



City of Palm Coast
Agenda
CITY COUNCIL BUSINESS
AMENDED AGENDA

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Mayor Milissa Holland
Vice Mayor Robert G. Cuff
Council Member Steven Nobile
Council Member Nick Klufas
Council Member Heidi Shipley

Tuesday, April 17, 2018

9:00 AM

CITY HALL

City Staff

Jim Landon, City Manager

William Reischmann, City Attorney

Virginia A. Smith, City Clerk

- > Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
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CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on any topic or proposition not on the agenda or which was discussed or agendaed at the previous City Council Workshop, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to

the City Clerk and made part of the record. If anyone is interested in discussing an issue further or ask additional questions, individual Council Members and staff will be available after the meeting to discuss the matter and answer questions.

MINUTES

- 1 MINUTES FOR CITY COUNCIL:**
April 3, 2018 Business Meeting
April 10, 2018 Workshop

PROCLAMATIONS

- 2 PROCLAMATION VOLUNTEER RECOGNITION WEEK**

ORDINANCES SECOND READ

- 3 ORDINANCE 2018-XX AMENDING CHAPTER 29 IMPACT FEES, ARTICLE II TRANSPORTATION IMPACT FEES**
- 4 ORDINANCE 2018-XX AMENDING CHAPTER 15 "BUILDINGS AND BUILDING REGULATIONS" OF THE CITY'S CODE OF ORDINANCES**
- 5 ORDINANCE 2018-XX AMENDING SECTION 10.02 OF THE UNIFIED LAND DEVELOPMENT CODE RELATING TO FLOOD DAMAGE PROTECTION**
- 6 ORDINANCE 2018-XX - A COMPREHENSIVE PLAN AMENDMENT TO UPDATE THE WATER SUPPLY FACILITIES WORK PLAN**

RESOLUTIONS

- 7 RESOLUTION 2018-XX INITIATING THE CONFLICT RESOLUTION PROCEDURES WITH FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS FOR WATER SERVICES TO AIRPORT COMMONS AREA**
- 8 RESOLUTION 2018-XX APPROVING THE STRATEGIC ACTION PLAN UPDATES AND ADDITIONAL PRIORITIES FOR FISCAL YEAR 2018-2019**

OTHER BUSINESS

- 9 APPOINT MEMBERS TO THE BEAUTIFICATION AND ENVIRONMENTAL ADVISORY COMMITTEE**
- 10 DISCUSSION SHORTLIST EXECUTIVE SEARCH FIRMS**

CONSENT

- 11 RESOLUTION 2018-XX APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SUPERVISOR OF ELECTIONS FOR THE 2018 CITY ELECTIONS**
- 12 RESOLUTION 2018-XX APPROVING A WORK ORDER WITH MCKIM & CREED, INC., FOR ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE PUMP STATION "D" IMPROVEMENTS PROJECT.**
- 13 RESOLUTION 2018-XX AUTHORIZING THE CITY MANAGER TO EXECUTE THE EAST FLAGLER MOSQUITO CONTROL DISTRICT LOW LEVEL FLIGHTS AUTHORIZATION**
- 14 RESOLUTION 2018-XX APPROVING ONE-YEAR PRICE AGREEMENT WITH ENVIRONMENTAL LAND SERVICES FOR DEBRIS DISPOSAL SERVICES**

PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

ADJOURNMENT

- 15 CALENDAR/WORKSHEET**
- 16 ATTACHMENTS TO MINUTES**

City of Palm Coast, Florida Agenda Item

Agenda Date : 4/17/2018

Department Item Key	CITY CLERK	Amount Account #
Subject	MINUTES FOR CITY COUNCIL April 3, 2018 Business Meeting April 10, 2018 Workshop	
Background :		
Recommended Action :		



**City of Palm Coast
Minutes
CITY COUNCIL
BUSINESS**

City Hall
160 Lake Avenue
Palm Coast, FL 32164
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**Mayor Milissa Holland
Vice Mayor Robert G. Cuff
Council Member Steven Nobile
Council Member Nick Klufas
Council Member Heidi Shipley**

Tuesday, April 3, 2018

6:00 PM

CITY HALL

City Staff

**Jim Landon, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk**

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CALL TO ORDER

Mayor Holland called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Present and responding to roll call were the following:

Council:	Robert Cuff
	Nick Klufas
	Steven Nobile
	Heidi Shipley
	Milissa Holland

City Clerk, Virginia Smith called the roll. All members were present.

PUBLIC PARTICIPATION

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any topic or proposition not on the agenda or which was discussed or agendaed at the previous City Council Workshop, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to the City Clerk and made part of the record. If anyone is interested in discussing an issue further or ask additional questions, individual Council Members and staff will be available after the meeting to discuss the matter and answer questions.

Mr. Carty submitted a letter in the record.

Robert MacDonald - Code Enforcement.

Steve Carr -Florida Park Drive traffic.

Eugene Holland-deplorable conditions at the dog park. The dog park is a calamity waiting to happen. Staff was to contact Mr. Holland to make sure the park depicted in the photographs was a City park.

MINUTES

- 1 MINUTES FOR CITY COUNCIL:
March 20, 2018 Business Meeting
March 27, 2018 Workshop**

Pass

Motion made to approve made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

PROCLAMATIONS AND PRESENTATIONS

- 2 PROCLAMATION - FAIR HOUSING MONTH**

CM Cuff presented this Proclamation.

- 3 PROCLAMATION - CRIME VICTIMS' RIGHTS WEEK**

CM Shipley presented this Proclamation.

- 4 PROCLAMATION RECOGNIZING THE MONTH OF APRIL AS THE NATIONAL MAYOR'S CHALLENGE FOR WATER**

Mayor Holland presented this Proclamation.

5 PRESENTATION OF UNIT CITATION TO FIRST RESPONDERS

Chief Beadle presented the awards to the first responders.

Mayor Holland requested that Item 13 be taken off the Consent Agenda to acknowledge the City's Co-Historian of the Elaine Studnicki. Council agreed. The agenda moved to Item 13.

ORDINANCES SECOND READ

6 ORDINANCE 2018-XX TO ADOPT THE FIRST AMENDMENT TO THE GRAND LANDINGS MASTER DEVELOPMENT PLAN, APPLICATION 3481

O20180007

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Public Comments:

There were no public comments.

Pass

Motion made to Adopted on second reading made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

7 ORDINANCE 2018-XX TO REZONE 9.09 +/- ACRES FROM COM-2 AND PSP TO PALM TOWN CENTER MPD

O20180008

City Attorney Reischmann read the title into the record.

Attorney Reischmann reminded Council this is a quasi-judicial issue and called for any ex-parte communications. There were none.

Mr. Landon gave a brief summary of the item.

Public Comments:

There were no public comments.

Pass

Motion made to Adopted on second reading made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

8 ORDINANCE 2018-XX PROPOSED AMENDMENTS TO THE CITY CHARTER

O20180009

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Mr. Falgout presented a PowerPoint presentation, which is attached to these minutes.

Public Comments:

Jack Carral- What will it cost to put this on the ballot?

Mr. Neilebach -Disagrees with Mr. Carall. Supports the Charter Amendments.

Responses to Public Comments:

Cost-Ans: Mr. Landon explained the cost to the City is dependant upon the ballot and if we were to have an additional page. Ms. Smith-The cost will not be any where near \$50 or \$60K. Mr. Landon explained that the \$50K was when we held our own election.

Pass

Motion made to Adopted on second reading made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

ORDINANCES FIRST READ

9 ORDINANCE 2018-XX AMENDING CHAPTER 29 IMPACT FEES, ARTICLE II TRANSPORTATION IMPACT FEES

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Mr. Jose Papa and representatives from Lassiter Transportation Group presented a PowerPoint presentation, which is attached to these minutes.

CM Nobile - On the FDOT, Annual adjustments do that calculation annually.

Ans: Mr. Papa - Yes. I believe it is September that they issue that.

CM Nobile: When do they do the actual comparisons? Ans: Mr. Papa - It is year to year.

Public Comments:

Jack Carall - What is active adult? Ans: Mr. Papa-Active adult is in a restricted community 55 and over. The difference in that community is that you have less of a traffic impact.

Pass

Motion made to Approved on first reading made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

10 ORDINANCE 2018-XX AMENDING CHAPTER 15 "BUILDINGS AND BUILDING REGULATIONS" OF THE CITY'S CODE OF ORDINANCES

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of this item and the next item.

Ms. Denise Bevan provided a PowerPoint presentation, which is attached to these minutes.

The public hearing was opened. No comments were received. The public hearing was closed.

Pass

Motion made to Approved on first reading made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

11 ORDINANCE 2018-XX AMENDING SECTION 10.02 OF THE UNIFIED LAND DEVELOPMENT CODE RELATING TO FLOOD DAMAGE PROTECTION

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

This item was heard under item 10.

Public Comments:

Jack Carall -This ordinance states you will get a decrease in flood insurance and the people get a decrease in flood insurance. How do you tell the insurance companies that you are entitled to a decrease in insurance premiums?

Ans: Ms. Bevan - The first question that I heard was about the discount. The way a discount works for a citizen. The 30% reduction in your flood insurance

premiums are for those properties in a special flood hazard area, which means a high risk zone. For properties in X Zones are not in a high risk zone, that is established by Congress. When you get your flood insurance policy it references your community and with that comes your discount. For any flood insurance, it is by FEMA. It should be relatively the same for any service provider you go to. The last question I heard was, which flood plain do I live in. Do I live in a flood plain? The entire State of Florida is in a flood plain. It is just different degrees of risk. We encourage our citizens to contact your food plain managers and we actually have five flood plain managers in the City. We will give you that dtermination to take to your insurance provider..

CM Nobile - What portion of the city is in the high risk zone? Ans: Ms. Bevan - With the new maps, we have not calculated that yet.

Pass

Motion made to Approved on first reading made by Vice Mayor Cuff and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

CONSENT

There were no public comments.

- 12 RESOLUTION 2018-XX A PROPOSED AMENDMENT TO THE WIRELESS MASTER PLAN TO INCLUDE A PORTION OF PROPERTY LOCATED AT FIRE STATION #24, 1505 PALM HARBOR PARKWAY**

R20180048

Pass

Motion made to Adopt on consent made by Council Member Klufas and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

- 13 RESOLUTION 2018-XX APPOINT DR. ELAINE STUDNICKI AS CO-CITY HISTORIAN**

R20180049

Pass

Motion made to approve made by Vice Mayor Cuff and seconded by Council Member Klufas

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

This item was heard after Agenda item #6. Mayor Holland congratulated Dr. Studnicki.

- 14 RESOLUTION 2018-XX APPROVING A WORK ORDER WITH MCKIM & CREED, INC., FOR ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE HAZARD MITIGATION GRANT FOR THE INSTALLATION OF GENERATORS FOR 30 PUMP STATIONS**

R20180050

Pass

Motion made to Adopt on consent made by Council Member Klufas and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

- 15 RESOLUTION 2018-XX APPROVING A PRICE AGREEMENT FOR CONCRETE, ON AN AS NEEDED BASIS, WITH ARGOS READY MIX, LLC.**

R20180051

Pass

Motion made to Adopt on consent made by Council Member Klufas and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

- 16 RESOLUTION 2018-XX APPROVING MASTER SERVICE AGREEMENTS WITH MULTIPLE FIRMS FOR WASTEWATER EMERGENCY TANK TRUCKING SERVICES**

R20180052

Pass

Motion made to Adopt on consent made by Council Member Klufas and seconded by Council Member Nobile

Approved - 5 - Vice Mayor Robert Cuff, Council Member Nick Klufas, Council Member Steven Nobile, Council Member Heidi Shipley, Mayor Milissa Holland

OTHER BUSINESS

- 17 PRESENTATION OF CERTIFICATES TO GRADUATING STUDENTS OF THE CITY OF PALM COAST'S CITIZENS ACADEMY CLASS**

Ms. Cindi Lane and Mayor Holland presented the certificates to the graduates of the Citizens Academy.

PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

George Mayo - Shared a The Daytona News Journal Article "Fee Frenzy."

DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

CM Shipley - Florida Park Drive Traffic-I met with the residents there and they have an idea which might actually work and to add into it Mr. Nobile had something he talked about years ago that would help with the pollution/sound in that area. I would like this item to be put on a workshop. Mr. Landon-I believe this is part of Strategic Action Planning.

Mr. Nobile - I think we are asking for just a seperate agenda item on a workshop before budget. Ans: Mr. Landon - We can put it on as an agenda item if you would like.

Mayor Holland: I would like to ask you to bring forth the residents ideas in advance.

CM Klufas - I also want to add to that some healthy initiatives-healthy challenges. Congratulations to all the Citizen's Academy graduates and I would like to promote waterpledge.com.

DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Nothing at this time.

DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Landon presented a video of the Grand Opening of the Community Center, which is attached to these minutes.

He congratulated Mayor Holland on her presentation at the State of the City event.

ADJOURNMENT

The meeting was adjourned at 7:31 p.m.

*Respectfully submitted by: Virginia A. Smith, MMC
City Clerk*



**City of Palm Coast
Minutes
CITY COUNCIL
WORKSHOP**

City Hall
160 Lake Avenue
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**Mayor Milissa Holland
Vice Mayor Robert G. Cuff
Council Member Steven Nobile
Council Member Nick Klufas
Council Member Heidi Shipley**

Tuesday, April 10, 2018

9:00 AM

COMMUNITY WING

City Staff

**Jim Landon, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk**

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A CALL TO ORDER

Mayor Holland called the meeting to order at 9:00 am

B PLEDGE OF ALLEGIANCE TO THE FLAG

C ROLL CALL

Ms. Settle called the roll. All members were present.

D PUBLIC PARTICIPATION

Celia Pugliese expressed her concerns regarding Florida Park Drive. She requested an update regarding the replanting of trees on Palm Coast Parkway.

Vince Ligouri expressed his concern regarding the fee for attending the State of the City. He spoke of the former Home Rule Committee and Electric Utility Tax. He brought attention to a possible code violation caused by an estate sale in his neighborhood.

Jon Netts was also concerned about the issues on Florida Park Drive. He referred to Council Member Shipley's comments regarding a meeting with the Florida Park Drive residents. He asked for a the date of the meeting and those in attendance.

In response to Ms. Pugliese's request for an update regarding replanting the trees on Palm Coast Parkway, Mr. Landon let her know that the trees were ordered but the delivery had been delayed..

Council Member Cuff asked if the City would be grinding the tree stumps. Mr. Landon responded in the affirmative.

In response to Mr. Nett's request for date and time of the meeting Council Member Shipley had with residents of Florida Park Drive, Council Member Shipley indicated that she meets with residents all the time.

E PRESENTATIONS

1 PRESENTATION OF ANNUAL INVESTMENT REPORT

Mr. Landon gave an overview of the item. Scott Sticher of PFM presented the investment report of the City to Council.

Mayor Holland: As far as the cash flow, we are talking about an operational budget, how many months do we put ourselves in that bracket where were comfortable with is it six months? three months? Ans: Ms. Alves - We have our fund balance reserve for operational funds and it is anywhere from 20% and typically those funds are not held with a long-term portfolio, they are held with something more short-term so we can cover our operations. Ans: Mr. Landon - I want to point out, obviously we have that big chunk of property tax that comes in, we have never had any problem with cash flow as far as getting through the first of the budget year til we start seeing that revenue come in. It speaks to the strength of our finances. It is not true for everyone in government but we are one of those that we have never had to have bridge loan to get through.

Mayor Holland: So you are saying you feel confident regardless of the conversations undergoing on the Federal Government that this is not going to impact our investments locally? Ans Mr. Sticher - There could be some near term volatility but we try not to trade on rhetoric. We try not to trade on short term market moves. We focus more on trends and the global picture.

CM Nobile. We know what the bond returns generally are but there are credit returns what do they look like? Ans: Mr. Sticher - As you might expect, you should be rewarded on taking on additional risk. More recently, spreads have narrowed so you are not being rewarded as much as you would like.

CM Nobile: Over the last two years, has the risk been outweighed by the returns. Ans: Mr. Sticher - Absolutely. After you have been rewarded for being in that space.

2 PRESENTATION - STRATEGIC ACTION PLAN EVALUATION

Mr. Landon gave a brief overview of the item. Denise Bevan presented SAP action plan results. She thanked Council for their input.

VM Cuff: I know we discussed the suitability of the Tennis Center property for this type of operation. But given the stage of the plan for this are, are we saying we are committing to the Tennis Center or is this investigation and exploration of developing this center going to include the possibility of additional sites. I know we own the land by the Tennis Center and it looks like a good place for it but are we also going to investigate other places to put it? I don't have a place in mind.

CM Nobile: I would like Town Center. Ans: Mr. Landon - We can make it more generic, as far as, first stage would be identify where we might look.

VM Cuff: My comment on this item is this makes it like, now we have the land and the next step is we come up with a site plan and specifications for this. I understand the benefits that that location has if we are talking about the innovation of Town Center, which is all exclusively private property currently. I think it limits our opportunities, perhaps, for a land exchange or an inquiry of another property that might be suitable. Ans: Mr. Landon - Denise can come up with some language that does not tie it down.

3 DISCUSSION- FLORIDA PARK DRIVE

Council Member Shipley reported the residents of Florida Park Drive felt the main issue of the residents is to try and limit people cutting through. The group agreed that they would like to put stop signs on Florida Park Drive, perhaps two to start, to see if it would deter people from speeding down Florida Park Drive and using it as a cut through.

CM Nobile: We are talking about stops signs at intersecting streets somewhere? Sound like it could be a deterrent, not for people who live there.

Mayor Holland: My concern with that is we have residents that are going to have to wait for the traffic to move because of back-ups at stop signs. Right now it flows.

CM Nobile: I don't think a stop sign will cause a back up, a light might. A stop sign will not cause a back up. What we are hoping is that we will lessen the traffic. I don't see a back-up happening.

CM Klufas: Are we worried about traffic or pollution? By putting a stop sign in, it increases emissions by nine times.

CM Nobile: We want to try and reduce the noise and the pollution in the area. Over the last three years, we have come up with more things than I can shake a stick at and none of them get done. And it doesn't get done because we don't want to do it.

CM Shipley: I think we just start with two and see if it makes a difference.

VM Cuff: I think Nick's concerns are well placed. I am not sure and I am not opposed to trying it. I know we hear about it constantly as a problem. I would like to be responsive. I don't think two stops signs will be close enough to deter the kind of traffic levels but I am not a traffic engineer. Florida Park Drive's problem

is, it is a long through road that connects two through roads. I think we need to be careful if we put up enough stop signs on it to have the impact on the traffic numbers that we are going to find, and we will need to be sensitive to it, measure the level of pollution from emissions which is the other thing we keep hearing.

Mr. Landon: Stops signs, by law, you have to do a warrant study to install them. There are technical requirements by law as to where they can go, just like a traffic signal. If Council wants to look at this, the first step is to have staff review it by a warrant study. If they are not warranted and you put them up and there is an accident and there will be because that is when you have accidents at intersections with stop signs. The City then has a lot of liability. There is some legal ramifications we just need to be aware of when we start installing traffic devices that do not meet the code. I would suggest doing a warrant study.

VM Nobile: The other thing is to look at other types of signals. Not signalling but signage. We drove up there the other night and there is a speed limit sign that shows your speed limit and it is broken. It is not working. We have to get the speed down.

Mr. Landon: Traffic devices, like that, by law have certain criteria that we have to follow. There are studies you do and things. To put a stop sign where it doesn't belong can also cause a safety issue. People don't anticipate it. You don't want to create unintended consequences.

CM Cuff: Obviously we have a consensus to have staff and I assume that is our traffic engineer, to look at the requirements for a stop sign approach. I am very concerned that there are not enough stop signs to do what the residents want it to do, which is to inhibit traffic. We have to do something.

Mr. Landon - We can dust off the proposal we presented to City Council a few years ago. We had an engineer proposal to look at Florida Park Drive comprehensively. City Council, at the time, rejected the proposal and said that they did not want to pursue that because of the costs. We have had the proposal in the past. If that is what you want to do, we can dust it off. We may have to go back out and get a request for proposal.

CM Shipley: Can we put that on the Strategic Action Plan? Can we do the study and bushes in front of the homes?

CM Nobile: We can add looking at that proposal again?

Mr. Landon: Do you want it to be combined or do you want two separate items?

Ms. Bevan suggested two separate items.

F WRITTEN ITEMS

4 RESOLUTION 2018-XX APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SUPERVISOR OF ELECTIONS FOR THE 2018 CITY ELECTIONS

Mr. Landon gave a brief overview of the item.

CM Nobile: When would they have an idea as to what the costs would be? Ans: Mr. Landon - She has talked to her about that . . . we can send something to you. I can give you an update as to what the estimate is possibly or give the you the range. Nothing is firm at this time.

5 RESOLUTION 2018-XX APPROVING A WORK ORDER WITH MCKIM & CREED, INC., FOR ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE PUMP STATION "D" IMPROVEMENTS PROJECT.

Mr. Landon gave an overview of the item.

6 RESOLUTION 2018-XX AUTHORIZING THE CITY MANAGER TO EXECUTE THE EAST FLAGLER MOSQUITO CONTROL DISTRICT LOW LEVEL FLIGHTS AUTHORIZATION

Mr. Landon gave an overview of the item.

7 RESOLUTION 2018-XX APPROVING ONE-YEAR PRICE AGREEMENT WITH ENVIRONMENTAL LAND SERVICES FOR DEBRIS DISPOSAL SERVICES

Mr. Landon gave a brief overview of the item.

G PUBLIC PARTICIPATION

Steve Carr thanked Council for discussing Florida Park Drive.

H DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

No Comments

I DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

No comments

J DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Landon reported on a proposed development located at the Aviation Drive and SR 100. The County has indicated that because of the length of the City's permitting and development process, the development could not be completed in a timely manner and therefore, would not be annexing into the City of Palm Coast. At a meeting on April 9, 2018 the County and the developer were presented with a transition plan from the City that would have the developer through the permitting process by the middle of May.

Prior to the April 9 meeting, the developer had approached the County to extend their water and sewer lines from the airport to the property to be developed. The

County would not be charging the developer transportation impact fees. If the development were to receive water and sewer from the City of Palm Coast, the developer would be required to annex the property and be charged transportation impact fees from the City. The impact fees were estimated to be within the range of \$150,000-\$180,000.

There are two interlocal agreements approved by City Council and the Board of County Commissioners. In 2007, a Utility Service Agreement which delineates the areas which each government entity will provide water and sewer and in 2015, an interlocal agreement (referred to as the Airport Agreement) which requires the County to adhere to the City's development standards. The property is within the City's service area to provide water and sewer and is within the area referred to in the Airport Agreement.

City Council directed the City Manager and the City Attorney to keep the lines of communication open with Flagler County and to take the necessary steps to enforce the Interlocal Agreements approved by City Council and the Board of County Commissioners.

Food Truck Tuesday schedule for April 17.

K ADJOURNMENT

*The meeting adjourned at 11:12 a.m.
Respectfully Submitted,
Kate Settle, Deputy City Clerk*

City of Palm Coast, Florida Agenda Item

Agenda Date : 04/17/2018

Department	CITY CLERK	Amount
Item Key	3180	Account
		#
Subject	PROCLAMATION VOLUNTEER RECOGNITION WEEK	
Background :	The City of Palm Coast hereby proclaims the month of April as National Volunteer Month.	
Recommended Action :	Proclaim April 2018 as Volunteer Month.	



PROCLAMATION

WHEREAS, April is Florida Volunteer Month, National Service Recognition Day was held April 3, and National Volunteer Week is this week, April 15-21. This month was established as the official time to recognize and celebrate the efforts of volunteers at the local, state, and national levels; and

WHEREAS, volunteers can connect with local community service experiences through hundreds of community service organizations including Flagler Volunteer Services; and

WHEREAS, volunteers address the most pressing challenges facing our cities, counties and our nation, from educating students for the jobs of the 21st century and supporting veterans and military families to preserving the environment and helping communities recover from natural disasters; and

WHEREAS, volunteering enhances the lives of volunteers, increases self-esteem and physical well-being, provides opportunities to learn new skills and abilities and offers the chance to meet new friends and associates; and

WHEREAS, nonprofits, charities, community and faith-based groups, schools, national service programs and volunteer centers such as Flagler Volunteer Services have joined with state and local governments to celebrate and praise volunteers who have given tirelessly and selflessly to the service of others; and

WHEREAS, volunteers are vital to our future as a caring and productive nation.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and City Council of the City of Palm Coast, Florida, do hereby recognize the month of April as

“volunteer month”

in the City of Palm Coast and encourage residents to recognize the positive impact of volunteer service in our City, to thank those who serve, and to find ways to give back to their communities.

Signed this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

Witnessed by:

Milissa Holland, Mayor

Virginia A. Smith, City Clerk

City of Palm Coast, Florida Agenda Item

Agenda Date: 04/17/2018

Department	PLANNING	Amount
Item Key	2806	Account
Subject	ORDINANCE 2018-XX AMENDING CHAPTER 29 IMPACT FEES, ARTICLE II TRANSPORTATION IMPACT FEES	
Background: <u>Update from the April 3, 2018 Business Meeting.</u> This item was heard by City Council at their April 3, 2018 Business Meeting. There were no changes suggested to this item. <u>Update from the March 27, 2018 Workshop:</u> This item was heard by City Council at their March 27, 2018 Workshop. There were no changes suggested to this item. <u>Original Background from the March 27, 2018 Workshop:</u> One of City Council's priority is to update the Transportation Impact Fee. As required by the City's Code, an update must be considered every six years. The City's first roadway/transportation impact fee was adopted in 2004 and updated in 2011. Regular updates or review of impact fees (not just transportation impact fees) are necessary to accommodate changes in facility/capital needs, land use characteristics, cost assumptions, and projected growth. An update or review of impact fees also ensures that impact generating development pays an appropriate share of capital improvements. The City retained the services of Lassiter Transportation Group (LTG) to facilitate the review of the City's transportation impact fee. The study conducted by LTG met the following objectives for the update: <ul style="list-style-type: none">• Update fees based on best available localized data (construction costs, trip generation of land use, identification of capacity projects), and• Promote City's economic development by providing incentives for certain land uses• Highlights of the fee based incentives provided in the new impact fee schedule include:<ul style="list-style-type: none">• Development of impact fee for historic ITT platted lots,• Multi-Family category (separate category from single-family),• Active Adult category (separate category from single-family),• Development of impact fees for "Multi-tenant Retail Category" vs. "Free Standing Retail Category",• Additionally, the schedule maintains simplicity in application by combining land uses as appropriate (i.e. all offices are combined into one category) In calculating the new impact fees a reduction in the capital improvement plan was achieved through the following:		

- Exclusion of Right-of-Way costs,
- Identifying intersection improvements in lieu of roadway widening projects,
- Providing credit for projects included the TPO's Long Range Transportation Plan (LRTP), and
- Interstate Adjustment Factor.

Recommended Action:

Adopt Ordinance 2018-XX Amending Chapter 29 Impact Fees, Article II Transportation Impact Fees

ORDINANCE 2018-____
TRANSPORTATION IMPACT FEES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA AMENDING CHAPTER 29 IMPACT FEES, ARTICLE II TRANSPORTATION IMPACT FEES, CODE OF ORDINANCES OF THE CITY OF PALM COAST, TO ADJUST RATES BASED ON A COMPREHENSIVE STUDY; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast (the "City") is a municipal corporation lawfully established and organized under the laws of Florida; and

WHEREAS, pursuant to Article VIII of the 1968 Florida Constitution, as amended, and Sections 163 and 166, Florida Statutes, the City Council of Palm Coast has the authority to fix, impose, and provide for the collection of transportation impact fees to finance, in whole or in part, the capital costs of public works, improvements, and facilities required to accommodate new impact-generating development; and

WHEREAS, the City Council has studied the necessity for and implications of the adoption of transportation impact fees for various transportation facilities and has retained LTG Engineering and Planning, and, by subcontract, NUE Urban Concepts, LLC (hereinafter, together, the "Consultants") to prepare a transportation impact fee report to determine the proportionate demand new development generates for additional capital transportation improvements, and the Consultants have prepared a transportation impact fee report, titled "The City of Palm Coast Transportation Impact Fee – Technical Report," dated January 2018 (hereinafter the "transportation impact fee report"); and

WHEREAS, the transportation impact fee report has been presented to and reviewed by the City Council, which has determined (1) that a transportation impact fee is necessary to offset the costs associated with meeting future capital transportation improvement demands pursuant to the projections set forth in the report; (2) that the transportation impact fees adopted by this Ordinance bear a reasonable relationship to the burden imposed upon the City to provide capital transportation improvements to new residents, employees, and businesses; and transportation impact fees provide a direct benefit to such new residents, employees, and businesses reasonably related to the transportation impact fees assessed; (3) that an "essential nexus" exists between the projected new development and the need for additional capital transportation improvements to be funded with transportation impact fees, and between the transportation impact fee and the benefits that accrue to new development paying the fee; and (4) that the amount of the transportation impact fees is "roughly proportional" to the pro rata share of the additional capital transportation improvements needed to serve new residential and non-residential development, while

maintaining the level of service (LOS) standard currently provided to City residents, employees, and businesses; and

WHEREAS, the City annually develops a capital budget to ensure new development is adequately provided with capital transportation improvements necessary to serve new development at the growth rates projected in the transportation impact fee report; and

WHEREAS, this Ordinance contains administrative provisions to ensure that the benefit of capital transportation improvements funded with impact fee funds will accrue proportionately to new development paying the fee; and

WHEREAS, it is not the intent of this Ordinance to impose or collect any transportation impact fees from new development that are in excess of new development's proportionate demand on capital transportation improvements; and

WHEREAS, based on the population, housing unit, and land use projections as well as the capital transportation improvement needs associated with the projected level of growth, the City Council has determined that transportation impact fees are a reasonable, appropriate, and necessary technique, to be used in conjunction with other financing techniques, to ensure that transportation facilities are available and adequate for new development; and

WHEREAS, the City Council has determined that transportation impact fees are necessary for adequate capital transportation improvements sufficient to protect the public health, safety, and general welfare of future residents and employees generated by new development; and

WHEREAS, the Consultants reviewed the existing demand for capital transportation improvements, including, where appropriate, land acquisition, road improvements, and construction costs; the existing inventory of same; and the method of financing same; and

WHEREAS, all funds collected from transportation impact fees will be deposited in a segregated, interest-bearing account to ensure that transportation impact fee funds are spent only for the reasonable benefit of the new development paying the fee; and

WHEREAS, any interest or other income earned on funds deposited in said interest-bearing account will be credited to the transportation impact fee account; and

WHEREAS, the City has determined and will determine that the payment of the transportation impact fees and their expenditure for needed capital transportation improvements will result in a reasonable benefit to the development on which it is imposed in a manner not shared by those not paying the fee; and

WHEREAS, the City Council has developed and adopted a schedule of transportation impact fees by land use classification; and

WHEREAS, the City Council has provided a credit mechanism in cases where the proposed new development dedicates public sites and/or capital improvements for which transportation impact fees are being imposed; and

WHEREAS, this Ordinance is consistent with and implements the City of Palm Coast 2035 Comprehensive Plan, including the Capital Improvements Element and Capital Improvements Program therein, and with Fla. Stat. 163.31801.

WHEREAS, words with underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text, and asterisks (***) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1: LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

The above recitals (whereas clause) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2: AMENDMENT TO CHAPTER 29, IMPACT FEES, ARTICLE II, TRANSPORTATION IMPACT FEES.

Chapter 29, “Impact Fees, Article II, “Transportation Impact Fees” of the Code of Ordinances, City of Palm Coast, Florida, is hereby amended as follows:

Section 29.31 – Purpose and intent:

* * *

Sec. 29-32. - Transportation impact fee report.

~~A.~~ The City Council has reviewed and accepted, and incorporates into this article by reference, the transportation impact fee report, titled, "City of Palm Coast ~~2004-2018~~ Transportation Impact Fee Update Study Technical Report," dated ~~August 2004~~ March 2018, and prepared by ~~Tindale-Oliver and Associates, Inc.~~ LTG Inc. and NUE Urban Concepts, LLC, which establishes the need for impact fees for capital transportation improvements and sets forth a reasonable methodology and analysis for the determination of the impact fees for capital transportation improvements.

