler County Transmittal Amendment 15-1ESR**

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

Flagler County proposes to transmit a map amendment, modifying 24 acres from Residential Low Density Single Family and Conservation to Commercial High Intensity with a text amendment setting development standards. The property is located east of Roberts Road immediately south of Sea Ray Drive. The map excerpt below shows the existing Future Land use for the parcel (Res Low SF and Conservation). The site shares a boundary with the Sea Ray industrial facility. The purpose of this amendment is to construct a parking lot, staging area for finished boats, and a 40,000 square foot office building.



Existing Future Land Use

Note: A majority of property along Lambert Lane to the east is within the City of Flagler Beach.

Map excerpt of subject 24 acre property



The text policy requires development through a Planned Unit Development zone district to address locational criteria for the surface parking lot and stormwater facilities, the finished boat staging area, and intensity criteria for an office building to not exceed 40,000 square feet.

The Conservation Future Land Use designation will be applied to wetland areas on both parcels through Flagler County's Comprehensive Plan Policy A.4.1.1, which provides for administrative adjustments based on wetland survey information.

The proposed Commercial Land Use category permits development that result in more vehicle trips than the existing Residential Low Density category. The intensity limitation policy assures the site will not exceed the developmental impacts than currently approved.

The site was designated as Industrial Land Use prior to 2005 when the property was modified to its current designations.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN

The amendment will not result in adverse effects to significant regional resources and facilities identified in the SRPP because the associated text amendment limits intensity regarding infrastructure and defines placement criteria regarding environmental resources.

2. EXTRA JURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Notwithstanding the history of the site to be previously designated Industrial on the Flagler County Future Land Use map and immediately adjacent to the existing Sea Ray industrial facility, the site is due west of the City of Flagler Beach area along Lambert Lane. Without site controls like the text policy requiring a Planned Unit Development and locational criteria for uses and placement, the proposed amendment could result in the introduction of incompatible

uses (i.e. uses that exceed reasonable changes with noise, odor, and sight impacts continuing for extended periods of time).

The uses described for this parcel to do permit expansion of industrial product manufacturing on the amendment property. However, *it could be made clearer if the relocation of the employee parking from the parent parcel will result in expansion of the existing facility so as to address suitability concerns from the adjacent neighborhood.*

Request a copy of the adopted version of the amendment?

Yes No

Recommendation

Staff respectfully recommends the Northeast Florida Regional Council transmit this report for the Flagler County Transmitted Amendment 15-1 ESR to Flagler County.



St. Johns River Water Management District

Hans G. Tanzler III, Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at floridaswater.com.

April 8, 2015

Mr. Adam Mengel
Flagler County
Director of Planning and Zoning
1769 East Moody Boulevard
Bunnell, FL 32110

Re: Flagler County Proposed Comprehensive Plan Amendment #15-1ESR

Dear Mr. Mengel:

St. Johns River Water Management District (District) staff have reviewed the above-referenced proposed comprehensive plan amendment. District staff review, as outlined in *Florida Statutes*, focused on flood protection and floodplain management, wetlands and other surface waters, and regional water supply as they relate to important state resources and facilities that will be adversely impacted by the amendment if adopted. District staff have no comments on the proposed amendment because no adverse impacts to important state resources and facilities were identified.

If you have any questions or need additional information, please contact me at (386) 312-2369 or sfitzgib@sjrwmd.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Fitzgibbons".

Steve Fitzgibbons, AICP, Intergovernmental Planner
Office of Communications and Intergovernmental Affairs

cc: Ray Eubanks, Florida Department of Economic Opportunity
Joseph Addea-Mensa, Florida Department of Economic Opportunity
Brian Teeple, Northeast Florida Regional Council
Geoff Sample, St. Johns River Water Management District

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RICK SCOTT
GOVERNOR

719 South Woodland Boulevard
DeLand, Florida 32720

JIM BOXOLD
SECRETARY

April 9, 2015

Adam Mengel, Director
Flagler County Planning and Zoning Department
1769 E. Moody Boulevard, Bldg 2
Suite 105
Bunnell, Florida 32110

Sent Via Email

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT
LOCAL GOVERNMENT: FLAGLER COUNTY
DEO #: 15-1 ESR

Dear Mr. Mengel:

The Department of Transportation has completed its review of the above Comprehensive Plan Amendments as requested in your memorandum dated March 23, 2015.

We appreciate the opportunity to participate in this review process and we offer our comments with this letter. The proposed amendment does not appear to have significant adverse impacts to the State Highway System (SHS) or the Strategic Intermodal System (SIS) at this time.

If you have any questions, please contact Judy Pizzo at 386-943-5167 or by e-mail at Judy.Pizzo@dot.state.fl.us.

Sincerely,

A handwritten signature in blue ink that reads "Heather S. Garcia".

Heather S. Garcia
Planning & Corridor Development Manager

C: Brian Teeple, NEFRPC
Maria Cahill, FDOT
Sherry Spiers, DEO
Jim Wood, FDOT
Ray Eubanks, DEO

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Flagler County
DEO Amendment #: 15-1 ESR
Date Amendment Received FDOT: 03/24/2015
Review Comments Deadline: 04/23/2015
Today's Date: 04/08/2015

GENERAL BACKGROUND INFORMATION:

The proposed comprehensive plan amendment was initiated by the applicant to request a change in the Future Land Use designation of the 24.4 acre subject property from Residential Low Density Single Family and Conservation to Commercial High Intensity. An accompanying text amendment to the Future Land Use Element would limit the development of the subject property by restricting the rezoning of the subject parcels to Planned Unit Development (PUD) with specified uses and intensities. The subject property consists of 2 parcels located southeast of the intersection of Roberts Road and Sea Ray Drive. The Planning and Development Board held a public hearing to consider the proposed amendment on February 10, 2015 and voted to recommend denial. County staff recommended that the Board transmit the proposed amendment. The Flagler County Board of County Commissioners, in their capacity as the Local Planning Agency, held a public hearing to consider the proposed amendment on March 16, 2015 and voted to recommend it. Following the Local Planning Agency hearing, the Flagler County Board of County Commissioners held a public hearing on this amendment and voted to transmit the amendment to the Department of Economic Opportunity for review. The County anticipates adoption of the proposed amendments in June 2015.

AMENDMENT 1: Flagler County Proposed Comprehensive Plan Amendment – Application #2972

Elements: Future Land Use Map
Future Land Use Element

Statutory Reference: Chapter 163.3177, F.S., Required and Optional Elements of the Comprehensive Plan
Chapter 163.3184, F.S., Process for Adoption of Plan Amendment

Background:

The subject property is located south of a Sea Ray manufacturing center. The applicant (Sea Ray Boats, Inc.) request the change to permit the construction of a parking lot, finished boat staging area, and an office building on land adjacent to Sea Ray's existing industrial facility on Roberts Road.

The subject property had previously been designated with an Industrial Future Land Use designation. In 2005, a Future Land Use Map amendment changed the designation of the subject property, and surrounding property, to Low Density Residential and the properties were rezoned as Grand Reserve East PUD. The amendment was intended to encourage residential development to grow the County's economy. Over the years, the residential development of Grand Reserve East never materialized. Its sister project to the west, Grand Reserve West, faced a similar fate and also remains undeveloped. In 2013, the County sought to generate interest in industrial development by proposing to amend the Future Land Use designation of the northern portion of Grand Reserve East, including the subject property, to

FDOT Contact:	Judy Pizzo, MS, GISP FDOT District 5 Planning Project Manager	Reviewed by: Nick Lepp, AICP Renaissance Planning Group
Telephone:	386-943-5167	407.487.0061 x129
Fax:	386-943-5713	407.487.0058
E-mail:	judy.pizzo@dot.state.fl.us	nlepp@ciesthatwork.com
File:	H:\OOC\Planning\Growth Management\CPA Project Files\Flagler County\Review\2015\15-1ESR\Proposed\Flagler 15-1ESR Review 040815.docx	

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Flagler County
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Industrial. However, this effort was ended after the Planning and Development Board recommended denial of the amendment at the hearing on April 9, 2013.

The proposed amendment would accommodate the expansion of the Sea Ray facility and limit the potential development of the subject property. The Future Land Use Map amendment would change the Future Land Use designation from Residential Low Density Single Family and Conservation to Commercial High Intensity. The wetland areas of the subject property would eventually be designated with the Conservation Future Land Use designation by means of Future Land Use Element Policy A.4.1.1. The proposed corresponding parcel-specific Future Land Use Element text amendment would add Policy A.1.1.10 (11) to limit the development potential of the subject property. The proposed text amendment would restrict the rezoning of the subject property to PUD with a specified development program consisting of a parking area, a finished boat staging area, and an office building of up to 40,000 square feet.

The subject properties are currently vacant and are part of the approved Grand Reserve East PUD zoning district, a single-family residential development permitting a maximum of 300 dwelling units on 139.87 acres for a density of 2.15 units/acre. The Residential Low Density Single Family (RLDSF) Future Land Use designation allows densities from 1 to 3 units per gross acre, permitting a maximum build-out of 420 dwelling units across the entire Grand Reserve East. To the north of the subject property is the Sea Ray facility. To the south and west is vacant land. To the east are single family residential homes. The surrounding Future Land Use designations include Flagler County's Industrial designation to the north; Residential Low Density Single Family and Conservation designations to the south; City of Flagler Beach single-family residential to the east; and the Mixed Use: High Intensity designation to the west.

The proposed Flagler County Commercial High Intensity Future Land Use designation permits a maximum 0.40 FAR and 70% impervious surface maximum. This would permit up to 425,145 square feet of commercial development on the subject property. However, the corresponding text amendment limits the commercial development to 40,000 square feet. The existing Flagler County Residential Low Density Future Land Use designation permits up the 3 single-family dwelling units per gross acre. The Conservation Future Land Use designation does now allow for development.

For the purpose of this review, the permitted developments of the subject property resulting in the highest number of trips under the existing and proposed Future Land Use designations are used for the analysis of potential trip generation. The maximum trip generation under the existing Future Land Use designation results from single-family residential development at 3 dwelling units per acre. The highest trip generation under the proposed Future Land Use designation occurs under the limiting text amendment with 40,000 square feet of office development. Table 1 summarizes the proposed land use change and trip generation based on ITE Trip Generation average rates.

FDOT Contact:	Judy Pizzo, MS, GISP FDOT District 5 Planning Project Manager	Reviewed by: Nick Lepp, AICP Renaissance Planning Group
Telephone:	386-943-5167	407.487.0061 x129
Fax:	386-943-5713	407.487.0058
E-mail:	judy.pizzo@dot.state.fl.us	nlepp@citysthatwork.com
File:	H:\OOC\Planning\Growth Management\CPA Project Files\Flagler County\Review\2015\15-1ESR\Proposed\Flagler 15-1ESR Review 040815.docx	

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

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Table 1: Trip Generation Potential of Parcels Affected by FLUM Amendment

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips	Peak Hour Trips
				Acres	Allowed Development		
Adopted	Residential Low Density	3 du/ac	210	14.07	42 S.F. DU	400	42
	Conservation	N/A	N/A	10.36	N/A	0	0
Proposed	Commercial High Intensity	40,000 square feet - office	710	24.39	40,000 SF	441	60
Change in Trips						41	18

The subject property is located 1.15 miles north of SR 100, a State Highway System (SHS) facility. The SHS segments potentially affected by the proposed amendment are shown below in Table 2.

Table 2: State Roadway Segments Affected by FLU/FLUM Amendment

Road-ways	Segments	SIS?	2013				2035			
			LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?	LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?
SR 100	Palm Coast City Limits to CR 201/John Anderson Hwy	N	C	35,700	18,800	Y	C	35,700	37,900	N
	CR 201/John Anderson Hwy to Flagler Ave	N	D	41,790	17,300	Y	D	41,790	34,800	Y

Source: FDOT District 5 2014 LOS ALL Report

Table 2 shows that SR 100 to the east and west of the intersection with Roberts Road currently operates at acceptable level of service (LOS). The segment of SR 100 west of Roberts Road is projected to operate at an unacceptable LOS by the horizon year 2035.

<p>FDOT Contact: Judy Pizzo, MS, GISP FDOT District 5 Planning Project Manager Telephone: 386-943-5167 Fax: 386-943-5713 E-mail: judy.pizzo@dot.state.fl.us File: H:\OOC\Planning\Growth Management\CPA Project Files\Flagler County\Review\2015\15-1ESR\Proposed\Flagler 15-1ESR Review 040815.docx</p>	<p>Reviewed by: Nick Lepp, AICP Renaissance Planning Group 407.487.0061 x129 407.487.0058 nlepp@ciesthatwork.com</p>
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Flagler County
DEO Amendment #: 15-1 ESR
Date Amendment Received FDOT: 03/24/2015
Review Comments Deadline: 04/23/2015
Today's Date: 04/08/2015

Review Comments:

The proposed amendment has the potential to add trips to SR 100. While this facility currently has excess capacity, it is projected to operate at an unacceptable LOS by the year 2035. The proposed text amendment to the Future Land Use Element adding policy specifically to limit development at the subject property to meet the applicant's needs significantly reduces the potential increase in trip generation when amending the Future Land Use Map from Residential Low Density to Commercial High Intensity. For the purpose of this review's analysis, the maximum number of residential units permitted under the existing Future Land Use designation is used and not the amount permitted under existing zoning. For the proposed amendment, the parcel-specific limiting policy in the Future Land Use Element provides assurances that more intense development will not occur on this parcel than what is included in the proposed Policy A.1.1.10(11). FDOT supports the county's economic development efforts and supports the use of the proposed policy in the Future Land Use Element as one method of accommodating economic development while minimizing adverse impacts to the SHS.