~~B. The City Council has reviewed and accepted, and incorporates into this article by reference, the transportation impact fee report, titled “2011 Transportation Impact Fee Consolidation Report,” dated April 6, 2011, and prepared by City Staff, which establishes the need to consolidate and simplify the existing impact fee structure and sets forth a reasonable methodology and analysis for the determination of a consolidated impact fee structure.~~

Sec. 29-33. – Definitions

In this article words and terms have the meanings set forth in this section. Words and terms not specifically defined herein have the meanings set forth in the City Code, as amended:

Applicant means any person who files an application with the City for a building permit to undertake impact-generating development within the City.

Appropriation means to obligate funds for use by the City. Appropriation includes inclusion of a capital transportation improvement in the annual City budget, execution of a contract or other legal encumbrance for construction or acquisition of a capital transportation improvement using transportation impact fee funds in whole or in part; and/or the expenditure or transfer of transportation impact fee funds from a transportation impact fee account for the financing of capital transportation improvements that provides or will provide a reasonable benefit to impact-generating development.

Building permit means evidence of the City's approval to undertake impact-generating development pursuant to the City's building code.

Capital improvements program means a schedule of capital transportation improvements to be undertaken by the City as determined from time to time by the City Council or as set forth in the capital budget and/or the comprehensive plan.

Capital transportation improvement means the planning, design, engineering, surveying, land acquisition, permitting, and construction costs of all features and facilities necessary for road construction projects including those relied upon in the transportation impact fee report, the need for which is created by and the provision of which will reasonably benefit impact-generating development.

City means the City of Palm Coast, Florida.

City Code means the City Code of the City of Palm Coast, Florida, as amended from time to time.

City Council means the Mayor and City Council of the City of Palm Coast, Florida.

City Manager means the City Manager for the City of Palm Coast, Florida.

Comprehensive plan means the City of Palm Coast ~~2020-2035~~ Comprehensive Plan, as amended from time to time.

Department means the ~~Development~~ ServicesCommunity Development Department of the City of Palm Coast, Florida.

Director means the Director of the ~~Development~~ ServicesCommunity Development Department of the City of Palm Coast, Florida or the Director's designee.

Director of Financial Services means the Director of the Financial Services Department of the City of Palm Coast, Florida.

Existing land use means the most intense lawful use of land within the twelve (12) months prior to the time of payment of the impact fee pursuant to this article.

Fee schedule means the list of transportation impact fees set forth in Exhibit A to this article. [Located at the end of this article.]

Group fee means transportation impact fee codes that are grouped together with the same fee amount and is under one classification category.

Impact-generating development means any construction, reconstruction, redevelopment, rehabilitation, structural alteration, structural enlargement, structural extension, or use undertaken pursuant to a building permit issued after the effective date of this ordinance, which attracts or produces vehicular trips over and above that produced by the existing land use.

Non-residential means a use or development that is not a residential use.

Post-incorporation structures means structures with a certificate of occupancy on or after the City of Palm Coast's incorporation on December 31, 1999.

Pre-incorporation structures means structures with a certificate of occupancy prior to the City of Palm Coast's incorporation on December 31, 1999.

Residential means a use or development that includes or results in the creation of a dwelling unit.

~~*Transportation Impact Fee Consolidation Report* means a report titled "2011 Transportation Impact Fee Consolidation Report," dated April 6, 2011, prepared by City Staff which sets for the methodology and rational basis for the consolidation and simplification of the existing impact fee structure.~~

Transportation impact fee means an impact fee imposed on residential and non-residential development to fund the proportionate share of the costs of capital transportation improvements created by impact-generating development for capital transportation improvements.

Transportation impact fee report means a report titled, "City of Palm Coast ~~2004-2018~~ Transportation Impact Fee ~~Update Study~~ Technical Report," dated ~~August 2004~~ February ~~March~~ 2018, and prepared by ~~LTG, Inc. and NUE Urban Concepts, LLC, and prepared by Tindale-Oliver and Associates, Inc.,~~ which sets forth the methodology and rational basis for the transportation impact fees and the mechanisms for ensuring that a rational nexus exists between the fee amount and the impact of impact-generating development on capital transportation improvements and the reasonable benefits that accrue to impact-generating development paying the impact fee.

Sec. 29-34. - Applicability.

A. *Term.* This article and the procedures established herein shall remain in effect unless and until repealed, amended, or modified by the City Council in accordance with applicable state law and the City Code.

B. *Affected area.* Transportation impact fees will be imposed by the City on impact-generating development proposed within the corporate boundaries of the City.

C. *Type of development affected.* Except as provided in D. below, this ordinance applies to all impact-generating development.

D. *Type of development not affected; exemptions.* This article does not apply to:

1. *Previously-issued building permits.* No additional transportation impact fee may be imposed on impact-generating development for which a building permit has been issued prior to the effective date of this article, except that if such building permit expires, the development will be treated as impact-generating development and be subject to the provisions of this amended article.

2. *No net increase in floor area.* Provided there is no intensification of use, no transportation impact fee may be imposed on an impact-generating development that does not result in the creation of additional floor area, unless the Director makes a written determination that the impact-generating development increases the demand for capital transportation improvements for which transportation impact fees are being imposed.

3. *Replacements.* No transportation impact fee may be imposed on the replacement of a destroyed or partially destroyed building or structure, provided that there is no change in use and no net increase in the number of dwelling units or amount of floor area.

4. *Temporary uses.* No transportation impact fee may be imposed on a temporary use.

5. *Development agreements.* No transportation impact fee may be imposed on impact-generating development that is the subject of a duly executed and lawful development agreement entered into prior to the effective date of this article, which agreement contains provisions in conflict or inconsistent with this article, but only to the extent of the conflict or inconsistency.

6. *Public education.* No transportation impact fee may be imposed on impact-generating development related to a public education use constructed by a district school board or a community college district board of trustees, pursuant to Section 1013.371(1)(a), Florida Statutes or related to a charter school facility, pursuant to Section 1002.33(18)(d), Florida Statutes.

7. *Other uses.* No transportation impact fee may be imposed on a use, development, project, structure, building, fence, sign or other activity, whether or not a building permit is required, which does not result in an increase in the demand for capital transportation improvements.

8. *Pre-incorporation structures.* No transportation impact fee shall be imposed on changes of use within a pre-incorporation structure where no additional square feet are added, however the exemption does not apply to any other post-incorporation impact-generating development as defined in section 29-33 of this article.

E. *Effect of payment of transportation impact fees on other regulations.*

1. The payment of transportation impact fees shall not entitle the applicant to a building permit unless all applicable land use, zoning, planning, dedication, platting, subdivision, or other related requirements, standards, and conditions of the city code have been met. Such other requirements, standards, and conditions are independent of the requirement for payment of a transportation impact fee.

2. This article shall not affect, in any manner, the permissible use of property, density/intensity of development, design and improvement standards, or other applicable standards or requirements of the City Code, which shall remain operative and in full force and effect without limitation.

F. *Amendments.* This article may be amended from time to time by the City Council; provided, however, that no such amendment may be adopted without a written report detailing the reasons and need for the transportation impact fee revision nor without proper notice and public hearing as required by state law and the City Code.

Sec. 29-35. - Procedures for imposition, calculation, collection, reimbursement, and credit of transportation impact fees.

A. *Generally.* The Director must calculate the applicable transportation impact fee and administrative fee at the time of application for a building permit. The City may not issue a certificate of occupancy until the applicant has paid all transportation impact fees and administrative fees due pursuant to this article.

B. *Early payment incentive.* Administrative fee set forth in subsection C. shall be waived when transportation impact fee is paid at the time of building permit issuance.

C. Calculation.

1. Upon receipt of an application for a building permit, the Director must determine whether the proposed development is an impact-generating development; the specific category of residential or non-residential use proposed; and the amount of additional residential dwelling unit or non-residential floor-area square footage associated with the proposed use.

2. If the application for a building permit involves a change in use, the Director is required to base the transportation impact fee on the incremental increase in capital transportation improvement capacity created by the proposed change in use.

3. After making these determinations, the Director must calculate the applicable transportation impact fee by multiplying the amount of additional residential based on dwelling unit or non-residential floor-area-square footage proposed by the amount of the applicable transportation impact fee per unit of development, incorporating any applicable exemptions or credits, based on the impact fees in effect at the time of building permit application.

4. The fee schedule is intended to consolidate a number of non-residential land uses into broad land use categories defined in Section 29-33. The Director, in consultation with other City staff and consultants, as necessary, shall determine the closest applicable land use based on the definitions in Section 29-33 and a comparison of trip generation rates with the rates established in the Technical Transportation Impact Fee Report referenced in Section 29-32; or

b. ~~Calculate~~ the Director may calculate the transportation impact fee based on an independent impact analysis pursuant to subsection D. below: .

5. The calculation of transportation impact fees due from a multiple-use impact-generating development must reflect the aggregated demand for capital transportation improvements generated by each land use type within the proposed impact-generating development.

6. The calculation of transportation impact fees due from a phased impact-generating development must reflect the demand generated by each land use type within the phase of development for which a separate building permit is requested.

7. An administrative fee not to exceed actual cost to administer the transportation impact fee program ~~charged against a particular application~~ may be assessed by the Director for the expenses of collecting and administering this article. The Director, ~~may~~ develop application and review fees that reflect actual cost to review special studies and ~~request requests~~ request requests for credits, or ~~reconsideration~~ to reconsider an applicable land use designation.

D. *Independent impact analysis.*

1. *Criteria for use of an independent impact analysis.* The impact fee may be computed by the use of an independent impact analysis if:

a. The Director determines that the proposed impact-generating development is not one of the land use types listed on the fee schedule; or

b. The applicant chooses to have the amount of the fee determined by the use of an independent impact analysis; or

c. The Director determines that the nature, timing, or location of the proposed impact-generating development makes it likely to generate impacts costing substantially more or less to mitigate than the amount of the fee that would be generated by the use of the fee schedule.

2. *Preparation of independent impact analysis.*

a. The applicant is responsible for preparation of the independent impact analysis if the applicant chooses to conduct the analysis. The Director is responsible for preparation of the independent impact analysis if the proposed impact-generating development is interpreted not to be one of those types listed in the fee schedule or analysis of the proposed impact-generating development indicates that the nature, timing, or location of the proposed land use make it likely to generate impacts costing substantially

more or less than the amount of the fee generated by the use of the fee schedule.

b. The person who prepares the independent impact analysis is required to be a qualified professional in the preparation of impact analyses, and is required to be approved by the Director on the basis of professional training and experience. If the Director is responsible for preparation of the independent impact analysis, the Director may request the applicant to prepare the analysis, and credit the cost of the preparation against the impact fee due.

3. *Independent impact analysis standard.* The independent impact analysis is required to be based on the same standards and unit costs for transportation capital improvements used in the transportation impact fee report. The applicant has the burden of demonstrating that the assumptions, unit costs, or other data used in the independent impact analysis are more accurate than those used in the transportation impact fee report and reflected in the fee schedule.

4. *Independent impact analysis procedure.*

a. *Submission of application.* An independent impact analysis may be undertaken through the submission of a form provided by the City or upon the Director's determination that an independent impact analysis is appropriate as described above.

b. *Determination of completeness.* Within 20 days of receipt of an application, the Director is *required* to determine if the application is complete. If it is determined that the application is not complete, a written statement is required to be sent to the applicant, by mail, specifying the deficiencies. If no deficiencies are specified the Director is required to deem the application complete. The Director may not take further action on the application until it is deemed complete.

c. *Review of application.*

i. Within 30 days of the date the application is determined complete, the Director will render a written decision on (a) whether the transportation impact fee should be modified based on the independent impact analysis, and if so, the amount of the fee due or (b) what fee should be charged based on a proposed use not listed on the fee schedule. If the independent impact analysis fails to satisfy the requirements of this section, the fee established in the fee schedule applies.

ii. If, based on generally-recognized principles of transportation impact analysis, the Director determines that the proposed impact-generating development will create impacts upon capital transportation improvements substantially different than those assumed under the transportation impact fee report and fee schedule or if the proposed use is not listed in the fee schedule, the fee

established pursuant to the independent impact analysis is to be imposed.

E. *Non-binding transportation impact fee estimate.* An applicant may request a non-binding estimate of transportation impact fees due for a particular impact-generating development by filing a request on a form provided for that purpose; provided, however, that the estimate may be subject to change when a formal application for a building permit for impact-generating development is made. Non-binding estimates are for the sole benefit of the prospective applicant and neither bind the City nor preclude it from making amendments or revisions to any provisions of this article. No vested rights, legal entitlements, or equitable estoppel accrue by reason of a non-binding estimate. A non-binding fee estimate does not constitute a final decision and may not be appealed pursuant to section 29-377 of this article.

F. *Reimbursements and credits.*

1. *Eligibility for a reimbursement.* The City may reimburse transportation impact fee funds paid by an applicant in exchange for the dedication or construction of capital transportation improvements made necessary by impact-generating development and upon which transportation impact fee funds may be appropriated pursuant to subsection 29-36B. Transportation impact fees may be reimbursed only at or reasonably close to the time the proffered transportation capital improvement is scheduled for construction or completion in the City's capital budget or capital improvements program. Reimbursements are appropriate only where the proffered transportation capital improvement adds capacity made necessary by and to be provided for the reasonable benefit of impact-generating development. The City and an applicant may enter into a development agreement to facilitate the acceptance by the City of proffered capital transportation improvements and reimbursements to the applicant.

2. *Additional provisions.*

a. In order to be eligible for a reimbursement, the applicant must receive approval by the Director pursuant to the provisions of this article, prior to the issuance of a building permit.

b. The City may not reimburse the applicant in an amount exceeding the amount of the transportation impact fee due pursuant to this article.

c. The City may not reimburse the applicant until a proffered land dedication is finalized or the construction project is at least 50 percent complete, as determined by the City. Reimbursement may then occur based on the percent completion of the project.

d. As provided in subsection F.4., below, if an applicant proposes to dedicate or construct a capital transportation improvement valued at an amount greater than the amount of the transportation impact fee due, then the applicant may be reimbursed by future developers for costs incurred over and above those reimbursed by the City.

3. Calculation of *the value of dedication or construction*. The amount of the reimbursement to be paid by the City is to be calculated as follows:

a. *Construction of facilities*. The reimbursement must be equal to the actual cost of construction as evidenced by receipts and other sufficient documentation or the amount of transportation impact fees due pursuant to this ordinance, whichever is less.

b. *Dedication of land*. At the option of the applicant, the reimbursement is to be based on either the assessed value of the proffered land, based on the most recent appraisal by the Flagler County Property Appraiser, or the fair market value of the land as determined by a certified property appraiser hired and paid for by the applicant. If the latter option is chosen and the City rejects the applicant's appraisal, the City may hire and pay for a second appraiser to appraise the property. If either party rejects the second appraisal, a third appraisal may be performed by an appraiser chosen by the first and second appraisers, the costs of which are to be shared equally by the City and the applicant. The third appraisal is binding on both parties. All appraisals must be consistent with generally-accepted appraisal techniques and the date of valuation must be the date of transfer to the City.

4. *Eligibility for credits for excessive dedication or construction*.

a. *Generally*. An applicant may be given a credit against a transportation impact fee upon demonstration that, after the date of this article, a capital transportation facility was dedicated or constructed by a previous applicant with sufficient excess capacity to offset the impacts of the applicant's proposed impact-generating development. In order for a credit to be accepted, the applicant must demonstrate that the dedicated or constructed capital transportation improvement will reduce the overall need for capital transportation improvements and that the applicant has secured from the previous applicant a contractual right to an allocation of capacity equal to the transportation impact fee due pursuant to the fee schedule. Any approved credit must be consistent with the City's capital budget, capital improvements program, comprehensive plan, and the transportation impact fee report.

b. *Transferability*. Credit for contributions, payments, construction or dedications of a capital transportation improvement may not be applied to impact fees due for a capital facility other than transportation, although credit against a transportation impact fee may be transferred within the same subdivision, site plan, development of regional impact, or planned unit development or an adjacent subdivision, site plan, development of regional impact, or planned unit development in common ownership.

c. *Calculation of credit*. No credit may exceed the total amount of the transportation impact fee imposed in the fee schedule.

G. *Collection.* The Director must collect all transportation impact fees in the amounts set forth in this ordinance prior to the issuance of a certificate of occupancy and must issue a receipt to the applicant for such payment unless:

1. The applicant is not subject to the payment of a transportation impact fee;

2. The applicant has filed an appeal as required by Section 29-37 of this article and has filed a bond or other surety in the amount of the transportation impact fee as calculated by the Director and approved by the City Attorney and Director of Financial Services;

3. The applicant has received a credit as provided in subsection F., above;
or

4. An independent impact analysis has been approved as provided in subsection D., above.

Sec. 29-36. - Establishment of a transportation impact fee account; use and appropriation of transportation impact fee funds; and refunds.

A. *Establishment of transportation impact fee account.* The Director of Financial Services is required to establish a designated transportation impact fee account for transportation impact fees. The account must be identified clearly and distinctly as the transportation impact fee account. All transportation impact fee funds collected by the City must be deposited into the transportation impact fee account and all interest earned on monies deposited must be credited to and considered funds of the transportation impact fee account. Transportation impact fee funds must be capable of being accounted for separately from all other City funds. The Director of Financial Services must establish and implement necessary accounting controls to ensure that transportation impact fee funds are properly deposited, accounted for, and appropriated in accordance with this article and other applicable legal requirements.

B. *Use of transportation impact fee funds.*

1. *Generally.* Transportation impact fee funds may be appropriated only for:

a. Capital transportation improvements, the need for which is created by and the provision of which will reasonably benefit impact-generating development;

b. The payment of principal, interest, and other financing costs on contracts, bonds, notes, or other obligations issued by or on behalf of the City to finance capital transportation improvements as provided above;

c. Financing of reimbursements as set forth in subsection 5.E.;

d. Financing of refunds as set forth in subsection 6.D.;

e. Financing the costs of updating this ordinance and the transportation impact fee report.

2. *Restrictions on use.* Transportation impact fee funds may not be appropriated for repair or maintenance of capital transportation improvements, or for operational or personnel expenses associated with the provision of capital transportation improvements. Additionally, transportation impact fees must be appropriated within six (6) years of the beginning of the City's fiscal year immediately succeeding the date of collection, unless such time period is extended as provided in subsection 3 below. Transportation impact fee funds must be spent on a first in/first out basis.

3. *Extension of time for appropriation.* Notwithstanding the provisions of subsection 2. above, transportation impact fee funds may be appropriated beyond six (6) years from the beginning of the City's fiscal year immediately succeeding the date of collection, if the appropriation is for a capital transportation improvement that requires more than six (6) years to plan, design, and construct. The City must document compliance with the provisions of this paragraph.

4. *Benefit District.* The extent of current City Limits shall form the boundaries of the transportation impact fee benefit district. All fees collected within the limits of the benefit district shall be expended within the boundaries of the district to ensure that the entities paying the fee receive the benefit from improvements constructed by the fee. The limits of the benefit district shall extend to areas annexed into the City, unless a new benefit district is established by the City for the annexed areas. The need for updated benefit district boundaries shall be evaluated during updates of the transportation impact fee.

5. *New Benefit Districts.* The City may establish new benefit districts for an area within the City where a development agrees to fund and construct significant Capital Transportation Improvements, and the City elects to reimburse the development with future transportation impact fees paid by the owners of other land uses within the development. The City shall have sole discretion regarding establishing the limits of any new benefit district.

C. *Capital improvements program.* Each year, the City will update its five-year capital improvements program to include capital transportation improvements to be funded in full or in part with transportation impact fee funds.

D. Refunds.

1. *Eligibility.*

a. *Expiration or revocation of building permit.* On a form provided by the City, an applicant who has paid a transportation impact fee for an impact-generating development for which construction has not begun, and the necessary building permit has expired or has been revoked, may apply for a refund of impact fees paid.

b. *Failure to make timely appropriation.* On a form provided by the City, a current property owner may apply for a refund of transportation impact fee funds paid by an applicant if the City has failed to appropriate

the transportation impact fee funds collected from the applicant within the time limit established in subsection B.2. above.

c. *Abandonment of impact-generating development.* An applicant who has paid an impact fee for an impact-generating development for which a building permit has been issued and pursuant to which construction has been initiated but abandoned prior to issuance of a certificate of occupancy is eligible for a refund if the partially constructed building is demolished.

2. *Administrative fee.* The City may deduct an ~~two hundred dollar (\$200.00)~~ administrative fee equivalent to the cost to process a refund from the total amount of any refund, to defray the administrative expenses associated with processing a refund application.

3. *Processing of refund applications.*

a. *Application made to the Director.* Applications for a refund must be made on a form provided by the Director for such purposes. Upon receipt of a complete application for a refund, the Director must review the application and documentary evidence submitted by the applicant, as well as such other information and evidence as may be deemed relevant, and must make a final decision to approve or deny the proposed refund.

b. *Due to expiration or revocation.* Applications for refunds due to expiration or revocation of a building permit must be made on forms provided by the City and made within sixty (60) days following expiration or revocation of the building permit. Failure to apply for a refund within sixty (60) days following expiration or revocation of the building permit constitutes a waiver of entitlement to a refund. In order for the refund application to be deemed complete, the applicant must submit: (a) evidence that the person applying for the refund was the initial applicant who paid the fee, or the authorized agent of the initial applicant, (b) the amount of the transportation impact fees paid and receipts evidencing such payments, and (c) documentation evidencing the expiration or revocation of the building permit. No interest must be paid by the City in calculating the amount of a refund pursuant to this paragraph.

c. *Due to timeliness.* Applications for refunds, including interest earned, due to the failure of the City to appropriate transportation impact fees collected from the applicant within the time limits established in subsection B.2. above must be made on forms provided by the Director and must be made within one (1) year following the expiration of such time limit. Failure to apply for a refund within one (1) year following expiration of the time limit constitutes a waiver of entitlement to a refund. In order for the refund application to be deemed complete, the applicant must submit: (a) evidence that the applicant is the current property owner or the authorized agent of the current property owner, (b) the amount of the transportation impact fees paid and receipts evidencing such payments, and (c) a description and documentation of the City's failure to appropriate transportation impact fee funds pursuant to subsection B.2. above.

d. *Due to abandonment.* Applications for refunds due to abandonment of an impact-generating development prior to completion must be on a form provided by the Director and made within sixty (60) days following the date of abandonment. Failure to apply for a refund within sixty (60) days following the date of abandonment constitutes a waiver of entitlement to a refund. The application must include: (a) evidence that the person applying for the refund is the initial applicant who paid the fee, or the authorized agent of the initial applicant, (b) the amount of the transportation impact fees paid and receipts evidencing such payments, and (c) documentation evidencing the demolition of the building partially constructed pursuant to payment of the impact fees to be refunded. No interest must be paid by the City in calculating the amount of the refund pursuant to this paragraph.

Sec. 29-37. – Appeals

* * *

Sec. 29-38. - Annual adjustments; ~~five year phase in~~; ~~six~~five-year update; and impact fee schedule.

A. *Annual adjustments.* - ~~The City will increase the transportation impact fees to keep pace with inflation. In August of each year, the City will review the projected rate of inflation for the upcoming calendar year as determined by the most recent FDOT Transportation Cost Report Construction Cost Inflation Factors. If inflation is projected to increase, the City will provide notice of the corresponding increase in the transportation impact fees no later than September 30, in the manner required by law. The impact fee increase will go into effect on January 1st of the following year.~~

~~On October 1, 2005, and each October 1st thereafter, the City of Palm Coast shall adjust all transportation impact fees assessed by the City. Adjustment shall be determined by comparing the U.S. Department of Labor (USDOL) Other Non-Residential Construction Index for March of the year of adjustment, to the USDOL Other Non-Residential Construction Index for March of the previous year. Alternatively, the City Council may adopt annual adjustments to the Transportation Impact Fee based upon more localized data, including but not limited to, that from the Florida Department of Transportation on roadway construction cost. In such event, the City Council shall adopt this alternative annual adjustment by Resolution. Similarly, the City Council may adopt changes to the Transportation Impact Fee Schedule by Resolution.~~

B. ~~*Five year phase in.* On October 1, 2011, and each October 1 thereafter up to five years with the last adjustment being October 1, 2015, the City of Palm Coast shall annually adjust each individual transportation impact fee that is less than the group fee so that the individual fee is equal to the group fee at the end of the five years. This annual adjustment will be in addition~~

to the annual adjustment to the group fee described in subsection 29-38A. Individual fees that are greater than the group fee will be reduced to the group fee amount on October 1, 2011.

B. The annual notice referenced in subsection A is provided as a courtesy. The notice of this code amendment is intended to provide notice of the inflationary adjustments and satisfy the requirement in Fla. Stat. 163.31801 that notice be provided 90 days prior to an increase in an impact fee.

C. ~~Six~~Five-year update. At least once every ~~six~~four years beginning in 2022, the Director, after consultation with appropriate providers of capital transportation improvements, is required to recommend to the City Council whether changes to this ordinance or the fee schedule are necessary, due to changes in facility needs, land use characteristics, cost assumptions, projected growth, and impacts on capital transportation improvements. The update should be completed within five-years from date of adoption of the last fee update, not counting the annual inflation adjustment. The purpose of the ~~six~~five-year update is to ensure that impact generating development does not pay more than its proportionate share for the costs of growth-induced capital transportation improvements.

D. Fee Schedule. The Transportation Impact Fee Schedule is provided in Table 3-1 below. For non-residential uses, the fees are illustrated per 1,000 square feet, but calculated on a gross square footage (floor area) basis. All other fees are assessed based on an applicable unit of measure.

E. Additive Fees. The transportation impact fee schedule includes separate fees for pharmacy drive-thru lane(s), bank drive-thru lane(s), restaurant drive-thru lane(s), ATM drive-thru lanes, fueling positions and free standing ATM's. The fees for these uses are additive to any fees assessed for a pharmacy, bank, restaurant, convenience store, or retail uses. For example, a bank would pay per gross square foot based on the applicable fee rate for each bank and/or ATM drive-thru lane. Likewise, a 5,000-square foot convenience store with eight gas pumps would pay a fee per square foot for the convenience market, and a fee per vehicle fueling position (8 pumps x 2 vehicle fueling positions = 16 vehicle fueling positions). The Fee Schedule contains applicable notations for additive fees.

F. Conversions. Several land uses require the calculation of useable acreage or gross floor area that includes unenclosed acreage. For example, a Home Improvement Store would include all areas used for sale, storage or display of goods (includes all outside garden center areas), plus all areas under roof in the calculation of gross floor area. The acreage for a golf course or outdoor commercial recreation use would be the acreage for all structures along with all acreage used to carry out the primary function on the land use. For example, the area for a golf driving range would include the acreage for any buildings, concessions, sale of merchandise, bathrooms, clubhouse or areas devoted to customer service, along with all acreage used for the driving range. The gross acreage would exclude parking areas.

TABLE 3-1 Transportation Impact Fee Schedule is amended as follows:

Transportation Impact Fee Schedule				
Table 3-1				
Group	ITELUC	Description	Unit of Measure	Fee
Group ITE-LUC				
A	Industrial and Automotive		1,000 sq. ft.	\$3,052.45
	110	General Light Industrial/Utilities		
	130	Industrial Park		
	140	Manufacturing		
	150	Warehouse		
	843	Auto Parts Sales/Tire Store		
	942	Auto Repair or Body Shop		
	944	Gasoline Station		
B	Residential		Dwelling Unit	\$2,686.65
	210	Single-Family Detached/Duplex/Mobile Home Individual Lot		
	220	Multifamily/Apartments		
	230	Condominium/Townhouse		
C	Lodging		Room	\$1,577.54
	310	Hotel		
	320	Motel		
D	Schools		Student	\$462.60
	520	Elementary School		
	522	Middle School		
	530	High School		
	540	Junior/Community College		
	550	University		
E	General Office and Retail		1,000 sq. ft.	\$5,781.62

	710	Office		
	720	Medical Office/Clinic		
	770	Business Park		
	814 & 820	Retail/Shopping Center/Specialty Retail (Out parcels excluded)		
	816	Hardware/Paint		
	817	Nursery (Garden Center) gross floor area		
	881	Pharmacy/Drugstore with Drive-through Window		
	896	Video Rental Store		
	565	Day Care Center		
F		Large-Box	1,000-sq. ft.	\$8,267.12
	813	Discount Superstore, including Electronics, Toys/Childrens Superstore		
	850	Supermarket		
	862	Home Improvement Store		
	492	Raquet Club/Health/Fitness Club/Spa/Dance Studio		
	494	Bowling Alley		
	495	Recreational Community Center		
G		Stand Alone Building (Not incorporated with another Group)	1,000-sq. ft.	\$16,645.30
	851	Convenience Store		
	912	Bank/Savings		
	9231	Restaurant		
Individual ITE LUC				
		Industry—Other		
	120	General Heavy Industrial	1,000-sq. ft.	\$469.31
		Residential—Other		
	240	Mobile Home Park	Dwelling Unit	\$1,385.11
	251	Senior Adult Housing	Dwelling Unit	\$899.73

		Recreational		
	411	Local Park	Acre	\$266.82
	411	General Recreation	Acre	\$396.90
	412	District Park	Aceres	\$569.87
	416	RV Park	RV Space	\$1,082.07
	420	Marina	Berth	\$772.34
	430	Golf Course	Hole	\$8,924.81
	444	Movie Theater with Matinee	Seats	\$80.45
	480	Amusement Park	Acre	\$18,918.28
		Institutional		
	253	Congregate Care Facility (attached)	Dwelling Unit	\$280.23
	560	Church	1,000 sq. ft.	\$2,046.17
	566	Cemetery	Acre	\$1,971.08
	610	Hospital	1,000 sq. ft.	\$4,507.99
	620	Nursing Home	Bed	\$335.22
		Retail		
	812	Building Materials and Lumber	1,000 sq. ft.	\$10,893.20
	841	New/Used Auto Sales	1,000 sq. ft.	\$8,041.18
	890	Furniture Store	1,000 sq. ft.	\$1,104.87
	934	Fast-Food Restaurant with Drive-Through	1,000 sq. ft.	\$34,863.88
	937	Quick Lube	Bays	\$5,287.04
	947	Self-Service Car Wash	Bays	\$9,770.89
		General Office—Other		
	714	Corporate Headquarters Building	1,000 sq. ft.	\$2,506.08

Editor's note— Section 6 of Ord. No. 2011-6, adopted May 17, 2011, changed the title of § 29-38 from "Annual adjustments; six-year update" to "Annual adjustments; five-year phase in; six-year update; and impact fee schedule."

TABLE 3-1. Transportation Impact Fee Schedule

Table 18. Palm Coast Transportation Impact Fee Schedule	Unit of Measure	Proposed Impact Fee
Residential Use		
Single Family Detached / Mobile Home	Dwelling Unit	\$ 2,981
Vested Single Family Platted Lot *	Dwelling Unit	\$ 1,632
Single Family Attached (Includes Duplex, Townhomes, Villas, Condominiums)	Dwelling Unit	\$ 2,311
Vested Duplex Platted Lot *	Dwelling Unit	\$ 1,266
Multi-Family Apartment	Dwelling Unit	\$ 1,718
Active Adult & Independent Living (55+) (Attached or Detached Units)	Dwelling Unit	\$ 1,260
Institutional Use		
Adult Congregate Living Facility	Bed	\$ 796
Cemetery	Acre	\$ 2,085
Day Care	1,000 sq. ft.	\$ 4,863
Places of Worship	1,000 sq. ft.	\$ 2,155
Private School (Pre K-12)	1,000 sq. ft.	\$ 2,340
Private College or University	1,000 sq. ft.	\$ 3,988
Industrial Use		
Manufacturing / Warehousing / Production	1,000 sq. ft.	\$ 1,684
Retail Fulfillment / Distribution	1,000 sq. ft.	\$ 3,240
Mini-Warehouse / Boat / RVs & Other Outdoor Storage ¹	1,000 sq. ft.	\$ 429
Entertainment, Recreation & Lodging Use		
Movie Theater / Performing Arts	per Seat	\$ 245
Marina (including dry storage)	per Berth	\$ 670
Golf Course	per Hole	\$ 8,450
Outdoor Commercial Recreation ²	per Acre	\$ 3,982
Multi-Purpose Commercial Recreation	1,000 sq. ft.	\$ 1,395
Health Club / Fitness / Gym	1,000 sq. ft.	\$ 8,893
Recreational Vehicle (RV) Park	per Space	\$ 758
Hotel / Motel / Lodging	Room / Unit	\$ 1,759
Community Center / Civic / Gallery / Lodge	1,000 sq. ft.	\$ 3,235
Office Use		
Office / Office Park / Medical / Clinic / Bank / Financial	1,000 sq. ft.	\$ 3,608
Retail Use		
Multi-Tenant Retail Center ³	1,000 sq. ft.	\$ 4,266
Pharmacy (Free Standing)	1,000 sq. ft.	\$ 7,635
Pharmacy Drive-Thru (fee is in addition to fee per 1,000 sq. ft. for pharmacy)	per lane	\$ 7,547
General Retail (Free Standing)	1,000 sq. ft.	\$ 6,589
Furniture / Mattress Store (Free Standing)	1,000 sq. ft.	\$ 1,780
Supermarket / Grocery Store (Free Standing)	1,000 sq. ft.	\$ 11,169
Sit Down Restaurant ⁴ (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	\$ 12,034
Fast Food / Fast Casual Restaurant ⁴ (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	\$ 19,740
Restaurant Drive-Thru ⁴ (based on number of lanes at point of ordering)	per lane	\$ 21,889
Discount Superstore (Free Standing) ¹	1,000 sq. ft.	\$ 14,324
Home Improvement / Building Materials / Garden Center ¹	1,000 sq. ft.	\$ 8,903
Nursery (Wholesale or Retail) ²	per Acre	\$ 7,090
Bank Drive-Thru Lane, Free Standing ATM or ATM Drive-Thru Lane ⁵	per drive thru lane and / or per ATM	\$ 11,674
Vehicle & Boat - Sales or Dealership	1,000 sq. ft.	\$ 8,725
Vehicle & Boat - Service / Repair / Parts (current fee under industrial use)	1,000 sq. ft.	\$ 8,810
Vehicle & Boat - Cleaning / Detailing / Wash (current fee per bay)	1,000 sq. ft.	\$ 13,605
Convenience Store ⁶	1,000 sq. ft.	\$ 22,637
Vehicle Fueling Position ⁶	per Vehicle Fueling Position	\$ 12,673
Personal Services	1,000 sq. ft.	\$ 3,311
*Residential lot with final plat approval as of December 30, 1977.		
¹ Acreage for any unenclosed material and vehicle storage, sales and display shall be converted to gross floor area.		
² The gross floor area for any buildings shall be converted to acreage.		
³ Excludes all outparcels. The fee for any outparcel shall be based on the applicable land use. Also excludes any type of drive-thru, vehicle fueling positions or free-standing ATM, which are additive fees in addition to the fee for the multi-tenant retail center.		
⁴ Areas for outdoor seating shall be converted to gross floor area. Any drive-thru associated with a restaurant will be an additive fee to the fee per square foot for the restaurant. The number of drive-thru lanes will be based on the number of lanes present when an individual places an order. The restaurant drive-thru rate applies for any building, whether a multi-tenant, free standing or convenience land use.		
⁵ Bank building square footage falls under office and is an additive fee beyond the fee due for bank/ATM drive-thru lanes or free standing ATMs. These rates are per drive-thru lane for the bank and per drive-thru lane with an ATM. The free standing ATM is for an ATM only and not an ATM within or part of another non-financial building, such as an ATM within a grocery store.		
⁶ Convenience Store rates are separate and an additive fee beyond the fee due for vehicle fueling positions. Rates per vehicle fueling position also apply to gas stations and service stations with fuel pumps. The fee for any restaurant square footage or restaurant drive-thru in a convenience store will be based on the individual fee rate for the land use, not the convenience store rate.		

SECTION 3. APPLICABILITY. This ordinance shall apply to any Impact-Generating Development for which a building permit application is filed on or after the effective date of this Ordinance.

SECTION 4. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 5. CODIFICATION. It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to Section,” “Article,” or other appropriate word.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Ordinance will become effective immediately, except that the fees will be effective as provided in this Section. For developments where the impact fee will decrease under this Ordinance, the decrease will become effective 30 days after adoption of this Ordinance. For developments where the impact fees will increase, the developers must pay the impact fees that apply July 16, 2018, unless the developer obtains a building permit before February 1, 2019, in which case the lesser fees will apply.

Approved on the first reading this 3rd day of April 2018.

Adopted on the second reading after due public notice and hearing this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

Milissa Holland, Mayor

ATTEST:

Virginia A. Smith, City Clerk

Approved as to form and legality

William E. Reischmann, Jr., Esq.

The City of Palm Coast Transportation Impact Fee



Technical Report

March 2018

Prepared for:

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EXECUTIVE SUMMARY

The City of Palm Coast Transportation Impact Fee was last updated in 2004. Subsequent amendments in 2011 were made to consolidate the number of land uses to streamline implementation. In 2006, the Florida Legislature adopted the Impact Fee Act, confirming the ability of local governments to adopt impact fees to fund the addition of new capacity to accommodate the demand from new development and provided guidance on the administration and implementation of impact fees. In 2009, the Florida Legislature made a significant change to the Impact Fee Act by changing the burden of proof from a deference to local governments to a requirement that local governments demonstrate that the fee has been properly developed and meets the dual rational nexus test and demonstrates that the assessed fee is roughly proportional to the impact of a specific land use. This Technical Report provides the basis for the update of the City of Palm Coast Transportation Impact Fee and meets both the dual rational nexus test and the rough proportionality test.

In 2011, the Florida Legislature adopted the Community Planning Act which eliminated State mandated transportation concurrency and made transportation concurrency optional for local governments. In 2013, the Legislature amended the Act to encourage alternative forms of transportation mitigation, including mobility fees. The Act placed several restrictions on how transportation concurrency could be implemented and required impact fee credit for road capacity improvements constructed by new development that provided new capacity more than what was required to meet the travel demand of the new development. Local governments throughout the State have been increasingly electing to repeal transportation concurrency and just require new development to pay either a transportation impact fee or a mobility fee. The City of Palm Coast could elect to repeal transportation concurrency. The City can still require traffic impact analysis to identify the need for site related, operational and safety improvements.

There are several significant changes that have been made to the methodology used to calculate the transportation impact fee. The existing transportation impact fee is considered a “consumption” based fee that makes generalized assumptions on needed improvements and does not make specific findings of the need or type improvements necessary to meet future travel demands. The proposed transportation impact fee is considered an “improvements” based fee that identifies specific road and intersection improvements based on documented need. Improvements driven plans provide a greater level of transparency, compared to consumption based fees, regarding the type of road and intersection improvements. Improvement driven fees allow new development to know what they are paying a fee for and what benefit will derive. Improvement driven impact fees provide a more substantial demonstration that the transportation impact fee meets the dual rational nexus test.

The updated transportation impact fee has been designed to encourage economic development, infill residential, workforce housing and interconnected retail developments. The updated transportation impact fee also reflects the increased impact to the transportation system due to free standing retail uses, outparcels and significant trip generators such as restaurant, bank and pharmacy drive-thru lanes. To encourage residential infill, specific land uses have been developed for single family and duplex dwelling units on lots with plats approved before December 30th, 1977. The impact fee schedule also provides lower rates for multifamily housing and single family attached dwellings for the community's workforce and first time home buyers. The number of categories for industrial, office and medical office uses have been consolidated to encourage these types of land uses that often provide employment opportunities. The proposed transportation impact fee also reflects the reduced impact of multi-tenant retail centers that share driveways, internal circulation, parking and stormwater facilities. These centers allow for a greater capture of internal retail trips and provide opportunities for park once environments where multiple stores can be accessed through walking; as opposed to outparcel and free standing retail uses that has less connectivity, more driveways and increases the number of external trips.

The methodology utilized to update the transportation impact fee has resulted in a lower fee for a number of land uses based on several factors. One factor is the decision to focus of intersection improvements as alternatives to roadway widenings. The methodology used to update the transportation impact fee provides for a substantial capacity increase from intersection improvements, at a lower construction cost compared to new roads and wider roads. The methodology utilized also allowed for the integration of a traffic synchronization system which increased the overall road capacity for several roads by 10% at a lower cost than adding an additional travel lane. The traffic signal synchronization project will improve traffic flow, reduce congestion and increase capacity of major roads throughout the City providing a direct and immediate benefit to new developments.

An additional factor is the recommendation to provide a full credit for all improvements identified in the 2040 River to Sea Transportation Planning Organization (TPO) Long Range Transportation Plan. The City is only legally required to provide a credit for improvements funded in the current Transportation Improvement Program (TIP), which is currently just over \$3 million dollars; compared to the credit provided based on \$100 million dollars of improvements over the 20 plus year horizon of the LRTP. This has resulted in a substantial credit. Unlike a sales tax or gas tax, which are specially authorized over a set period and voted for by the citizens of a community, LRTP funds are not guaranteed and can be changed at any time. The transportation impact fee revenues can be used towards a 10% local match to expedite the improvements identified in the 2040 LRTP that are funded by the Federal Government and the State of Florida.

The final significant factor is the decision to not include the cost for right-of-way (ROW) for roadway widening. The City of Palm Coast is somewhat unique in that large right-of-way have been set aside for roadways. The construction cost does account for ROW for stormwater management areas. At a minimum, the proposed transportation impact fees are roughly 30% lower because the City largely has ROW set aside for the widening roads and the addition of intersection turn lanes.

The proposed transportation impact fee schedule includes a comparison of the proposed fee with the existing transportation impact fee. Some of the units of measure have changed from the current fee, such as Private Schools which are currently based on number of students and will now be based on square footage. Other land uses, such as restaurant drive-thru lane, are not included on existing impact fee schedule. Drive-thru lanes have been separated from banks, fast food and pharmacies to reflect the increased traffic for these facilities. Traditional convenience stores have increasingly been replaced by new prototypes that are either larger and provide more prepared foods and drinks or include multiple land uses such as restaurants with drive-thru lanes. Bank footprints are either being integrated into larger office buildings or being replaced with free-standing drive-thru ATM's. As new retail uses try to increase sales per square foot, a greater percentage of outdoor spaces are being used to display, sell and store merchandise. The proposed fee schedule reflects the changing dynamics in the size, operation and configuration of land uses.

The current transportation impact fee has been adjusted for both inflation and to address the 2011 amendment to consolidate land uses. The proposed transportation impact fee is proposed to be adjusted annually for inflation. In July or August of each year, the Florida Department of Transportation (FDOT) prepares inflation forecast as part of its yearly transportation cost updates. The inflation factors will be used to adjust the transportation impact fee rate on or before September 30th of each year. Consistent with State Statute which requires a 90-day period for any rate increase to go into effect, the inflation adjusted rates would become effective January 1st of following year. Thus, the current proposed rates will be adjusted by September 30th, 2018 and the inflation adjusted rates would go into effect on January 1st, 2019.

The update cycle, due to changes in land use and technology, has also been proposed to be reduced from every six years to every five years. Thus, the technical analysis to update the current proposed fee would begin in 2022. The following is the proposed transportation impact fee schedule, along with a comparison to the existing impact fee rate.

Executive Summary Palm Coast Transportation Impact Fee Schedule	Unit of Measure	Proposed Impact Fee	Existing Impact Fee
Residential Use			
Single Family Detached / Mobile Home	Dwelling Unit	\$ 2,981	\$ 3,124.67
Vested Single Family Platted Lot *	Dwelling Unit	\$ 1,632	\$ 3,124.67
Single Family Attached (includes Duplex, Townhomes, Villas, Condominiums)	Dwelling Unit	\$ 2,311	\$ 3,124.67
Vested Duplex Platted Lot *	Dwelling Unit	\$ 1,266	\$ 3,124.67
Multi-Family Apartment	Dwelling Unit	\$ 1,718	\$ 3,124.67
Active Adult & Independent Living (55+) (Attached or Detached Units)	Dwelling Unit	\$ 1,260	\$ 1,046.41
Institutional Use			
Adult Congregate Living Facility	Bed	\$ 796	\$ 389.87
Cemetery	Acre	\$ 2,085	\$ 2,292.42
Day Care	1,000 sq. ft.	\$ 4,863	\$ 5,781.62
Places of Worship	1,000 sq. ft.	\$ 2,155	\$ 2,379.75
Private School (Pre K-12) (Current Impact Fee of \$538.01 per Student)	1,000 sq. ft.	\$ 2,340	n/a
Private College or University (Current Impact of \$538.01 Fee per Student)	1,000 sq. ft.	\$ 3,988	n/a
Industrial Use			
Manufacturing / Warehousing / Production	1,000 sq. ft.	\$ 1,684	\$ 3,550.10
Retail Fulfillment / Distribution	1,000 sq. ft.	\$ 3,240	\$ 3,550.10
Mini-Warehouse / Boat / RVs & Other Outdoor Storage ¹	1,000 sq. ft.	\$ 429	n/a
Entertainment, Recreation & Lodging Use			
Movie Theater / Performing Arts	per Seat	\$ 245	\$ 93.57
Marina (including dry storage)	per Berth	\$ 670	\$ 898.26
Golf Course	per Hole	\$ 8,450	\$10,379.83
Outdoor Commercial Recreation ²	per Acre	\$ 3,982	n/a
Multi-Purpose Commercial Recreation	1,000 sq. ft.	\$ 1,395	\$ 9,614.91
Health Club / Fitness / Gym	1,000 sq. ft.	\$ 8,893	\$ 9,614.91
Recreational Vehicle (RV) Park	per Space	\$ 758	\$ 1,258.49
Hotel / Motel / Lodging	Room / Unit	\$ 1,759	\$ 1,834.73
Community Center / Civic / Gallery / Lodge	1,000 sq. ft.	\$ 3,235	\$ 9,614.91
Office Use			
Office / Office Park / Medical / Clinic / Bank / Financial	1,000 sq. ft.	\$ 3,608	\$ 6,724.20
Retail Use			
Multi-Tenant Retail Center ³	1,000 sq. ft.	\$ 4,266	\$ 6,724.20
Pharmacy (Free Standing)	1,000 sq. ft.	\$ 7,635	\$ 6,724.20
Pharmacy Drive-Thru (fee is in addition to fee per 1,000 sq. ft. for pharmacy)	per lane	\$ 7,547	n/a
General Retail (Free Standing)	1,000 sq. ft.	\$ 6,589	\$ 6,724.20
Furniture / Mattress Store (Free Standing)	1,000 sq. ft.	\$ 1,780	\$ 1,285.00
Supermarket / Grocery Store (Free Standing)	1,000 sq. ft.	\$ 11,169	\$ 9,614.91
Sit Down Restaurant ⁴ (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	\$ 12,034	\$19,358.98
Fast Food / Fast Casual Restaurant ⁴ (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	\$ 19,740	\$40,547.73
Restaurant Drive-Thru ⁴ (based on number of lanes at point of ordering)	per lane	\$ 21,889	n/a
Discount Superstore (Free Standing) ¹	1,000 sq. ft.	\$ 14,324	\$ 9,614.91
Home Improvement / Building Materials / Garden Center ¹	1,000 sq. ft.	\$ 8,903	\$ 9,614.91
Nursery (Wholesale or Retail) ²	per Acre	\$ 7,090	\$ 6,724.20
Bank Drive-Thru Lane, Free Standing ATM or ATM Drive-Thru Lane ⁵	per drive thru lane and / or per ATM	\$ 11,674	n/a
Vehicle & Boat - Sales or Dealership	1,000 sq. ft.	\$ 8,725	\$ 9,352.13
Vehicle & Boat - Service / Repair / Parts (current fee under industrial use)	1,000 sq. ft.	\$ 8,810	\$ 3,550.10
Vehicle & Boat - Cleaning / Detailing / Wash (current fee per bay)	1,000 sq. ft.	\$ 13,605	n/a
Convenience Store ⁶	1,000 sq. ft.	\$ 22,637	\$19,358.98
Vehicle Fueling Position ⁶	per Vehicle Fueling Position	\$ 12,673	n/a
Personal Services	1,000 sq. ft.	\$ 3,311	n/a
*Residential lot with final plat approval as of December 30, 1977.			
¹ Acreage for any unenclosed material and vehicle storage, sales and display shall be converted to gross floor area.			
² The gross floor area for any buildings shall be converted to acreage.			
³ Excludes all outparcels. The fee for any outparcel shall be based on the applicable land use. Also excludes any type of drive-thru, vehicle fueling positions or free-standing ATM, which are additive fees in addition to the fee for the multi-tenant retail center.			
⁴ Areas for outdoor seating shall be converted to gross floor area. Any drive-thru associated with a restaurant will be an additive fee to the fee per square foot for the restaurant. The number of drive-thru lanes will be based on the number of lanes present when an individual places an order. The restaurant drive-thru rate applies for any building, whether a multi-tenant, free standing or convenience land use.			
⁵ Bank building square footage falls under office and is an additive fee beyond the fee due for bank/ATM drive-thru lanes or free standing ATM's. These rates are per drive-thru lane for the bank and per drive-thru lane with an ATM. The free standing ATM is for an ATM only and not an ATM within or part of another non-financial building, such as an ATM within a grocery store.			
⁶ Convenience Store rates are separate and an additive fee beyond the fee due for vehicle fueling positions. Rates per vehicle fueling position also apply to gas stations and service stations with fuel pumps. The fee for any restaurant square footage or restaurant drive-thru in a convenience store will be based on the individual fee rate for the land use, not the convenience store rate.			

INTRODUCTION

The Florida Constitution grants local governments broad home rule authority to establish assessments and fees. Special assessments, impact fees, mobility fees, franchise fees, and user fees or service charges are examples of these home rule revenue sources. All impact fees require the adoption of a local implementing ordinance. Payment of road impact fees are one of the primary means through which local governments require new development, and redevelopment or expansion of existing land uses which generates additional impact, to fund a share of the cost of infrastructure needed to accommodate the increase in travel demand from the development.

Impact fees are designed to meet the infrastructure needs to accommodate new growth at a local level. As a result, impact calculations vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources, and the local government's determination to charge the full cost of the fee's earmarked purposes. The impact fee is a one-time charge, generally due at the time of building permit approval or certificate of occupancy. A local government may implement either a road impact fee or a mobility fee; but typically, not both, unless the implementing ordinances can clearly demonstrate that they are not charging development twice for the same capacity.

The primary difference between road impact fees and mobility fees are that road impact fees principally pay for the cost associated with adding new roadway capacity while mobility fees pay for the cost associated with adding new multi-modal capacity based on an adopted mobility plan. Road capacity projects are the construction of new roads, the widening of existing roads and the addition or extension of turn lanes at intersections. Typical practice only allows for the expenditure of road impact fees on sidewalks and bike lanes as part of road capacity improvements, not as stand-alone or retrofit improvements.

The last update of the transportation impact fee occurred in 2004. On September 21st, 2004, City Council accepted the findings of an updated technical report by the City's consultant and adopted an updated impact fee schedule. The adopted 2004 Ordinance called for an adjustment to occur October 1st of every subsequent year to account for changes in construction cost. On September 16th, 2008, the City Council voted to delay a proposed increase in the impact fee due to the impact of the nationwide recession. On May 17th, 2011, the City Council adopted a revised impact fee schedule that consolidated the number of impact fee land uses to streamline implementation. Fee rates were consolidated as well into a group rate and for several uses the fee was phased in over a five-year period from 2011 to 2015 until it equaled the group rate.

Road impact fees in Florida maybe either "consumption" based fees or "improvement or plan" based fees. A consumption based fee is based on how much general road capacity a development is projected to consume and generalized cost estimates. The current Palm Coast Road Impact Fee is a "consumption" based fee. The update of the Palm Coast Transportation Impact Fee will be an "improvement" based fee. The improvements are based upon an evaluation of the Central Florida Regional Planning (CFRPM) Model and the identification of needed road and intersection improvements between 2017 and 2040 to accommodate the travel demand from new development. The identified improvements also including funding for the synchronization of traffic signals on key corridors. The updated Transportation Impact Fee methodology is based upon the need for increases in Vehicle Miles of Capacity (VMC) to meet the Vehicles Miles of Travel (VMT) demand from new development.

The City transportation impact fee, like any local government imposing an impact fee, is required based on case law to meet the two prongs of the "dual rational test" which are:

"Needs Prong:" That a rational nexus exists between an increase in demand from new development and the need for improvements, and

"Benefits Prong:" That a rational nexus exists between the payment of fees by new development and the benefit that new development receives from the expenditure of those fees.

In addition to the “dual rational nexus test”, the U.S. Supreme Court in *Dolan v. Tigard* also established a “rough proportionality” test to address the relationship between the amount of a fee imposed on a new development and the impact of the new development. The “rough proportionality” test requires that there be a reasonable relationship between the impact fee and the impact of new development based upon the applicable unit of measure for residential and non-residential uses and that the variables used to calculate a fee are reasonably assignable and attributable to the impact of each new development.

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CONCURRENCY

The State of Florida passed the Growth Management Act of 1985 that required all local governments in Florida to adopt Comprehensive Plans to guide future development. The Act mandated that adequate public facilities must be provided “concurrent” with the impacts of new development. State mandated “concurrency” was adopted to ensure the health, safety and general welfare of the public. The introduction of transportation concurrency focused on accommodating the impact of new development primarily by adding roadway capacity via new and wider roadways. This resulted in an unintended consequence of driving development away from urban areas, where capacity was unavailable or cost prohibitive to provide, to suburban and rural areas where capacity was available or cheaper to construct.

In the late 90’s, as the negative impacts of transportation concurrency became more apparent, the Legislature adopted statutes to provide urban areas with alternative means to address the impact of new development with the introduction of Transportation Concurrency Exception Areas (TCEA) whereby local governments could identify alternative solutions to provide Mobility. In the mid 2000’s, Florida experienced phenomenal growth that strained local governments ability to provide the necessary infrastructure. Many communities across the State started to deny developments or require substantial transportation improvements to meet concurrency. Between 2005 and 2009 the Florida Legislature enacted several laws related to proportionate share that allowed new development to mitigate its share of roadway capacity improvements and prohibited local governments from charging new development for over capacity “backlogged” roadways.

In 2009, the Legislature declared Dense Urban Land Areas (DULA), communities with a population greater than 1,000 persons per square mile, as TCEA’s and it also introduced the ideas of Mobility Fees as an alternative to concurrency, proportionate share and road impact fees. The Legislature during the 2011 session repealed state mandated transportation concurrency and enacted further restrictions on local governments to implement transportation concurrency, calculate proportionate share and address over capacity roadways.

House Bill 319, passed by the Florida Legislature in 2013, established Mobility Plans and associated Mobility Fees as a principle means by which local governments may allow development consistent with an adopted Comprehensive Plan to equitably mitigate its transportation impact. The Legislature further clarified that local governments have the option to continue to implement transportation concurrency, so long as the transportation concurrency system is consistent with Florida Statute 163.3180 (5) (h), which states:

1. Local governments that continue to implement a transportation concurrency system, whether in the form adopted into the comprehensive plan before the effective date of the Community Planning Act, chapter 2011-139, Laws of Florida, or as subsequently modified, must:

- a. Consult with the Department of Transportation when proposed plan amendments affect facilities on the strategic intermodal system.*
- b. Exempt public transit facilities from concurrency. For the purposes of this sub-subparagraph, public transit facilities include transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the assembly, manufacture, maintenance, or storage of aircraft. As used in this sub-subparagraph, the terms “terminals” and “transit facilities” do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.*
- c. Allow an applicant for a development-of-regional-impact development order, development agreement, rezoning, or other land use development permit to satisfy the transportation concurrency requirements of the local comprehensive plan, the local government’s concurrency management system, and s. 380.06, when applicable, if:
 - (I) The applicant in good faith offers to enter into a binding agreement to pay for or construct its proportionate share of required improvements in a manner consistent with this subsection.*
 - (II) The proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. A local government may accept contributions from multiple applicants for a planned improvement if it maintains contributions in a separate account designated for that purpose.**

- d. *Provide the basis upon which the landowners will be assessed a proportionate share of the cost addressing the transportation impacts resulting from a proposed development.*
2. *An applicant shall not be held responsible for the additional cost of reducing or eliminating deficiencies. When an applicant contributes, or constructs its proportionate share pursuant to this paragraph, a local government may not require payment or construction of transportation facilities whose costs would be greater than a development's proportionate share of the improvements necessary to mitigate the development's impacts.*
 - a. *The proportionate-share contribution shall be calculated based upon the number of trips from the proposed development expected to reach roadways during the peak hour from the stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain or achieve the adopted level of service, multiplied by the construction cost, at the time of development payment, of the improvement necessary to maintain or achieve the adopted level of service.*
 - b. *In using the proportionate-share formula provided in this subparagraph, the applicant, in its traffic analysis, shall identify those roads or facilities that have a transportation deficiency in accordance with the transportation deficiency as defined in subparagraph 4. The proportionate-share formula provided in this subparagraph shall be applied only to those facilities that are determined to be significantly impacted by the project traffic under review. If any road is determined to be transportation deficient without the project traffic under review, the costs of correcting that deficiency shall be removed from the project's proportionate-share calculation and the necessary transportation improvements to correct that deficiency shall be considered to be in place for purposes of the proportionate-share calculation. The improvement necessary to correct the transportation deficiency is the funding responsibility of the entity that has maintenance responsibility for the facility. The development's proportionate share shall be calculated only for the needed transportation improvements that are greater than the identified deficiency.*
 - c. *When the provisions of subparagraph 1. and this subparagraph have been satisfied for a particular stage or phase of development, all transportation impacts from that stage or phase for which mitigation was required and provided shall be deemed fully mitigated in any transportation analysis for a subsequent stage or phase of development. Trips from a previous stage or phase that did not result in impacts for which mitigation was required or provided may be cumulatively analyzed with trips from a subsequent stage or phase to determine whether an impact requires mitigation for the subsequent stage or phase.*
 - d. *In projecting the number of trips to be generated by the development under review, any trips assigned to a toll-financed facility shall be eliminated from the analysis.*

- e. The applicant shall receive a credit on a dollar-for-dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements paid or payable in the future for the project. The credit shall be reduced up to 20 percent by the percentage share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by local ordinance, whichever yields the greater credit (emphasis added).**
3. *This subsection does not require a local government to approve a development that, for reasons other than transportation impacts, is not qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.*
4. *As used in this subsection, the term "transportation deficiency" means a facility or facilities on which the adopted level-of-service standard is exceeded by the existing, committed, and vested trips, plus additional projected background trips from any source other than the development project under review, and trips that are forecast by established traffic standards, including traffic modeling, consistent with the University of Florida's Bureau of Economic and Business Research medium population projections. Additional projected background trips are to be coincident with the particular stage or phase of development under review.*

While the Legislature still allows local governments to implement transportation concurrency, due to the requirements for proportionate share, the exclusion of backlogged facilities, and the requirement that impact fee credit be granted, many local governments are electing to replace concurrency with either a mobility fee or an impact fee. The Statutory requirement that a dollar for dollar impact fee credit be provided for any proportionate share contribution has largely made transportation concurrency a paper exercise for local governments that already have an impact fee or mobility fee.

Prior to the making concurrency optional in 2011, Statute allowed local governments to time or deny development due to a lack of transportation capacity. After 2011, any local government that continues to implement transportation concurrency must allow a development to pay its proportionate share impact and be allowed to develop, so long as the development is otherwise consistent with the local government comprehensive plan. What several local governments have begun to do is to evaluate transportation concurrency for developments seeking a comprehensive plan amendment. Since a comprehensive plan amendment is a legislative decision by elected officials, transportation concurrency and the availability of capacity can still be considered in the review of comprehensive plan amendments and requirements placed on

development as a condition of approval of a comprehensive plan amendment. Once a development is consistent with the comprehensive plan and has its land use in place, transportation concurrency cannot be used to time, condition or deny a development due to a lack of road capacity or future road deficiencies.

The City of Palm Coast has the option to eliminate transportation concurrency. The City also has the option to implement transportation concurrency for comprehensive plan amendments and to either allow for: (1) a pay and go system for development to meet transportation concurrency, or (2) to allow development to pay its transportation impact fee and eliminate any concurrency requirements not associated with a comprehensive plan amendment. If the City elects to keep transportation concurrency, it is required to be consistent with Florida Statute 163.3180.

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LEGAL

In 2006, the Legislature adopted the “Impact Fee Act” to provide general criteria that local governments who adopted an impact fee are required to meet. Unlike many States throughout the U.S. that have adopted enabling legislation, the Florida Legislature deferred largely to the significant case law that has been developed in both Florida and throughout the U.S. to provide guidance to local governments. By the time the “Impact Fee Act” was adopted, many local governments had already developed impact fees through their broad home rule powers.

In 2009, the Legislature made several changes to the “Impact Fee Act”, the most significant of which was placing the burden of proof on local governments, through a preponderance of the evidence, that the imposition of the Fee meets legal precedent and the requirements of Florida Statute 163.31801. Prior to the 2009 amendment, Courts generally deferred to local governments as to the validity of an imposed impact fee and placed the burden of proof, that an imposed impact fee was invalid or unconstitutional, on the plaintiff. There has yet to be a legal challenge to impact fees in Florida since the 2009 legislation, due in large part to the great recession and the fact that many local governments either reduced impact fees or placed a moratorium on impact fees between 2009 and 2015. Starting in 2013, locally governments slowly started to remove moratoriums and reinstate previously reduced rates.

In 2015, as development started to pick up and the effects of the great recession wore off, local governments throughout Florida began to update their impact fees and a number have begun to adopt Mobility Fees, based on an adopted Mobility Plan, as a replacement of road impact fees, proportionate share and concurrency. One of the biggest issues facing local governments in Florida at this moment, is that due to the great recession, many impact fee ordinances have not been updated since before 2007, with some having last been updated in the 90’s. In addition, any impact fee adopted and last updated before 2006 will not even reference the “Impact Fee Act” in Florida Statute 163.31801 which reads:

- “(1) This section may be cited as the “Florida Impact Fee Act.”*
- (2) The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction. Due to the growth of impact fee collections and local governments’ reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.*
- (3) An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:*
- (a) Require that the calculation of the impact fee be based on the most recent and localized data.*
 - (b) Provide for accounting and reporting of impact fee collections and expenditures. If a local governmental entity imposes an impact fee to address its infrastructure needs, the entity shall account for the revenues and expenditures of such impact fee in a separate accounting fund.*
 - (c) Limit administrative charges for the collection of impact fees to actual costs.*
 - (d) Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A county or municipality is not required to wait 90 days to decrease, suspend, or eliminate an impact fee.*
- (4) Audits of financial statements of local governmental entities and district school boards which are performed by a certified public accountant pursuant to s. 218.39 and submitted to the Auditor General must include an affidavit signed by the chief financial officer of the local governmental entity or district school board stating that the local governmental entity or district school board has complied with this section.*
- (5) In any action challenging an impact fee, the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee meets the requirements of state legal precedent or this section. The court may not use a deferential standard.”*

The first time the Courts recognized the authority of a municipality to impose “impact fees” in Florida occurred in 1975 In the case of City of Dunedin v. Contractors and Builders Association of Pinellas County, 312 So.2d 763 (2 D.C.A. Fla., 1975), where the court held: “that the so-called “impact fee” did not constitute “taxes” but was a charge for using the utility services under Ch. 180, F. S.”

The Court set forth the following criteria to validate the establishment of an impact fee: *"...where the growth patterns are such that an existing water or sewer system will have to be expanded in the near future, a municipality may properly charge for the privilege of connecting to the system a fee which is in excess of the physical cost of connection, if this fee does not exceed a proportionate part of the amount reasonably necessary to finance the expansion and is earmarked for that purpose."* 312 So.2d 763, 766, (1975).

The case was appealed to the Florida Supreme Court and a decision rendered in the case of Contractors and Builders Association of Pinellas County v. City of Dunedin 329 So.2d 314 (Fla. 1976), in which the Second District Court's decision was reversed. The Court held that "impact fees" did not constitute a tax; that they were user charges analogous to fees collected by privately owned utilities for services rendered. However, the Court reversed the decision, based on the finding that the City did not create a separate fund where impact fees collected would be deposited and earmarked for the specific purpose for which they were collected, finding:

"The failure to include necessary restrictions on the use of the fund is bound to result in confusion, at best. City personnel may come and go before the fund is exhausted, yet there is nothing in writing to guide their use of these moneys, although certain uses, even within the water and sewer systems, would undercut the legal basis for the fund's existence. There is no justification for such casual handling of public moneys, and we therefore hold that the ordinance is defective for failure to spell out necessary restrictions on the use of fees it authorizes to be collected. Nothing we decide, however prevents Dunedin from adopting another sewer connection charge ordinance, incorporating appropriate restrictions on use of the revenues it produces. Dunedin is at liberty, moreover, to adopt an ordinance restricting the use of moneys already collected. We pretermit any discussion of refunds for that reason." 329 So.2d 314 321, 322 (Fla. 1976)

The case tied impact fees directly to growth and recognized the authority of a local government to impose fees to provide capacity to accommodate new growth and basing the fee on a proportionate share of the cost of the needed capacity. The ruling also established the need for local government to create a separate account to deposit impact fee collections to help ensure those funds are expended on infrastructure capacity.