The amendment does not appear to have significant adverse impacts to the State Highway System (SHS) or the Strategic Intermodal System (SIS) at this time. However, pursuant to F.S. 163.3184(3)(b), the Florida Department of Transportation (FDOT) has the following concerns at this time regarding the proposed amendment. FDOT would like to note that the acreage of each parcel is inconsistent throughout the various materials comprising the amendment package. For FDOT's analysis, FDOT used the acreage values from the Trip Generation Potential of Parcels Affected by FLUA #2972 table in the technical staff report. The trip generation Technical Memorandum by Lassiter Transportation Group, Inc. accompanying the amendment package uses an area of 16.39 acres for its analysis of the existing development potential, which is larger than the acreage provided by the County in its technical staff report. The use of the larger area results in a greater potential trip generation under the existing conditions which diminishes the increase in trips resulting from the proposed amendment.

Recommendations:

The proposed amendment has the potential to increase the number of trips on segments of SHS facilities that are projected to operate at an unacceptable LOS by the horizon year 2035. The potential increase is minimal because of the text amendment accompanying the Future Land Use Map amendment. FDOT recommends that if the FLUM amendment is adopted, that the text amendment be adopted concurrently because taken together the amendments allow for the growth of the Sea Ray facility while minimizing impacts to a segment of the SHS that is projected to operate at an unacceptable LOS by 2035.

The FDOT respectfully requests a copy of the adopted plan. Please provide within two weeks of adoption in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statute (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact:	Judy Pizzo, MS, GISP FDOT District 5 Planning Project Manager	Reviewed by: Nick Lepp, AICP Renaissance Planning Group
Telephone:	386-943-5167	407.487.0061 x129
Fax:	386-943-5713	407.487.0058
E-mail:	judy.pizzo@dot.state.fl.us	nlepp@citiesnetwork.com
File:	H:\OOC\Planning\Growth Management\CPA Project Files\Flagler County\Review\2015\15-1ESR\Proposed\Flagler 15-1ESR Review 040815.docx	

Adam Mengel

From: Ray, Suzanne E. [Suzanne.E.Ray@dep.state.fl.us]
Sent: Tuesday, April 14, 2015 9:32 AM
To: Adam Mengel; DCPexternalagencycomments@DEO.myflorida.com
Subject: Flagler County 15-1ESR Proposed

To: Adam Mengel, Planning and Zoning Director

Re: Flagler County 15-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction. Please forward a copy of adopted amendments to the Department.

Feel free to contact me for assistance or additional information.

Suzanne E. Ray, AICP
DEP Office of Intergovernmental Protection
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000
(850) 245-2172





FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

April 15, 2015

VIA EMAIL (amengel@flaglercounty.org)

Flagler County Planning and Zoning Dept.
Attn: Adam Mengel
1769 E. Moody Boulevard, Bldg. 2
Suite 105
Bunnell, Florida 32110

Re: DACS Docket # -- 20150324-536
Flagler County Application #2972
Submission dated March 23, 2015

Dear Mr. Mengel:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on March 24, 2015 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

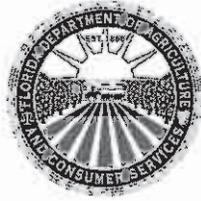
If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in black ink, appearing to read "Stormie Knight".

Stormie Knight
Sr. Management Analyst I
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Flagler County 15-1 ESR)



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

May 14, 2015

VIA EMAIL (amengel@flaglercounty.org)

Flagler County Planning and Zoning Department
Attn: Adam Mengel
1769 E. Moody Boulevard, Bldg. 2
Suite 105
Bunnell, Florida 32110

Re: DACS Docket # -- 20150420-544
Flagler County Application #2972
Submission dated March 23, 2015

Dear Mr. Mengel:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on April 20, 2015 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in black ink that reads "Stormie Knight".

Stormie Knight
Sr. Management Analyst I
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Flagler County 15-1 ESR)



City of Flagler Beach

P.O. Box 70 Flagler Beach Fl 32136

www.cityofflaglerbeach.com

April 22, 2015

Mr. Adam Mengel, AICP, LEED AP BD+C
Planning and Zoning Director, Flagler County
1769 E. Moody Boulevard, Building 2, Suite 105
Bunnell, Florida 32110
Via e-mail: amengel@flaglercounty.org

RE: FLAGLER COUNTY #15-1ESR – TRANSMITTAL OF PROPOSED
COMPREHENSIVE PLAN AMENDMENT (APPLICATION #2972)

Dear Mr. Mengel:

Thank you for the opportunity to review/comment on the above referenced amendment received by the City of Flagler Beach on March 23, 2015. Kindly note that the comments attached hereto are submitted in concert with Section 163.3184(3)(c) Florida Statutes, and more particularly, the potential implications of the proposed amendment's implications to the City's municipal plan.

APPLICATION SUMMARY

Flagler County #2972

- a. Owner: Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust
- b. Applicant: Brunswick Corporation and Sea Ray Boats, Inc/Sidney F. Ansbacher, Agent

Overview :

- A. Request to amend the 2010-2035 Flagler County Future Land Use Map changing 24.4 acres, as described in the amendment package from Low Density Residential and Conservation to Commercial High Intensity.
- B. Amend the Flagler County Comprehensive Plan (Future Land Use Element) to adopt a Parcel-Specific Limiting Policy to be applied upon Parcel #02-12-31-0000-01010-0140 and contiguous Parcel #02-12-31-0000-01010-0150 each of which is positioned within Section 2, Township 12S, Range 31E; and to provide for the development of:
 - i. A surface parking lot as an ancillary use to the primary manufacturing facility and site (as to added limitations; See Ordinance Section 3, Policy A.1.1.10 Parcel Specific Limitations).
 - ii. A finished boat staging area as an ancillary use to the primary manufacturing facility and site (as to added limitations; See Ordinance Section 3, Policy A.1.1.10 Parcel Specific Limitations).
 - iii. An office building not to exceed forty thousand (40,000) square feet (added limitations; See Ordinance Policy A.1.1.12 Parcel Specific Limitations).

- C. Commensurate with the above, it is the intent of the Flagler County Board of County Commissioners to further invoke a parcel-specific limiting Future Land Use Element policy text concurrent with the proposed Future Land Use Map amendment to restrict the rezoning of the affected parcels to Planned Unit Development (PUD).

Background

As you are aware, prior to the required transmittal hearing conducted on March 16, 2015, the City of Flagler Beach submitted comments voicing opposition to the proposed land use amendment predicated upon identifiable inconsistency findings. That action was initiated subsequent to City leadership having raised concerns and requesting staff input as to the proposed amendment's compliance with the Flagler County Comprehensive Plan; perhaps an unorthodox action, nonetheless, deemed warranted given the urgency of concern expressed by the adjoining neighborhood and community leadership.

In closing, notwithstanding this set of circumstances, kindly accept that the City of Flagler Beach appreciates your reaching out to participate in this review process. If you have any questions, please feel free to contact me at 386-517-2000, ext. 230 or by e-mail at ltorino@cityofflaglerbeach.com.

Sincerely,



Larry Torino, City Planner

cc: Lindsay Haga, Director of Planning, NEFRPC

CITY OF FLAGLER BEACH

FLAGLER COUNTY TRANSMITTAL AMENDMENT 15-1ESR

COMMENT AUTHORIZATION: SECTION 163.3184 FLORIDA STATUTES

Pursuant to Section 163.3184(3) (b) 1., 2.,3.(c)

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.

(b)1. (Excerpt) The local governing body shall also transmit a copy of the amendments and supporting data and analyses to any other local government or governmental agency that has filed a written request with the governing body. NOTE: *Transmittal document voluntarily provided to the City of Flagler Beach.*

2. (Excerpt) Agencies and *local governments* must transmit their comments to the affected local government such that they are received by the local government not later than 30 days after the date on which the agency or government received the amendment or amendments.

3. Comments to the local government from a regional planning council, county, or *municipality* shall be limited as follows:

c. Municipal comments shall be in the context of the relationship and effect of the proposed plan amendments on the municipal plan.

1. Application Overview Summary:

A. Request to amend the 2010-2035 Flagler County Future Land Use Map changing 24.4 acres, as described in the amendment package from Low Density Residential and Conservation to Commercial High Intensity (See Attachment 1,2,3).

B. Amend the Flagler County Comprehensive Plan (Future Land Use Element) to adopt a Parcel-Specific Limiting Policy to be applied upon Parcel #02-12-31-0000-01010-0140 and contiguous Parcel #02-12-31-0000-01010-0150 each of which is positioned within Section 2, Township 12S, Range 31E; and to provide for the development of:

- i. A surface parking lot as an ancillary use to the primary manufacturing facility (See proposed ordinance Section 3, Policy A.1.1.10; Parcel Specific Limitations).
- ii. A finished boat staging area as an ancillary use to the primary manufacturing facility (See proposed ordinance Section 3, Policy A.1.1.10 Parcel Specific Limitations).
- iii. An office building not to exceed forty thousand (40,000) square feet (See Ordinance Policy A.1.1.12 Parcel Specific Limitations).

- C. Commensurate with the above, it is the intent of the Flagler County Board of County Commissioners to further invoke a parcel-specific limiting Future Land Use Element policy concurrent with the proposed Future Land Use Map amendment to restrict the rezoning of the affected parcels to Planned Unit Development (PUD).

2. MUNICIPAL COMMENT: IMPACT OF THE PROPOSED PLAN AMENDMENT ON THE MUNICIPAL PLAN

The amendment property (24+/- acres), which is proposed to maintain a limitation as to the use of said lands to an employee parking field, boat staging area, and office building, lies due west and adjoins the City of Flagler Beach, and more specifically, borders properties zoned Single Family Residential as depicted on the City's Official Zoning Map; Low Density Residential on the current Future Land Use Map. Given the general character and disposition of the adjoining residential neighborhood, it is anticipated the area will remain stable in the long term. However, as has been documented, to the immediate north of, and contiguous to the amendment property is the Sea Ray plant manufacturing facility, the property of which totals some 39+/- acres.

The proposed transfer of employee parking to the amendment property will cause to "free" 3+/- acres currently devoted to vehicular parking on the main plant site. The fact that a significant area on the prime manufacturing site will have been "freed" promotes the opportunity to expand the current manufacturing footprint, if deemed warranted. With the possibility of plant expansion, and unless an advancement to the boat manufacturing fabrication process occurring simultaneously, such possible increased plant output may bring with it added emissions known to be toxic in nature and therein, a judicious concern to the City of Flagler Beach. And as has been previously indicated, particularly as it relates to the potential negative impact(s) as it relates to quality of life matters at the local and community level.

The City acknowledges Sea Ray's standing as it relates to adhering to Department of Environmental Protection standards. However, in concert with an increase in production is the potential to exacerbate wafts of objectionable odor(s) from a known hazardous chemical (styrene) categorized "reasonably anticipated to be a human carcinogen" and understandably elevates the level of concern alluded to above.

Therefore, to address this concern and to the extent that Sea Ray Boats and the City establish a level of understanding moving forward, should Sea Ray elect to expand plant production and/or the manufacturing footprint without such aforementioned "emission controlled" process advancement, the City of Flagler Beach request Sea Ray be required to execute a legally binding Memorandum of Understanding prior to the adoption date of the amendment which speaks to the following:

1. Odor Control Monitors:

- i. Install odor control monitor units along property perimeters, the number of which shall be deemed reasonable to effectively monitor odor levels within on (1) year of the land use amendment adoption date, if favorably adopted (unless otherwise agreed to by the City of Flagler Beach).
- ii. Provide periodic, on-line, emissions data findings accessible to the public (timeframe to be mutually agreed to by Sea Ray and the City of Flagler Beach).

2. Flagler County Odor Ordinance - Sea Ray agree to comply with the adopted Flagler County Odor Ordinance if emissions *fail* to meet the minimum standards set forth in the ordinance which Sea Ray participated in developing.

- a. *Grandfather standing*: Compliance Parameter
 - i. Based upon succeeding three (3) year emissions report (DEP Annual Operating Reports) (FADS), if averaged emissions are equal to, or fall below the 2013 reported levels, *the grandfathered status shall remain in force*.
 - ii. Based upon succeeding three (3) year emissions reports (DEP Annual Operating Reports) (FADS), if averaged emissions for the year 2014, 2015, 2016 *exceed* the levels reported in the year 2013 Annual Operating Report, Sea Ray shall agree to meet the requirements of the Flagler County Odor Ordinance within twelve (12) months (unless otherwise agreed to by the City of Flagler Beach) of the date of having received the DEP Annual Operating Report findings. **(NOTE: Hazardous Air Pollutants (HAPS) emitted in the year 2013 measured 67.53 tons (See Attachment 4).**

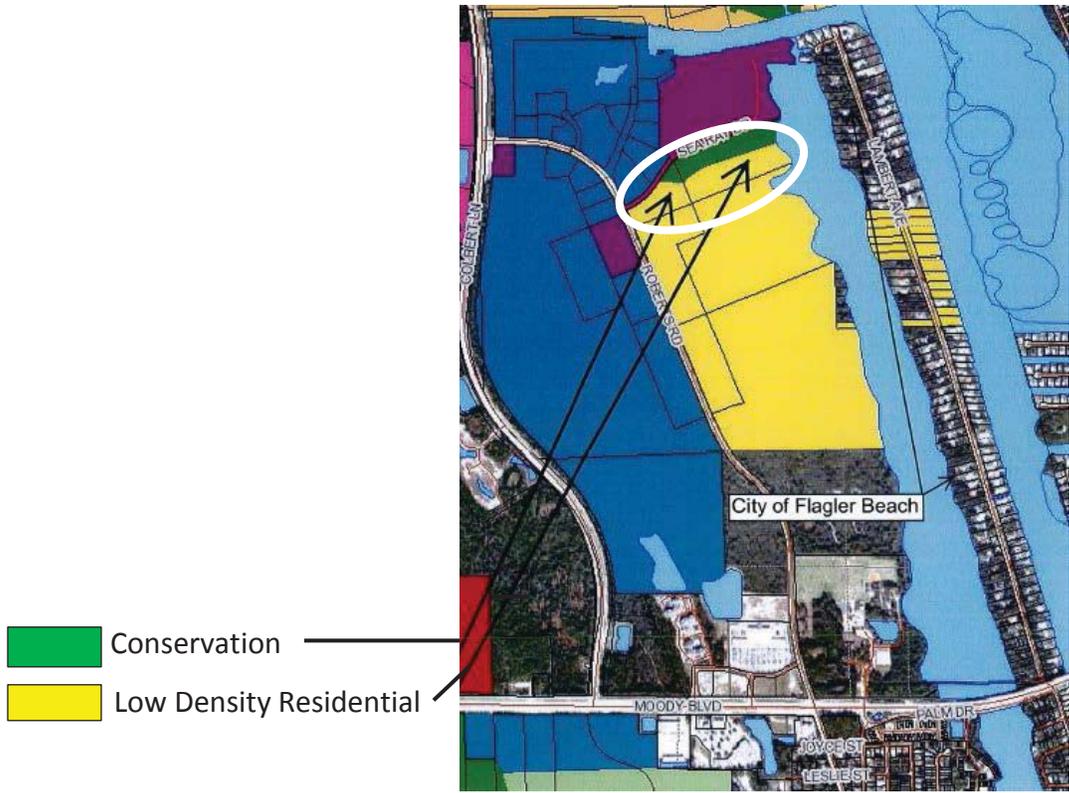
The City of Flagler Beach respectfully requests a copy of the adopted amendment, if favorably adopted.