The Utah Supreme Court had ruled on several cases related to the imposition of impact fees by local governments before hearing *Banberry v. South Jordan*. In the case, the Court held that: “the fair contribution of the fee-paying party should not exceed the expense thereof met by others. To comply with this standard a municipal fee related to service like water and sewer must not require newly developed properties to bear more than their equitable share of the capital costs in relation to the benefits conferred”. (*Banberry Development Corporation v. South Jordan City*, 631 P. 2d 899 (Utah 1981). To provide further guidance for the imposition of impact fees, the court articulated seven factors which must be considered (*Banberry Development Corporation v. South Jordan City*, 631 P. 2d 904 (Utah 1981):

- (1) *the cost of existing capital facilities;*
- (2) *the manner of financing existing capital facilities (such as user charges, special assessments, bonded indebtedness, general taxes or federal grants);*
- (3) *the relative extent to which the newly developed properties and the other properties in the municipality have already contributed to the cost of existing capital facilities (by such means as user charges, special assessments, or payment from the proceeds of general taxes);*
- (4) *the relative extent to which the newly developed properties in the municipality will contribute to the cost of existing capital facilities in the future;*
- (5) *the extent to which the newly developed properties are entitled to a credit because the municipality is requiring their developers or owners (by contractual arrangement or otherwise) to provide common facilities (inside or outside the proposed development) that have been provided by the municipality and financed through general taxation or other means (apart from user fees) in other parts of the municipality;*
- (6) *extraordinary costs, if any, in servicing the newly developed properties; and*
- (7) *the time-price differential inherent in fair comparisons of amounts paid at different times.”*

The Court rulings in Florida, Utah and elsewhere in the U.S. during the 1970's and early 1980's led to the first use of what ultimately become known as the "dual rational nexus test" in *Hollywood, Inc. v. Broward County*; which involved a Broward County ordinance that required a developer to dedicate land or pay a fee for the County park system. The Fourth District Court of Appeal found to establish a reasonable requirement for dedication of land or payment of an impact fee that: "... the local government must demonstrate a reasonable connection, or rational nexus between the need for additional capital facilities and the growth of the population generated by the subdivision. In addition, the government must show a reasonable connection, or rational nexus, between the expenditures of the funds collected and the benefits accruing to the subdivision. In order to satisfy this latter requirement, the ordinance must specifically earmark the funds collected for the use in acquiring capital facilities to benefit new residents." (*Hollywood, Inc. v. Broward County*, 431 So. 2d 606 (Fla. 4th DCA), rev. denied, 440 So. 2d 352 (Fla. 1983).

In 1987, the 1st of two major cases were heard before the Supreme Court that have come to define what is now commonly referred to as the "dual rational nexus test". The 1st case was *Nollan v. California Coastal Commission* which involved the Commission requiring the Nollan family to dedicate a public access easement to the beach in exchange for permitting the replacement of a bungalow with a larger home which the Commission held would block the public's view of the beach. Justice Scalia delivered the decision of the Court: "The lack of nexus between the condition and the original purpose of the building restriction converts that purpose to something other than what it was...Unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion (*Nollan v. California Coastal Commission*, 483 U. S. 825 (1987)". The Court found that there must be an essential nexus between an exaction and the government's legitimate interest being advanced by that exaction (*Nollan v. California Coastal Commission*, 483 U. S. 836, 837 (1987).

The 2nd case, Dolan v. Tigard, heard by the Supreme Court in 1994 solidified the elements of the “dual rational nexus test”. The Petitioner Dolan, owner and operator of a Plumbing & Electrical Supply store in the City of Tigard, Oregon, applied for a permit to expand the store and pave the parking lot of her store. The City Planning Commission granted conditional approval, dependent on the property owner dedicating land to a public greenway along an adjacent creek, and developing a pedestrian and bicycle pathway to relieve traffic congestion. The decision was affirmed by the Oregon State Land Use Board of Appeal and the Oregon Supreme Court. The U.S. Supreme Court over turned the ruling of the Oregon Supreme Court and held:

“Under the well-settled doctrine of "unconstitutional conditions," the government may not require a person to give up a constitutional right in exchange for a discretionary benefit conferred by the government where the property sought has little or no relationship to the benefit. In evaluating Dolan's claim, it must be determined whether an "essential nexus" exists between a legitimate state interest and the permit condition. Nollan v. California Coastal Commission, 483 U. S. 825, 837. If one does, then it must be decided whether the degree of the exactions demanded by the permit conditions bears the required relationship to the projected impact of the proposed development.” Dolan v. City of Tigard, 512 U.S. 383, 386 (1994)

The U.S. Supreme Court in addition to upholding the “essential nexus” requirement from Nollan also introduced the “rough proportionality” test and held that: *“In deciding the second question-whether the city's findings are constitutionally sufficient to justify the conditions imposed on Dolan's permit-the necessary connection required by the Fifth Amendment is "rough proportionality." No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the proposed development's impact. This is essentially the "reasonable relationship" test adopted by the majority of the state courts. Dolan v. City of Tigard, 512 U.S. 388, 391 (1994)”*

The U.S. Supreme Court recently affirmed, through Koontz vs. St. Johns Water Management District, that the “dual rational nexus” test equally applies to monetary exactions in the same manner as a governmental regulation requiring the dedication of land. Justice Alito described:

“Our decisions in Nollan v. California Coastal Commission, 483 U. S. 825 (1987), and Dolan v. City of Tigard, 512 U. S. 374 (1994), provide important protection against the misuse of the power of land-use regulation. In those cases, we held that a unit of government may not condition the approval of a land-use permit on the owner’s relinquishment of a portion of his property unless there is a “nexus” and “rough proportionality” between the government’s demand and the effects of the proposed land use. In this case, the St. Johns River Water Management District (District) believes that it circumvented Nollan and Dolan because of the way in which it structured its handling of a permit application submitted by Coy Koontz, Sr., whose estate is represented in this Court by Coy Koontz, Jr. The District did not approve his application on the condition that he surrender an interest in his land. Instead, the District, after suggesting that he could obtain approval by signing over such an interest, denied his application because he refused to yield.” Koontz v. St. Johns River Water Management District 1333 S. Ct. 2586 (2013).

Justice Alito responded to the Districts and Florida Supreme Court findings that monetary exactions are not the same as a property dedications:

“That carving out a different rule for monetary exactions would make no sense. Monetary exactions—particularly, fees imposed “in lieu” of real property dedications—are “commonplace” and are “functionally equivalent to other types of land use exactions.” To subject monetary exactions to lesser, or no, protection would make it “very easy for land-use permitting officials to evade the limitations of Nollan and Dolan.” Furthermore, such a rule would effectively render Nollan and Dolan dead letters “because the government need only provide a permit applicant with one alternative that satisfies the nexus and rough proportionality standard, a permitting authority wishing to exact an easement could simply give the owner a choice of either surrendering an easement or making a payment equal to the easement’s value.” Koontz v. St. Johns River Water Management District 1333 S. Ct. 2599 (2013).

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IMPACT FEE BENEFIT DISTRICT

An impact fee benefit district is an area within which impact fees collected are earmarked for expenditure. The entire City of Palm Coast is envisioned as a single impact fee benefit district given road and intersection improvements are distributed through-out the City and the high likelihood that over the course of normal daily traffic patterns, significant portions of the transportation system are utilized to accommodate travel demand from new development. Impact fees collected anywhere within the City can be spent on the needed road and intersection improvements that add capacity through-out the City.

Establishing the City boundary as a single Impact Fee benefit district allows for the streamlined incorporation of annexed areas into the City. The single benefit district ensures the second prong of the dual rational nexus test is met by clearly defining where funds are collected and where they are expended and that the land uses within the City that pay the Fee are provided the benefit of capacity from the road and intersection improvements to be funded within the District.

The current impact fee features a single Citywide benefit district. The updated transportation impact fee continues with a single Citywide benefit district. The City will be required to continue to account for all impact fee collections and expenditures in a separate fund established specifically for impact fees.

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GROWTH IN THE CITY OF PALM COAST

The first prong of the dual rational nexus for an Impact Fee is to demonstrate that there is a need for future transportation improvements to accommodate the travel demand from future growth. An evaluation of the projected population and employment for the City of Palm Coast, based upon data from the Central Florida Regional Planning (CFRPM) Model, demonstrates that there is projected to be a significant increase in both population and employment (**Table 1**). The population in Palm Coast is projected to increase by 47,268 between 2015 and 2040. The employment in Palm Coast is projected to grow from 16,288 in 2015 to 35,244 in 2040, an increase of 18,956 employees.

TABLE 1. PROJECTED GROWTH

Year	Population	Employment
2015	78,073	16,288
2040	125,341	35,244
Increase	47,268	18,956

Source: Traffic Analysis Zone (TAZ) data from the 2040 Long Range Transportation Plan and Central Florida Regional Planning Model (CFRPM).

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EXISTING TRAVEL CHARACTERISTICS

One of the steps in development of an impact fee is the evaluation of the travel characteristics on the major road system in the City of Palm Coast. The major road system consists of all State, County and City functionally classified collector and arterial roads within the City. Travel on Interstate 95 is excluded from impact fee calculations due to the regional nature of the facility and the fact that gas tax funding from the federal government is used to fund maintenance and improvements. The data for the major road system is used to evaluate existing traffic conditions, establish a funding credit and develop an Interstate Adjustment Factor. The Traffic Data Report, based on information obtained by the City, includes the length of the roads, the functional classification, daily traffic, number of lanes, and the capacity for each road on the major road system (**Appendix A**). The capacity for each road was established using the Florida Department of Transportation (FDOT) Generalized Service Volume Tables (**Appendix B**). The traffic count data representing the most recent data available was collected in 2013 and utilizing growth factors provided by the City, was projected to 2017 traffic. The calculation of vehicle miles of travel (VMT) for the major road system is accomplished through multiplying the length of a road segment by the daily traffic on the roadway. **Table 2** illustrates the VMT on the major road system in the City.

TABLE 2. EXISTING TRAVEL ON MAJOR ROAD SYSTEM

Roadway Category	Miles	Daily Vehicle Miles of Travel (VMT)
Collector	40.59	179,783
Arterial	95.23	894,391
Total Major Road System	135.82	1,074,174
Interstate	18.7	1,036,304
Total	154.52	2,110,478

Source: Functional classification, total miles and daily VMT based on Traffic Data Report in Appendix A.

Backlog Evaluation

Case law and State Statute prohibit local governments from charging new development for over capacity or “backlogged” roadways. To evaluate the capacity of the major road system to ensure that new development is not being charged for existing deficiencies, a system-wide capacity analysis has been conducted. The analysis is achieved by dividing the system-wide capacity (VMC) by the system-wide demand (VMT). As shown in **Table 3**, the major road system currently provides adequate units of capacity (VMC) for every unit of travel demand (VMT). This represents the current system-wide level of service. A VMC/VMT ratio less than 1.00 indicates that there are system deficiencies. Based on the analysis illustrated in **Table 3**, the system wide VMC/VMT ratio is 2.4. Thus, there are no backlogged facilities on a system-wide basis for which new development would be assessed. New development will only be assessed its share of the cost to provide new capacity.

TABLE 3. EXISTING MAJOR ROADS CAPACITY/DEMAND RATIO

Functional Classification	Existing Vehicle Miles of Capacity (VMC)	Existing Vehicle Miles of Travel (VMT)	VMC / VMT Ratio
Collector	939,232	179,783	5.22
Arterial	2,393,628	894,391	2.68
Interstate	1,739,100	1,036,304	1.68
Total	5,071,960	2,110,478	2.40

Source: Data based on Traffic Data Report in Appendix A. VMC derived by multiplying road capacity by length of road. VMT derived by multiplying AADT by length of road. Decimal numbers rounded to the nearest 100th.

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IMPROVEMENTS

The impact fee update is an improvement-based fee based upon the provision of adequate units of capacity (VMC) for every unit of travel demand (VMT) from new development. The needed capacity improvements are based on projected 2040 roadway traffic volumes from the River to Sea Transportation Planning Organization's (TPO) Long Range Transportation Plan Model. The Model was developed for the 2040 Long Range Transportation Plan (LRTP). Detailed projected employment and population data through the year 2040 were input into this comprehensive, transportation-forecasting model by the TPO to evaluate the future transportation needs of the Volusia County/Flagler County metropolitan planning area. The employment and population data were provided by the cities and counties within the TPO. Roadway model volumes were taken from the 2040 model run to determine roadway capacity deficiencies in the year 2040 which formed the basis for recommended transportation improvements.

The LRTP model utilizes the Central Florida Regional Planning Model (CFRPM), which is maintained by FDOT District Five and was recently validated to Year 2015 conditions. The model's projected daily travel demand is used in the development of the year 2040 Long Range Transportation Plans for area Metropolitan Planning Organizations (MPOs) and Transportation Planning Organizations (TPOs) within FDOT District Five. The model includes the following nine counties within District Five: Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia Counties.

Network deficiencies in the horizon year (2040) are forecast through simulation of an Existing Plus + Committed (E+C) network. The E+C scenario includes the existing network augmented by financially committed improvements (those fully funded in the Five-Year Work Program). The E+C model represents a minimum investment scenario that, when simulated against 2040 demand, highlights network deficiencies that require improvements (**Appendix C**).

Table 4 identifies the needed road improvements based on the modeling analysis. The table includes the road to be improved, the limits of the improvements, the existing number of lanes and the proposed road improvement.

TABLE 4. ROAD IMPROVEMENTS

Roadway	From	To	Existing Lanes	Future Lanes
Belle Terre Parkway	Pine Lakes Parkway	Palm Coast Pkwy (EB)	Four	Six
Bulldog Drive	SR 100	Central Avenue	Two	Four
Matanzas Woods Pkwy	US 1	SB I-95 Ramps	Two	Four
Old Kings Road	Town Center Boulevard	Forest Grove Drive	Two	Four
Royal Palms Parkway	Town Center Boulevard	US 1	Two	Four
SR 100	Belle Terre Pkwy	Old Kings Rd	Four	Six
Town Center Boulevard	Central Avenue	Royal Palms Pkwy	Two	Four
US 1	White View Pkwy Espanola Rd	Royal Palms Pkwy Royal Palms Pkwy	Four	Six

Intersection improvements have been identified for roads throughout the City (**Appendix D**). In addition, a traffic signal synchronization system for major corridors has also been included as an improvement incorporated into the impact fee. In some instances, the intersection improvements have been identified as the most context sensitive and effective improvement versus widening a roadway.

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CAPACITY

The FDOT Generalized Service Volumes were utilized to establish capacities for evaluating system deficiencies and for calculating the increase in Vehicle Miles of Capacity (VMC) for both roads and intersections. Two variables are utilized in the determination of service volume capacity: facility classification and number of lanes. Class I road facilities are those roads with a speed limit of 40 MPH or greater. Class II road facilities are those roads with a speed limit of 35 MPH or less. Uninterrupted highways are those facilities with signals that are spaced more than three miles apart. The number of lanes in the City of Palm Coast are either two, four or six lane facilities. A LOS standard of “D” was utilized for all major roads and intersections. **Table 5** illustrates the capacities utilized in development of the impact fee.

TABLE 5. DAILY VEHICLE CAPACITIES

Lane Type & Number	Total Capacity	Capacity per Lane
Class I – 2-Lane Undivided	17,700	8,850
Class I - 4-Lane Divided	39,800	9,950
Class I - 6-Lane Divided	59,900	9,983
Class II - 2-Lane Undivided	14,800	7,400
Class II - 4-Lane Divided	32,400	8,100
Highway - 2-Lane Undivided	24,200	12,100

Source: Florida Department of Transportation 2013 Quality/Level of Service (LOS) Handbook, Generalized Annual Average Daily Volumes for Florida's Urbanized Areas, Appendix B. Capacities for left and right turn lanes at intersections are based upon 5% of the per lane capacity per the FDOT Generalized Tables. The road and intersection standard used is LOS D. For one-way roads, the capacity is determined by multiplying the corresponding two-directional capacities by .6

The FDOT Generalized Tables provides for an increase in capacity of 5% where a right turn lane is added. The Generalized Tables assumes that left turn lanes are provided where needed to derive the service volume capacity for two lane undivided roads and typically only provides a capacity increase where a two-lane undivided road is converted to a divided road. There are capacity reductions on multilane undivided road where left turn lanes are not present. While not included on the Generalized Tables, a 5% capacity increase has also been provided where left

turn lanes are proposed to be added to a road. The capacity for intersections is based upon the facility classification of the road, the number of lanes and the service volume capacities. The capacity for roadways was divided by the number of lanes to derive a lane capacity. The lane capacity was multiplied by 5% to determine the additional capacity added from the intersection improvement. The calculated capacity added for each intersection improvement is illustrated in **Appendix D**.

The existing and future capacity for the road improvements identified in **Table 4** are based on the vehicle capacities in **Table 5**. **Table 6** illustrates the existing road capacity and the road capacity after improvements. The capacity of several roads has been increased by 10% to reflect the funding of a traffic signal synchronization system included in the list of impact fee improvements. The 10% increase is based on discussions with FDOT on capacity increases due to signal synchronization.

TABLE 6. ROAD CAPACITY INCREASE

Roadway	From	To	Existing Capacity	Future Capacity
Belle Terre Parkway	Pine Lakes Parkway	Palm Coast Pkwy (EB)	39,800	59,900
Bulldog Drive	SR 100	Central Avenue	14,800	32,400
Matanzas Woods Pkwy	US 1	SB I-95 Ramps	17,700	43,780 ¹
Old Kings Road	Town Center Boulevard	Forest Grove Drive	24,400	43,780 ¹
Royal Palms Parkway	Town Center Boulevard	US 1	17,700	39,800
SR 100	Belle Terre Pkwy	Old Kings Rd	39,800	65,890 ¹
Town Center Boulevard	Central Avenue	Royal Palms Pkwy	24,400	39,800
US 1	White View Pkwy Espanola Rd	Royal Palms Pkwy Royal Palms Pkwy	39,800	65,890 ¹

Source: Capacity based on Table 5. ¹The daily capacity increased by 10% to reflect the funding of a synchronized traffic signals on these corridors.

IMPACT FEE METHODOLOGY

The impact fee update is an improvement-based fee based upon the units of Vehicle Miles of Capacity (VMC) provided from needed road and intersection capacity improvements to accommodate the per unit Vehicle Miles of Travel (VMT) demand of new development. The impact fee for an individual land use is calculated based on the per unit VMC cost of needed roadway and intersection improvements, the per unit VMT credit for reasonably anticipated funding of improvements and the per unit VMT demand of new development. The first component of developing the impact fee is the calculation of a per unit VMC rate. The second component is the calculation of a per unit VMT credit for funding reasonably anticipated to be available. The third component is the calculation of a per unit VMT demand per each land use in the impact fee schedule based upon trip generation, the percent of new trips and the average trip length for each land use. The preceding sections in this Report document the methodologies and results utilized to develop the Impact Fee Schedule.

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GROSS VEHICLE MILES OF CAPACITY (VMC) RATE

The calculation of a gross per Vehicle Mile of Capacity (VMC) rate is utilized to determine a per unit cost of providing new vehicular capacity. The gross per unit VMC rate is adjusted for per unit VMT funding credit and the net per unit VMC rate is multiplied by the per unit Vehicle Miles of Travel (VMT) for each land use to determine the impact fee per the applicable unit of measure. **Figure 1** illustrates the formulas and steps utilized to calculate a gross VMC rate.

Figure 1. Gross Vehicle Miles of Capacity (VMC) Rate

$$\text{VMGg Formula} = (\text{VMCf} - \text{VMCe}) = \text{VMCrd}, (\text{VMCrd} + \text{VMCi}) = \text{VMCt}, (\text{COSTt} / \text{VMCt}) = \text{VMCg}$$

- Step 1 $\text{VMCe} = \text{SUM} (\text{LEN} \times \text{CAPE})$
- Step 2 $\text{VMCf} = \text{SUM} (\text{LEN} \times \text{CAPf})$
- Step 3 $\text{VMCrd} = \text{VMCf} - \text{VMCe}$
- Step 4 $\text{VMCi} = \text{SUM} (\text{CAPE} / \#\text{LN} \times .05)$
- Step 5 $\text{VMCt} = \text{VMCrd} + \text{VMCi}$
- Step 6 $\text{COSTt} = \text{SUM} (\text{COSTrd}) + \text{SUM} (\text{COSTi})$
- Step 7 $\text{VMCg} = \text{COSTt} / \text{VMCt}$

Where:

- VMCe = Vehicle Miles of Capacity existing
- LEN = Length of road segment
- CAPE = Capacity of Existing Road
- VMCf = Vehicle Miles of Capacity Future
- CAPf = Capacity of Future Road Improvements
- VMCrd = Total Vehicle Miles of Capacity for Roads
- VMCi = Total Vehicle Miles of Capacity for Intersections
- $\#\text{LN}$ = Number of lanes
- VMCt = Total Vehicle Miles of Capacity of Improvements
- COSTt = Total Cost of Improvements
- COSTrd = Total Cost of Road Improvements
- COSTi = Total Cost of Intersection Improvements
- VMCg = Gross Vehicle Miles of Capacity Rate

The 1st step in the calculation of a gross VMC rate is to determine the existing VMC for the roads proposed to be widened. The 2nd in the calculation of a gross VMC rate is to determine the existing VMC for the proposed road improvements. To calculate VMC, the service volume capacities from **Table 6** were multiplied by the length of each road segment shown in **Table 7**. The VMC for existing conditions and the VMC with proposed improvements is shown in **Table 7**.

TABLE 7. VEHICLE MILES OF CAPACITY INCREASE

Roadway	From	To	Length	Current VMC	Future VMC
Belle Terre Parkway	Pine Lakes Parkway	Palm Coast Pkwy (EB)	.95	24,560	42,330
Bulldog Drive	SR 100	Central Avenue	.53	35,577	79,998
Matanzas Woods Pkwy	US 1	SB I-95 Ramps	2.01	86,376	154,982
Old Kings Road	Town Center Boulevard	Forest Grove Drive	7.72	188,368	337,982
Royal Palms Parkway	Town Center Boulevard	US 1	4.31	76,287	171,972
SR 100	Belle Terre Pkwy	Old Kings Rd	2.61	103,878	156,339
Town Center Boulevard	Central Avenue	Royal Palms Pkwy	.90	21,960	35,820
US 1	White View Pkwy Espanola Rd	Royal Palms Pkwy Royal Palms Pkwy	2.85	113,430	187,787

The 3rd step in calculating the gross VMC rate is to determine the increase in VMC between existing conditions and future improvements. The VMC's from **Table 7** were summed for existing conditions and future improvements. The increase in road VMC was obtained by subtracting the VMC of future improvements from the VMC for existing conditions. **Table 8** illustrates the increase in road VMC.

TABLE 8. VEHICLE MILES OF CAPACITY FROM ROAD IMPROVEMENTS

Existing Vehicle Miles of Capacity	564,060
Future Vehicle Miles of Capacity	1,035,427
Total Vehicle Miles of Capacity Added	471,367
<i>Source: Table 7</i>	

The 4th step was summing the increase in intersection VMC based on the calculated capacity added for the intersection improvements (**Appendix D**). **Table 9** illustrates the results from step 5 which entails adding the increase in road VMC with the increase in intersection VMC to determine the total increase in VMC from both road and intersection improvements.

TABLE 9. VEHICLE MILES OF CAPACITY ADDED FROM ALL IMPROVEMENTS

Vehicle Miles of Capacity Added from Road Improvements	471,367
Vehicle Miles of Capacity Added from Intersection Improvements	61,642
Total Vehicle Miles of Capacity Added	533,009
<i>Source: The total vehicle miles of capacity added is based on the VMC illustrated on Table 7. The total vehicle miles of capacity added for intersections is included in Appendix D. Capacities based on the 2013 Florida Department of Transportation Generalized Tables.</i>	

The 6th step in calculating the gross VMC rate is calculating a cost for each road improvement. The FDOT Long Range Estimates Model and the 2040 LRTP were used to determine road cost (**Table 10**). The City of Palm Coast provided the cost estimates for intersection improvements (**Appendix D**). The cost for both roads and intersections were increased by 35% to capture the cost for engineering design (PE) and construction, engineering and inspection (CEI). The cost estimates for several roads were obtained from the 2040 LRTP. The cost of improvements obtained from the 2040 LRTP were not adjusted for PE and CEI, as those cost estimates already include those factors (**Appendix E**).

TABLE 10. ROAD IMPROVEMENT COST

Roadway	From	To	Total Cost ²
Belle Terre Parkway ¹	Pine Lakes Parkway	Palm Coast Pkwy (EB)	\$2,600,498.68
Bulldog Drive ¹	SR 100	Central Avenue	\$3,614,641.05
Matanzas Woods Pkwy ^{3,4}	US 1	SB I-95 Ramps	\$14,130,000.00
Old Kings Road ^{1,4}	Town Center Boulevard	Forest Grove Drive	\$44,926,541.60
Royal Palms Parkway ¹	Town Center Boulevard	US 1	\$29,394,533.85
SR 100 ^{3,4}	Belle Terre Pkwy	Old Kings Rd	\$34,870,000
Town Center Boulevard ¹	Central Avenue	Royal Palms Pkwy	\$6,138,069.71
US 1 ^{1,4}	White View Pkwy Espanola Rd	Royal Palms Pkwy Royal Palms Pkwy	\$9,566,139.32
Source: ¹ FDOT Long Range Estimates – Cost per Mile Model (2016), ² Excludes ROW Cost, Includes Engineering and Construction, Engineering & Inspection (CEI) at 35% of construction cost, ³ River to Sea 2040 Long Range Transportation Plan Cost Estimate, ⁴ Reasonably anticipate that funding maybe available to fund construction, funding subject to change (Appendix E).			

Due to the right-of-way (ROW) widths that currently exist in the City of Palm Coast, no additional cost was added for ROW. This is a significant difference from most impact fees as often times ROW must be acquired to widen roads and intersections. ROW cost for most impact fees range from 40% to 100% of construction cost. **Table 11** illustrates the results of the 6th step which include summing the cost of all road improvements and adding that with the sum of the cost of the proposed intersection improvements and the cost of the traffic synchronization system.

TABLE 11. CAPITAL IMPROVEMENT NEEDS

Roadway Capital Improvements	\$145,240,424.22
Intersection Capital Improvements	\$13,282,500
Traffic Signal Synchronization	\$3,000,000
Total Cost of Capital Improvements	\$161,522,924.22
<i>Source:</i> The total cost of roadway capital improvements based on improvements identified in Table 10. The total cost of intersection capital improvements based on improvements identified in Appendix D.	

The 7th and final step is calculating the gross per unit VMC rate. The total cost of the road and intersection improvements from **Table 11** are divided by the total VMC of the road and intersection improvements in **Table 9** to determine the gross per unit VMC rate shown in **Table 12**.

TABLE 12. GROSS VEHICLE MILES OF CAPACITY RATE

Total Cost of Capital Improvements	\$161,522,924.22
Total Vehicle Miles of Capacity Added	533,009
Gross Vehicle Miles of Capacity Rate	\$303.04
<i>Source:</i> The total cost of Capital Improvements is based on the information provided in Table 11. The total vehicle miles of Capacity Added is based on the information provided in Table 9. Gross per unit vehicle miles of capacity rate derived by dividing the total cost of capital improvements by the total vehicle miles of capacity added.	

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FUNDING ADJUSTMENT

One of the general principles of any impact fee assessed by local government on new development is that the fee must be proportional to the impact generated by the development. To ensure new development is not paying more than its impact and is also not paying for existing deficiencies, per unit Vehicle Miles of Travel (VMT) transportation funding adjustments are provided. Per Unit VMT transportation funding adjustments will be given for revenues that are reasonably anticipated to be available for providing road capacity. These per unit funding adjustments will result in a reduction in the gross per unit Vehicle Mile of Capacity (VMC) rate to ensure that new development does not pay twice for the same capacity, once through impact fees and again through available funding that are used to fund future capacity improvements.

A per unit VMT funding adjustments is being calculated to account for the Federal and State funding of needed improvements identified in the 2040 LRTP. In the calculation of this impact fee, no funding adjustments was provided for Gas Tax as all Gas Tax revenue available to the City is expended on roadway maintenance. Flagler County does not currently have a Transportation Infrastructure Surtax that is being used to fund capacity-expanding improvements. The City has also not issued any bonds to fund the needed improvements. Should additional funding sources become available that would fund the needed road and intersection improvements, then a per unit VMT credit would need to be calculated.

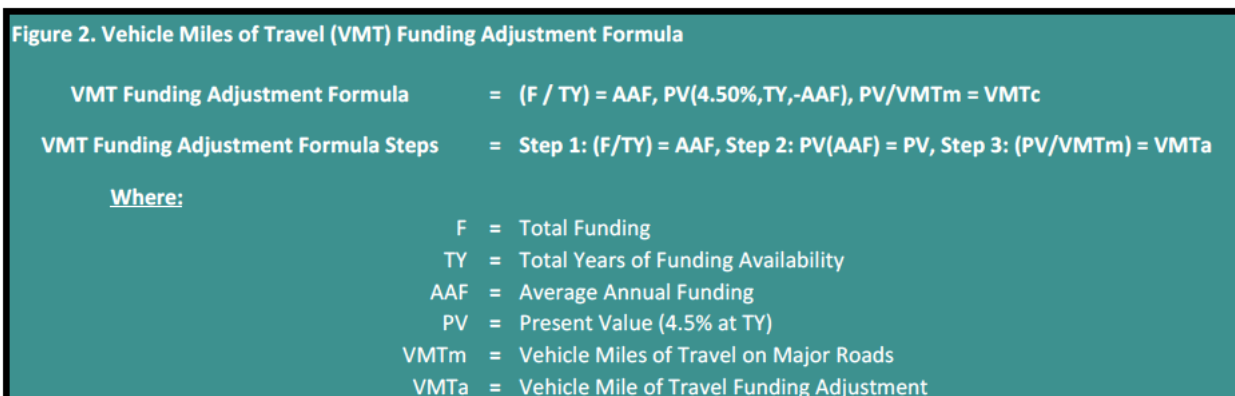
Unlike a gas tax or a sales tax which are authorized for a specific number of years or a bond which is issued for a fixed duration and amount, federal and state funds are subject to annual budgets. This makes the funding source highly susceptible to annual fluctuations, economic conditions and political preferences in Washington and in Tallahassee (emphasis added).

The Federal Highway Trust Fund, which relies on gas tax revenue, is currently running at a deficit. There is no guarantee that federal or state funds will be available next year or over the horizon of the 2040 LRTP (emphasis added).

Typically, the first three years of the five-year Transportation Improvement Program (TIP) are secure, anything beyond that is subject to federal budgets and reauthorization of Transportation Acts. From a legal and technical standpoint, the City is only obliged to provide a per unit VMT revenue credit for projects that are in the in the five-year TIP (emphasis added).

It is recommended as one means to encourage economic development, since there are no other revenue sources readily available and currently authorized, that a revenue credit be provided for the full funding currently identified in the 2040 LRTP to partially offset the per unit Vehicle Miles of Capacity (VMC) Rate. While these revenues are reasonably anticipated to be available to fund capacity needs, there are no guarantees. In fact, as of the writing of this Technical Report, there is discussion of a proposal that will make infrastructure funding competitive and require local governments to come up with new matching funding sources to be able to secure federal funding. The City could elect, if desired, to limit the per unit VMT credit to only those funds currently identified in the five-year TIP (emphasis added).

The funding adjustment is provided per existing major road VMT on a per unit basis. The formula for calculating funding adjustments, as shown in Figure 2, looks at the total funding available from a given revenue source, the total years the funding is available and the present value of funding based on the current discount rate of 4.5% (the current prime rate for 2018 from the Federal Reserve).