Attachments:

1. Amendment Property – Flagler County *Existing* Future Land Use Map Designation
2. Amendment Property – (Extract) Flagler County *Existing* Future Land Use Map Designation
3. Amendment Property – (Extract) Flagler County *Proposed* Future Land Use Map Designation
4. 2013 - Sea Ray DEP Facility Detail Report

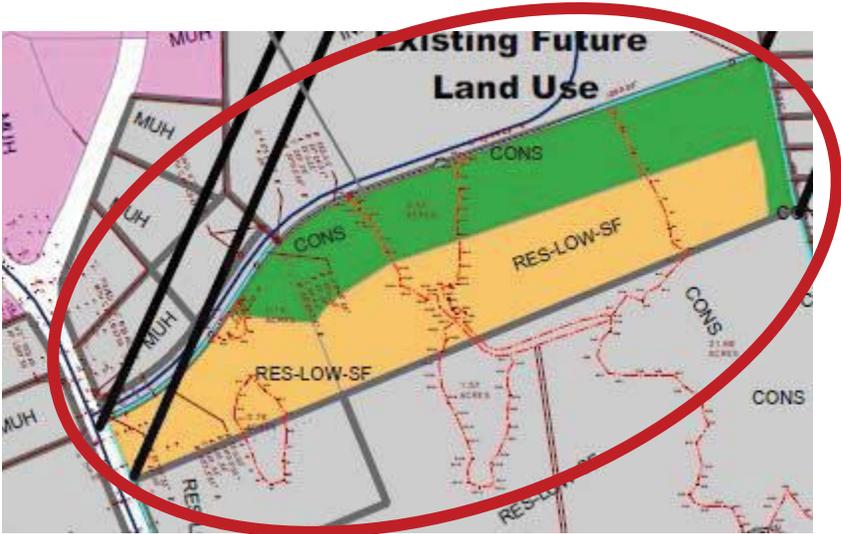
ATTACHMENT 1

FLAGLER COUNTY **EXISTING** FUTURE LAND USE MAP DESIGNATION



ATTACHMENT 2

FLUM EXTRACT: AMENDMENT PROPERTY



ATTACHMENT 3

FLAGLER COUNTY PROPOSED FUTURE LAND USE MAP DESIGNATION

FLUM EXTRACT: AMENDMENT PROPERTY



CITY OF FLAGLER BEACH



COMMERCIAL: HIGH INTENSITY

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

April 30, 2015

RECEIVED

MAY 05 2015

The Honorable Frank J. Meeker, Chairman
Flagler County Board of County Commissioners
1769 E. Moody Boulevard, Building #2
Bunnell, Florida 32110

Flagler County Planning & Zoning Dept

Dear Chairman Meeker:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Flagler County (Amendment No. 15-1ESR), which was received on March 31, 2015. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Joseph Addae-Mensa, Planning Analyst, at (850) 717-8476, or by email at joseph.addae-mensa@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ana Richmond', with a long horizontal flourish extending to the right.

Ana Richmond, Chief
Bureau of Community Planning

AR/jam

Enclosure: Procedures for Adoption

cc: Adam Mengel, AICP, Planning and Zoning Director, Flagler County
Lindsay Haga, AICP, Director of Planning Program, Northeast Florida Regional Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

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

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.

Adam Mengel

From: Hight, Jason [Jason.Hight@MyFWC.com]
Sent: Friday, May 01, 2015 4:50 PM
To: DCPexternalagencycomments; Adam Mengel
Cc: Wallace, Traci; Chabre, Jane; DiGruttolo, Laura
Subject: Flagler County 15-1ESR

Dear Mr. Mengel:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Laura DiGruttolo at (352) 732-1225 or by email at laura.digruttolo@MyFWC.com.

Sincerely,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
office: 850-413-6966
cell: 850-228-2055

ORDINANCE NO. 2015 - ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT AND MAP BY AMENDING THE DESIGNATION OF A TOTAL OF 24.4 ACRES, MORE OR LESS, LYING IN SECTION 2, TOWNSHIP 12 SOUTH, RANGE 31 EAST; FROM RESIDENTIAL LOW DENSITY AND CONSERVATION TO COMMERCIAL HIGH INTENSITY; PROVIDING FOR FINDINGS; PROVIDING FOR A PARCEL-SPECIFIC LIMITING POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust, is the owner of the following contiguous parcels:

Parcel #02-12-31-0000-01010-0140, 5.23 acres in size; and
Parcel #02-12-31-0000-01010-0150, 18.38 acres in size.

WHEREAS, the parcels identified by Flagler County Property Appraiser parcel numbers above together total 24.4 acres, more or less, more particularly described herein and graphically shown on Exhibit "A" attached hereto; and

WHEREAS, Brunswick Corporation and their subsidiary, Sea Ray Boats, Inc., on behalf of the owner, sought the amendment of the Future Land Use designation of the lands described herein; and

WHEREAS, on February 10, 2015, the Planning and Development Board conducted a public hearing on this amendment and voted to recommend denial; and

WHEREAS, on March 16, 2015, the Flagler County Board of County Commissioners, sitting in their capacity as the Local Planning Agency, conducted a public hearing on this amendment and voted to recommend transmittal of the proposed amendment; and

WHEREAS, on March 16, 2015, following the Local Planning Agency hearing, the Flagler County Board of County Commissioners conducted a public hearing on this amendment and voted to transmit the amendment to the State Land Planning Agency and other Agencies as part of the Expedited State Review Process; and

WHEREAS, following transmittal of the proposed amendment, the State Land Planning Agency and other Agencies provided their comments to the County; and

WHEREAS, following consideration of the comments provided by the State Land Planning Agency and other Agencies, County staff and the applicant determined that no changes to the amendment were necessary; and

WHEREAS, on July 20, 2015, the Flagler County Board of County Commissioners, conducted an adoption public hearing on this amendment; and

WHEREAS, public notice of this action has been provided in accordance with Sections 125.66(2)(a) and 163.3184, Florida Statutes, and Section 2.07.00, Flagler County Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS:

Section 1. FINDINGS

- a. The Board of County Commissioners finds that the proposed Future Land Use Map amendment and Future Land Use Element policy text amendment are consistent with the goals, objectives, and policies of the Flagler County Comprehensive Plan.
- b. This ordinance is adopted in compliance with and pursuant to the Community Planning Act, Sections 163.3161-163.3217, Florida Statutes.

Section 2. FUTURE LAND USE MAP AMENDMENT

The real property containing approximately 24.4 acres, more or less, and legally described herein is hereby amended from Residential Low Density and Conservation to Commercial High Intensity, as graphically shown on Exhibit "A" attached hereto. The 2010-2035 Future Land Use Map of the adopted Comprehensive Plan shall be amended to reflect this amendment. The legal description of the subject property to be amended through this application is:

A parcel of land lying within Government Section 2, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

As a Point of Reference, commence at the southwest corner of Lot 35, River Oaks, Map Book 27, Pages 15 through 17, Public Records of Flagler County, Florida;

Thence departing said corner N16°46'35"W for a distance of 710.04 feet to the Point of Beginning of this description;

Thence S67°12'53"W for a distance of 2228.20 feet to the northeasterly R/W line of Roberts Road (80' R/W); thence along said right of way line N22°24'07"W for a distance of 220.00 feet to the southerly right of way line of Sea Ray Drive thence along said right of way line the following four (4) courses; (1) thence N67°35'53"E for a distance of 21.00 feet to a point of curvature; (2) thence northeasterly along a curve to the left having an arc length of 403.52 feet, a radius of 680.00 feet, a central angle of 34°00'00", a chord bearing N50°35'53"E and a chord distance of 397.63 feet to a point of tangency; (3) thence N33°35'53"E for a distance of 258.04 feet to a point of curvature; (4) thence northeasterly along a curve to the right having an arc length of 97.07 feet, a radius of 570.00 feet, a central angle of 09°45'28", a chord bearing N38°28'37"E and a chord distance of 96.96 feet to a point on a non-tangent line; thence departing said curve and right-of-way line S46°38'27"E for a distance of 4.99 feet to a point on a non-tangent curve; thence northeasterly along said curve to the right having an arc length of 270.33 feet, a radius of 565.00 feet, a central angle of 27°24'51", a chord bearing N57°03'59"E and a chord distance of 267.76 feet to a point of tangency; thence N70°46'24"E for a distance of 1352.87 feet to a point on the westerly subdivision line of said River Oaks; thence along said subdivision line S11°46'35"E for a distance of 460.36 feet; thence continue along said westerly subdivision line S16°46'35"E for a distance of 29.96 feet to the aforementioned Point of Beginning of this description.

Parcel containing 24.4 acres, more or less.

Section 3. FUTURE LAND USE ELEMENT POLICY AMENDMENT

The Future Land Use Element is hereby amended by the addition of a new policy A.1.1.10(11) that shall read as follows:

Policy A.1.1.10: Parcel Specific Limitations – Notwithstanding the maximum density and/or intensity permitted by this Future Land Use Plan, the following properties have proffered, and Flagler County agrees to implement a more limited yield:

- (11) FLUM Application #2972, Daryl M. Carter as Trustee of Carter-Flagler Roberts Road Land Trust, limits commercial development through an approved Planned Unit Development (PUD) to:
 - a. a surface parking lot and associated stormwater facilities, setback a minimum of four hundred (400) feet from the eastern boundary of the subject parcels or fifty (50) feet from any jurisdictional wetland line, whichever is greater, with the portion of the subject parcels located within the setback area to remain as undisturbed, natural vegetation, consisting of marshland and trees;

- b. a finished boat staging area, with the finished boat staging area completely within and no portion of the staging area or related facilities extending beyond a distance of one thousand (1,000) feet, as measured from the eastern right-of-way boundary of Roberts Road, eastward; and
- c. an office building, not to exceed 40,000 square feet (gross floor area) in size, with the office building and related facilities completely within and with no portion of the building or related facilities extending beyond a distance of one thousand (1,000) feet, as measured from the eastern right-of-way boundary of Roberts Road, eastward.

Identified wetlands located on both parcels to be designated as Conservation Future Land Use through the administrative adjustment allowed through Policy A.4.1.1 when wetland boundaries have been certified or otherwise determined consistent with Policy A.4.1.1. Being all of Tax Parcel #02-12-31-0000-01010-0140 and Parcel #02-12-31-0000-01010-0150 and totaling 24.4 acres in size.

Section 4. EFFECTIVE DATE

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

REMAINDER INTENTIONALLY BLANK
SIGNATURE LINE TO FOLLOW

**PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS
OF FLAGLER COUNTY, FLORIDA THIS _____ DAY OF _____,
2015.**

**BOARD OF COUNTY COMMISSIONERS
OF FLAGLER COUNTY, FLORIDA**

Frank J. Meeker, Chairman

ATTEST:

APPROVED AS TO FORM:

Gail Wadsworth, Clerk of the
Circuit Court and Comptroller

Al Hadeed, County Attorney



APPLICATION FOR FUTURE LAND USE MAP AMENDMENT TEN ACRES OR GREATER

FLAGLER COUNTY, FLORIDA

1769 E. Moody Blvd, Suite 105

Bunnell, FL 32110

Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project #: 2972 / 2015010002

PROPERTY OWNER(S)	Name(s):	Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust		
	Mailing Address:	3333 S. Orange Avenue, Suite 200		
	City: Orlando	State: Florida	Zip: 32806	
	Telephone Number	407-422-3144	Fax Number	407-422-3155

APPLICANT/AGENT	Name(s):	Sidney F. Ansbacher, Brunswick Corporation and Sea Ray Boats, Inc.		
	Mailing Address:	780 N. Ponce de Leon Blvd.		
	City: St. Augustine	State: Florida	Zip: 32084	
	Telephone Number:	904-829-9066	Fax Number:	904-825-4862
	Email:	SFAnsbacher@ubulaw.com		

SUBJECT PROPERTY	SITE LOCATION (street address):	See attached / Roberts Road
	LEGAL DESCRIPTION:	See attached
	Parcel # (tax ID #):	See attached
	Parcel Size:	24.4 acres

FUTURE LAND USE DESIGNATION	Present Future Land Use Designation(s) Provide acreage of each classification.	Residential Low Density and Conservation
	Proposed Future Land Use Designation (s) Provide acreage of each classification.	Keep Conservation; amend Residential Low Density to Commercial High Intensity



Owner's Authorization for Applicant/Agent

FLAGLER COUNTY, FLORIDA

1769 E. Moody Boulevard, Suite 105

Bunnell, FL 32110

Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project # 2972 / 2015010002

Brunswick Corporation, Sea Ray Boats, Inc., and Sidney F. Ansbacher, is hereby authorized TO ACT ON BEHALF OF Daryl M. Carter, Trustee of Carter-Flagler Roberts Road Land Trust, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Flagler County, Florida for an application for Daryl M. Carter, Trustee of Carter-Flagler Roberts Road Land Trust.

(ALL PERSONS, WHO'S NAMES APPEAR ON THE DEED MUST SIGN)

By:

Signature of Owner

Daryl M. Carter, Trustee of Carter-Flagler Roberts Road Land Trust

Printed Name of Owner / Title (if owner is corporation or partnership)

Signature of Owner

Printed Name of Owner

Address of Owner:

Telephone Number (incl. area code)

3333 S. Orange Avenue, Suite 200

407-581-6207

Mailing Address

Orlando, Florida 32806-8500

City State Zip

STATE OF Florida

COUNTY OF Orange

The foregoing was acknowledged before me this 23rd day of December, 2014 by Daryl M Carter and N/A who is/are personally known to me or who has produced N/A as identification, and who (did) / (did not) take an oath.

Pamela Lee Wray

Signature of Notary Public



(Notary Stamp)

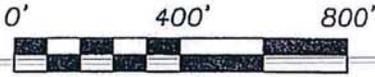
<http://www.flaglercounty.org/doc/dpt/centprmt/landdev/owner%20auth.pdf>

Revised 5/08

SKETCH AND DESCRIPTION



NORTH ARROW



SCALE 1" = 400'

RESERVED FOR RECORDING INFORMATION

UNPLATTED

PALM COAST INTRACOASTAL INDUSTRIAL PARK, PHASE I
M.B. 29, PGS 33-34

D=27°24'51"
R=565.00'
L=270.33'
CB=N57°03'59"E
Ch=267.76'

S46°38'27"E
4.99'

N70°46'24"E
1352.87'

AREA = 24.40 AC.±

D=09°45'28"
R=570.00'
L=97.07'
CB=N38°28'37"E
Ch=96.96'

S16°46'35"E
29.96'

N33°35'53"E
258.04'

S67°12'53"W
2228.20'

POINT OF BEGINNING

S88°13'25"W
42.48'

D=34°00'00"
R=680.00'
L=403.52'
CB=N50°35'53"E
Ch=397.63'

AREA = 49.12 AC.±

N67°35'53"E
21.00'

N22°24'07"W
220.00'

S01°05'56"E
550.00'

S88°54'04"W
1516.00'

POINT OF REFERENCE
SOUTHWEST CORNER LOT 35, RIVER OAKS, MAP BOOK 27, PAGES 15-17

UNPLATTED

UNPLATTED

GOVERNMENT SECTION 2,
TOWNSHIP 12 SOUTH, RANGE 31 EAST

UNPLATTED

SEA RAY DRIVE (60' R/W)
ROBERTS ROAD (80' R/W)

R:\Shoredocs\Tomoka\Survey\Grand Reserve\dwg\GR-SL1.dwg 3/3/2011 7:50:21 AM EST

SEE SHEET 2 FOR DESCRIPTION, NOTES, ABBREVIATIONS, SYMBOLS AND SIGNATURE
THIS IS NOT A SURVEY. THIS SKETCH AND DESCRIPTION IS FOR INFORMATIONAL PURPOSES ONLY



WADE TRIM / TOMOKA

CIVIL ENGINEERING & LAND SURVEYING SINCE 1976
DAYTONA BEACH FLAGLER/PALM COAST
Main Office: 1410 LPGA Blvd., Suite 148, Daytona Beach, FL 32117
Phone: 386-274-1600 Fax: 386-274-1602
email: tomoka@tomoka-eng.com website: www.tomoka-eng.com

SKETCH
AND
DESCRIPTION

PROJECT NO.	GRAND RESERVE
DRAWING REFERENCE NO.	GR-SL1
DATE:	03/03/2011
SHEET NO.	1 OF 2

C:\Projects\KUHAR 13005 - FLCI MISCELLANEOUS\ROBERTS ROAD\GR-SL1.dwg

SKETCH AND DESCRIPTION

RESERVED FOR RECORDING INFORMATION

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING WITHIN GOVERNMENT SECTION 2, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 AS A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF LOT 35, RIVER OAKS, MAP BOOK 27, PAGES 15 THROUGH 17, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;
 THENCE DEPARTING SAID CORNER N16°46'35"W FOR A DISTANCE OF 710.04 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;
 THENCE S67°12'53"W FOR A DISTANCE OF 2228.20 FEET TO THE NORTHEASTERLY R/W LINE OF ROBERTS ROAD (80' R/W); THENCE ALONG SAID RIGHT OF WAY LINE N22°24'07"W FOR A DISTANCE OF 220.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SEA RAY DRIVE THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES; (1) THENCE N67°35'53"E FOR A DISTANCE OF 21.00 FEET TO A POINT OF CURVATURE; (2) THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 403.52 FEET, A RADIUS OF 680.00 FEET, A CENTRAL ANGLE OF 34°00'00", A CHORD BEARING N50°35'53"E AND A CHORD DISTANCE OF 397.63 FEET TO A POINT OF TANGENCY; (3) THENCE N33°35'53"E FOR A DISTANCE OF 258.04 FEET TO A POINT OF CURVATURE; (4) THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 97.07 FEET, A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 09°45'28", A CHORD BEARING N38°28'37"E AND A CHORD DISTANCE OF 96.96 FEET TO A POINT ON A NON-TANGENT LINE; THENCE DEPARTING SAID CURVE AND RIGHT-OF-WAY LINE S46°38'27"E FOR A DISTANCE OF 4.99 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 270.33 FEET, A RADIUS OF 565.00 FEET, A CENTRAL ANGLE OF 27°24'51", A CHORD BEARING N57°03'59"E AND A CHORD DISTANCE OF 267.76 FEET TO A POINT OF TANGENCY; THENCE N70°46'24"E FOR A DISTANCE OF 1352.87 FEET TO A POINT ON THE WESTERLY SUBDIVISION LINE OF SAID RIVER OAKS; THENCE ALONG SAID SUBDIVISION LINE S11°46'35"E FOR A DISTANCE OF 460.36 FEET; THENCE CONTINUE ALONG SAID WESTERLY SUBDIVISION LINE S16°46'35"E FOR A DISTANCE OF 29.96 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

PARCEL CONTAINING 24.40 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE WESTERLY LINE OF RIVER OAKS, MAP BOOK 27, PAGES 15 THROUGH 17, BEING S16°46'35"E.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SKETCH WHICH MAY BE FOUND IN THE COUNTY PUBLIC RECORDS.
3. THIS IS NOT A BOUNDARY SURVEY
4. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR / MAPPER.

ABBREVIATIONS

C=CURVE	R/W=RIGHT-OF-WAY
D=DELTA	CL=CENTER LINE
R=RADIUS	POB=POINT OF BEGINNING
L=LENGTH	POC=POINT OF COMMENCEMENT
CH=CHORD	PCP=PERMANENT CONTROL POINT
CB=CHORD BEARING	SECT.=SECTION
PC=POINT OF CURVE	RNG.=RANGE
PT=POINT OF TANGENCY	TWP.=TOWNSHIP
PI=POINT OF INTERSECTION	I.D.=IDENTIFICATION
M.B.=MAP BOOK	CONC=CONCRETE
P.B.=PLAT BOOK	(R)=RECORD
P.G.=PAGE	(F)=FIELD MEASURED
O.R.B.=OFFICIAL RECORD BOOK	(NR)=NON-RADIAL
S.F.=SQUARE FEET	(RAD)=RADIAL
AC.=ACRES	

SIGNED:

Kenneth J. Kuhar
 KENNETH J. KUHAR
 FLA. PROFESSIONAL SURVEYOR/MAPPER #6105



LB #7565

WADE TRIM / TOMOKA

CIVIL ENGINEERING & LAND SURVEYING SINCE 1976
 DAYTONA BEACH FLAGLER/PALM COAST
 Main Office: 1410 LPGA Blvd., Suite 148, Daytona Beach, FL 32117
 Phone: 386-274-1600 Fax: 386-274-1602
 email: tomoka@tomoko-eng.com website: www.tomoko-eng.com

SKETCH
 AND
 DESCRIPTION

PROJECT NO.	GRAND RESERVE
DRAWING REFERENCE NO.	GR-SL1
DATE:	03/03/2011
SHEET NO.	2 OF 2

C:\Projects\KUHAR 13005 - FLCI MISCELLANEOUS\ROBERTS ROAD\GR-SL1.dwg

R:\SharedDocs\Tomoka\Survey\Grand Reserve\dwg\GR-SL1.dwg 3/3/2011 7:50:21 AM EST

Inst No: 2013037560; 10/31/13 10:59AM; Book: 1973 Page: 339; Total Pgs: 12
 Doc Stamps-Deed\$20300.00 GAIL WADSWORTH, FLAGLER Co.

PREPARED BY AND RETURN TO:
 Michael D. Chiumento, Esquire
Chiumento Selis Dwyer, P.L.
 145 City Place, Suite 301
 Palm Coast, Florida 32164
 Attn: Kelly DeVore

Property Appraisers Parcel
 Identification Numbers
021231-0000-01010-0152;
021231-0000-01010-0140;
021231-0000-01010-0150;
021231-0000-01010-0142;
021231-0000-01010-0151;
021231-0000-01010-0141;
111231-0650-000A0-0060;

WARRANTY DEED

THIS INDENTURE, Made this 30th day of October, 2013, **Florida Landmark Communities, LLC, a Florida limited liability company**, whose mailing address is 145 City Place, Suite 300, Palm Coast, FL 32164, hereinafter called the Grantor, to **DARYL M. CARTER, TRUSTEE OF CARTER-FLAGLER ROBERTS ROAD LAND TRUST**, pursuant to Section 689.071, Florida Statutes, with full power and authority to protect, conserve and to sell, convey, lease, encumber, and to otherwise manage and dispose of the property hereinafter described, whose mailing address is: Post Office Box 568821, Orlando, Florida 32856-8821, (hereinafter referred to as "Grantee" and/or "Trustee"):

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, That said Grantor, for and in consideration of the sum of Two Million Nine Hundred Thousand and 00/100 Dollars \$2,900,000.00 and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Flagler County, Florida, to-wit:

See attached Exhibit "A"

TOGETHER with all the tenements, hereditament and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO ad valorem real property taxes and assessments of record for the year 2014, which are not yet due and payable and those matters set forth on Exhibit B

attached hereto and by this reference made a part hereof (collectively, the "Permitted Encumbrances").

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2013.

TO HAVE AND TO HOLD the above-described real estate in fee simple with the appurtenances upon the trust and for the purposes set forth in this Deed and in the Land Trust ("Trust Agreement").

FULL POWER AND AUTHORITY is hereby granted to said Trustee to improve, protect and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alleys, and to vacate any subdivision or part thereof and to re-subdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust, to declare all or any portion of the property to condominium type ownership, and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate or any part thereof, to lease said real estate or any part thereof, from time to time, in possession or reversion, by leases to commence *in praesenti* or *in futuro*, and upon any terms and for any period or periods of time not exceeding in the case of any single demise the term of ninety-nine (99) years, and to renew or extend leases and to amend, change or modify leases and the terms and provisions thereof, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion, and to contract respecting the manner of fixing the amount of present or future rentals, to partition or exchange said real estate or any part thereof for other real or personal property, to grant easements or changes of any kind, to release, convey, or assign any right, title or interest in or about said real estate or any part thereof, and to deal with said real estate in every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to, or different from, the ways above specified, at any time or times hereafter.

In no case shall any party dealing with the Trustee in relation to the real estate or to whom the real estate or any part of it shall be conveyed, contracted to be sold, leased or mortgaged by Trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the premises, or be obliged to see that the terms of said Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Trustee, or be obliged or privileged to inquire into any of the terms of the Trust Agreement or the identification or status of any named or unnamed beneficiaries, or their heirs or assigns to whom the Trustee may be accountable; and every deed, trust deed, mortgage, lease or other instrument executed by Trustee in relation to the real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance lease or other instrument (a) that at the time of its delivery the Trust created by this Deed and by the Trust Agreement was in full force and effect, (b) that the conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Deed and in the Trust Agreement and is binding upon all beneficiaries under those instruments, (c) that Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that the successor or

successors in trust have been appointed properly and vested fully with all the title, estate, rights, powers, duties and obligations of the predecessor in trust. If there are co-trustees, it is specifically understood that the signature of only one of the Co-Trustees shall be required to accomplish the foregoing.

Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said property shall be as Trustee of an express trust and not individually and the Trustee shall have no obligations whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property in the actual possession of the Trustee shall be applicable for the payment and discharge thereof; and it shall be expressly understood that any representations, warranties, covenants, undertakings and agreements hereinafter made on the part of the Trustee, while in form purporting to be the representations, warranties, covenants, undertakings and agreements of said Trustee, are nevertheless made and intended not as personal representations, warranties, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally, but are made and intended for the purpose of binding only the trust property specifically described herein; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee individually on account of any instrument executed by or on account of any representation warranty, covenant, undertaking or agreement of the said Trustee, either expressed or implied, all such personal liability, if any, being expressly waived and released and all persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

The interest of the beneficiary under this Deed and under the Trust Agreement referred to previously and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of the real estate, and that interest is declared to be personal property, and no beneficiary under this Deed shall have any title or interest, legal or equitable, in or to the real estate as such but only as interest in the earnings, avails and proceeds from that real estate as aforesaid.