FDOT and the TPO developed revenue forecasts of state and federal transportation funds for the 2040 Long Range Transportation Plan (LRTP). These forecasts are based on a statewide estimate of revenues that fund the state transportation program. This study provides a credit based directly on the average annual Federal and State tax funding for capacity expanding road projects per Vehicle Miles of Travel (VMT).

The 2040 forecast \$106,774,262.59 million in Federal and State Funding being available to fund the needed improvements. Separate Federal and State funds are available for improvements to Interstate 95. The Impact Fee methodology excludes travel on Interstate 95 and does not include any needed improvements to Interstate 95. Over the 22-year of the LRTP, roughly \$4.8 million dollars will be available annually. This equates to a projected per unit funding adjustment of \$59.19, as illustrated in **Table 13**.

TABLE 13. FEDERAL & STATE CAPACITY FUNDING ADJUSTMENT

Federal & State Capacity Funding, FY 2018 to 2040	\$103,492,680.92
Total Years in Long Range Transportation Plan	22
Annual Funding	\$4,704,212.77
Daily Vehicle Miles of Travel (VMT) on Major Road	1,066,626
Annual Capacity Funding per VMT	\$4.41
Net Present Value Factor (4.5% discount rate over 20 years)	\$13.01
Federal & State Funding Adjustment per VMT	\$57.37

Source: The total funding available is based on road improvements identified as Cost Feasible in the 2040 Long Range Transportation Plan and are reasonably anticipated to be available to fund needed capacity improvements. The daily vehicle miles of travel data is based on information from Appendix A. The discount rate for the present value factor is based on average bank prime loan interest rate of 4.5% for January 2018 obtained from the Federal Reserve at <http://www.federalreserve.gov/releases/h15/>

NET VEHICLE MILE OF CAPACITY (VMC) RATE

The net Vehicle Miles of Capacity (VMC) rate is the per unit cost that will be attributed to new development. The net per unit VMC rate is calculated by subtracting the VMC funding adjustment credit from the gross VMC rate per the formula in **Figure 3**.

Figure 3. Vehicle Miles of Capacity (VMC) Rate

Net VMC Rate Formula = $VMC_n = VMC_g - VMG_c$

Where:

- VMC_n = Net Vehicle Miles of Capacity Rate
- VMC_g = Gross Vehicle Miles of Capacity Rate
- VMG_c = Vehicle Miles of Capacity Funding Adjustment

The net per unit VMC rate in **Table 14** will be multiplied by the per unit Vehicle Miles of Travel (VMT) rate per land use to determine the impact fee to be assessed to new development per the applicable land use category in the impact fee schedule.

TABLE 14. NET VEHICLE MILES OF CAPACITY RATE

Gross Vehicle Miles of Capacity (VMC) Rate	\$303.04
Federal & State Funding Adjustment per VMT	\$57.37
Net Vehicle Miles of Capacity (VMC) Rate	\$245.67

Source: The gross per unit VMC is from Table 12. The per unit VMT funding adjustment is from Table 13. The net per unit VMC rate is derived by subtracting the VMT funding adjustment from the gross VMC rate.

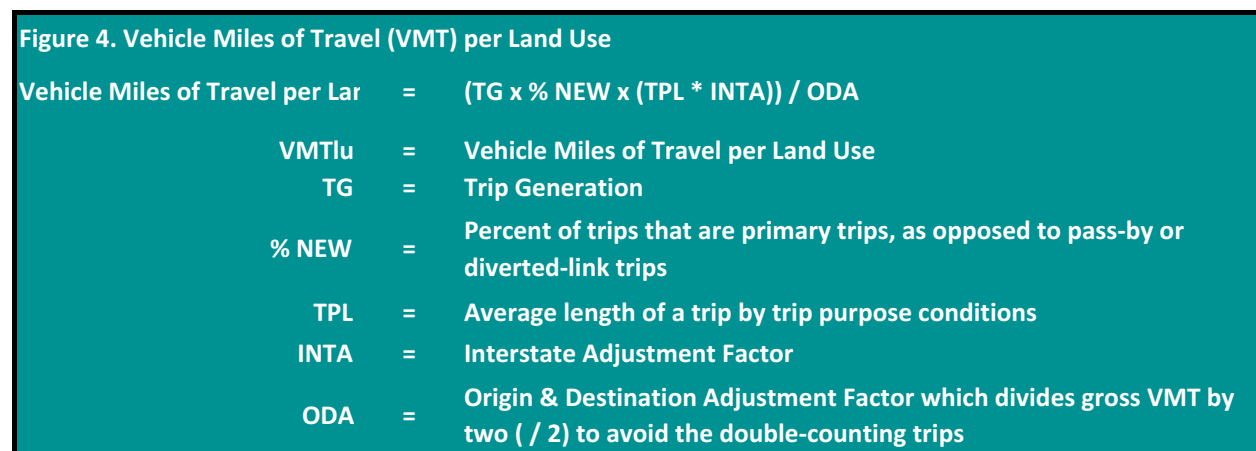
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VEHICLE MILE OF TRAVEL (VMT) PER LAND USE

There are two essential components in determining the Vehicle Miles of Travel per land use. The 1st component is new trips that will utilize the transportation system. New development, and in some instances redevelopment, generate new vehicle trips. An impact fee is one means for development that generates new trips to equitably pay for the travel demands placed on the transportation system. These trips are based on factors identified in the Institute of Transportation Engineers (ITE) Trip Generation Manual 10th, Edition and the ITE Trip Generation Handbook, 3rd Edition. These factors include trip generation rates per land use and pass-by trips.

The 2nd component is the length of trips. The lengths of trips are determined based upon data from the 2009 National Household Travel Study (NHTS). To ensure that the most localized and readily available data for trip lengths is used, NHTS data for Florida Metropolitan Statistical Areas between 250,000 and 400,000 people, as of 2009, was used instead of National level data. It should be noted that an update of the NHTS was conducted in 2017. The data will be available sometime in late 2018 or 2019. The Daytona – Flagler MSA in 2018/2019 will be above 600,000. The trip lengths data obtained from the Florida based NHTS were further adjusted to remove travel on Interstate 95.

The formula for calculating the per unit VMT rate per land use is described in **Figure 4**.



DAILY TRIP GENERATION

Trip generation rates are based on information published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th edition. The ITE Manual provides the most recent, uniform and widely utilized source for trip generation rates. In addition, the national trip generation rates compiled by ITE are likely to be applicable to the land uses and trip characteristics found in Palm Coast. The ITE Manual is used in communities across the US and is the accepted source for trip generation utilized by FDOT. There are several land use categories that have been consolidated in the impact fee schedule to streamline administration and implementation of the impact fee. Further detail on the ITE land use codes and any adjustments or conversions from peak hour trips to daily trips is documented in **Appendix F**.

NEW TRIPS (AKA PASS-BY)

The percentage of new trips is based on a combination of the various pass-by analyses provided in ITE's Trip Generation, various studies and professional experience that demonstrated higher pass-by rates for convenience land uses such as fast food and convenience gas stations. While ITE's Trip Generation Handbook does not recognize pass-by rates for uses other than retail, pass-by rates were utilized on non-retail uses such as offices, hospitals, social and civic uses in recognition that not all trips to these types of uses are new trips. A pass-by trip is a trip that is already on the roadway and stops at a land uses between an origin point (commonly a dwelling) and a destination (place of employment, park).

TRIP LENGTHS

The trip lengths per individual land uses are from the NHTS data for Florida communities that were within Metropolitan Statistical Areas (MSAs) that were between 250,000 and 400,000 people as of 2009, which include Volusia and Flagler Counties. In the updated NHTS data, the Volusia-Flagler MSA will be in the population group over 600,000. The 2009 NHTS data is the

most readily available data on trip length by trip purpose. The Florida based trip length data tends to be less than National trip lengths by trip purpose. The Center for Urban Transportation Research (CUTR) conducted an extensive evaluation of NHTS data for all of Florida and areas across the State showed lower trip lengths than National trip length data (Trends and Conditions Report 2013). The primary trip purposes are: work, personal, shopping, social / recreation and school / church. To obtain a trip length rate for residential uses, the five primary trip purposes were averaged. Specific trip lengths by trip purpose for specific land uses were also extracted from the Florida NHTS data. **Table 15** illustrates the trip lengths by trip purposes using both National Data and Florida Data. These trip lengths were assigned to the various land uses in the impact fee schedule based on characteristics that most closely resembled the trip purpose data.

TABLE 15. AVERAGE VEHICLE TRIP LENGTH

Trip Purpose	2009 National Household Travel Survey Length (miles)	2009 National Household Travel Survey - Florida Length (miles)
To/From Work	11.8	7.21
Shopping	6.5	4.51
Other Family/Personal Errands	7	5.04
School/Church	6.3	5.50
Social and Recreational	10.7	4.44
Residential	8.5	5.04
Meals	6.5 ¹	4.90
Day Care	7 ²	3.25
Personal Services	7 ²	4.11
Gas	7 ²	4.03
Regional Retail	6.5 ¹	5.64

Source: National average person trip lengths from US Department of Transportation, National Household Travel (NHTS) Survey, 2009 (**Appendix G**); Residential is an average of the top five NHTS trip purposes. National trip length decimal numbers rounded to the nearest 10th. Local Adjustment factors decimal rounded to nearest 100th. The Florida NHTS data is specifically from Florida for communities within a Metropolitan Statistical Area (MSA) between

250,000 and 400,000 residents as of 2009. ¹ Meals and Regional Retail uses would fall under NHTS category for Shopping. ² Day Care, Personal Services and Gas would fall under NHTS category for Other Family / Personal Errands.

In a recent publication in the Journal for Transportation and Land Use titled Modeling the land-use correlates of vehicle-trip lengths for assessing the transportation impacts of land developments (Volume 6, Number 2 (2013)), research from the University of Florida found a direct correlation between land use patterns and trip length. The abstract for the publication provides the following summary: *“This study developed models that relate trip lengths to the land-use characteristics at the trip ends (both production and attraction ends). Separate models were developed by trip purpose. The results indicate several statistically significant and intuitively reasonable effects of land-use patterns. High residential densities and a good mix of complementary land uses are associated with shorter trips. Larger establishments attract longer trips, and the lengths of home-based other trips decrease with an increase in the number of convenient commercial land use parcels in the neighborhood. The connectivity provided by the roadway network and the urban form of the area (measured in terms of number of intersections and cul-de-sacs) affect trip lengths. In addition to the local land-use characteristics, trip lengths also vary significantly by the location of the neighborhood within the region. All these results hold even after controlling for several trip and traveler characteristics.”*

The University of Florida study largely conformed several findings from the CUTR Report conducted in 2013 that trip lengths within built-up and urban areas within Florida were shorter than suburban and rural areas within the State. On average, based on the findings of the CUTR Report, trip lengths in urban areas were on average 30% shorter than suburban areas of the State. A 30% trip length reduction was applied to vested single family and duplex platted lots comprised of residential lots with final plat approval as of December 30th, 1977.

INTERSTATE TRIP LENGTH ADJUSTMENT

Travel on the interstate highway system is excluded from impact fee calculations as the interstate system is principally funded and maintained by the Federal Government in coordination with

State Department of Transportation. Thus, to ensure development that generates new trips is not charged for travel on the interstate system, the VMT on Interstate 95 is excluded from the major road system. **Table 16** illustrates the adjustment factor calculated to exclude travel on Interstate 95. The Interstate adjustment factor of 51% is applied to trip lengths to reduce them accordingly to ensure new development is not charged for travel on Interstate 95.

TABLE 16. INTERSTATE ADJUSTMENT FACTOR

Roadway Category	Miles	Daily Vehicle Miles of Travel (VMT)
Interstate 95	18.7	1,036,304
Major Thoroughfare System	135.82	2,110,478
Interstate Adjustment Factor		0.51

Source: Daily VMT based on Traffic Data Table in Appendix A. VMT derived by multiplying AADT by length of road. Decimal numbers rounded to the nearest 100th.

ORIGIN & DESTINATION ADJUSTMENT FACTOR

Trip generation rates represent trip ends, or driveway crossings at the site of a land use. Thus, a single origin trip from home to work counts as one trip end for the residence and one trip end for the work place, for a total of two trip ends. To avoid over-counting, the VMT for all uses has been divided by two. This places the burden of travel equally between the origin and destination of the trip and eliminates double charging for any particular trip.

VEHICLE MILES OF TRAVEL PER LAND USE

The result of multiplying trip generation rates, percent of new trips, average trip length, and interstate adjustment factor is the establishment of a per unit VMT per land use (**Table 17**). The VMT reflects the average daily weekday travel generated by the various land uses in the impact fee schedule. The land use schedule includes the unit of measure that will be used to calculate the total impact fee for a given land use.

Table 17. Vehicle Miles of Travel per Land Use	Unit of Measure	Trip Gen	% new trips	Trip Length	I-95 Adj	VMT
Residential Use						
Single Family Detached / Mobile Home	Dwelling Unit	9.44	1	5.04	0.51	12.13
Vested Single Family Platted Lot	Dwelling Unit	7.38	1	3.53	0.51	6.64
Single Family Attached (includes Duplex, Townhomes, Villas, Condominiums)	Dwelling Unit	7.32	1	5.04	0.51	9.41
Vested Duplex Platted Lot	Dwelling Unit	5.72	1	3.53	0.51	5.15
Multi-Family Apartment	Dwelling Unit	5.44	1	5.04	0.51	6.99
Active Adult & Independent Living (55+) (Attached or Detached Units)	Dwelling Unit	3.99	1	5.04	0.51	5.13
Institutional Use						
Adult Congregate Living Facility	Bed	2.52	1	5.04	0.51	3.24
Cemetery	Acre	6.05	1	5.50	0.51	8.49
Day Care	1,000 sq. ft.	47.62	0.5	3.26	0.51	19.79
Places of Worship	1,000 sq. ft.	6.95	0.9	5.50	0.51	8.77
Private School (Pre K-12)	1,000 sq. ft.	13.58	0.5	5.50	0.51	9.52
Private College or University	1,000 sq. ft.	23.15	0.5	5.50	0.51	16.23
Industrial Use						
Manufacturing / Warehousing / Production	1,000 sq. ft.	4.66	0.8	7.21	0.51	6.85
Retail Fulfillment / Distribution	1,000 sq. ft.	7.97	0.9	7.21	0.51	13.19
Mini-Warehouse / Boat / RVs & Other Outdoor Storage	1,000 sq. ft.	1.51	0.9	5.04	0.51	1.75
Entertainment, Recreation & Lodging Use						
Movie Theater	per Seat	1.76	0.5	4.44	0.51	1.00
Marina (including dry storage)	per Berth	2.41	1	4.44	0.51	2.73
Golf Course	per Hole	30.38	1	4.44	0.51	34.40
Outdoor Commercial Recreation	per Acre	14.32	1	4.44	0.51	16.21
Multi-Purpose Commercial Recreation	1,000 sq. ft.	5.57	0.9	4.44	0.51	5.68
Health Club / Fitness / Gym	1,000 sq. ft.	35.53	0.9	4.44	0.51	36.20
Recreational Vehicle (RV) Park	per Space	2.40	1	5.04	0.51	3.08
Hotel / Motel / Lodging	Room / Unit	6.19	0.9	5.04	0.51	7.16
Community Center / Civic / Gallery / Lodge	1,000 sq. ft.	14.54	0.8	4.44	0.51	13.17
Office Use						
Office / Office Park / Medical / Clinic / Bank / Financial	1,000 sq. ft.	11.41	0.7	7.21	0.51	14.68
Retail Use						
Multi-Tenant Retail Center	1,000 sq. ft.	37.75	0.4	4.51	0.51	17.37
Pharmacy (Free Standing)	1,000 sq. ft.	90.08	0.3	4.51	0.51	31.08
Pharmacy Drive-Thru	per lane	89.04	0.3	4.51	0.51	30.72
General Retail (Free Standing)	1,000 sq. ft.	58.30	0.4	4.51	0.51	26.82
Furniture / Mattress Store (Free Standing)	1,000 sq. ft.	6.30	1	4.51	0.51	7.25
Supermarket / Grocery Store (Free Standing)	1,000 sq. ft.	98.83	0.4	4.51	0.51	45.46
Sit Down Restaurant (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	98.01	0.4	4.90	0.51	48.99
Fast Food / Fast Casual Restaurant (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	214.36	0.3	4.90	0.51	80.35
Restaurant Drive-Thru (based on number of lanes at point of ordering)	per lane	356.54	0.2	4.90	0.51	89.10
Discount Superstore (Free Standing)	1,000 sq. ft.	50.70	0.8	5.64	0.51	58.31
Home Improvement / Building Materials / Garden Center	1,000 sq. ft.	31.51	0.8	5.64	0.51	36.24
Nursery (Wholesale or Retail)	per Acre	31.37	0.8	4.51	0.51	28.86
Bank Drive-Thru Lane, Free Standing ATM or ATM Drive-Thru Lane	per lane and / or per ATM	113.35	0.4	4.11	0.51	47.52
Vehicle & Boat - Sales or Dealership	1,000 sq. ft.	27.45	0.9	5.64	0.51	35.51
Vehicle & Boat - Service / Repair / Parts	1,000 sq. ft.	38.02	0.9	4.11	0.51	35.86
Vehicle & Boat - Cleaning / Detailing / Wash	1,000 sq. ft.	264.20	0.2	4.11	0.51	55.38
Convenience Store	1,000 sq. ft.	801.21	0.1	4.51	0.51	92.14
Vehicle Fueling Position	per Vehicle Fueling Position	250.98	0.2	4.03	0.51	51.58
Personal Services	1,000 sq. ft.	32.15	0.4	4.11	0.51	13.48

IMPACT FEE SCHEDULE

The Impact Fee for a given land uses is based on the net per unit VMC Rate established in **Table 14** multiplied by the VMT Rate per land use from **Table 17**. The formula below is utilized to determine the Impact Fee per land use (**Figure 5**):

Figure 5. Impact Fee

Impact Fee Formula = VMCn x VMTlu

Where:

VMCn = Net Vehicle Miles of Capacity Rate

VMTlu = Vehicle Miles of Travel per land use

The Impact Fee for land uses is compared with the existing Impact Fee (**Table 18**). The following are three examples of impact fee calculations:

Land Use:	Multi-Family Apartment
Unit of Measure:	per Dwelling Unit
Number of Units:	200
Impact Fee:	\$1,982 per dwelling unit
# of Dwelling Units x Impact Fee:	200 x \$1,718 = \$343,600

Land Use:	Office
Unit of Measure:	per 1,000 Square Feet
Number of Units:	15,250 square feet
Impact Fee:	\$3,608 per 1,000 square feet of office
Square Footage / 1000 x Impact Fee:	(15,250 / 1,000) = 15.25 x \$3,608 = \$55,022

Land Use:	Bank with drive-thru
Unit of Measure 1:	per 1,000 Square Feet
Unit of Measure 2:	per Drive-thru lane(s)
Number of Units 1:	3,000 square feet
Number of Units 2:	Two drive-thru lanes & One drive-thru ATM
Impact Fee 1:	\$3,608 per 1,000 square feet of office
Impact Fee 2:	\$11,674 per drive-thru
Square Footage / 1000 x Impact Fee:	(3,000 / 1,000) = 3 x \$3,608 = \$10,824
Drive-Thru Lanes x Impact Fee:	3 x \$11,674 = \$35,022
Total Impact Fee:	\$10,824 + \$35,022 = \$45,846

Table 18. Palm Coast Transportation Impact Fee Schedule	Unit of Measure	Proposed Impact Fee
Residential Use		
Single Family Detached / Mobile Home	Dwelling Unit	\$ 2,981
Vested Single Family Platted Lot *	Dwelling Unit	\$ 1,632
Single Family Attached (includes Duplex, Townhomes, Villas, Condominiums)	Dwelling Unit	\$ 2,311
Vested Duplex Platted Lot *	Dwelling Unit	\$ 1,266
Multi-Family Apartment	Dwelling Unit	\$ 1,718
Active Adult & Independent Living (55+) (Attached or Detached Units)	Dwelling Unit	\$ 1,260
Institutional Use		
Adult Congregate Living Facility	Bed	\$ 796
Cemetery	Acre	\$ 2,085
Day Care	1,000 sq. ft.	\$ 4,863
Places of Worship	1,000 sq. ft.	\$ 2,155
Private School (Pre K-12)	1,000 sq. ft.	\$ 2,340
Private College or University	1,000 sq. ft.	\$ 3,988
Industrial Use		
Manufacturing / Warehousing / Production	1,000 sq. ft.	\$ 1,684
Retail Fulfillment / Distribution	1,000 sq. ft.	\$ 3,240
Mini-Warehouse / Boat / RVs & Other Outdoor Storage ¹	1,000 sq. ft.	\$ 429
Entertainment, Recreation & Lodging Use		
Movie Theater / Performing Arts	per Seat	\$ 245
Marina (including dry storage)	per Berth	\$ 670
Golf Course	per Hole	\$ 8,450
Outdoor Commercial Recreation ²	per Acre	\$ 3,982
Multi-Purpose Commercial Recreation	1,000 sq. ft.	\$ 1,395
Health Club / Fitness / Gym	1,000 sq. ft.	\$ 8,893
Recreational Vehicle (RV) Park	per Space	\$ 758
Hotel / Motel / Lodging	Room / Unit	\$ 1,759
Community Center / Civic / Gallery / Lodge	1,000 sq. ft.	\$ 3,235
Office Use		
Office / Office Park / Medical / Clinic / Bank / Financial	1,000 sq. ft.	\$ 3,608
Retail Use		
Multi-Tenant Retail Center ³	1,000 sq. ft.	\$ 4,266
Pharmacy (Free Standing)	1,000 sq. ft.	\$ 7,635
Pharmacy Drive-Thru (fee is in addition to fee per 1,000 sq. ft. for pharmacy)	per lane	\$ 7,547
General Retail (Free Standing)	1,000 sq. ft.	\$ 6,589
Furniture / Mattress Store (Free Standing)	1,000 sq. ft.	\$ 1,780
Supermarket / Grocery Store (Free Standing)	1,000 sq. ft.	\$ 11,169
Sit Down Restaurant ⁴ (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	\$ 12,034
Fast Food / Fast Casual Restaurant ⁴ (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	\$ 19,740
Restaurant Drive-Thru ⁴ (based on number of lanes at point of ordering)	per lane	\$ 21,889
Discount Superstore (Free Standing) ¹	1,000 sq. ft.	\$ 14,324
Home Improvement / Building Materials / Garden Center ¹	1,000 sq. ft.	\$ 8,903
Nursery (Wholesale or Retail) ²	per Acre	\$ 7,090
Bank Drive-Thru Lane, Free Standing ATM or ATM Drive-Thru Lane ⁵	per drive thru lane and / or per ATM	\$ 11,674
Vehicle & Boat - Sales or Dealership	1,000 sq. ft.	\$ 8,725
Vehicle & Boat - Service / Repair / Parts (current fee under industrial use)	1,000 sq. ft.	\$ 8,810
Vehicle & Boat - Cleaning / Detailing / Wash (current fee per bay)	1,000 sq. ft.	\$ 13,605
Convenience Store ⁶	1,000 sq. ft.	\$ 22,637
Vehicle Fueling Position ⁶	per Vehicle Fueling Position	\$ 12,673
Personal Services	1,000 sq. ft.	\$ 3,311
*Residential lot with final plat approval as of December 30, 1977.		
¹ Acreage for any unenclosed material and vehicle storage, sales and display shall be converted to gross floor area.		
² The gross floor area for any buildings shall be converted to acreage.		
³ Excludes all outparcels. The fee for any outparcel shall be based on the applicable land use. Also excludes any type of drive-thru, vehicle fueling positions or free-standing ATM, which are additive fees in addition to the fee for the multi-tenant retail center.		
⁴ Areas for outdoor seating shall be converted to gross floor area. Any drive-thru associated with a restaurant will be an additive fee to the fee per square foot for the restaurant. The number of drive-thru lanes will be based on the number of lanes present when an individual places an order. The restaurant drive-thru rate applies for any building, whether a multi-tenant, free standing or convenience land use.		
⁵ Bank building square footage falls under office and is an additive fee beyond the fee due for bank/ATM drive-thru lanes or free standing ATM's. These rates are per drive-thru lane for the bank and per drive-thru lane with an ATM. The free standing ATM is for an ATM only and not an ATM within or part of another non financial building, such as an ATM within a grocery store.		
⁶ Convenience Store rates are separate and an additive fee beyond the fee due for vehicle fueling positions. Rates per vehicle fueling position also apply to gas stations and service stations with fuel pumps. The fee for any restaurant square footage or restaurant drive-thru in a convenience store will be based on the individual fee rate for the land use, not the convenience store rate.		

DEFINITIONS

Active Adult & Independent Living (55+) shall mean age-restricted housing that is deed restricted for residents fifty-five (55) years or older. These communities are for independent living without common dining and on-site health facilities for residents that is not a general retail or commercial use open to the public. Active adult communities may include clubhouses, golf courses and active recreation uses. Any recreational facility such as golf courses, clubhouses, tennis courts or fitness clubs open to the public shall be assessed separate impact fees. The housing may consist of senior adult detached and attached units (ITE Trip Generation Manual uses #251 and #252).

Adult Congregate Living Facility shall mean a residential setting that provides either routine general protective oversight or assistance with activities necessary for assisted living to mentally or physically limited persons. This use includes nursing homes, congregate care facilities, and assisted living facilities that may be part of continuing care retirement communities.

Bank Drive-Thru Lane, Free Standing ATM or ATM Drive-Thru Lane shall mean any drive-thru lane used for banking purposes such as deposits, withdrawals, balance inquires or bill pay. The drive-thru may include either a teller window or pneumatic device for transferring banking information or funds, or an Automated Teller Machine (ATM). This use also includes free standing bank drive-thru lanes and freestanding walk-up or drive-thru ATM machines. An ATM inside or attached to a building that has a use open to the public or end user and is not just a standalone ATM structure or building shall not be assessed a fee. The fee shall be based upon the total number of drive-thru lanes with a banking window, pneumatic device or ATM and/or the total number of free standing ATM's.

Benefit District shall mean an area designated in the applicable impact fee ordinance where fees that are paid by development are expended. The City shall consist of a single Benefit District that shall be comprised on all land within current City limits and any future areas added to the City through subsequent annexations.

Cemetery shall mean a place for burying the deceased, possibly including accessory buildings used for funeral services, a mausoleum, and a crematorium.

Community Center / Civic / Gallery / Lodge shall mean a facility that is generally operated by a governmental entity, non-profit or foundation and can include uses such as YMCA, museum, art gallery or studio, community meeting spaces, library, or a fraternal or masonic lodge or club that participates in community and public activities and does not sell goods or products for profit.

Convenience Store shall mean facilities that sell, convenience foods, newspapers, lottery tickets and cards, magazines, beverages, snacks and often beer, wine and tobacco products. The use may also serve ice cream and prepared foods. The fee for any fueling positions, car wash, unaffiliated restaurant, or restaurant drive-thru shall be based on the separate fee for the use.

Day Care shall mean a facility where care for young children or for older adults is provided, normally during the daytime hours. Day care facilities generally include classrooms, offices, eating areas and playgrounds.

Discount Superstore (free standing) shall mean a large format retail store which sells products at prices that are lower than the typical market value. A full-line discount store or mass merchandiser may offer a wide assortment of goods with a focus on price rather than service, display and includes a grocery store that sells a complete assortment of food, food preparation and other household goods and that is usually operated on a self-service basis. The use may also offer various personal services such as eye glasses, banking, nail and salon and tire changing services for motor vehicles. Any fueling services associated with the Discount Superstore shall pay a separate fee per fueling position.

Dwelling Unit shall mean a room or connected rooms, constituting a separate, independent housekeeping entity, for owner occupancy or rental or lease on a daily, weekly, monthly, or longer basis, and physically separated from any other rooms or Dwelling Units which may be in the same structure and containing sleeping and sanitary facilities and one kitchen. The term "Dwelling Unit," as used in this Fee, shall be deemed to include mobile home dwellings.

Entertainment, Recreation and Lodging Use shall mean those public or quasi-public uses that serve a community's social, cultural, fitness, entertainment and recreational needs, including recreation vehicle parking spaces and limited period lodging and accommodations which include applicable land uses specified in the ITE Trip Generation Manual under Land Use Code Series 300, 400 and 500.

Fast Food / Fast Casual Restaurant shall mean a dining establishment where a person(s) orders their meal at either a counter, select individual items prepared in front of the person or serves themselves buffet style. A person(s) typically pays for their meal at a cashier before obtaining their food. A separate fee is required for uses with one or more drive-thru lanes.

Free Standing shall mean a building that is not part of a multi-tenant retail center and contains a single tenant. Free Standing buildings generally have defined parking areas and limited access connections either to an internal circulation route and/or an external road. Free standing buildings are typically oriented towards arterial or major collector roads and generally include separate signage for the use.

Furniture / Mattress Store (free standing) shall mean a building that is not part of a multi-tenant retail center, contains a single tenant and displays furniture for sale or sells mattress to the public. Furniture stores do not keep a significant amount of product for sale in store. The product is typically shipped to the desired location of the end user purchaser. Retail uses which sell home goods or small furniture for purchase and pick-up at the store would generally fall under multi-tenant retail centers or general retail. Mattress Stores only sell mattress and sometimes accessory bed frames or pillows for either pick-up in store or delivery.

General Retail (free standing) shall mean a building that is not part of a multi-tenant retail center, contains a single tenant and sells products to the public that is not otherwise defined as a separate and distinct land use in the transportation impact fee schedule. Variety, Department Specialty, and Dollar Stores are examples of general retail uses that are typically free standing when not part of a mall or multi-tenant retail center.

Golf Course shall mean an area design for the play of golf. Golf courses may include clubhouses, with a pro-shop, lounge and banquet facilities.

Health / Fitness / Gym shall mean facilities that primarily focus on individual or group fitness, training or exercise. The uses typically provide exercise, dance or cheerleading classes, weightlifting, yoga, pilates, cross-fit training, fitness and gymnastics equipment.

Home Improvement / Building Materials / Garden Center shall mean a facility where hardware, building materials, lumber, farming and gardening equipment, paint, plants and landscape are sold or rented. All outside areas, whether underroof or not, that are used for outdoor display, storage or sale shall be included in the overall square footage of the facility. Areas of storing and refilling propane shall also be included in the overall square footage. The rental or sale of large earthmoving equipment shall fall under vehicle sales.

Hotel / Motel / Lodging shall mean places of accommodations that provide places for sleeping and bathing and may include supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, and limited recreational facilities (pool, fitness room) intended for primary use by guest.

Impact Fee shall mean a monetary exaction imposed at the time of issuance of a Certificate of Occupancy, Certificate of Completion, Special Use Permit or Construction Permit on a pro-rata basis in accordance with the average demand for public facilities created by growth and new development/redevelopment.

Improvements shall mean the roadway and intersection projects and traffic signal synchronization identified in the transportation impact fee technical report 2018. Improvements can include new or additional travel lanes and turn lanes, new or upgraded traffic signals, traffic synchronization, mobilization, maintenance of traffic, planning, survey, geotechnical and engineering, utilities, construction, engineering and inspection, utility relocation, right-of-way, easements, stormwater facilities, repayment of bonds used to front design and construction, local match for federal and state funded projects, and sidewalks, bike lanes, trails, paths, lighting and transit stops constructed as part of a road or intersection improvement.

Industrial Use shall mean those activities which are predominantly engaged in the assembly, finishing, processing, packaging, and/or storage, warehousing or distribution of products and which include those uses specified in the ITE Trip Generation Manual under Land Use Code Series 000 and 100, but excluding governmental uses.

Institutional Use shall mean those public or quasi-public uses that serve one or more community's social, educational, health, cultural, and religious needs and which include those uses specified in the ITE Trip Generation Manual under the Land Use Code Series 500, except for Adult Congregate Living Facility as defined.

ITE Trip Generation Manual shall mean and refer to the latest edition of the report entitled "Trip Generation" produced by the Institute of Transportation Engineers, and any official updates hereto, as approved by Public Works.

Manufacturing / Warehousing / Production shall mean a facility that is used for the storage of materials, goods and merchandise prior to the distribution to retail outlets, distribution centers or other warehouses. Manufacturing shall mean a facility where the primary activity is the conversion of raw materials or parts into finished products. Production shall mean a facility that has an emphasis on activities other than manufacturing, including brewing and distilling, and typically have ancillary office space and may have tap, sampling or tasting rooms.