In the event of the death of the Trustee, and upon a recording in the public records of Flagler County, Florida of a death certificate of the Trustee, title to the land described herein shall be deemed to be held by the successor trustee and to pass to the successor trustee without the requirement of recording any further or additional documents.

This deed is given and accepted in accordance with Section 689.071, Florida Statutes. The Trustee shall have no personal liability whatsoever for action as Trustee under the trust agreement referred to above or by virtue of taking title to the land described above and the sole liability of Trustee hereunder shall be limited to the property which the Trustee holds under the trust agreement referred to above.

And the Grantor by this deed does hereby fully warrant the title in and to the Property and will defend the same against the lawful claims of all persons whomsoever. "Grantor," "Grantee," "Trustee" and "Beneficiary" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, the Grantor has signed sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Florida Landmark Communities, LLC, a Florida limited liability company

By: William I. Livingston
William I. Livingston, President/Manager

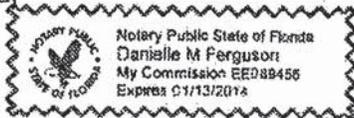
Mary L. McAdams
Witness Name: Mary L. McAdams

Danielle M. Ferguson
Witness Name: Danielle M. Ferguson

State of Florida
County of Flagler

The foregoing instrument was acknowledged before me this 30th day of October, 2013 by William I. Livingston, President/Manager of Florida Landmark Communities, LLC, a Florida limited liability company, on behalf of said firm. He [X] is personally known or [] has produced a driver's license as identification.

[Notary Seal]



Danielle M. Ferguson
Notary Public
Printed Name: Danielle M. Ferguson
My Commission Expires: _____

EXHIBIT A

SKETCH AND DESCRIPTION

LEGAL DESCRIPTION:

RESERVED FOR RECORDING INFORMATION

A PARCEL OF LAND LYING WITHIN GOVERNMENT SECTION 2, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF LOT 35, RIVER OAKS, MAP BOOK 27, PAGES 15 THROUGH 17, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID CORNER S88°13'25"W FOR A DISTANCE OF 42.48 FEET; THENCE S01°05'56"E FOR A DISTANCE OF 550.00 FEET; THENCE S88°54'04"W FOR A DISTANCE OF 1516.00 FEET; THENCE S07°50'55"E FOR A DISTANCE OF 662.87 FEET; THENCE S67°35'53"W FOR A DISTANCE OF 340.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ROBERTS ROAD (80 FOOT RIGHT-OF-WAY); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE N22°24'07"W FOR A DISTANCE OF 1500.00 FEET TO A POINT ON THE INTERSECTION OF SAID ROBERTS ROAD RIGHT-OF-WAY WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SEA RAY DRIVE (60 FOOT RIGHT-OF-WAY); THENCE DEPARTING SAID ROBERTS ROAD RIGHT-OF-WAY ALONG SAID SEA RAY DRIVE RIGHT-OF-WAY FOR THE FOLLOWING FOUR (4) COURSES: (1) THENCE N67°35'53"E FOR A DISTANCE OF 21.00 FEET TO A POINT OF CURVATURE; (2) THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 403.52 FEET, A RADIUS OF 680.00 FEET, A CENTRAL ANGLE OF 34°00'00", A CHORD BEARING N50°35'53"E AND A CHORD DISTANCE OF 397.63 FEET TO A POINT OF TANGENCY; (3) THENCE N33°35'53"E FOR A DISTANCE OF 258.04 FEET TO A POINT OF CURVATURE; (4) THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 97.07 FEET, A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 09°45'28", A CHORD BEARING N38°28'37"E AND A CHORD DISTANCE OF 96.96 FEET TO A POINT ON A NON-TANGENT LINE; THENCE DEPARTING SAID CURVE AND RIGHT-OF-WAY LINE S46°38'27"E FOR A DISTANCE OF 4.99 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 270.33 FEET, A RADIUS OF 565.00 FEET, A CENTRAL ANGLE OF 27°24'51", A CHORD BEARING N57°03'59"E AND A CHORD DISTANCE OF 267.76 FEET TO A POINT OF TANGENCY; THENCE N70°46'24"E FOR A DISTANCE OF 1352.87 FEET TO A POINT ON THE WESTERLY SUBDIVISION LINE OF SAID RIVER OAKS; THENCE ALONG SAID SUBDIVISION LINE S11°46'35"E FOR A DISTANCE OF 460.36 FEET; THENCE CONTINUE ALONG SAID WESTERLY SUBDIVISION LINE S18°46'35"E FOR A DISTANCE OF 740.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

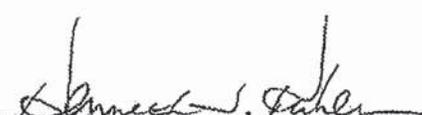
PARCEL CONTAINING 73.52 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE WESTERLY LINE OF RIVER OAKS, MAP BOOK 27, PAGES 15 THROUGH 17, BEING S16°46'35"E.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SKETCH WHICH MAY BE FOUND IN THE COUNTY PUBLIC RECORDS.
3. THIS IS NOT A BOUNDARY SURVEY
4. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR / MAPPER.

ABBREVIATIONS

C=CURVE	R/W=RIGHT-OF-WAY
D=DELTA	CL=CENTER LINE
R=RADIUS	PGB=POINT OF BEGINNING
L=LENGTH	PCC=POINT OF COMMENCEMENT
CH=CHORD	PCP=PERMANENT CONTROL POINT
CB=CHORD BEARING	SECT.=SECTION
PC=POINT OF CURVE	RNG.=RANGE
PT=POINT OF TANGENCY	TWP.=TOWNSHIP
PI=POINT OF INTERSECTION	ID=IDENTIFICATION
M.B.=MAP BOOK	CONC=CONCRETE
P.B.=PLAT BOOK	(R)=RECORD
PG.=PAGE	(F)=FIELD MEASURED
O.R.B.=OFFICIAL RECORD BOOK	(NR)=NON-RADIAL
S.F.=SQUARE FEET	(RAD)=RADIAL
AC.=ACRES	

SIGNED: 
 KENNETH J. KUHAR
 FLA. PROFESSIONAL SURVEYOR/MAPPER #6105



WADE TRIM / TOMOKA
 CIVIL ENGINEERING & LAND SURVEYING SINCE 1976
 DAYTONA BEACH FLA. FLAGLER/PALM COAST
 Main Office: 1400 LFQA Blvd, Suite 101, Daytona Beach, FL 32117
 Phone: 386-274-1809 Fax: 386-274-1802
 www.watrim.com

SKETCH AND DESCRIPTION

PROJECT NO.	GRAND RESERVE
DRAWING REFERENCE NO.	GR-SL1
DATE	03/03/2011
SHEET NO.	2 OF 2

SKETCH AND DESCRIPTION

LEGAL DESCRIPTION:

RESERVED FOR RECORDING INFORMATION

A PARCEL OF LAND LYING WITHIN GOVERNMENT SECTION 2, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF LOT 35, RIVER OAKS, MAP BOOK 27, PAGES 15 THROUGH 17, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID CORNER S88°13'25"W FOR A DISTANCE OF 42.48 FEET; THENCE S01°05'56"E FOR A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S01°05'56"E FOR A DISTANCE OF 769.27 FEET; THENCE N88°58'11"E FOR A DISTANCE OF 456.54 FEET TO A POINT ON THE WESTERLY SUBDIVISION LINE OF SAID RIVER OAKS; THENCE ALONG SAID SUBDIVISION LINE S16°32'55"E FOR A DISTANCE OF 1307.40 FEET TO A POINT ON THE SOUTH LINE OF SAID GOVERNMENT SECTION 2; THENCE DEPARTING SAID SUBDIVISION LINE ALONG SAID GOVERNMENT SECTION 2 S88°27'05"W FOR A DISTANCE OF 2017.44 FEET TO A POINT ON A CURVE, SAID POINT ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF ROBERTS ROAD (80 FOOT RIGHT-OF-WAY); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 333.22 FEET, A RADIUS OF 1439.72 FEET, A CENTRAL ANGLE OF 13°40'45", A CHORD BEARING N28°56'29"W AND A CHORD DISTANCE OF 332.50 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N22°24'07"W FOR A DISTANCE OF 1123.91 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE N67°35'53"E FOR A DISTANCE OF 340.00 FEET; THENCE N07°50'55"W FOR A DISTANCE OF 662.87 FEET; THENCE N88°54'04"E FOR A DISTANCE OF 1516.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

PARCEL CONTAINING 92.36 ACRES, MORE OR LESS.

R:\SharedDocs\Tomoka\Survey\Grand Reserve\img\GR-SL2.dwg 3/3/2011 7:50:50 AM EST

SURVEYOR'S NOTES:

1. BEARINGS BASED ON THE WESTERLY LINE OF RIVER OAKS, MAP BOOK 27, PAGES 15 THROUGH 17, BEING S16°32'55"E.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SKETCH WHICH MAY BE FOUND IN THE COUNTY PUBLIC RECORDS.
3. THIS IS NOT A BOUNDARY SURVEY
4. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR / MAPPER.

ABBREVIATIONS

C=CURVE	R/W=RIGHT-OF-WAY
D=DELTA	CL=CENTER LINE
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CB=CHORD BEARING	SECT.=SECTION
PO=POINT OF CURVE	RAD.=RANGE
PT=POINT OF TANGENCY	TWP.=TOWNSHIP
PI=POINT OF INTERSECTION	ID=IDENTIFICATION
M.B.=MAP BOOK	CONC=CONCRETE
P.B.=PLAT BOOK	(R)=RECORD
PG.=PAGE	(F)=FIELD MEASURED
D.R.B.=OFFICIAL RECORD BOOK	(NR)=NON-RADIAL
S.F.=SQUARE FEET	(RAD)=RADIAL
AC.=ACRES	

SIGNED:

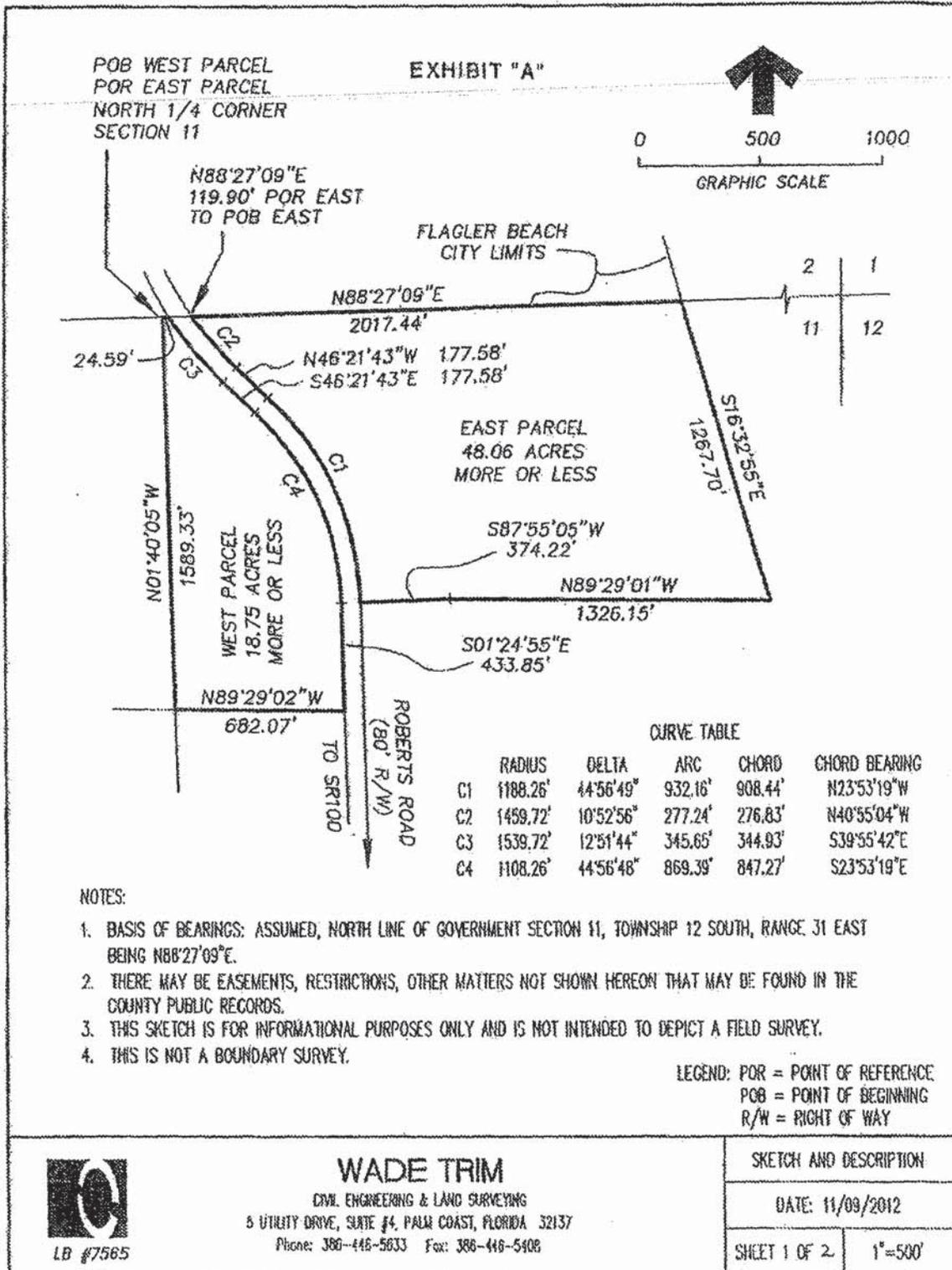
Kenneth J. Kuhar
 KENNETH J. KUHAR
 FLA. PROFESSIONAL SURVEYOR/MAPPER #6105



WADE TRIM / TOMOKA
 CIVIL ENGINEERING & LAND SURVEYING SINCE 1976
 DAYTONA BEACH FLA. FLAGLER/PALM COAST
 Main Office: 110 JPGA Blvd., Suite 143, Daytona Beach, FL 32127
 Phone: 386-274-7600 Fax: 386-274-7002
 web: tomoka@tomoka-eng.com website: www.tomoka-eng.com

SKETCH AND DESCRIPTION

PROJECT NO.	GRAND RESERVE
DRAWING REFERENCE NO.	GR-SL2
DATE	03/03/2011
SHEET NO.	2 OF 2



EAST PARCEL

A PART OF SECTION 11, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE NORTH 88°27'09" EAST ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 119.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°27'09" EAST CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 2017.44 FEET; THENCE SOUTH 16°32'55" EAST LEAVING SAID NORTH LINE, A DISTANCE OF 1267.70 FEET; THENCE NORTH 89°29'01" WEST, A DISTANCE OF 1326.15 FEET; THENCE SOUTH 87°55'05" WEST, A DISTANCE OF 374.22 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ROBERTS ROAD (AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), SAID POINT LYING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1188.26 FEET; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 932.16 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 23°53'19" WEST AND A CHORD DISTANCE OF 908.44 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 46°21'43" WEST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 177.58 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1459.72 FEET; THENCE NORTHWESTERLY CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 277.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 40°55'04" WEST AND A CHORD DISTANCE OF 276.83 FEET TO THE POINT OF BEGINNING.

CONTAINING 48.06 ACRES MORE OR LESS.

NOTES:

1. BASIS OF BEARINGS: ASSUMED, NORTH LINE OF GOVERNMENT SECTION 11, TOWNSHIP 12 SOUTH, RANGE 31 EAST BEING N88°27'09"E.
2. THERE MAY BE EASEMENTS, RESTRICTIONS, OTHER MATTERS NOT SHOWN HEREON THAT MAY BE FOUND IN THE COUNTY PUBLIC RECORDS.
3. THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A FIELD SURVEY.
4. THIS IS NOT A BOUNDARY SURVEY.



LB #7565

WADE TRIM

CIVIL ENGINEERING & LAND SURVEYING
5 UTILITY DRIVE, SUITE #4, PALM COAST, FLORIDA 32137
Phone: 386-446-5633 Fax: 386-446-5408

SKETCH AND DESCRIPTION

DATE: 11/09/2012

SHEET 2 OF 2

NO SCALE

EXHIBIT B
PERMITTED EXCEPTIONS

1. Ordinance No. 2007-15 recorded in O.R. Book 1697, Page 514, Public Records of Flagler County, Florida.
2. All matters contained on the Plat of Bunnell Development Company Subdivision, as recorded in Plat Book 1, Page 1, Public Records of Flagler County, Florida.
3. Resolution 2006-59 recorded in O.R. Book 1548, Page 1543, Public Records of Flagler County, Florida.

Via E-Mail: (craig.wall@searay.com)

Ref: 4052.01

TECHNICAL MEMORANDUM

To: Craig Wall, Sea Ray – Palm Coast
From: Matthew West, AICP
Subject: Sea Ray Comprehensive Plan Amendment (CPA) Analysis
Date: February 9, 2015

Lassiter Transportation Group, Inc. (LTG) was commissioned by Sea Ray Boats, Inc. (the CLIENT) to determine the limiting trip generation associated with a CPA for the development known as Sea Ray Parking Expansion (the PROJECT), located in unincorporated Flagler County, on the south side of Sea Ray Drive. The proposed development is a paved parking area on 16.39 acres of land. The PROJECT is the subject of a comprehensive plan amendment from Residential, Low Density to Commercial, High Intensity.

TRIP GENERATION FOR THE EXISTING VS PROPOSED FLUM DESIGNATION

The trip generation for the maximum development scenario for the existing Future Land Use Map (FLUM) designation was calculated using the nationally accepted trip generation publication, the *Trip Generation Manual, 9th Edition*, prepared by the Institute of Transportation Engineers (ITE). It is anticipated that this projected trip generation will be incorporated into a parcel-specific text amendment as a development cap which will accompany the future land use amendment.

The Flagler County Residential, Low Density has a maximum density of three (3) dwelling units per acre as established in the Flagler County Comprehensive Plan. The maximum potential development of the property under the existing land use of Residential, Low Density, would generate 49 single family homes (3 dwelling units X 16.39 acres).

When examining Table 1, the subject parcel could have a maximum traffic generating program 466 daily trips and 49 pm peak-hour trips. Therefore, parcel-specific text amendment could include a provision that development on the subject parcel will be limited to generate no more than 466 daily trips and 49 p.m. peak-hour trips.

Table 1
Gross Trip Generation – Existing FLUM Designation
Sea Ray CPA

County Residential, Low Density	Time Period	Land Use	ITE Land Use Code	Quantity	Units	Trip Rate	Total	Percent	Percent	Trips	Trips
							Trips	Entering	Exiting	Entering	Exiting
	Daily	Single Family Dwelling	210	49	Dwelling Units	T = 9.52 (X)	466	50%	50%	233	233
	P.M. Peak-hour			49	Dwelling Units	T = 1.0 (X)	49	67%	33%	33	16

Source: ITE Trip Generation Manual, 9th Edition

BASELINE TO MEASURE POTENTIAL TRAFFIC INCREASE FROM SUBJECT SITE

Seventy-two hours of traffic counts were recorded at the Sea Ray Drive east of Roberts Road beginning Tuesday, February 3, 2015, through Thursday, February 5, 2015. These counts provide insight into the number of vehicles entering and exiting the site on a daily basis. The hourly counts and counts in fifteen minute increments are attached as Exhibit A to this technical memorandum. The fifteen minute increment counts may be used to estimate the p.m. peak-hour impacts of the existing Sea Ray facility. These counts may be used as a baseline for measuring the future traffic impacts of the development that will take place on the parcel subject to this comprehensive plan amendment (High Intensity Commercial lands).

The total daily trips entering and exiting the site each day are as follows: Tuesday, 1,703 trips; Wednesday, 1,707 trips; and Thursday, 1,619 trips. That averages 1,676 vehicles exiting and entering the existing Sea Ray facility each day. Accounting for a potential increase (20 percent) in vehicle trips from the existing Sea Ray facility site due to increased production and employment, it may be conservatively estimated that the existing facility could have 2,011 vehicles entering and exiting the facility ($1,676 \times 1.2 = 2,011$ trips).

Therefore, when accounting for the potential daily trips from the High Intensity Commercial property based on the parcel-specific text amendment (466 trips) and the existing use, no more than 2,477 vehicles should be entering and exiting Sea Ray Drive on a daily basis ($466 + 2,011 = 2,477$).

Flagler County's Comprehensive Plan measures roadway levels of service using the p.m. peak-hour. The traffic counts in Exhibit A indicate that the p.m. peak-hour for the existing Sea Ray Facility is the 5 p.m. to 6 p.m. hour (Tuesday – 433 trips, Wednesday – 436 trips, and Thursday – 346 trips) for an average of 405 p.m. peak-hour trips. Accounting for a potential increase (20 percent) in vehicle trips from the existing Sea Ray facility site due to increased production and employment, it may be conservatively estimated that the existing facility could have 486 vehicles entering and exiting the facility in the p.m. peak-hour ($405 \times 1.2 = 486$ trips).

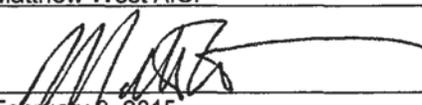
Therefore, when accounting for the potential p.m. peak-hour trips from the High Intensity Commercial property based on the parcel-specific text amendment (49 trips) and the existing use, no more than 535 vehicles should be entering and exiting Sea Ray Drive on a p.m. peak-hour basis ($486 + 49 = 535$).

CONCLUSION

The study was conducted to limit the potential traffic impact of the proposed Comprehensive Plan Amendment on area roadways based on trip generation of the reasonable development potential of the existing future land use designation. There will not be an increase in traffic due to the proposed CPA based on the adoption of parcel-specific text amendment as outlined in this technical memorandum. Therefore, this CPA is recommended for adoption. Concurrency and any required mitigation to support a proposed development plan will be assessed in greater detail during the final development permitting process.

I affirm by my signature that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional planning.

Name: Matthew West AICP

Signature: 

Date: February 9, 2015

DE TRAFFIC
VOLUME SUMMARY
Tue 2/3/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
01:00	3	0	3
02:00	10	2	12
03:00	14	1	15
04:00	12	6	18
05:00	15	226	241
06:00	14	265	279
07:00	4	11	15
08:00	7	15	22
09:00	3	12	15
10:00	18	18	36
11:00	23	17	40
12:00	48	52	100
13:00	22	32	54
14:00	9	17	26
15:00	18	21	39
16:00	121	31	152
17:00	266	167	433
18:00	110	8	118
19:00	38	4	42
20:00	6	4	10
21:00	12	9	21
22:00	2	1	3
23:00	3	0	3
24:00	4	2	6
DAY TOTAL	782	921	1703
PERCENTS	46.0%	54.0%	100%
AM Times	11:15	05:15	
AM Peaks	48	265	
PM Times	16:30	16:15	
PM Peaks	279	167	

DE TRAFFIC
VOLUME SUMMARY
Wed 2/4/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
01:00	4	0	4
02:00	11	1	12
03:00	14	0	14
04:00	12	5	17
05:00	22	227	249
06:00	16	277	293
07:00	8	14	22
08:00	8	14	22
09:00	6	10	16
10:00	12	17	29
11:00	18	20	38
12:00	55	48	103
13:00	28	44	72
14:00	10	16	26
15:00	15	28	43
16:00	104	33	137
17:00	295	141	436
18:00	105	5	110
19:00	24	4	28
20:00	2	3	5
21:00	8	8	16
22:00	3	1	4
23:00	4	1	5
24:00	5	1	6
DAY TOTAL	789	918	1707
PERCENTS	46.3%	53.7%	100%
AM Times	11:15	05:15	
AM Peaks	55	277	
PM Times	16:30	16:00	
PM Peaks	312	143	

DE TRAFFIC
VOLUME SUMMARY
Thu 2/5/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
01:00	4	0	4
02:00	14	1	15
03:00	14	0	14
04:00	20	8	28
05:00	10	221	231
06:00	13	268	281
07:00	8	15	23
08:00	3	12	15
09:00	2	9	11
10:00	7	9	16
11:00	17	11	28
12:00	58	58	116
13:00	26	43	69
14:00	19	27	46
15:00	21	23	44
16:00	156	27	183
17:00	264	82	346
18:00	86	6	92
19:00	16	1	17
20:00	4	5	9
21:00	12	8	20
22:00	1	1	2
23:00	6	0	6
24:00	2	1	3
DAY TOTAL	783	836	1619
PERCENTS	48.4%	51.6%	100%
AM Times	11:15	05:15	
AM Peaks	58	268	
PM Times	16:30	16:00	
PM Peaks	280	83	

DE TRAFFIC
VOLUME SUMMARY
Tue 2/3/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
00:15	0	0	0
00:30	0	0	0
00:45	3	0	3
01:00	0	0	0
Hour Total	3	0	3
01:15	0	0	0
01:30	3	0	3
01:45	5	0	5
02:00	2	2	4
Hour Total	10	2	12
02:15	3	0	3
02:30	4	0	4
02:45	7	1	8
03:00	0	0	0
Hour Total	14	1	15
03:15	1	1	2
03:30	0	0	0
03:45	9	1	10
04:00	2	4	6
Hour Total	12	6	18
04:15	2	14	16
04:30	1	40	41
04:45	5	113	118
05:00	7	59	66
Hour Total	15	226	241
05:15	0	19	19
05:30	3	58	61
05:45	4	119	123
06:00	7	69	76
Hour Total	14	265	279
06:15	1	3	4
06:30	1	3	4
06:45	1	3	4
07:00	1	2	3
Hour Total	4	11	15
07:15	0	0	0
07:30	2	7	9
07:45	3	7	10
08:00	2	1	3
Hour Total	7	15	22
08:15	0	4	4
08:30	1	1	2
08:45	0	5	5

DE TRAFFIC
VOLUME SUMMARY
Tue 2/3/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
09:00	2	2	4
Hour Total	3	12	15
09:15	1	4	5
09:30	7	4	11
09:45	3	2	5
10:00	7	8	15
Hour Total	18	18	36
10:15	2	5	7
10:30	8	2	10
10:45	0	6	6
11:00	13	4	17
Hour Total	23	17	40
11:15	5	5	10
11:30	10	16	26
11:45	11	20	31
12:00	22	11	33
Hour Total	48	52	100
12:15	7	15	22
12:30	4	13	17
12:45	3	3	6
13:00	8	1	9
Hour Total	22	32	54
13:15	2	2	4
13:30	0	3	3
13:45	3	4	7
14:00	4	8	12
Hour Total	9	17	26
14:15	5	2	7
14:30	3	5	8
14:45	7	11	18
15:00	3	3	6
Hour Total	18	21	39
15:15	8	8	16
15:30	23	9	32
15:45	77	10	87
16:00	13	4	17
Hour Total	121	31	152
16:15	17	6	23
16:30	39	14	53
16:45	158	138	296
17:00	52	9	61
Hour Total	266	167	433