Marina shall mean facilities that provide docks and berths for boats.

Mini-Warehouse / Boat / RVs & Other Outdoor Storage shall mean facilities or acreage in which one or more storage units or vaults are rented for the storage of goods and/or acreage is providing for the storage of boats, RVs, vehicle trailers and other physical items that are larger than what is typically stored within an enclosed structure. They are typically referred to as "self-storage" facilities and are typically access controlled where storage units or spaces are rented. The acreage for outdoor storage, excluding drive aisles, buffers and stormwater management areas, shall be converted to square footage for purposes of calculating the fee. This shall not include an individual's personal property where such items are stored by the owner of the land and not for commercial purposes, subject to allowance by land development and zoning regulations.

Mobile Home shall mean a detached Dwelling Unit with all the following characteristics: (1) designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; (2) designed for transportation after fabrication on streets or highways on its own wheels; and (3) arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities and the like. A travel trailer or Recreational Vehicle (RV) is not to be considered as a Mobile Home.

Movie Theater / Performing Arts shall mean a building with an area for audience seating, single or multiple screens or stages and auditoriums, a lobby and refreshment stand and shows either films or live performances.

Multi-family Apartment shall mean a single structure containing two or more Dwelling Units where Dwelling Units are rented or leased to occupants.

Multipurpose Recreational Facility shall mean a facility, generally enclosed within a building that includes uses such as bowling, pool, darts, arcades, video games, batting cages, trampolines, laser tag, bounce houses, skating, or climbing walls. Food and beverage may also be provided. The fee for outdoor recreation areas for uses such as batting cages or mini-golf would be calculated based upon the outdoor commercial recreation land use.

Multi-Tenant Retail Center shall mean retail uses in one or more buildings consisting of two or more individual, unaffiliated tenants. Multi-Tenant Retail Centers include shared access connections to external roads, shared internal circulation, parking and external signs and master stormwater management areas. Multi-Tenant Retail Centers do not include outparcels which are defined as having separate and distinct parking areas, generally landscaped along the perimeter, and separate access connections to internal circulation routes and /or external roads. Outparcels may include separate parcels for sale or lease to one or more end users. Any land use within a Multi-Tenant Retail Center that includes one or more drive-thru lanes shall pay the fee for the drive-thru lane in addition to the fee for square footage of the land-use. Freestanding ATM's not directly attached to or located within a separate land use shall pay the applicable fee for a freestanding ATM.

Nursery (Wholesale or Retail) shall mean an establishment that sells plants, trees, grasses, shrubs, landscape, gardening equipment, mulch, compost, gravel and stone. The applicable acreage of the nursery for purposes of calculating the fee shall include those areas with plants, landscape, greenhouses and landscape services that are primarily accessible to the public.

Outdoor Commercial Recreation shall mean a facility with land uses that may include miniature golf, batting cages, video arcade, bumper boats, go-carts, golf driving ranges, tennis, racquet or basketball courts, soccer, baseball and softball fields, paint-ball, skating, cycling or biking that require paid admittance, membership or some other type of fee for use. Buildings for refreshments, bathrooms, changing and retail may be included. The fee shall be based upon the total acreage of the facility, including buildings, primarily used to carry out the land use activity. Areas for parking, buffers and stormwater that are not active features of the land use are excluded from the fee acreage.

Office Use shall mean those businesses which provide professional services to individuals, businesses, or groups and which include those uses in the ITE Trip Generation Manual under Land Use Code Series 600 and 700.

Office / Office Park / Medical / Bank / Financial shall mean activities primarily involving the provision of professional or skilled services, including but not limited to legal, medical, dental, real estate, financial, engineering, architecture, accounting, and technology. Hospitals and Clinics are included under this land use. Banks are also included in this land use with a separate fee calculated per drive-thru lane or free-standing ATM with or without a drive-thru lane.

Personal Services shall mean any establishment that primarily sells services to the public that includes uses such as person or pet grooming, nail salon, hairdresser, spa, salon, tanning, massage, barber, waxing, funeral home, small appliance, device or computer repair or service, shipping, copying or printing service, dry cleaning, locksmith, laundry, tailor, embroidery, cobbler, watch repair, check cashing, money transfer, test taking, tutoring, musical lessons. These uses may also sell ancillary goods used in the primary function of the use.

Pharmacy (free standing) shall mean a retail facility that primarily sell prescription and non-prescription drugs. These facilities may also sell cosmetics, toiletries, medications, stationary personal care products, limited food products and general merchandise.

Pharmacy Drive-Thru shall mean one or more dedicated lanes where an individual will drop-off a prescription and pick-up the prescription. Some pharmacies will also sell general merchandise or medicine at the drive-thru windows as well. The fee for the pharmacy drive-thru is additive to the fee due for the pharmacy itself, as some pharmacies elect not to provide one or more drive-thru lanes. The fee is per drive-thru lane where a prescription can be dropped-off and picked-up.

Place of Worship shall mean a building in which worship services are held. Buildings or square footage used primarily for pre-school, private school or day care should be evaluated under those land uses and excluded from the buildings or square footage for place of worship.

Principal Use shall mean the carrying out of any building activity or the making of any material change in the use of a structure or land that requires the issuance of a Certificate of Occupancy, Certificate of Completion, Change of Use Permit, Construction Permit or Special Use Permit and which generates a demand or increase in vehicle trips over and above the existing use of the structure or land, excluding governmental uses.

Private School (Pre K-12) shall mean a building or buildings in which students are educated by a non-governmental entity with grades ranging from pre-kindergarten to 12th grade. Private schools do not include Charter Schools which are exempt from local government fees per Florida Statute.

Recreational Vehicle (RV) Park shall mean a Park with spaces where RV's maybe parked for short or long term occupancy, and: (1) containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities; (2) include plumbing and electrical connections are provided by a battery or generator and maybe connected to an outside system; (3) are designed for transportation after fabrication on streets or highways on its own wheels. A space available for a travel trailer will be considered a space for an RV. This definition does not include Recreational Vehicles stored on a lot at a personal residence.

Restaurant Drive-Thru shall mean a drive-thru lane where an order for food is placed. The vehicle will proceed to one or more common pick-up windows after the order has been placed. The number of drive-thru's shall be based upon the total number of points where an order is taken,

not the number of windows where an order is picked-up. Some drive-thru's may be opened longer than the walk-up restaurant is open. The fee per restaurant drive-thru is in addition to the fee assessed for the restaurant itself based upon the applicable unit of measure.

Residential Use shall mean a Dwelling Unit or Dwelling Units and shall include those uses specified in the ITE Trip Generation Manual under the Land Use Code Series 200.

Retail Use shall mean those commercial activities which provide for sale, lease or rent of products, services, accommodations or use of space to individuals, businesses, or groups and which include those uses specified in the ITE Trip Generation Manual under Land Use Code Series 800 and 900.

Retail Fulfillment / Distribution shall mean a facility designed primarily to process e-commerce products directly to end users that order the products over the internet or by phone. These facilities include both short term and longer term storage areas and are characterized by the external shipment of small packages.

Single-Family Attached shall mean a single family attached Dwelling Unit that has at least one other Dwelling Unit that is individually owned within the same building structure. Townhomes, duplexes, villas and condominiums are the most common type of single-family attached dwellings.

Single-Family Detached shall mean a structure containing only one Dwelling Unit.

Sit Down Restaurant shall mean a dining establishment where a person(s) sit down at a table, booth or bar and orders food or drinks from a server or bartender and has prepared food and /or drink delivered to the table or bar. A separate fee is required for uses with one or more drive-thru lanes.

Square feet shall mean the sum of the gross floor area (in square feet) of the area of each floor level, including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores, and offices, that are within the principal outside faces of exterior walls, not including architectural setbacks or projections. Included are all areas that have floor surfaces with clear standing head room (six feet six inches, minimum) regardless of their use. If a ground level area, or part thereof, within or adjacent to the principal outside faces of the exterior walls is not enclosed and is determined to be a part of the principal use, this gross floor area is considered part of the overall square footage of the building.

Supermarket / Grocery Store shall mean a large retail store that sells a complete assortment of food, food preparation and other household goods and that is usually operated on a self-service basis. Discount superstores are identified as a separate land use.

Vested Single-family or Duplex Platted Lot shall mean a residential lot with final plat approval as of December 30, 1977. Such lots may be replatted for infrastructure improvements without an increase in the total number of lots.

Vehicle & Boat – Sales or Dealership shall mean an establishment for the sale, rent or leasing of motor vehicles and boats. Services and parts sales maybe provided as well. This land use may include automobiles, trucks, recreational vehicles, boats, motorcycles, all-terrain vehicles, tractors and earth moving equipment. The square footage shall include all areas under roof used for the sale, service, display or cleaning of vehicles.

Vehicle & Boat – Service / Repair / Parts shall mean an establishment for the sale of parts, tires, accessories or the service, maintenance, repair, repaint or body work of a vehicle or boat. The square footage shall include all areas under roof.

Vehicle & Boat – Cleaning / Detailing / Wash shall mean an establishment for the cleaning, detailing, vacuuming and / or washing of vehicles and boats. The square footage shall include all areas under roof, all stalls, bays, or areas for cleaning, detailing, vacuuming and / or washing of vehicles and boats.

Vehicle Fueling Position shall mean any paved area where a vehicle can be fueled. Typical fuel pumps include two vehicles fueling positions. Thus, a gas station or convenience market with eight pumps would have a total 16 vehicular fueling positions. The fee for number of fueling positions is in addition to the fee for any associated convenience store, market, station, superstore or wholesale use.

Vehicle Miles of Capacity (VMC) shall mean a unit to measure the road capacity provided to accommodate vehicle travel made by a private motor vehicle, such as an automobile, van, pickup truck, or motorcycle where each mile of road capacity is counted as one vehicle mile regardless of the number of persons in the vehicle. VMC is calculated by multiplying the length of a road segment by the capacity of the road based on its level of service standard and classification.

Vehicle Miles of Travel (VMT) shall mean a unit to measure vehicle travel made by a private motor vehicle, such as an automobile, van, pickup truck, or motorcycle where each mile traveled is counted as one vehicle mile regardless of the number of persons in the vehicle. VMT is calculated by multiplying the length of a road segment by the total number of vehicles on that road segment.

Vehicle Trip shall mean a trip by one person driving a motor vehicle or a motorcycle.

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CONCLUSION

The City of Palm Coast Transportation Impact Fee update is based upon the most recent and localized data per Florida Statute. The improvements driven fee is based on projected road and intersection improvements needed to meet the future travel demands of growth in the City. The identified improvements will provide increased capacity on roads and intersections throughout the City. The traffic signal synchronization project will improve traffic flow, reduce congestion and increase capacity of major roads throughout the City providing a direct and immediate benefit to new developments that pay the transportation impact fee. The transportation impact fee revenues can also be used towards a 10% local match to expedite improvements identified in the 2040 LRTP that are funded by the Federal Government and the State of Florida. This Technical Report provides the documentation to demonstrate that the updated transportation impact fee meets the dual rational nexus and rough proportionality test. The updated transportation impact fee also encourages infill residential, workforce housing and economic development.

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Appendix A

Traffic Data Report

Link	Facility	Facility Type	Classification	Length (miles)	Number of Lanes	Divided	Turn Lanes Left	Turn Lanes Right	Signals	Signals / Mile	Speed Limit	2013 AADT	2013 VMT	Day of Count	Background Growth %	2017 AADT	2017 VMT	2017 SV	2017 VMC	Adopted LOS
1200	Belle Terre Parkway																			
1205	Matanzas Woods Parkway to Bird of Paradise Drive			1.86								7,400	13,764	9/24/2013	3.3%	8,476	15,673	39,800	74,028	
1210	Bird of Paradise Drive to Pine Lakes Parkway (North)			0.71								15,300	10,863	9/26/2013	5.0%	18,597	13,204	39,800	28,258	
1215	Pine Lakes Parkway (North) to Bellaire Drive	Arterial	Class 1	0.85	4	Yes	Yes		5	1.28	45	15,800	13,430	4/6/2013	1.4%	16,704	14,198	39,800	33,830	D
1215	Bellaire Drive to Palm Coast Parkway (WB)			0.48								18,700	8,976	9/17/2013	1.0%	19,459	9,340	39,800	19,104	
1220	Palm Coast Parkway (WB) to Palm Coast Parkway (EB)		Segment	3.50								18,500	4,070	10/29/2013	1.3%	19,481	4,286	39,800	8,756	
1230	Palm Coast Parkway (EB) to Cypress Point Parkway		Class 1	0.22	4	Yes	Yes		5	8.06	45	21,300	2,769	4/14/2013	2.6%	23,603	3,068	39,800	5,174	D
1230	Cypress Point Parkway to Pine Lakes Parkway (South)			0.27								32,400	8,748	4/11/2013	1.0%	33,716	9,103	39,800	10,746	
1240	Pine Lakes Parkway (South) to Parkview Drive		Segment	1.03								24,000	24,270	4/11/2013	1.0%	24,974	25,274	39,800	40,994	
1245	Parkview Drive to White View Parkway			1.02								24,200	24,684	9/17/2013	1.0%	25,183	25,686	39,800	40,586	
1250	White View Parkway to Rvmfire Drive			0.92								22,200	20,424	20/4/2013	1.6%	25,786	23,723	39,800	36,616	
1255	Rvmfire Drive to Royal Palms Parkway			0.53								25,100	13,303	4/16/2013	3.8%	29,138	15,443	39,800	21,094	
1254	Royal Palms Parkway to East Hampton Boulevard			0.52								24,000	12,480	4/16/2013	2.1%	26,080	13,562	39,800	20,696	
1260	East Hampton Boulevard to SR 100	Arterial	Class 1	1.04	4	Yes	Yes		7	1.38	45	24,100	25,064	9/19/2013	4.8%	29,071	30,234	39,800	41,392	D
			Segment	5.06																
1263	Belle Terre Blvd.																			
1263	SR 100 to Zebulias Trail			0.21								5,400	1,134	4/18/2013	1.0%	5,619	1,180	24,200	5,082	
1265	Zebulias Trail to Zaun Trail			0.84								6,200	5,208	9/17/2013	2.8%	6,924	5,816	24,200	20,328	
1270	Zaun Trail to Citation Parkway			1.37								3,500	4,795	4/18/2013	3.9%	4,079	5,588	24,200	33,154	
1275	Citation Parkway to US 1	Arterial	UFFH	1.31	2	No	n.a.	n.a.	n.a.	n.a.	50	3,600	4,716	4/18/2013	3.8%	4,179	5,475	24,200	31,702	D
			Segment	3.73																
2420	Bird of Paradise Drive																			
2430	Matanzas Woods Parkway to Birchwood Drive	Collector	UFFH	1.31	2	No	n.a.	n.a.	n.a.	n.a.	30	2,200	2,882	9/24/2013	1.0%	2,289	2,999	24,200	31,702	D
2430	Birchwood Drive to Belle Terre Parkway			1.01								4,100	4,141	9/5/2013	1.4%	4,334	4,378	24,200	24,462	
			Segment	2.32																
4300	Bullfrog Drive																			
4300	SR 100 to Central Avenue			0.54								1,700	918	4/23/2013	1.0%	1,769	955	14,800	7,992	D
4310	Central Avenue to Lake Avenue	Collector	Class 2	0.28																
4320	Lake Avenue to Terminus			0.68	2	No	No	No	1	1.11	25									
			Segment	0.90																
4400	Central Avenue																			
4410	Belle Terre Parkway to Market Avenue	Collector	Class 2	0.35	4	Yes	Yes	No	2	2.90	25	4,900	1,715	9/24/2013	1.0%	5,099	1,785	32,400	11,340	
4420	Market Avenue to Lake Avenue			0.11								2,200	242	4/23/2013	1.0%	2,289	252	32,400	3,564	D
4420	Lake Avenue to Landings Blvd	Collector	Class 2	0.23								2,200	506	4/23/2013	1.0%	2,289	527	32,400	7,452	
			Segment	0.69																
4430	Landings Blvd to Park Street			0.33								2,300	759	4/23/2013	1.0%	2,393	790	14,800	4,884	
4440	Park Street to Bullfrog Drive			0.16								2,300	368	4/23/2013	1.0%	2,393	383	14,800	2,368	
4450	Bullfrog Drive to Brookhaven Drive	Collector	Class 2	0.29								1,500	435	4/23/2013	1.0%	1,561	453	14,800	4,292	
4460	Brookhaven Drive to Town Center Blvd.	Collector	Class 2	0.41	2	No	No	No	0	0.00	20	1,500	615	4/23/2013	1.0%	1,561	640	14,800	6,068	D
			Segment	1.19																
3312	Citation Parkway																			
3312	Belle Terre Parkway to Lakuna Forest Lane	Collector	UFFH	0.77	2	No	n.a.	n.a.	n.a.	n.a.	35	200	154	4/18/2013	1.0%	208	160	24,200	18,684	D
3315	Seminole Woods Parkway to Sesame Boulevard			0.41								2,900	1,189	4/18/2013	1.0%	3,018	1,237	24,200	9,922	
			Segment	1.18																
1300	Club House Drive																			
1310	Palm Harbor Parkway to Palm Coast Parkway (WB)	Collector	Class 2	1.65	2	No	Yes	No	1	0.56	35	2,900	4,285	4/16/2013	1.0%	3,018	4,979	14,800	24,420	D
1310	Palm Coast Parkway (WB) to Palm Coast Parkway (EB)			0.15								3,100	465	5/28/2013	1.0%	3,226	484	14,800	2,220	
			Segment	1.80																
3105	Colbert Lane																			
3110	Palm Coast Parkway (WB) to Palm Coast Parkway (EB)		Class 2	0.20								5,100	1,020	8/29/2013	1.4%	5,392	1,078			
3110	Palm Coast Parkway (EB) to Waterside Parkway (N)			1.70								6,900	11,230	8/29/2013	1.0%	7,180	12,206	24,200	41,140	
3120	Waterside Parkway (N) to Waterside Park (S)			1.40								4,800	6,720	8/29/2013	1.0%	4,995	6,993	24,200	33,880	
3125	Waterside Park (S) to South Park Road			0.60								5,300	3,180	8/29/2013	1.0%	5,515	3,309	24,200	14,520	
3130	South Park Road to Roberts Road			1.87								5,200	9,724	8/29/2013	1.0%	5,411	10,119	24,200	45,254	
3135	Roberts Road to SR 100	Arterial	UFFH	1.29	2	No	n.a.	n.a.	n.a.	n.a.	55	3,500	4,515	10/22/2013	1.0%	3,642	4,698	24,200	31,218	D
			Segment	7.06																
4200	Cypress Point Parkway																			
4205	Belle Terre Parkway to Pine Cone Drive			0.22								19,500	4,290	9/24/2013	1.0%	20,292	4,464	32,400	7,128	
4210	Pine Cone Drive to Cypress Edges (S)			0.29								16,100	4,669	9/24/2013	1.0%	16,754	4,859	32,400	9,396	
4215	Cypress Edges (S) to Cypress Edges (N)			0.16								17,200	2,752	10/27/2013	1.0%	17,898	2,864	32,400	5,184	
4215	Cypress Edges (N) to Palm Coast Parkway	Arterial	Class 2	0.72	4	Yes	Yes	No	3	3.80	35	30,100	3,612	9/29/2013	1.0%	31,322	3,759	32,400	3,888	D

Link	Facility	Facility Type	Classification	Length (miles)	Number of Lanes	Divided	Turn Lanes Left	Turn Lanes Right	Signals	Signals / Mile	Speed Limit	2013 AADT	2013 VMT	Day of Count	Background Growth %	2017 AADT	2017 VMT	2017 SV	2017 VMC	Adopted LOS
			Segment	0.79																
	Farmsworth Drive	Collector	Class 2*	0.90	2	No	n.a.	n.a.	n.a.	n.a.	30	2,000	1,800	5/16/2013	1.0%	2,081	1,873	1,332	11,988	D
	Farragut Drive	Collector	Class 2*	0.97	2	No	n.a.	n.a.	n.a.	n.a.	30	260	252	5/14/2013	1.0%	271	262	1,332	12,920	D
	Fleetwood Drive	Collector	Class 2*	0.94	2	No	n.a.	n.a.	n.a.	n.a.	30	920	865	5/14/2013	1.0%	957	900	1,332	12,521	D
	Florida Park Drive																			
	2090 Palm Harbor Parkway to Forest Hill Drive			0.32								5,400	1,728	5/14/2013	1.0%	5,619	1,798	14,800	4,736	
	2100 Forest Hill Drive to Fleetwood Drive			0.64								6,300	4,032	11/7/2013	1.0%	6,556	4,196	14,800	9,472	
	2105 Fleetwood Drive to Farragut Drive			0.25								7,800	1,950	5/14/2013	1.0%	8,117	2,029	14,800	3,700	
	2110 Farragut Drive to Palm Coast Parkway (WB)			0.63								8,500	5,355	12/4/2013	1.0%	8,845	5,572	14,800	9,324	D
	2120 Palm Coast Parkway (WB) to Palm Coast Parkway (EB)	Collector	Class 1	0.08	2	No	Yes	No	1	0.52	30	5,200	416	9/5/2013	1.0%	5,411	433	14,800	1,184	
			Segment	1.92																
	Forest Grove Drive																			
	4000 Old Kings Road (W) to Old Kings Road (E)	Collector	Class 2*	0.59	2	No	n.a.	n.a.	n.a.	n.a.	30	3,500	2,065	5/14/2013	1.0%	3,642	2,149	1,332	7,859	D
	4010 Old Kings Road (E) to Palm Harbor Parkway			0.41								4,700	1,927	5/16/2013	1.0%	4,891	2,005	1,332	5,461	
			Segment	1.00																
	Frontier Drive																			
	2712 Old Kings Road (E) to Palm Harbor Parkway	Collector	Class 2*	1.14	2	No	n.a.	n.a.	n.a.	n.a.	30	1,400	1,596	10/9/2013	1.0%	1,457	1,661	1,332	15,185	D
	Harrove Grade Road																			
	3707 US 1 to RR King	Collector	Class 2*	1.00	2	No	n.a.	n.a.	n.a.	n.a.	35	3,500	3,500	10/9/2013	1.0%	3,642	3,642	1,332	13,320	D
	I-95 (SR 9)																			
	2511 Palm Coast Ctrv Limit to Palm Coast Parkway			7.64								45,000	343,800	2012	1.0%	48,500	370,540	93,000	710,520	
	292 Palm Coast Parkway to SR 100		Freeway	5.80								63,200	366,560	2012	1.5%	71,800	416,440	93,000	539,400	
	2555 SR 100 to Old Dixie Highway	Arterial		5.26	6	Yes	n.a.	n.a.	n.a.	n.a.	70	39,000	205,140	2012	1.7%	47,400	249,324	93,000	489,180	C
			Segment	18.70																
	Lakeview Boulevard																			
	3925 London Drive to Matanzas Woods Parkway	Collector	UFH	1.33	2	No	n.a.	n.a.	n.a.	n.a.	n.a.	3,200	4,256	5/30/2013	1.0%	3,330	4,429	24,200	37,186	D
	Landines Blvd.																			
	4500 SR 100 to Central Avenue	Collector	UFH	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.									
	4510 Central Avenue to Lake Avenue			n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.									
	Lake Avenue																			
	4550 Market Avenue to Landines Blvd.			n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.									
	4560 Landines Blvd to City Place Drive			n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.									
	4570 City Place Drive to Town Center Blvd.	Collector	UFH	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.									
	Market Avenue																			
	4600 Belle Terre Parkway to Central Avenue	Collector	UFH	0.28	2	No	n.a.	n.a.	n.a.	n.a.	25	280	78	9/4/2013	1.0%			24,200	6,776	D
	4610 Central Avenue to Lake Avenue			0.28																
			Segment	0.28																
	Matanzas Woods Parkway																			
	2400 US 1 to Belle Terre Parkway			1.06								4,500	4,770	5/30/2013	5.8%	5,638	5,977	17,700	18,762	
	2410 Belle Terre Parkway to Bird of Paradise Drive	Arterial	Class 1	0.80								4,700	3,760	5/30/2013	1.0%	4,891	3,913	17,700	14,160	
	2415 Bird of Paradise Drive to Old Kings Road			1.14	2	No	Yes	No	1	0.33	45	5,100	5,814	5/30/2013	3.1%	5,762	6,569	17,700	20,178	D
			Segment	3.00																
	Old Kings Road																			
	2700 US 1 to Princess Place Preserve Entrance			1.55								1,900	2,945	5/16/2013	1.0%	1,927	3,065	24,200	37,510	
	2702 Princess Place Preserve Entrance to Forest Grove Drive			3.01								2,000	6,020	5/16/2013	1.0%	2,081	6,264	24,200	72,882	
	2705 Forest Grove Drive to Farmsworth Drive			1.55								3,600	5,580	5/21/2013	5.5%	4,460	6,913	24,200	37,510	

Link	Facility	Facility Type	Classification	Length (miles)	Number of Lanes	Divided	Turn Lanes		Signals	Signals / Mile	Speed Limit	2013 VMT		Background Growth %	2017 VMT	2017 SV	2017 VMC	Adopted LOS
							Left	Right				2013 AADT	2013 VMT					
3210	Rumfire Drive to Belle Terre Parkway	Arterial	Class 1	2.05		No	Yes	No	1	0.23	45	5,200	10,660	5.4%	6,417	13,156	17,700	36,285
3212	Belle Terre Parkway to Town Center Boulevard	Arterial	Segment	1.57	2	No						7,000	10,990	1.0%	7,284	11,436	17,700	27,789
				4.30														
3215	Rumfire Drive	Collector	UFH	1.71	2	No		n.a.	0.00		45	3,300	5,643	1.0%	3,434	5,872	24,200	41,382
3225	Royal Palms Parkway to Ravenwood Drive	Collector	UFH	1.34								5,000	6,700	1.0%	5,203	6,972	24,200	32,428
				3.05														
3325	Seminole Woods Parkway	Collector	UFH	0.95	4	Yes						7,600	7,220	1.0%	7,909	7,513	65,600	62,320
3300	US 1 to Ulaturn Place	Collector	UFH	1.45	2	No		n.a.	n.a.		50	5,500	7,975	1.0%	5,723	8,299	65,600	95,120
3310	Ulaturn Place to Citation Parkway	Collector	UFH	1.45	2	No						4,000	4,600	1.0%	4,162	4,287	24,200	22,880
3305	Citation Parkway to Sesame Boulevard	Collector	UFH	1.37								4,200	5,754	1.0%	4,371	5,988	24,200	33,154
				4.97														
3320	Sesame Boulevard	Collector	UFH	2.92	2	No		n.a.	n.a.		45	1,300	3,796	1.0%	1,353	3,950	24,200	70,664
3560	John Anderson Drive to Colbert Lane	Arterial	State Class 1	1.17	4	Yes	Yes	No	2	0.74	55	17,500	20,475	1.5%	18,574	21,731	39,800	46,566
3550	Colbert Lane to Tuscan Blvd.	Arterial	State Class 1	0.46								18,200	8,372	1.0%	18,939	8,712	39,800	48,308
3540	Tuscan Blvd. to Old Kings Road	Arterial	Segment	1.07	4	Yes	Yes	No			55	18,500	19,795	1.0%	19,251	20,599	39,800	47,586
				2.70														
3530	Old Kings Road to L95	Arterial	State Class 1	0.49	4	Yes	Yes	No	6	1.96	55	25,700	12,593	2.0%	27,819	13,631	39,800	19,502
3525	L95 to Memorial Medical Parkway	Arterial	Segment	0.27								31,200	8,424	1.0%	32,467	8,766	39,800	10,746
3520	Memorial Medical Parkway to Seminole Woods Parkway	Arterial	Segment	0.35								28,400	9,940	1.0%	29,553	10,344	39,800	13,980
3515	Seminole Woods Parkway to Bulldog Drive	Arterial	Segment	0.27								27,000	7,290	1.0%	28,096	7,586	39,800	10,746
3510	Bulldog Drive to Landings Blvd.	Arterial	Segment	0.28								29,700	23,166	1.7%	31,772	24,782	39,800	31,044
3505	Landings Blvd. to Belle Terre Parkway	Arterial	State Class 1	0.45	4	Yes	Yes	No			55	26,100	11,745	1.4%	27,593	12,417	39,800	17,910
3500	Belle Terre Parkway to Palm Coast City Limits	Arterial	State Class 1	0.45	4	Yes	Yes	No			55	17,900	8,055	1.0%	18,627	8,382	39,800	17,910
				3.06														
4100	Town Center Blvd.	Collector	Class 1	0.29	4	Yes						3,800	1,102	1.0%	3,954	1,147	65,600	19,024
4110	Hospital Drive to Central Avenue	Collector	Class 1	0.39								4,000	1,560	1.0%	4,162	1,623	65,600	25,584
4120	Central Avenue to Lake Avenue	Collector	UFH	0.30	2	No		n.a.	n.a.		25	4,000	1,320	1.0%	4,579	1,374	24,200	7,260
4130	Lake Avenue to Royal Palm Parkway	Collector	UFH	0.59	2	No						4,300	2,537	1.0%	4,475	2,640	24,200	14,278
4140	Royal Palm Parkway to Old Kings Road	Collector	Segment	1.82								6,900	1,725	1.0%	7,180	1,795	24,200	6,050
4145	Tuscan Blvd.	Collector	Class 1	2.01	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.			1.0%				
US1 (SR5)																		
3700	St. Johns County Line to Old Kings Road	Arterial	State Class 1	0.76							60	11,300	8,588	5.3%	13,893	10,559	39,800	30,248
3702	Old Kings Road to Matanzas Woods Parkway	Arterial	State Class 1	2.61							65	10,000	26,100	3.4%	11,431	29,835	39,800	103,828
3705	Matanzas Woods Parkway to Palm Coast Parkway	Arterial	State Class 1	3.65								8,900	32,485	1.1%	9,298	33,938	39,800	145,270
3710	Palm Coast Parkway to White View Parkway	Arterial	State Class 1	2.11								13,000	27,430	1.0%	13,528	28,544	39,800	83,978
3720	White View Parkway to Royal Palms Parkway	Arterial	State Class 1	1.78								14,400	25,632	1.0%	14,985	26,673	39,800	70,844
3725	Royal Palms Parkway to Espanola Road	Arterial	State Class 1	1.07	4	Yes	Yes	No	3	0.25	60	15,200	16,264	1.0%	15,817	16,924	39,800	47,586
				11.98														
101	Palm Coast City Limit to Belle Terre Parkway	Arterial	State Class 1	0.57								10,200	5,814	1.4%	10,783	6,146	39,800	22,686
3750	Belle Terre Parkway to DuPont Road	Arterial	State Class 1	1.04								12,700	11,430	1.6%	13,533	12,179	39,800	35,820
3755	DuPont Road to Seminole Woods Parkway	Arterial	State Class 1	0.37	4	Yes	Yes	No	2	0.69	60	12,700	13,208	2.8%	14,183	14,751	39,800	41,392
235	Seminole Woods Parkway to Palm Coast City Limit	Arterial	Segment	2.88								13,400	4,958	1.0%	13,944	5,159	39,800	14,726
3915	White Mill Drive	Collector	UFH	0.39	2	No		n.a.	n.a.		40	3,300	1,287	2.6%	3,657	1,426	24,200	9,438
3920	US 1 to White Mill Drive	Arterial	Class 1	0.88	4	Yes					45	5,300	4,664	3.9%	6,176	5,435	39,800	35,024
3910	White Mill Drive to Belle Terre Parkway	Arterial	Class 1	1.53	2	No					50	6,100	9,333	4.8%	7,358	11,258	17,700	27,081
3900	Belle Terre Parkway to Pritchard Drive	Arterial	Class 1	1.11			Yes	No	1	0.28	45	2,900	3,219	2.6%	3,214	3,567	17,700	19,647
				3.57														

Freeway = Interstate Highway, State = State Highway, UFH = Uninterrupted Flow Highway, Class 1 = 40 mph or higher speed limit, Class 2 = 35 mph or lower speed limit, PMPH = P.M. Peak Hour, K (actual) = Measured Peak Hour Factor.