DE TRAFFIC
VOLUME SUMMARY
Tue 2/3/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
17:15	30	5	35
17:30	19	0	19
17:45	41	1	42
18:00	20	2	22
Hour Total	110	8	118
18:15	15	0	15
18:30	6	1	7
18:45	5	1	6
19:00	12	2	14
Hour Total	38	4	42
19:15	1	0	1
19:30	2	1	3
19:45	2	2	4
20:00	1	1	2
Hour Total	6	4	10
20:15	1	1	2
20:30	8	2	10
20:45	3	3	6
21:00	0	3	3
Hour Total	12	9	21
21:15	0	0	0
21:30	1	1	2
21:45	1	0	1
22:00	0	0	0
Hour Total	2	1	3
22:15	0	0	0
22:30	0	0	0
22:45	2	0	2
23:00	1	0	1
Hour Total	3	0	3
23:15	0	1	1
23:30	1	1	2
23:45	2	0	2
24:00	1	0	1
Hour Total	4	2	6
DAY TOTAL	782	921	1703
PERCENTS	46.0%	54.0%	100%
AM Times	11:15	05:15	
AM Peaks	48	265	
PM Times	16:30	16:15	
PM Peaks	279	167	

DE TRAFFIC
VOLUME SUMMARY
Wed 2/4/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
00:15	0	0	0
00:30	1	0	1
00:45	3	0	3
01:00	0	0	0
Hour Total	4	0	4
01:15	3	0	3
01:30	0	0	0
01:45	6	0	6
02:00	2	1	3
Hour Total	11	1	12
02:15	2	0	2
02:30	4	0	4
02:45	5	0	5
03:00	3	0	3
Hour Total	14	0	14
03:15	1	1	2
03:30	0	0	0
03:45	9	0	9
04:00	2	4	6
Hour Total	12	5	17
04:15	5	16	21
04:30	2	50	52
04:45	7	102	109
05:00	8	59	67
Hour Total	22	227	249
05:15	1	16	17
05:30	3	72	75
05:45	6	125	131
06:00	6	64	70
Hour Total	16	277	293
06:15	2	2	4
06:30	0	5	5
06:45	2	3	5
07:00	4	4	8
Hour Total	8	14	22
07:15	2	5	7
07:30	3	3	6
07:45	2	0	2
08:00	1	6	7
Hour Total	8	14	22
08:15	3	2	5
08:30	1	3	4
08:45	0	2	2

DE TRAFFIC
VOLUME SUMMARY
Wed 2/4/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
09:00	2	3	5
Hour Total	6	10	16
09:15	2	1	3
09:30	1	6	7
09:45	2	4	6
10:00	7	6	13
Hour Total	12	17	29
10:15	3	2	5
10:30	3	4	7
10:45	3	8	11
11:00	9	6	15
Hour Total	18	20	38
11:15	6	4	10
11:30	16	11	27
11:45	13	20	33
12:00	20	13	33
Hour Total	55	48	103
12:15	17	17	34
12:30	0	15	15
12:45	4	8	12
13:00	7	4	11
Hour Total	28	44	72
13:15	1	2	3
13:30	1	3	4
13:45	6	6	12
14:00	2	5	7
Hour Total	10	16	26
14:15	4	6	10
14:30	4	2	6
14:45	4	13	17
15:00	3	7	10
Hour Total	15	28	43
15:15	5	9	14
15:30	15	7	22
15:45	71	12	83
16:00	13	5	18
Hour Total	104	33	137
16:15	18	6	24
16:30	43	9	52
16:45	179	123	302
17:00	55	3	58
Hour Total	295	141	436

DE TRAFFIC
VOLUME SUMMARY
Wed 2/4/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
17:15	35	2	37
17:30	22	0	22
17:45	31	1	32
18:00	17	2	19
Hour Total	105	5	110
18:15	15	0	15
18:30	1	2	3
18:45	2	2	4
19:00	6	0	6
Hour Total	24	4	28
19:15	2	0	2
19:30	0	2	2
19:45	0	0	0
20:00	0	1	1
Hour Total	2	3	5
20:15	1	1	2
20:30	6	2	8
20:45	1	2	3
21:00	0	3	3
Hour Total	8	8	16
21:15	1	0	1
21:30	2	1	3
21:45	0	0	0
22:00	0	0	0
Hour Total	3	1	4
22:15	0	0	0
22:30	1	1	2
22:45	3	0	3
23:00	0	0	0
Hour Total	4	1	5
23:15	0	0	0
23:30	0	1	1
23:45	5	0	5
24:00	0	0	0
Hour Total	5	1	6
DAY TOTAL	789	918	1707
PERCENTS	46.3%	53.7%	100%
AM Times	11:15	05:15	
AM Peaks	55	277	
PM Times	16:30	16:00	
PM Peaks	312	143	

DE TRAFFIC
VOLUME SUMMARY
Thu 2/5/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
00:15	1	0	1
00:30	0	0	0
00:45	3	0	3
01:00	0	0	0
Hour Total	4	0	4
01:15	1	0	1
01:30	0	0	0
01:45	9	0	9
02:00	4	1	5
Hour Total	14	1	15
02:15	2	0	2
02:30	7	0	7
02:45	3	0	3
03:00	2	0	2
Hour Total	14	0	14
03:15	1	1	2
03:30	11	0	11
03:45	7	2	9
04:00	1	5	6
Hour Total	20	8	28
04:15	0	15	15
04:30	3	40	43
04:45	2	108	110
05:00	5	58	63
Hour Total	10	221	231
05:15	0	23	23
05:30	4	61	65
05:45	4	113	117
06:00	5	71	76
Hour Total	13	268	281
06:15	0	6	6
06:30	3	3	6
06:45	3	2	5
07:00	2	4	6
Hour Total	8	15	23
07:15	1	3	4
07:30	0	4	4
07:45	1	1	2
08:00	1	4	5
Hour Total	3	12	15
08:15	0	2	2
08:30	1	2	3
08:45	0	2	2

DE TRAFFIC
VOLUME SUMMARY
Thu 2/5/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
09:00	1	3	4
Hour Total	2	9	11
09:15	1	0	1
09:30	3	1	4
09:45	0	4	4
10:00	3	4	7
Hour Total	7	9	16
10:15	4	4	8
10:30	2	3	5
10:45	1	3	4
11:00	10	1	11
Hour Total	17	11	28
11:15	5	11	16
11:30	25	7	32
11:45	11	21	32
12:00	17	19	36
Hour Total	58	58	116
12:15	16	19	35
12:30	5	16	21
12:45	2	4	6
13:00	3	4	7
Hour Total	26	43	69
13:15	3	7	10
13:30	3	9	12
13:45	6	8	14
14:00	7	3	10
Hour Total	19	27	46
14:15	4	3	7
14:30	3	4	7
14:45	10	9	19
15:00	4	7	11
Hour Total	21	23	44
15:15	11	5	16
15:30	27	12	39
15:45	94	5	99
16:00	24	5	29
Hour Total	156	27	183
16:15	16	2	18
16:30	53	13	66
16:45	161	63	224
17:00	34	4	38
Hour Total	264	82	346

DE TRAFFIC
VOLUME SUMMARY
Thu 2/5/2015

Machine #: 020220023547
Site ID: Sea Ray Dr
Description: Sea Ray Dr east of Roberts Rd

File: Ray.prn
Street Name: Sea Ray Dr
County: Flagler

TIME	1 WEST	2 EAST	Total
17:15	32	1	33
17:30	24	2	26
17:45	21	0	21
18:00	9	3	12
Hour Total	86	6	92
18:15	6	0	6
18:30	2	1	3
18:45	3	0	3
19:00	5	0	5
Hour Total	16	1	17
19:15	1	2	3
19:30	2	0	2
19:45	0	1	1
20:00	1	2	3
Hour Total	4	5	9
20:15	1	1	2
20:30	6	0	6
20:45	4	6	10
21:00	1	1	2
Hour Total	12	8	20
21:15	1	0	1
21:30	0	0	0
21:45	0	1	1
22:00	0	0	0
Hour Total	1	1	2
22:15	0	0	0
22:30	0	0	0
22:45	5	0	5
23:00	1	0	1
Hour Total	6	0	6
23:15	1	0	1
23:30	0	1	1
23:45	1	0	1
24:00	0	0	0
Hour Total	2	1	3
DAY TOTAL	783	836	1619
PERCENTS	48.4%	51.6%	100%
AM Times	11:15	05:15	
AM Peaks	58	268	
PM Times	16:30	16:00	
PM Peaks	280	83	

FLAGLER COUNTY

TECHNICAL REVIEW COMMITTEE COMMENTS

MEETING DATE: JANUARY 21, 2015

APP#2972 - FLUM AMEND - CARTER-FLAGLER ROBTS RD LAND TRUST

**APPLICANT: SIDNEY F. ANSBACHER, ESQUIRE; BRUNSWICK CORPORATION
AND SEA RAY BOATS, INC.**

OWNER: CARTER, DARYL M, TRUSTEE

Distribution date: Friday, January 16, 2015

Project #: 2015010002

Application #: 2972

Attached are departmental comments regarding your submittal to Flagler County for the above referenced project. **Any questions regarding any of the comments should be addressed to the department providing the comment.**

Flagler County Building Department	386-313-4002
Flagler County Planning Department	386-313-4067
Flagler County Development Engineering	386-313-4082
Flagler County General Services (Utilities)	386-313-4184
County Attorney	386-313-4005
Flagler County Fire Services	386-313-4258
E-911 GIS Specialist	386-313-4274
Environmental Health Department	386-437-7358
Flagler County School Board	386-586-2386

REVIEWING DEPARTMENT: BUILDING DEPARTMENT

No comments.

REVIEWING DEPARTMENT: PLANNING DEPARTMENT

Comments by Adam Mengel on January 16, 2015.

1. Please complete an impact analysis based on proposed FLUA, to include TIA; note that Lassiter had completed last TIA in 2004. All data from previous FLUAs will be provided to applicant to facilitate document preparation.
2. Please provide a draft parcel-specific limiting FLUE policy reflecting proposed uses of the parcel. This will be used by staff to limit the impact analysis rather than using the full-intensity capacity of the FLUA without limitation.

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

No comments at this time.

REVIEWING DEPARTMENT: FIRE INSPECTOR

No comments at this time.

REVIEWING DEPARTMENT: E-911 STAFF

No comments at this time.

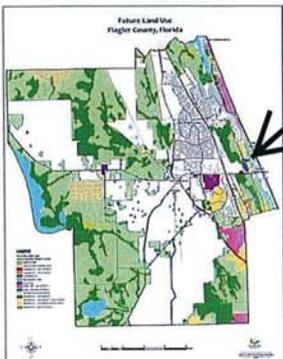
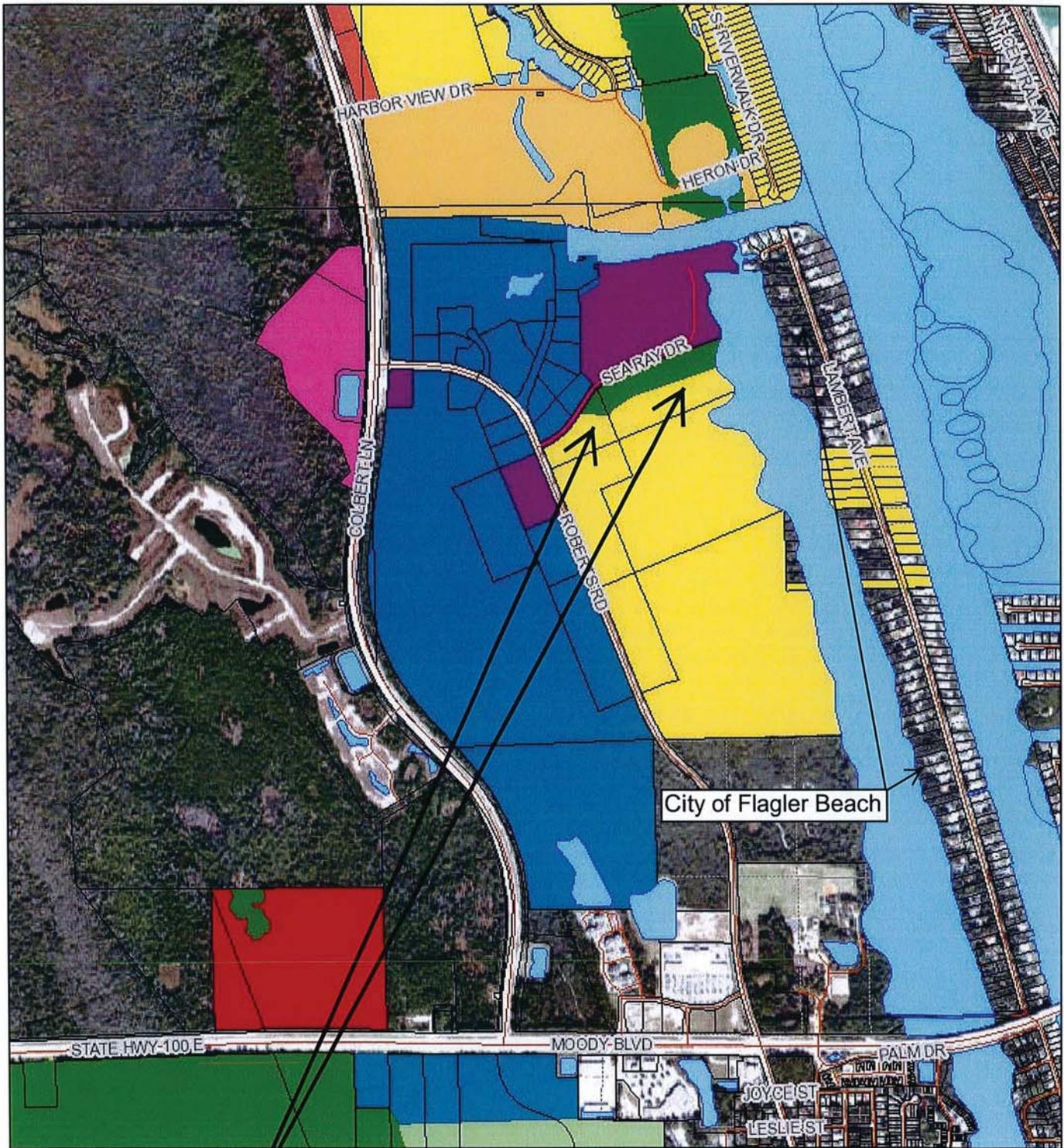
REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

No comments at this time.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

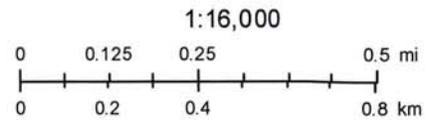
No comments at this time.

Application #2972 - Future Land Use Map

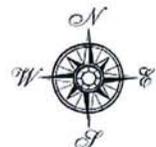


Subject Property

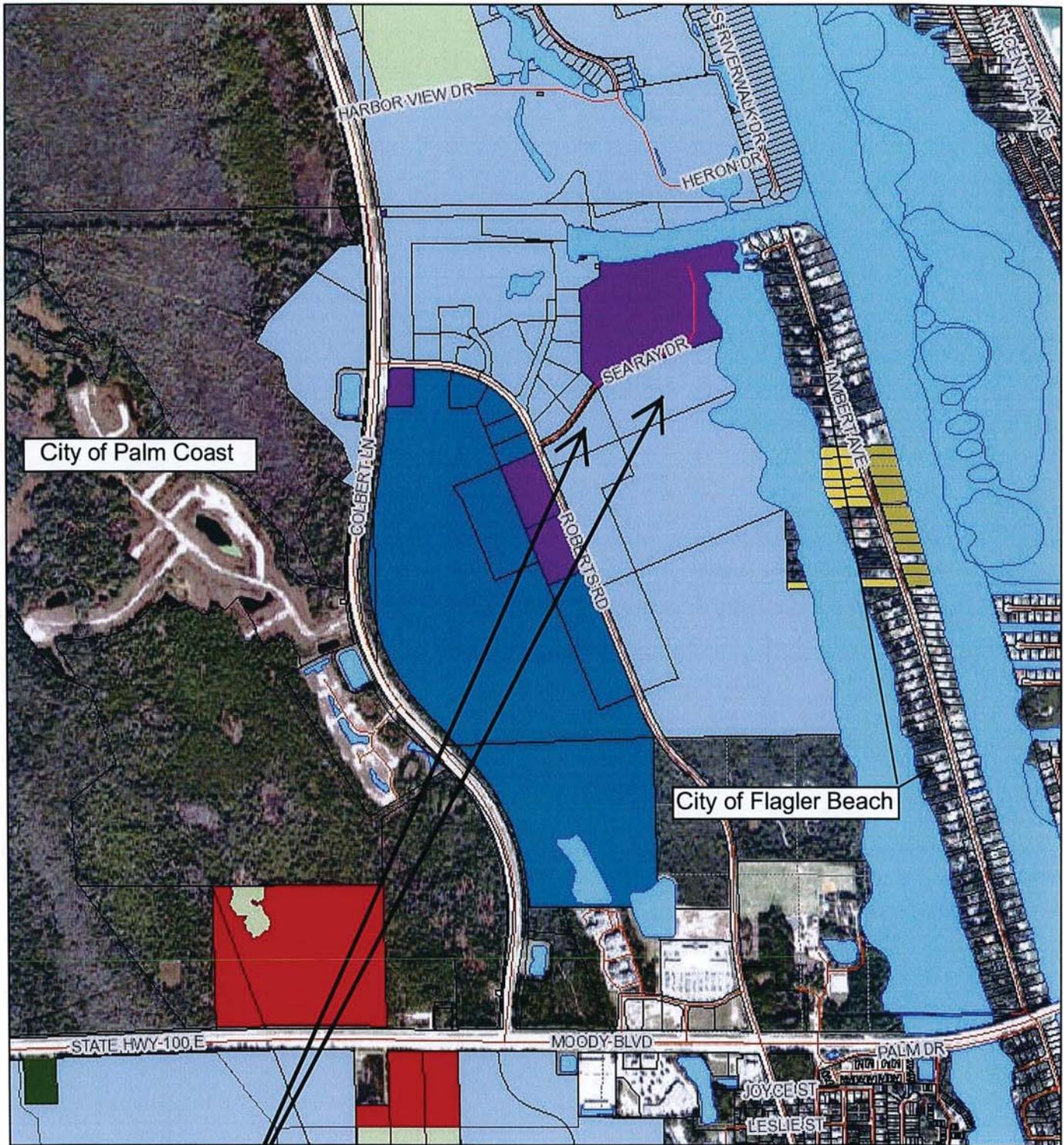
- Legend**
- FUTURE LAND USE**
 Unincorporated Flagler County
- AGRICULTURE
 - AGRICULTURE & TIMBERLANDS
 - COMMERCIAL: HIGH INTENSITY
 - COMMERCIAL: LOW INTENSITY
 - CONSERVATION
 - EDUCATIONAL USES
 - INDUSTRIAL
 - MIXED USE: LOW INTENSITY
 - MIXED USE: HIGH INTENSITY
 - RECREATION & OPEN SPACE
 - RESIDENTIAL: HIGH DENSITY
 - RESIDENTIAL: LOW DENSITY / RURAL ESTATE
 - RESIDENTIAL: LOW DENSITY / SINGLE FAMILY
 - RESIDENTIAL: MEDIUM DENSITY



Flagler County, Bruce Harris & Associates



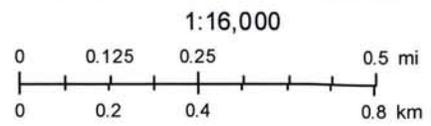
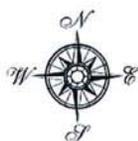
Application #2972 - Zoning Map



Subject Property

FLAGLER_ZONING
all other values

ZONE_CODE	Color
AC	Light Green
AC-2	Light Green
C-1	Light Blue
C-2	Light Blue
CN	Light Blue
I	Light Blue
MS-1	Light Blue
MS-2	Light Blue
MS-3	Light Blue
O-1	Light Blue
O-2	Light Blue
PUD	Light Blue
R-1	Light Blue
R-1B	Light Blue
R-1C	Light Blue
R-1D	Light Blue
R-2	Light Blue
R-3	Light Blue
RC	Light Blue
SPUD	Light Blue
MS-1-PUD	Light Blue
MS-2-PUD	Light Blue
MS-3-PUD	Light Blue
MS-1-PUD	Light Blue
MS-2-PUD	Light Blue
MS-3-PUD	Light Blue



Flagler County, Bruce Harris & Associates

**COAST
POSED
ENT CODE
NT
C HEARING**

will consider and take
l:

OF PALM COAST,
S UNIFIED LAND
3,ZONING, USES,
SECTION 3.03.02
USE DISTRICTS -
LE 3-4 TO UPDATE
CLASSIFICATIONS
STABLISHMENTS;
ONS FOR LIMITED
ITIES, SECTION
MODIFY VARIOUS
ALLS; AMENDING
N 14.02 GLOSSARY
UB AND PRIVATE
R BOTTLE CLUB,
SHMENT, FENCE,
BREWERY, FAST-
RESTAURANT, AND
ION; PROVIDING
R SEVERABILITY;
ATE.

f the City Council has
Development Code to
onditions.

ring on the proposed
l ordinance on July 21,
s possible, at the City
ed at 305 Palm Coast

e in this process of
roposed ordinance. A
dinance are available
siness hours Monday
m. in the Community
ity Offices located at
nd the phone number

's web site to view this
1 information relative
ernment. Any person
mit written comments
the City through the

t made with respect to
enced hearing, he/she
such purposes, it may
ord of the proceedings
ny and evidence upon

isabilities Act, persons
of these proceedings
86-986-3713 at least 48

0002144547

**NOTICE OF HEARING
CITY OF BUNNELL, FLORIDA**

The City of Bunnell, Florida proposes to conduct a public hearing considering the following Ordinance # 2015-07:

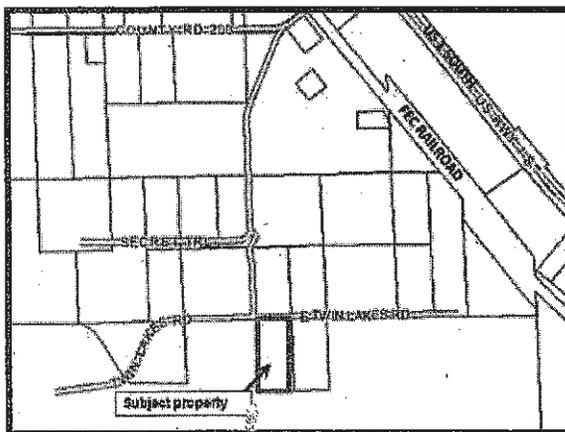
AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY DAVID AND CINDY RAINEY (GENERALLY TAX PARCEL IDENTIFICATION NUMBER 21-13-31-0650-000D0-0051) LOCATED CONTIGUOUS TO THE CITY OF BUNNELL IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*, AND OTHER CONTROLLING LAW; REDEFINING THE BOUNDARIES OF THE CITY OF BUNNELL TO INCLUDE SAID PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICE OF FLAGLER COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

NOTICE IS HEREBY GIVEN THAT THE CITY OF BUNNELL, FLORIDA will hold a Public Hearing at 7:00 P.M. on July 13, 2015 at the Bunnell City Complex located at 201 W. Moody Blvd., Chambers Meeting Room, Bunnell, Florida, to consider the Ordinance.

ALL PARTIES ARE INVITED to appear and submit oral or written objections or comments. The failure of a person to appear during said hearing and comment on or object to the annexation, either in person or in writing, might preclude the ability of such person to contest the annexation at a later date. A copy of all pertinent information to this Ordinance including the complete legal description by metes and bounds and the ordinance can be obtained at the office of the City Clerk at City Hall, 201 West Moody Blvd., Bunnell, FL 32110. Persons with disabilities needing assistance to attend this proceeding should contact the Bunnell City Clerk at (386) 437-7500 at least 48-hours prior to the meeting.

NOTICE: If a person decides to appeal any decision made by the City Commission on this matter a recording of the proceeding may be needed and for such purposes the person may need to ensure that a verbatim record is made which includes the testimony and evidence upon which the appeal is based. (286.0105 Florida Statute)

Sandra Bolser
City of Bunnell

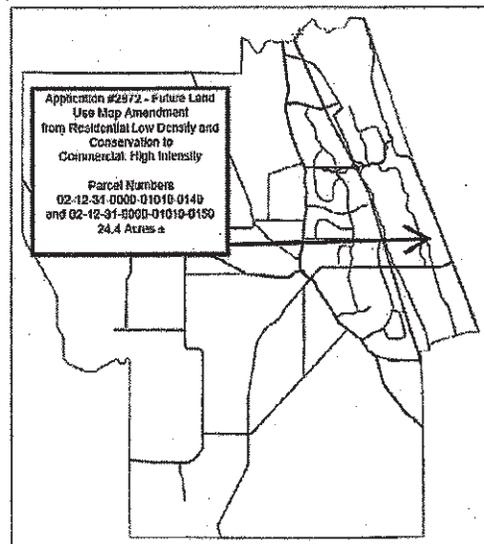


0002145450

**NOTICE OF FUTURE LAND
USE MAP AMENDMENT
APPLICATION #2972**

Pursuant to Section 163.3184, Florida Statutes, the Flagler County Board of County Commissioners hereby gives notice of a proposal to adopt the following Ordinance affecting the area shown in the map below:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP BY AMENDING THE DESIGNATION OF A TOTAL OF 24.4 ACRES, MORE OR LESS, LYING IN SECTION 02, TOWNSHIP 12 SOUTH, RANGE 31 EAST; FROM RESIDENTIAL LOW DENSITY AND CONSERVATION TO COMMERCIAL HIGH INTENSITY; PROVIDING FOR FINDINGS; PROVIDING FOR A PARCEL-SPECIFIC LIMITING POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.



Application #2972 / Applicants: Sidney F. Ansbacher, Esquire; Brunswick Corporation and Sea Ray Boats, Inc. / Owner: Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust.

Public hearing on the above-captioned matter will be held as follows:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
- Adoption Hearing - July 20, 2015 @ 5:30 p.m. or as soon thereafter as possible in the Flagler County Government Services Building, Board Chambers, 1769 E. Moody Blvd., Building 2, Bunnell, Florida, 32110.

Information relating to this matter is available for inspection at the Planning and Zoning Department located at 1769 E. Moody Boulevard, Ste 105, Bunnell, Florida during the hours of 8:00 a.m. - 5:00 p.m. Monday through Friday.

All interested parties may attend any and all of the public hearings or may express their opinion in writing to:

Adam Mengel, Planning Director
1769 E. Moody Boulevard, Bldg 2, Ste 105
Bunnell, FL 32110
(386) 313-4009
Email: amengel@flaglercounty.org

PURSUANT TO SECTION 286.0105 OF FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE OR SHE WILL NEED 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 MEETINGS SHOULD CONTACT THE PLANNING DEPARTMENT AT (386) 313-4009 AT LEAST 48 HOURS PRIOR TO THE MEETING.