Appendix B

2013 FDOT Generalized LOS Tables

Generalized **Annual Average Daily** Volumes for Florida's
Urbanized Areas

TABLE 1

12/18/12

INTERRUPTED FLOW FACILITIES						UNINTERRUPTED FLOW FACILITIES																							
STATE SIGNALIZED ARTERIALS						FREEWAYS																							
Class I (40 mph or higher posted speed limit)						Core Urbanized																							
Lanes	Median	B	C	D	E	Lanes	B	C	D	E																			
2	Undivided	*	16,800	17,700	**	4	47,400	64,000	77,900	84,600																			
4	Divided	*	37,900	39,800	**	6	69,900	95,200	116,600	130,600																			
6	Divided	*	58,400	59,900	**	8	92,500	126,400	154,300	176,600																			
8	Divided	*	78,800	80,100	**	10	115,100	159,700	194,500	222,700																			
						12	162,400	216,700	256,600	268,900																			
Class II (35 mph or slower posted speed limit)						Urbanized																							
Lanes	Median	B	C	D	E	Lanes	B	C	D	E																			
2	Undivided	*	7,300	14,800	15,600	4	45,800	61,500	74,400	79,900																			
4	Divided	*	14,500	32,400	33,800	6	68,100	93,000	111,800	123,300																			
6	Divided	*	23,300	50,000	50,900	8	91,500	123,500	148,700	166,800																			
8	Divided	*	32,000	67,300	68,100	10	114,800	156,000	187,100	210,300																			
Non-State Signalized Roadway Adjustments (Alter corresponding state volumes by the indicated percent.)						Freeway Adjustments																							
Non-State Signalized Roadways - 10%						<table border="0"> <tr> <td colspan="3">Auxiliary Lanes</td> <td colspan="3">Ramp Metering</td> </tr> <tr> <td colspan="3">Present in Both Directions</td> <td colspan="3">+ 5%</td> </tr> <tr> <td colspan="3">+ 20,000</td> <td colspan="3"></td> </tr> </table>						Auxiliary Lanes			Ramp Metering			Present in Both Directions			+ 5%			+ 20,000					
Auxiliary Lanes			Ramp Metering																										
Present in Both Directions			+ 5%																										
+ 20,000																													
Median & Turn Lane Adjustments						UNINTERRUPTED FLOW HIGHWAYS																							
Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors		Lanes	Median	B	C	D	E																		
2	Divided	Yes	No	+5%		2	Undivided	8,600	17,000	24,200	33,300																		
2	Undivided	No	No	-20%		4	Divided	36,700	51,800	65,600	72,600																		
Multi	Undivided	Yes	No	-5%		6	Divided	55,000	77,700	98,300	108,800																		
Multi	Undivided	No	No	-25%		Uninterrupted Flow Highway Adjustments																							
-	-	-	Yes	+ 5%		Lanes	Median	Exclusive left lanes	Adjustment factors																				
One-Way Facility Adjustment Multiply the corresponding two-directional volumes in this table by 0.6						2	Divided	Yes	+5%																				
						Multi	Undivided	Yes	-5%																				
						Multi	Undivided	No	-25%																				
BICYCLE MODE² (Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						¹ Values shown are presented as two-way annual average daily volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.																							
Paved Shoulder/Bicycle Lane Coverage						² Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.																							
	B	C	D	E		³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.																							
0-49%	*	2,900	7,600	19,700		* Cannot be achieved using table input value defaults.																							
50-84%	2,100	6,700	19,700	>19,700		** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.																							
85-100%	9,300	19,700	>19,700	**		Source: Florida Department of Transportation Systems Planning Office www.dot.state.fl.us/planning/systems/sm/los/default.shtm																							
PEDESTRIAN MODE² (Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)																													
Sidewalk Coverage	B	C	D	E																									
0-49%	*	*	2,800	9,500																									
50-84%	*	1,600	8,700	15,800																									
85-100%	3,800	10,700	17,400	>19,700																									
BUS MODE (Scheduled Fixed Route)³ (Buses in peak hour in peak direction)																													
Sidewalk Coverage	B	C	D	E																									
0-84%	> 5	≥ 4	≥ 3	≥ 2																									
85-100%	> 4	≥ 3	≥ 2	≥ 1																									

TABLE 1
(continued)

Generalized **Annual Average Daily** Volumes for Florida's
Urbanized Areas

12/18/12

INPUT VALUE ASSUMPTIONS	Uninterrupted Flow Facilities				Interrupted Flow Facilities					
	Freeways	Core Freeways	Highways		State Arterials				Class I	
					Class I		Class II		Bicycle	Pedestrian
ROADWAY CHARACTERISTICS										
Area type (u,lu)	lu	lu	u	u	u	u	u	u	u	u
Number of through lanes (both dir.)	4-10	4-12	2	4-6	2	4-8	2	4-8	4	4
Posted speed (mph)	70	65	50	50	45	50	30	30	45	45
Free flow speed (mph)	75	70	55	55	50	55	35	35	50	50
Auxiliary Lanes (n,y)	n	n								
Median (n, nr, r)			n	r	n	r	n	r	r	r
Terrain (l,r)	1	1	1	1	1	1	1	1	1	1
% no passing zone			80							
Exclusive left turn lane impact (n, y)			[n]	y	y	y	y	y	y	y
Exclusive right turn lanes (n, y)					n	n	n	n	n	n
Facility length (mi)	4	4	5	5	2	2	1.9	1.8	2	2
Number of basic segments	4	4								
TRAFFIC CHARACTERISTICS										
Planning analysis hour factor (K)	0.090	0.085	0.090	0.090	0.090	0.090	0.090	0.090	0.090	0.090
Directional distribution factor (D)	0.547	0.547	0.550	0.550	0.550	0.560	0.565	0.560	0.565	0.565
Peak hour factor (PHF)	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000
Base saturation flow rate (pcphpl)			1,700	2,100	1,950	1,950	1,950	1,950	1,950	1,950
Heavy vehicle percent	4.0	4.0	2.0	2.0	1.0	1.0	1.0	1.0	2.5	2.0
Local adjustment factor	0.91	0.91	0.97	0.98						
% left turns					12	12	12	12	12	12
% right turns					12	12	12	12	12	12
CONTROL CHARACTERISTICS										
Number of signals					4	4	10	10	4	6
Arrival type (1-6)					3	3	4	4	4	4
Signal type (a, c, p)					c	c	c	c	c	c
Cycle length (C)					120	150	120	120	120	120
Effective green ratio (g/C)					0.44	0.45	0.44	0.44	0.44	0.44
MULTIMODAL CHARACTERISTICS										
Paved shoulder/bicycle lane (n, y)									n, 50%, y	n
Outside lane width (n, t, w)									t	t
Pavement condition (d, t, u)									t	
On-street parking (n, y)										
Sidewalk (n, y)										n, 50%, y
Sidewalk/roadway separation(a, t, w)										t
Sidewalk protective barrier (n, y)										n
LEVEL OF SERVICE THRESHOLDS										
Level of Service	Freeways	Highways		Arterials		Bicycle	Ped	Bus		
	Density	Two-Lane	Multilane	Class I	Class II	Score	Score	Buses/hr.		
		%ffs	Density						ats	ats
B	≤ 17	> 83.3	≤ 17	> 31 mph	> 22 mph	≤ 2.75	≤ 2.75	≤ 6		
C	≤ 24	> 75.0	≤ 24	> 23 mph	> 17 mph	≤ 3.50	≤ 3.50	≤ 4		
D	≤ 31	> 66.7	≤ 31	> 18 mph	> 13 mph	≤ 4.25	≤ 4.25	< 3		
E	≤ 39	> 58.3	≤ 35	> 15 mph	> 10 mph	≤ 5.00	≤ 5.00	< 2		

% ffs = Percent free flow speed ats = Average travel speed

Appendix C

Model Data

ROADWAY			Existing - 2017 Counts										2040 CFRPM Volumes					2040 IMPVMT	Comments	
			EXISTING LANES	Adopted LOS	PM Pk-Hr TWO-WAY CAPACITY at LOS	EQUIVALENT DAILY CAPACITY at LOS	Annual Growth Rate	2017 AADT	K100 Factor	2017 PM Pk-Hr Two-Way Volume	Daily V/C	ADVERSE?	2040 Daily Model Volumes	Daily Model Capacity	Model V/C	ADVERSE?				
FROM	TO	DIR																		
BELLE TERRE BLVD/PKWY																				
US 1	CITATION PKWY	NB	2LU	D	2,170	24,200	3.80%	3,800	0.096	365	0.16	NO	1,699	17,200	0.10	NO				
		SB																		
	CITATION PKWY	NB	2LU	D	2,170	24,200	3.90%	4,000	0.093	372	0.17	NO	2,321	17,200	0.13	NO				
		SB																		
	ZUNA TRAIL	NB	2LU	D	2,170	24,200	2.80%	6,600	0.091	601	0.27	NO	3,081	17,200	0.18	NO				
		SB																		
	ZEBULAS TRAIL	NB	2LU	D	2,170	24,200	1.00%	8,400	0.090	756	0.35	NO	5,774	17,200	0.34	NO				
		SB																		
	SR 100	NB	4LD	D	3,222	39,800	1.79%	22,000	0.084	1,848	0.55	NO	27,289	39,200	0.70	NO				
		SB																		
	EAST HAMPTON BLVD	NB	4LD	D	3,222	39,800	1.00%	25,400	0.083	2,108	0.64	NO	25,335	39,200	0.65	NO				
		SB																		
	ROYAL PALMS PKWY	NB	4LD	D	3,222	39,800	1.29%	25,700	0.085	2,185	0.65	NO	29,162	39,200	0.74	NO				
		SB																		
	RYMFIRE DR	NB	4LD	D	3,222	39,800	1.60%	23,900	0.083	1,984	0.60	NO	25,568	39,200	0.65	NO				
		SB																		
	WHITE VIEW PKWY	NB	4LD	D	3,222	39,800	1.00%	22,800	0.082	1,870	0.57	NO	20,746	39,200	0.53	NO				
		SB																		
	PARKVIEW DR (S)	NB	4LD	D	3,222	39,800	1.00%	26,300	0.078	2,051	0.66	NO	25,737	37,600	0.68	NO				
		SB																		
	PINE LAKES PKWY (S)	NB	4LD	D	3,222	39,800	1.00%	34,000	0.080	2,720	0.85	NO	25,185	37,600	0.67	NO	6 Ln	System Continuity		
		SB																		
	CYPRESS POINT PKWY	NB	4LD	D	3,222	39,800	2.60%	21,100	0.079	1,667	0.53	NO	43,159	37,600	1.15	YES	6 Ln	6L Recommended		
		SB																		
	PALM COAST PKWY (EB)	NB	4LD	D	3,222	39,800	1.30%	24,700	0.085	2,100	0.62	NO	27,968	37,600	0.74	NO				
		SB																		
	PALM COAST PKWY (WB)	NB	4LD	D	3,222	39,800	1.00%	17,400	0.082	1,427	0.44	NO	18,787	29,600	0.63	NO				
		SB																		
	BELLAIRE DR	NB	4LD	D	3,222	39,800	1.40%	14,700	0.088	1,294	0.37	NO	12,759	29,600	0.43	NO				
		SB																		
	PINE LAKES PKWY (N)	NB	4LD	D	3,222	39,800	5.00%	14,100	0.085	1,199	0.35	NO	15,048	29,600	0.51	NO				
		SB																		
	BIRD OF PARADISE DR	NB	4LD	D	3,222	39,800	3.30%	6,600	0.092	607	0.17	NO	5,778	29,600	0.20	NO				
		SB																		
BIRD OF PARADISE DR																				
BELLE TERRE PKWY	BIRCHWOOD DR	NB	2LU	D	2,170	24,200		3,000	0.085	255	0.12	NO	9,420	23,000	0.41	NO				
		SB																		
BIRCHWOOD DR	MATANZAS WOODS PKWY	NB	2LU	D	2,170	24,200		2,900	0.090	261	0.12	NO	8,396	23,000	0.37	NO				
		SB																		
BULLDOG DR																				
SR 100	CENTRAL AVE	NB	2LU	D	1,197	14800		2,800	0.104	291	0.19	NO				Yes		4L Recommended; Required due to Town Center Growth (not in the model) based on Professional Experience.		
		SB																		
CLUB HOUSE DRIVE																				
PALM COAST PKWY (EB)	PALM COAST PKWY (WB)	NB	2LU	D	1,197	14,800	1.00%	3,400	0.073	248	0.23	NO	2,165	12,000	0.18	NO				
		SB																		
PALM COAST PKWY (WB)	CASPER DR	NB	2LU	D	1,197	14,800	1.00%	3,400	0.081	275	0.23	NO	2,766	12,000	0.23	NO				
		SB																		
CASPER DR	PALM HARBOR PKWY	NB	2LU	D	1,197		1.00%	3,400	0.081	275		NO	3,857	23,000	0.17	NO				
		SB																		
COLBERT LANE																				
SR 100	ROBERTS RD	NB	2LU	D	2,170	24,200	1.00%	4,500	0.069	311	0.19	NO	8,951	11,200	0.80	NO				
		SB																		
ROBERTS RD	SOUTH PARK RD	NB	2LU	D	2,170	24,200	1.00%	6,200	0.088	546	0.26	NO	7,255	20,800	0.35	NO				
		SB																		
SOUTH PARK RD	WATERSIDE PKWY (S)	NB	2LU	D	2,170	24,200	1.00%	6,300	0.085	536	0.26	NO	7,252	20,800	0.35	NO				
		SB																		
WATERSIDE PKWY (S)	WATERSIDE PKWY (N)	NB	2LU	D	2,170	24,200	1.00%	5,500	0.081	446	0.23	NO	2,311	12,000	0.19	NO				
		SB																		
WATERSIDE PKWY (N)	PALM COAST PKWY (EB)	NB	2LU	D	2,170	24,200	1.00%	7,900	0.079	624	0.33	NO	5,345	12,000	0.45	NO				
		SB																		
PALM COAST PKWY (EB)	PALM COAST PKWY (WB)	NB	2LU	D	2,170	14,800	1.40%	5,500	0.070	385	0.37	NO	3,417	12,000	0.28	NO				
		SB																		

ROADWAY			Existing - 2017 Counts									2040 CFRPM Volumes				2040 IMPVMT	Comments	
FROM	TO	DIR	EXISTING LANES	Adopted LOS	PM Pk-Hr TWO-WAY CAPACITY at LOS	EQUIVALENT DAILY CAPACITY at LOS	Annual Growth Rate	2017 AADT	K100 Factor	2017 PM Pk-Hr Two-Way Volume	Daily V/C	ADVERSE?	2040 Daily Model Volumes	Daily Model Capacity	Model V/C			ADVERSE?
CYPRESS POINT PARKWAY																		
BELLE TERRE PKWY	PINE CONE DR	NB	4LD	D	2,628	32,400	1.00%	19,000	0.080	1,520	0.59	NO	22,667	33,600	0.67	NO		
		SB																
PINE CONE DR	CYPRESS EDGE DR (S)	NB	4LD	D	2,628	32,400	1.00%	18,100	0.076	1,376	0.56	NO	22,023	33,600	0.66	NO		
		SB																
CYPRESS EDGE DR (S)	CYPRESS EDGE DR (N)	NB	4LD	D	2,628	32,400	1.00%	16,900	0.083	1,403	0.52	NO	23,842	33,600	0.71	NO		
		SB																
CYPRESS EDGE DR (N)	PALM COAST PKWY	NB	4LD	D	2,628	32,400	1.00%	31,100	0.079	2,457	0.96	NO	23,842	33,600	0.71	NO		
		SB																
FLORIDA PARK DRIVE																		
PALM COAST PKWY (EB)	PALM COAST PKWY (WB)	NB	2LU	D	1,197	14,800	1.00%	5,600	0.093	521	0.38	NO	1,623	12,000	0.14	NO		
		SB																
PALM COAST PKWY (WB)	FARRAGUT DR	NB	2LU	D	1,197	14,800	1.00%	8,100	0.095	770	0.55	NO	2,686	12,000	0.22	NO		
		SB																
FARRAGUT DR	FLEETWOOD DR	NB	2LU	D	1,197	14,800	1.00%	8,100	0.089	721	0.55	NO	2,637	12,000	0.22	NO		
		SB																
FLEETWOOD DR	FOREST HILL DR	NB	2LU	D	1,197	14,800	1.00%	6,600	0.090	594	0.45	NO	5,291	23,000	0.23	NO		
		SB																
FOREST HILL DR	PALM HARBOR PKWY	NB	2LU	D	1,197	14,800	1.00%	5,700	0.085	485	0.39	NO	5,291	23,000	0.23	NO		
		SB																
HARGROVE GRADE ROAD																		
CR 13	OTIS STONE HUNTER	NB	NEW 2LU	D			1.00%	3,400	0.090	306		YES				NO		
		SB																
OTIS STONE HUNTER	PALM COAST PKWY EXT	NB	NEW 2LU	D			1.00%		0.090	0		NO				NO		
		SB																
MATANZAS WOODS PARKWAY																		
US-1	BELLE TERRE PKWY	EB	2LU	D	1,440	17,700	5.80%	4,000	0.100	400	0.23	NO	25,782	15,930	1.62	YES	4 Ln	4L Recommended; Future Model Capacity set to Signalized Non-State Roadway Capacity
		WB																
BELLE TERRE PKWY	BIRDS OF PARADISE DR	EB	2LU	D	1,440	17,700	1.00%	8,200	0.075	615	0.46	NO	24,670	15,930	1.55	YES	4 Ln	4L Recommended; Future Model Capacity set to Signalized Non-State Roadway Capacity
		WB																
BIRDS OF PARADISE DR	OLD KINGS RD (S)	EB	2LU	D	1,440	17,700	3.10%	10,700	0.070	749	0.60	NO	32,390	15,930	2.03	YES	4 Ln	4L Recommended; Future Model Capacity set to Signalized Non-State Roadway Capacity
		WB																
OLD KINGS RD																		
PALM COAST CITY LIMIT	SR 100	NB	2LU	D	2,170	24,200	4.40%	7,600	0.091	692	0.31	NO	18,039	23,000	0.78	NO		May need to break at south boundary of SOKR DRI when becomes interrupted flow
		SB																
SR 100	TOWN CENTER BLVD	NB	4LD	D	5,900	65,600	2.60%	8,900	0.081	721	0.14	NO	23,805	35,820	0.66	NO		Future Model Capacity set to Signalized Non-State Roadway Capacity
		SB																
TOWN CENTER BLVD	OAK TRAILS BLVD	NB	2LU	D	2,170	24,200	4.20%	8,700	0.083	722	0.36	NO	16,412	15,930	1.03	YES		4L Recommended
		SB																
OAK TRAILS BLVD	UTILITY DR	NB	2LU	D	2,170	24,200	1.70%	9,000	0.086	774	0.37	NO	13,762	15,930	0.86	YES		4L Recommended; Also improve for system continuity
		SB																
UTILITY DR	PALM COAST PKWY	NB	2LU	D	2,170	24,200	1.30%	10,700	0.080	856	0.44	NO	19,596	15,930	1.23	YES		4L Recommended
		SB																
PALM COAST PKWY	FARRAGUT DR	NB	4LD	D	3,580	39,800	1.00%	18,700	0.072	1,346	0.47	NO	17,751	56,400	0.31	NO		
		SB																
FARRAGUT DR	FLEETWOOD DR	NB	2LU	D	2,170	24,200	1.00%	13,700	0.077	1,055	0.57	NO	15,547	75,200	0.21	NO		
		SB																
FLEETWOOD DR	FRONTIER DR	NB	2LU	D	2,170	24,200	1.00%	11,600	0.079	916	0.48	NO	8,525	75,200	0.11	NO		
		SB																

ROADWAY			Existing - 2017 Counts									2040 CFRPM Volumes				2040 IMPVMT	Comments
FROM	TO	DIR	EXISTING LANES	Adopted LOS	PM Pk-Hr TWO-WAY CAPACITY at LOS	EQUIVALENT DAILY CAPACITY at LOS	Annual Growth Rate	2017 AADT	K100 Factor	2017 PM Pk-Hr Two-Way Volume	Daily V/C	ADVERSE?	2040 Daily Model Volumes	Daily Model Capacity	Model V/C		
FRONTIER DR	FARMSWORTH DR	NB	2LU	D	2,170	24,200	6.00%	8,600	0.087		0.36	NO	8,151	75,200	0.11	NO	
		SB															
FARMSWORTH DR	FOREST GROVE DR	NB	2LU	D	2,170	24,200	5.50%	4,900	0.079	387	0.20	NO	8,095	75,200	0.11	NO	
		SB															
FOREST GROVE DR	PRINCESS PL PRESERVE	NB	2LU	D	2,170	24,200	1.00%	1,300	0.098	127	0.05	NO	6,922	23,000	0.30	NO	
		SB															
PRINCESS PL PRESERVE	US 1	NB	2LU	D	2,170	24,200	1.00%	1,400	0.103	144	0.06	NO	1,546	11,800	0.13	NO	
		SB															
PALM COAST PARKWAY																	
US-1	PINE LAKES PKWY	EB	4LD	D	3,580	39,800	1.30%	12,700	0.084	1,067	0.32	NO	25,494	75,200	0.34	NO	
		WB															
PINE LAKES PKWY	BELLE TERRE PKY	EB	2L-1 WAY	D	2,150	23,880	1.00%	10,600	0.089	943	0.44	NO	15,516	37,600	0.41	NO	
		WB	2L-1 WAY	D	2,150	23,880	1.00%	18,500	0.075	1,388	0.77	NO	13,846	37,600	0.37	NO	
BELLE TERRE PKY	CYPRESS POINT PKWY	EB	3L-1 WAY	D	3,240	35,940	1.00%	17,000	0.078	1,326	0.47	NO	13,132	56,400	0.23	NO	
		WB	3L-1 WAY	D	3,240	35,940	1.00%	10,100	0.085	859	0.28	NO	10,017	56,400	0.18	NO	
CYPRESS POINT PKWY	I-95 SB RAMPS	EB	6LD	D	5,360	59,900	1.00%	47,900	0.077	3,688	0.80	NO	44,947	75,200	0.60	NO	
		WB															
I-95 SB RAMPS	I-95 NB RAMPS	EB	6LD	D	5,360	59,900	1.00%	45,400	0.077	3,496	0.76	NO	45,239	75,200	0.60	NO	
		WB															
I-95 NB RAMPS	OLD KINGS RD	EB	6LD	D	5,360	59,900	1.00%	42,100	0.075	3,158	0.70	NO	44,803	75,200	0.60	NO	
		WB															
OLD KINGS RD	FLORIDA PARK DR	EB	2L-1 WAY	D	3,240	35,940	1.00%	12,900	0.086	1,109	0.36	NO	16,684	37,600	0.44	NO	
		WB	2L-1 WAY	D	2,150	23,880	1.00%	14,600	0.075	1,095	0.61	NO	17,439	37,600	0.46	NO	
FLORIDA PARK DR	CLUBHOUSE DR	EB	2L-1 WAY	D	3,240	35,940	1.00%	12,500	0.088	1,100	0.35	NO	16,240	37,600	0.43	NO	
		WB	2L-1 WAY	D	2,150	23,880	1.00%	11,800	0.072	850	0.49	NO	15,914	37,600	0.42	NO	
CLUBHOUSE DR	COLBERT LN	EB	2L-1 WAY	D	3,240	35,940	1.00%	9,900	0.079	782	0.28	NO	14,337	37,600	0.38	NO	
		WB	2L-1 WAY	D	2,150	23,880	1.00%	9,600	0.071	682	0.40	NO	13,809	37,600	0.37	NO	
COLBERT LN	PALM HARBOR PKWY	EB	2L-1 WAY	D	3,240	35,940	1.00%	7,300	0.076	555	0.20	NO	13,409	37,600	0.36	NO	
		WB	2L-1 WAY	D	2,150	23,880	1.90%	7,500	0.078	585	0.31	NO	9,480	37,600	0.25	NO	
PALM HARBOR PKWY	SR A1A / N OCEANSHORE BLVD	EB	2LU	D	1,600	17,700	1.00%	12,500	0.071	888	0.71	NO	16,778	24,200	0.69	NO	
		WB															
PALM HARBOR PARKWAY																	
PALM COAST PKWY	CLUB HOUSE DR	EB	2LU	D	1,330	14,800	1.00%	5,100	0.086	439	0.34	NO	11,496	23,000	0.50	NO	
		WB															
CLUB HOUSE DR	FLORIDA PARK DR	EB	2LU	D	2,170	24,200	1.00%	4,700	0.081	381	0.19	NO	14,349	23,000	0.62	NO	
		WB															
FLORIDA PARK DR	FOREST GROVE DR	EB	2LU	D	2,170	24,200	4.10%	7,100	0.077	547	0.29	NO	12,038	23,000	0.52	NO	
		WB															
PINE LAKES PARKWAY																	
BELLE TERRE PKWY (S)	WYNNFIELD DR	EB	2LU	D	1,600	17,700	1.00%	8,300	0.077	639	0.47	NO	6,626	12,000	0.55	NO	
		WB															
WYNNFIELD DR	WHITE MILL DR	EB	2LU	D	1,600	17,700	1.00%	8,300	0.077	639	0.47	NO	7,286	12,000	0.61	NO	
		WB															
WHITE MILL DR	COMMERCE BLVD	EB	2LU	D	1,600	17,700	1.00%	6,500	0.087	566	0.37	NO	11,174	12,000	0.93	NO	
		WB															
COMMERCE BLVD	PALM COAST PKWY	EB	2LU	D	1,600	17,700	1.20%	9,500	0.079	751	0.54	NO	15,509	17,700	0.88	NO	
		WB															
PALM COAST PKWY	BELLE TERRE PKWY (N)	EB	2LU	D	1,600	17,700	2.80%	4,300	0.093	400	0.24	NO	8,996	12,000	0.75	NO	
		WB															
RAVENWOOD DR																	
RYMFIRE DR	WHITE VIEW PKWY	EB	2LU	D	2,170	24,200	4.60%	5,200	0.083	432	0.21	NO	3,898	9,000	0.43	NO	
		WB															
ROYAL PALMS PKWY																	
US 1	RYMFIRE DR	EB	2LU	D	1,600	17,700	5.90%	6,600	0.098	647	0.37	NO	17,050	15,930	1.07	YES	4L Recommended; Future Model Capacity set to Signalized Non-State Roadway Capacity
		WB															
RYMFIRE DR	BELLE TERRE PKWY	EB	2LU	D	1,600	17,700	5.40%	5,900	0.077	454	0.33	NO	14,356	15,930	0.90	YES	4L Recommended; Also improve for system continuity
		WB															
BELLE TERRE PKWY	TOWN CENTER BLVD	EB	2LU	D	1,600	17,700	1.00%	8,900	0.090	801	0.50	NO	16,991	15,930	1.07	YES	4L Recommended; Future Model Capacity set to Signalized Non-State Roadway Capacity
		WB															

ROADWAY			Existing - 2017 Counts									2040 CFRPM Volumes				2040 IMPVMT	Comments	
			EXISTING LANES	Adopted LOS	PM Pk-Hr TWO-WAY CAPACITY at LOS	EQUIVALENT DAILY CAPACITY at LOS	Annual Growth Rate	2017 AADT	K100 Factor	2017 PM Pk-Hr Two-Way Volume	Daily V/C	ADVERSE?	2040 Daily Model Volumes	Daily Model Capacity	Model V/C			ADVERSE?
FROM	TO	DIR																
RYMFIRE DRIVE																		
ROYAL PALMS PKWY	RAVENWOOD DR	EB	2LU	D	2,170	24,200	1.00%	4,000	0.078	312	0.17	NO	5,494	9,000	0.61	NO		
		WB																
RAVENWOOD DR	BELLE TERRE PKWY	EB	2LU	D	2,170	24,200	1.00%	5,700	0.088	502	0.24	NO	8,369	9,000	0.93	NO		
		WB																
SEMINOLE WOODS PARKWAY																		
US 1	SESAME BLVD	NB	2LU	D	2,170	24,200	1.00%	5,500	0.097	534	0.23	NO	16,561	20,200	0.82	NO		
		SB																
SESAME BLVD	CITATION PKWY	NB	2LU	D	2,170	24,200	1.00%	5,200	0.094	489	0.21	NO	7,364	12,000	0.61	NO		
		SB																
CITATION PKWY	ULATURN PL	NB	4LD	D	5,900	65,600	1.00%	8,500	0.089	757	0.13	NO	10,933	33,600	0.33	NO		
		SB																
ULATURN PL	SR 100	NB	4LD	D	5,900	65,600	1.00%	10,100	0.086	869	0.15	NO	12,839	33,600	0.38	NO		
		SB																
SR 100																		
PALM COAST CITY LIMIT	BELLE TERRE PKWY	EB	4LD	C	3,580	37,900	1.00%	17,200	0.085	1,462	0.45	NO	14,552	39,200	0.37	NO		
		WB																
BELLE TERRE PKWY	LANDING BLVD	EB	4LD	C	3,580	37,900	1.40%	25,800	0.080	2,064	0.68	NO	11,355	39,800	0.29	YES	6 Ln	Set capacity to State 4L Class I Signalized Arterial; 6L Recommended, Sys Cont.
		WB																
LANDING BLVD	BULLDOG DRIVE	EB	4LD	C	3,580	37,900	1.70%	26,900	0.080	2,152	0.71	NO	12,224	39,800	0.31	YES	6 Ln	Set capacity to State 4L Class I Signalized Arterial; 6L Recommended, Sys Cont.
		WB																
BULLDOG DRIVE	SEMINOLE WOODS PKWY	EB	4LD	C	3,580	37,900	1.00%	28,100	0.085	2,389	0.74	NO	20,392	39,800	0.51	YES	6 Ln	Set capacity to State 4L Class I Signalized Arterial; 6L Recommended, Sys Cont.
		WB																
SEMINOLE WOODS PKWY	MEMORIAL MEDICAL PKWY	EB	4LD	C	3,580	37,900	1.00%	28,200	0.084	2,369	0.74	NO	40,760	39,800	1.02	YES	6 Ln	Set capacity to State 4L Class I Signalized Arterial; 6L Recommended
		WB																
MEMORIAL MEDICAL PKWY	I-95	EB	4LD	C	3,580	37,900	1.00%	27,900	0.083	2,316	0.74	NO	40,760	39,800	1.02	YES	6 Ln	Set capacity to State 4L Class I Signalized Arterial; 6L Recommended
		WB																
I-95	OLD KINGS RD	EB	4LD	D	3,580	39,800	2.00%	31,100	0.074	2,301	0.78	NO	44,650	39,800	1.12	YES	6 Ln	Set capacity to State 4L Class I Signalized Arterial; 6L Recommended
		WB																
OLD KINGS RD	TUSCANY BLVD	EB	4LD	D	3,580	39,800	1.00%	22,500	0.077	1,733	0.57	NO	35,925	39,800	0.90	NO		Set capacity to State 4L Class I Signalized Arterial
		WB																
TUSCANY BLVD	COLBERT LN	EB	4LD	D	3,580	39,800	1.00%	22,600	0.077	1,740	0.57	NO	35,184	39,800	0.88	NO		Set capacity to State 4L Class I Signalized Arterial
		WB																
COLBERT LN	JOHN ANDERSON	EB	4LD	D	3,560	39,800	1.00%	21,100	0.077	1,625	0.53	NO	31,577	37,200	0.85	NO		Set capacity to State 4L Class I Signalized Arterial
		WB																
TOWN CENTER BOULEVARD																		
SR 100	HOSPITAL DR	EB	4LD	D	5,900	65,600	1.00%	5,600	0.074	414	0.09	NO	18,227	29,160	0.63	NO		Set capacity to non-State 4L Class II Signalized Arterial
		WB																
HOSPITAL DR	CENTRAL AVE	EB	4LD	D	5,900	65,600	1.00%	5,800	0.086	499	0.09	NO	18,277	29,160	0.63	NO		Set capacity to non-State 4L Class I Signalized Arterial
		WB																
CENTRAL AVE	LAKE AVE	EB	2LU	D	2,170	24,200	1.00%	5,700	0.083	473	0.24	NO	5,791	13,320	0.43	Yes		Recommend 4L due to safety concerns; Set capacity to non-State 2L Class I Signalized Arterial
		WB																
LAKE AVE	ROYAL PALM PKWY	EB	2LU	D	2,170	24,200	1.00%	5,400	0.082	443	0.22	NO	5,791	13,320	0.43	Yes		Recommend 4L due to safety concerns; Set capacity to non-State 2L Class I Signalized Arterial
		WB																
ROYAL PALM PKWY	OLD KINGS RD	EB	2LU	D	2,170	24,200	1.00%	9,500	0.086	817	0.39	NO	22,602	23,000	0.98	NO		
		WB																
US-1																		
ST JOHN'S COUNTY LINE	OLD KINGS RD	NB	4LD	D	3,580	39,800	5.30%	11,800	0.103	1,215	0.30	NO	18,048	65,600	0.28	NO		
		SB																
OLD KINGS RD	MATANZAS WOODS PKWY	NB	4LD	D	3,580	39,800	3.40%	10,400	0.103	1,071	0.26	NO	29,072	65,600	0.44	NO		
		SB																
MATANZAS WOODS PKWY	PALM COAST PKWY	NB	4LD	D	3,580	39,800	1.10%	10,200	0.100	1,020	0.26	NO	39,235	65,600	0.60	NO		
		SB																
PALM COAST PKWY	WHITE VIEW PKWY	NB	4LD	D	3,580	39,800	1.00%	15,500	0.097	1,504	0.39	NO	33,925	65,600	0.52	NO		
		SB																
WHITE VIEW PKWY	ROYAL PALM PKWY	NB	4LD	D	3,580	39,800	1.00%	15,700	0.086	1,350	0.39	NO	44,267	39,800	1.11	YES	6 Ln	Reduce Capacity due to signalization; 6L Recommended
		SB																
ROYAL PALM PKWY	ESPANOLA RD	NB	4LD	D	3,580	39,800	1.00%	18,100	0.090	1,629	0.45	NO	43,292	39,800	1.09	YES	6 Ln	Reduce Capacity due to signalization; 6L Recommended
		SB																
PALM COAST CITY LIMIT	BELLE TERRE BLVD	NB	4LD	D	3,580	39,800	1.40%	11,700	0.090	1,053	0.29	NO	54,198	65,600	0.83	NO	6 Ln	Increase capacity to reflect free-flow conditions
		SB																
BELLE TERRE BLVD	CR 304	NB	4LD	D	3,580	39,800	1.60%	13,500	0.090	1,215	0.34	NO	35,869	65,600	0.55	NO	6 Ln	Increase capacity to reflect free-flow conditions
		SB																
CR 304	SEMINOLE WOODS PKWY	NB	4LD	D	3,580	39,800	2.80%	13,300	0.090	1,197	0.33	NO	41,521	65,600	0.63	NO	6 Ln	Increase capacity to reflect free-flow conditions
		SB																
SEMINOLE WOODS PKWY	PALM COAST CITY LIMIT	NB	4LD	D	3,580	39,800	1.00%	14,500	0.098	1,421	0.36	NO	48,101	65,600	0.73	NO	6 Ln	Increase capacity to reflect free-flow conditions
		SB																
WHITE VIEW PARKWAY																		
US 1	WHITE MILL DR	NB	4LD	D	3,580	39,800	3.90%	6,500	0.093	605	0.16	NO	11,856	24,400	0.49	NO		
		SB																
WHITE MILL DR	BELLE TERRE PKWY	NB	2LU	D	1,600	17,700	4.80%	7,600	0.084	638	0.43	NO	8,481	9,000	0.94	NO		
		SB																
BELLE TERRE PKWY	PRITCHARD DR	NB	2LU	D	1,600	17,700	2.60%	3,800	0.098	372	0.21	NO	6,991	9,000	0.78	NO		
		SB																
I-95																		
OLD DIXIE HWY	SR 100	NB	6LD	C	10,060	95,200	1.70%	47,000	0.090	4,230	0.49	NO	88,325	138,000	0.64	NO		
		SB																
SR 100	PALM COAST PKWY	NB	6LD	C	10,060	95,200	1.50%	63,700	0.090	5,733	0.67	NO	85,123	138,000	0.62	NO		
		SB																

ROADWAY		DIR	Existing - 2017 Counts									2040 CFRPM Volumes				2040 IMPVMT	Comments
			EXISTING LANES	Adopted LOS	PM Pk-Hr TWO-WAY CAPACITY at LOS	EQUIVALENT DAILY CAPACITY at LOS	Annual Growth Rate	2017 AADT	K100 Factor	2017 PM Pk-Hr Two-Way Volume	Daily V/C	ADVERSE?	2040 Daily Model Volumes	Daily Model Capacity	Model V/C		
FROM	TO																
PALM COAST PKWY	MATANZAS WOODS PKWY	NB	6LD	C	10,060	95,200	1.00%	49,500	0.090	4,455	0.52	NO	68,636	138,000	0.50	NO	
		SB															
MATANZAS WOODS PKWY	US 1	NB	6LD	C	10060	95,200	1.00%	49,500	0.090	4,455	0.52	NO	75,014	138,000	0.54	NO	
		SB															

Appendix D

Intersection Improvements

Intersection	Improvements	Proposed Construction Costs	Multiplier to include CEI, design fees and contingencies (50%)	Total	Capacity Added
Bell Terre Parkway - Four Lane Road, Class 1 Facility with a capacity of 9,950 per lane					
Belle Terre Pkwy at Burroughs Drive	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Barrister Lane	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Pine Lakes Pkwy (N)	NB & SB Right Turn Lane	\$130,000	\$65,000	\$195,000	995
Belle Terre Pkwy at Bayside Dr	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Bridgehaven Drive	SB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Parkview Dr (South)	NB Right Turn lane and Mastarms Replacement	\$350,000	\$175,000	\$525,000	497.5
Belle Terre Pkwy at Pritchard Dr	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Whippoorwill Dr	SB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Pine Grove Dr	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Ponce DeLeon Dr	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Point Pleasant Dr	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Royal Palms Pkwy	NB, SB, WB Right Turn Lanes	\$195,000	\$97,500	\$292,500	1492.5
Belle Terre Pkwy at Easthampton Blvd	EB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Pkwy at Eastwood Dr/Market Ave	SB Right Turn Lane and Traffic Signal	\$350,000	\$175,000	\$525,000	497.5
Belle Terre Pkwy at Eastwood Dr (South)	SB Right Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Blvd at Zonal Geranium Trail	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Belle Terre Blvd at Citation Blvd	NB Right Turn Lane and SB Left Turn Lane	\$130,000	\$65,000	\$195,000	995
Belle Terre Blvd at Karas Trail	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	497.5
Colbert Lane - Two Lane Road, Uninterrupted Highway with a capacity of 12,100 per lane					
Colbert Lane at Blare Dr	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Palm Harbor Parkway - Two Lane Road, Uninterrupted Highway with a capacity of 12,100 per lane					
Palm Harbor Pkwy at Crystal Way	NB & SB Left Turn Lanes	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Cottonwood Ct	EB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Palm Harbor Pkwy at Cocoa Way	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Palm Harbor Pkwy at Coral Way	WB Left Turn Lane & EB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Frontier Dr	NB Left Turn Lane & EB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Farmsworth Dr	NB Left & SB Right Turn Lanes	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Fellowship Dr	NB Left Turn Lane & SB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Colorado Drive	NB Right Turn Lane & SB Left Turn Lane	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Fenimore Dr	NB Left Turn Lane & SB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Palm Harbor Pkwy at Cunningham Lane	SB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Palm Harbor Pkwy at Fernmill Lane	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Pine Lakes Parkway - Two Lane Road, Class 1 with a capacity of 8,850 per lane					
Pine Lakes Pkwy (S) at Commerce Blvd	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Wellwater Dr	SB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Woodhaven Dr (S)	NB Left turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Westhampton Dr (N)	SB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Woodhaven Dr (S)	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Woodbury Dr	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Whirlaway Dr	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) at Westhampton Dr	NB Left Turn Lane & SB Right Turn Lane	\$130,000	\$65,000	\$195,000	885
Pine Lakes Pkwy (S) at Wellington Dr (S)	NB Left Turn Lane & SB Right Turn Lane	\$130,000	\$65,000	\$195,000	885
Pine Lake Pkwy (S) at Wynnfield Dr (N)	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Pkwy (S) Wellington Dr (N)	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Ravenwood - Two Lane Road, Uninterrupted Highway with a capacity of 12,100 per lane					
Ravenwood at Rolling Sands Dr	NB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Rymfire - Two Lane Road, Uninterrupted Highway with a capacity of 12,100 per lane					
Rymfire Dr at Ryan Dr E	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Rymfire Dr at Rae Dr E	EB Left turn Lane and WB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Rymfire Dr at Ryan Dr W	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Rymfire Dr at Rae Dr W	EB Left turn Lane	\$65,000	\$32,500	\$97,500	605
Rymfire Dr at Ravenwood Dr	EB Left Turn Lane & WB Right Turn Lane & SB Right Turn Lane	\$195,000	\$97,500	\$292,500	1815
Rymfire Dr at Riviera Dr	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Rymfire Dr at Ruth Dr	EB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Rymfire Dr at Rickenbacker Dr	NB Right Turn Lane & SB Left Turn Lane	\$130,000	\$65,000	\$195,000	1210
Rymfire Dr at Red Mill Dr (N)	NB Left Turn Lane & SB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Rymfire Dr at Rymfire Elementary	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	605
Seminole Woods Blvd - Two Lane Road, Uninterrupted Highway with a capacity of 12,100 per lane					
Seminole Woods Blvd at Pinnacles	NB Right Turn Lane	\$65,000	\$32,500	\$97,500	605
Seminole Woods Blvd at Utah Pl	SB Left Turn Lane & NB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Seminole Woods Blvd at Ulaturn Trail (N)	SB Left Turn Lane & NB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Seminole Woods Blvd at Ulaturn Tr (S)	SB Left Turn Lane & NB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Seminole Woods Blvd at Universal Tr	SB Left Turn Lane & NB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Seminole Woods Blvd at Citation Pkwy	SB Left Turn Lane & NB Right Turn Lane	\$130,000	\$65,000	\$195,000	1210
Seminole Woods Blvd at Sesame Blvd	EB Right Turn Lane & WB Left Turn Lane	\$130,000	\$65,000	\$195,000	1210
Seminole Woods Blvd at Slipper Tr	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605

Intersection	Improvements	Proposed Construction Costs	Multiplier to include CEI, design fees and contingencies (50%)	Total	Capacity Added
Seminole Woods Blvd at Sloganeer Tr E	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Seminole Woods Blvd at Sloganeer Tr W	WB Left Turn Lane	\$65,000	\$32,500	\$97,500	605
Whiteview Parkway - Two Lane Road, Class 1 with a capacity of 8,850 per lane					
Whiteview Pkwy at Rolling Sands	WB Left Turn Lane & EB Right Turn Lane	\$130,000	\$65,000	\$195,000	885
Whiteview Pkwy at Wood Ash Ln	EB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Whiteview Pkwy at Wood Aspen Ln	EB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Whiteview Pkwy at Woodsbury	EB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Whiteview Pkwy at White Mill Dr	EB Left Turn Lane & WB Right Turn Lane & SB Right Turn Lane	\$195,000	\$97,500	\$292,500	1327.5
Whiteview Pkwy at Whippoorwill Dr	EB Left Turn Lane & WB Right Turn Lane	\$130,000	\$65,000	\$195,000	442.5
Whiteview Pkwy at Ravenwood Dr	EB Right Turn Lane & WB Left Turn Lane & NB Right Turn Lane & Traffic Signal	\$500,000	\$250,000	\$750,000	1327.5
Whiteview Pkwy at Belle Terre Pkwy	WB Right Turn Lane & EB Right Turn Lane	\$130,000	\$65,000	\$195,000	885
Whiteview Pkwy at Princess Rose Dr	EB Left Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Pine Lakes Parkway - Two Lane Road, Class 1 with a capacity of 8,850 per lane, Palm Coast Parkway - Three Lanes east					
Palm Coast Parkway - Three Lanes east bound (EB), Two Lanes west bound (WB), Class 1 - capacity varies for one-way roads					
Palm Coast Pkwy and Pine Lakes Pkwy	SB Right Turn Lane	\$65,000	\$32,500	\$97,500	442.5
Palm Coast Pkwy (EB) at Pine Cone Dr	EB Right Turn Lane & Signal Improvement	\$350,000	\$175,000	\$525,000	599
Palm Coast Pkwy (WB) at Pine Cone Dr	WB Right Turn Lane & Signal Improvement	\$350,000	\$175,000	\$525,000	597
Palm Coast Pkwy (WB) at Frontage Road	2 WB Right Turn Lanes	\$130,000	\$65,000	\$195,000	1194
Palm Coast Pkwy (WB) at Colbert Lane	WB Right Turn Lane	\$65,000	\$32,500	\$97,500	597
Palm Coast Pkwy (WB) at Corporate Drive	Left and Right turn lanes	\$130,000	\$65,000	\$195,000	1194
Palm Coast Pkwy (WB) at Bridgehaven Drive	Left and Right turn lanes	\$130,000	\$65,000	\$195,000	1194
Palm Coast Pkwy (EB) at Corporate Drive	Left turn lane	\$65,000	\$32,500	\$97,500	599
Palm Coast Pkwy (EB) at Belle Terre Pkwy	Left turn lane and through lane	\$65,000	\$32,500	\$97,500	1198

Appendix E

Roadway Cost

Improvement Costs City of Palm Coast

Roadway	Segment		Improvement	Recommended Improvement	Model Type	FDOT LRE ¹	Unit	Length (Mile)	Cost	Preliminary Engineering & CEI (35% of Cost)	Total Cost ²	2017 Existing Volumes	Adopted LOS Capacity	Road Improvement
	From	To												
Belle Terre Parkway ¹	Cypress Point Parkway	Palm Coast Pkwy (EB)	4L to 6L	Widen from 4LN divided to 6LN Divided	Urban	\$ 4,586,417.42	Mile	0.12	\$550,370.09	\$192,629.53	\$742,999.62	1,667	3,580	5,390
	Pine Lakes Parkway	Cypress Point Parkway	4L to 6L	Widen from 4LN divided to 6LN Divided	Urban	\$ 4,586,417.42	Mile	0.30	\$1,375,925.23	\$481,573.83	\$1,857,499.06	2,720	3,580	5,390
Bulldog Drive ¹	SR 100	Central Avenue	2L to 4L	Widen from 2LN to 4LN Divided	Urban	\$ 5,051,909.23	Mile	0.53	\$2,677,511.89	\$937,129.16	\$3,614,641.05	291	1,330	2,920
Matanzas Woods Pkwy ³	US 1	SB I-95 Ramps	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 4,834,348.49	Mile	2.01	\$14,130,000.00	\$0.00	\$14,130,000.00	400	1,600	3,580
Old Kings Road ¹	Town Center Boulevard	Oak Trails Boulevard	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	3.54	\$17,883,758.67	\$6,259,315.54	\$24,143,074.21	722	2,170	3,580
	Oak Trails Boulevard	Utility Drive	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	0.25	\$1,262,977.31	\$442,042.06	\$1,705,019.37	774	2,170	3,580
	Utility Drive	Palm Coast Pkwy (EB)	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	0.62	\$3,132,183.72	\$1,096,264.30	\$4,228,448.03	856	2,170	3,580
	Palm Coast Parkway	Forest Grove Drive ³	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban			3.31	\$14,850,000.00	\$0.00	\$14,850,000.00			
Royal Palms Parkway ¹	Town Center Boulevard	Belle Terre Pkwy	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	1.58	\$7,982,016.58	\$2,793,705.80	\$10,775,722.39	801	1,600	3,580
	Belle Terre Pkwy	Rymfire Drive	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	2.06	\$10,406,933.01	\$3,642,426.55	\$14,049,359.57	454	1,600	3,580
	Rymfire Drive	US 1	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	0.67	\$3,384,779.18	\$1,184,672.71	\$4,569,451.90	647	1,600	3,580
SR 100 ³	Belle Terre Pkwy	Old Kings Rd	4L to 6L	Widen from 4LN divided to 6LN Divided	Urban		Mile	2.61	\$34,870,000.00	\$0.00	\$34,870,000.00	2,064	3,580	5,390
Town Center Boulevard ¹	Central Avenue	Lake Avenue	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	0.30	\$1,515,572.77	\$530,450.47	\$2,046,023.24	473	2,170	3,580
	Lake Avenue	Royal Palms Pkwy	2L to 4L	Widen from 2LN Undivided to 4LN Divided	Urban	\$ 5,051,909.23	Mile	0.60	\$3,031,145.54	\$1,060,900.94	\$4,092,046.48	443	2,170	3,580
US 1 ¹	White View Pkwy	Royal Palms Pkwy	4L to 6L	Widen from 4LN divided to 6LN Divided	Rural	\$ 2,486,326.01	Mile	1.78	\$4,425,660.30	\$1,548,981.10	\$5,974,641.40	1,350	3,580	5,390
	Espanola Rd	Royal Palms Pkwy	4L to 6L	Widen from 4LN divided to 6LN Divided	Rural	\$ 2,486,326.01	Mile	1.07	\$2,660,368.83	\$931,129.09	\$3,591,497.92	1,629	3,580	5,390
									\$124,139,203.13	\$21,101,221.10	\$145,240,424.22			

Non-LRTP-funded Roads	\$41,747,743.30
Non-LRTP Roads with Intersections	\$55,030,243.30 with intersection
All Roads with Intersections	\$158,522,924.22 with intersection
Traffic Signal Synchronization	\$3,000,000.00

¹ FDOT Long Range Estimates Cost per Mile Models 2016

² Excludes right-of-way costs

³ River to Sea 2040 LRTP Cost Estimate

Yellow equals currently funded in TPO LRTP or other funding sources

Appendix F

Trip Generation

Appendix F. Impact Fee Trip Generation Documentation	Unit of Measure	ITE Land Use Codes
Residential Use		
Single Family Detached / Mobile Home	Dwelling Unit	ITE Land Use Code 210
Vested Single Family Platted Lot	Dwelling Unit	ITE Land Use Code 270
Single Family Attached (includes Duplex, Townhomes, Villas, Condominiums)	Dwelling Unit	ITE Land Use Code 220
Vested Duplex Platted Lot	Dwelling Unit	ITE Land Use Code 220
Multi-Family Apartment	Dwelling Unit	ITE Land Use Code 221
Active Adult & Independent Living (55+) (Attached or Detached Units)	Dwelling Unit	ITE Land Use Code 251, 252
Institutional Use		
Adult Congregate Living Facility	Bed	ITE Land Use Code 253, 254, 255, 620
Cemetery	Acre	ITE Land Use Code 566
Day Care	1,000 sq. ft.	ITE Land Use Code 565
Places of Worship	1,000 sq. ft.	ITE Land Use Code 560
Private School (Pre K-12)	1,000 sq. ft.	ITE Land Use Codes 534, 536 ¹
Private College or University	1,000 sq. ft.	ITE Land Use Codes 540, 550
Industrial Use		
Manufacturing / Warehousing / Production	1,000 sq. ft.	ITE Land Use Codes 110, 130, 140, 150, 154, 157, 160, 170, 180
Retail Fulfillment / Distribution	1,000 sq. ft.	ITE Land Use Codes 155, 156
Mini-Warehouse / Boat / RVs & Other Outdoor Storage	1,000 sq. ft.	ITE Land Use Codes 151
Entertainment, Recreation & Lodging Use		
Movie Theater / Performing Arts	per Seat	ITE Land Use Code 444 ²
Marina (including dry storage)	per Berth	ITE Land Use Code 420
Golf Course	per Hole	ITE Land Use Code 430
Outdoor Commercial Recreation	per Acre	ITE Land Use Codes 480, 488 & 491 ³
Multi-Purpose Commercial Recreation	1,000 sq. ft.	ITE Land Use Codes 434, 435, 436, 437, & 465 ⁴
Health Club / Fitness / Gym	1,000 sq. ft.	ITE Land Use Codes 492 & 493 ⁴
Recreational Vehicle (RV) Park	per Space	ITE Land Use Code 416 ⁴
Hotel / Motel / Lodging	Room / Unit	ITE Land Use Codes 310, 320
Community Center / Civic / Gallery / Lodge	1,000 sq. ft.	ITE Land Use Code 495 & 580
Office Use		
Office / Office Park / Medical / Clinic / Bank / Financial	1,000 sq. ft.	ITE Land Use Code 710, 712, 714, 715, 750, 760, 770
Retail Use		
Multi-Tenant Retail Center	1,000 sq. ft.	ITE Land Use Code 820
Pharmacy (Free Standing)	1,000 sq. ft.	ITE Land Use Code 881
Pharmacy Drive-Thru	per lane	ITE Land Use Code 880 ⁵
General Retail (Free Standing)	1,000 sq. ft.	ITE Land Use Code 814, 815
Furniture / Mattress Store (Free Standing)	1,000 sq. ft.	ITE Land Use Code 890,
Supermarket / Grocery Store (Free Standing)	1,000 sq. ft.	ITE Land Use Code 850, 854
Sit Down Restaurant (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	ITE Land Use Code 931, 932
Fast Food / Fast Casual Restaurant (Retail Center, Free Standing or Outparcel)	1,000 sq. ft.	ITE Land Use Code 930, 931, 932, 933,
Restaurant Drive-Thru (based on number of lanes at point of ordering)	per lane	ITE Land Use Code 934, 935 ⁶
Discount Superstore (Free Standing)	1,000 sq. ft.	ITE Land Use Code 813, 857
Home Improvement / Building Materials / Garden Center	1,000 sq. ft.	ITE Land Use Codes 812, 816, 817, 862
Nursery (Wholesale or Retail)	per Acre	ITE Land Use Code 817, 818
Bank Drive-Thru Lane, Free Standing ATM or ATM Drive-Thru Lane	per lane and / or per ATM	ITE Land Use Code 912 ⁷
Vehicle & Boat - Sales or Dealership	1,000 sq. ft.	ITE Land Use 840 & 841
Vehicle & Boat - Service / Repair / Parts	1,000 sq. ft.	ITE Land Use 843, 848, 849, 941, 943
Vehicle & Boat - Cleaning / Detailing / Wash	1,000 sq. ft.	ITE Land Use 947, 949
Convenience Store	1,000 sq. ft.	ITE Land Use 851, 853, 945, 960
Vehicle Fueling Position	per Vehicle Fueling Position	ITE Land Use 853, 944, 945, 960
Personal Services	1,000 sq. ft.	ITE Land Use 918, 920
¹ Summation of AM & PM Peak Generator of Trips		
² Utilized vehicle occupancy factor of 3 persons per vehicle		
³ Golf driving range converted to acreage at two tee positions per one acre, Soccer Complex fields converted to acres at ratio of 2 acres per 1 field, Racquet / Tennis Club assume 2 courts plus accessory buildings per acre, Utilized vehicle occupancy of 3 persons per vehicle		
⁴ Converted AM and PM Peak Hour Periods and applied a Peak to Daily Conversion of .1 (10% of daily traffic occurs during peak hours)		
⁵ Per drive-thru lane calculated by taking the difference in trip generation with and without drive-thru, times 14 (14,000 / 1,000 sq. ft. - standard size of pharmacy) and divided by three to account for typical number of drive-thru lanes in free standing pharmacies		
⁶ The trip generation rate derived by subtracting the trip generation rate for fast food restaurants with and without drive-thru lanes		
⁷ The trip generation is based on the trip rate per drive-thru lane minus the trips associated with office uses since the bank square footage, which may or may not contain office space beyond that for tellers falls under the office land use category.		

Appendix G

2009 National Household Travel Survey Travel Length



3.0 HOUSEHOLD TRAVEL

Overall, the decreases in person travel shown in Table 3 were indicated in household-generated travel. Table 5 shows the trends in person trips and person miles of travel (PMT) by purpose. While most estimates are statistically the same as in 2001, important exceptions include the significant decrease in person miles, person trips, and average person trip length for family and personal business (errands), and the decrease in person trips per household and average person trip length for shopping. Another significant change is the number of person trips per household to and from work; although the total PMT and average trip length to work have not changed (the 2001 estimate is within the margin of error of the 2009 estimate).

Table 5. Average Annual PMT, Person Trips and Trip Length by Trip Purpose 1969, 1977, 1983, 1990, and 1995 NPTS, and 2001 and 2009 NHTS.

Trip Purpose	1983	1990	1995	2001	2009	95% CI
Average Annual PMT per Household						
All Purposes	22,802	30,316	34,459	35,244	33,004	1,235.1
To/From Work	4,586	5,637	7,740	6,706	6,256	170.1
Work Related Business	1,354	1,043	1,987	2,987	2,078	247.2
Shopping	2,567	3,343	4,659	4,887	4,620	181.4
Other Family/Personal Errands	3,311	7,167	7,381	6,671	5,134	222.8
School/Church	1,522	1,599	1,973	2,060	2,049	123.0
Social and Recreational	8,964	11,308	10,571	10,586	9,989	585.8
Other	500	214	131	1,216	2,878	864.6
Average Annual Person Trips per Household						
All Purposes	2,628	3,262	3,828	3,581	3,466	31.8
To/From Work	537	539	676	565	541	7.9
Work Related Business	62	38	100	109	106	7.4
Shopping	474	630	775	707	725	14.6
Other Family/Personal Errands	456	854	981	863	748	13.9
School/Church	310	304	337	351	333	9.8
Social and Recreational	728	874	953	952	952	14.1
Other	61	22	6	30	61	4.1
Average Person Trip Length (miles)						
All Purposes	8.7	9.5	9.1	10.0	9.7	0.4
To/From Work	8.5	10.7	11.6	12.1	11.8	0.3
Work Related Business	21.8	28.2	20.3	28.3	20.0	2.0
Shopping	5.4	5.4	6.1	7.0	6.5	0.2
Other Family/Personal Errands	7.3	8.6	7.6	7.8	7.0	0.3
School/Church	4.9	5.4	6.0	6.0	6.3	0.3
Social and Recreational	12.3	13.2	11.3	11.4	10.7	0.6
Other	8.2	10.3	22.8	43.1	51.5	14.5

Note:

- Average person trip length is calculated using only those records with trip mileage information present.
- 1990 person and vehicle trips were adjusted to account for survey collection method changes (see 2001 Summary of Travel Trends Appendix 2).
- 1995 Vehicle Miles of Travel (VMT) and vehicle trips with "To or From Work" as a trip purpose is believed to be overstated.
- "Other Family/Personal Errands" includes personal business and medical/dental. Please see Appendix A - Glossary for definition.
- PMT is Person Miles of Travel. CI is Confidence Interval.

City of Palm Coast, Florida Agenda Item

Agenda Date: 04/17/2018

Department	PLANNING	Amount	
Item Key	2737	Account	
Subject	ORDINANCE 2018-XX AMENDING CHAPTER 15 "BUILDINGS AND BUILDING REGULATIONS" OF THE CITY'S CODE OF ORDINANCES		
Background : <u>Update from the April 3, 2018 Business Meeting</u> This item was heard by City Council at their April 3, 2018 Business Meeting. There were no changes suggested to this item. <u>Update from the March 27, 2018 Workshop:</u> This item was heard by City Council at their March 27, 2018 Workshop. There were no changes suggested to this item. <u>Original Background from the March 27, 2018 Workshop:</u> The Florida Building Code has gradually integrated flood regulations. To ensure ongoing consistency with the NFIP and FBC regulations, the Florida Division of Emergency Management (FDEM) created a "model ordinance" for Florida communities to maintain compliance with the NFIP. In the last year, City staff have worked with FDEM consulting staff to align the model ordinance with the City's existing higher standards associated with the Community Rating System (CRS) program. The draft Ordinance(s) are the product of adapting the model ordinance to existing City regulations and standards. The proposed technical amendment to the Florida Building Code incorporates local higher standards to appropriately enforce flood damage protection regulations.			
Recommended Action : Adopt Ordinance 2018-XX amending Chapter 15 "BUILDINGS AND BUILDING REGULATIONS" of the City's Code of Ordinances			

ORDINANCE 2018- _____
AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES

AN ORDINANCE OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE CITY’S CODE OF ORDINANCES, CHAPTER 15 – “BUILDINGS AND BUILDING REGULATIONS” ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING A FISCAL IMPACT STATEMENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Palm Coast participates in the National Flood Insurance Program, adopting and administering floodplain management regulations in the Land Development Code; and

WHEREAS, Chapter 553, Florida Statutes, allows for local technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

WHEREAS, the City Council, previously adopted requirements (1) to increase the minimum elevation requirement in high risk flood hazard areas; (2) to limit partitioning of enclosed areas below elevated buildings and to limit access to enclosed areas; (3) to require buildings that sustain repetitive flood damage over a 10-year period to be included in the definition of “substantial damage;” and (4) to require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a 10-year period, for the purpose of participating in the National Flood Insurance Program’s Community Rating System, and, pursuant to section 553.73(5), F.S., is formatting those requirement to coordinate with the *Florida Building Code*; and

WHEREAS, words with underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2. AMENDING CHAPTER 15, BUILDINGS AND BUILDING REGULATIONS. Chapter 15 – “Buildings and Building Regulations” of the City Code of Ordinances, is hereby amended to add local technical amendments to the *Florida Building Code* as follows: .

Sec. 15-28. – Technical Amendments to the Florida Building Code, Building

In Section 202, Definitions, modify as follows:

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to August 19, 2008. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

In Section 1612, Flood Loads, add as follows:

1612.4.2 Elevation requirements. The minimum elevation requirements for coastal high hazard areas (Zone V) and Coastal A Zones shall be as specified in ASCE 24 or the base flood elevation plus 2 feet (610 mm), whichever is higher.

1612.4.3 Additional requirements for enclosed areas. In addition to the requirements of ASCE 24, enclosed areas below the design flood elevation shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators.

Sec. 15-29. – Technical Amendments to the Florida Building Code, Existing Building

In Section 202, Definitions, modify as follows:

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to August 19, 2008. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the

structure's continued designation as a historic structure.

Sec. 15-30. – Technical Amendments to the Florida Building Code, Residential

In Section R322, modify as follows:

R322.2.2 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

Remainder unchanged

* * *

R322.3.2 Elevation requirements.

1. Buildings and structures erected within coastal high-hazard areas and Coastal A Zones, shall be elevated so that the bottom of the lowest horizontal structure members supporting the lowest floor, with the exception of pilings, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus 2 feet ~~plus 1 foot (305 mm)~~ or the design flood elevation, whichever is higher.
2. Basement floors that are below grade on all sides are prohibited.
3. The use of fill for structural support is prohibited.
4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.
5. Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

* * *

R322.3.4 Walls below design flood elevation. Walls ~~and partitions~~ are permitted below the elevated floor, provided that such walls ~~and partitions~~ are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
2. Are constructed with insect screening or open lattice; or
3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than 10 (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa),

the construction documents shall include documentation prepared and sealed by a registered design professional that:

- 4.1. The walls ~~and partitions~~ below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
- 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.

R322.3.5 Enclosed areas below the design flood elevation. Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

SECTION 3. FISCAL IMPACT STATEMENT. In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 4. APPLICABILITY. For the purposes of jurisdictional applicability, this ordinance shall apply to all applications for building permits in flood hazard areas submitted on or after the effective date.

SECTION 5. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 6. CODIFICATION. It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to Section," "Article," or other appropriate word.

SECTION 7. CONFLICTS. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

Approved on first reading this _____ day of _____, 2018.

Adopted on second reading after due public notice and hearing this _____ day of _____ 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

WILLIAM E. REISCHMANN, JR., ESQ.
CITY ATTORNEY

City of Palm Coast, Florida Agenda Item

Agenda Date: 04/17/2018

Department PLANNING Item Key 2736	Amount Account #
Subject ORDINANCE 2018-XX AMENDING SECTION 10.02 OF THE UNIFIED LAND DEVELOPMENT CODE RELATING TO FLOOD DAMAGE PROTECTION	
Background : <u>Update from the April 3, 2018 Business Meeting:</u> This item was heard by City Council at their April 3, 2018 Business Meeting. There were no changes suggested to this item. <u>Update from the March 27, 2018 Workshop:</u> This item was heard by City Council at their March 27, 2018 Workshop. There were no changes suggested to this item. <u>Original Background from the March 27, 2018 Workshop:</u> Since February 2002, the City of Palm Coast has participated in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA). Participation in the NFIP comes with a requirement to adopt the minimal standards of the program, originally satisfied by Ordinance adoption in 2001. In order for a citizen to buy flood insurance, a community must participate in the NFIP. Beyond the minimal standards of the NFIP, communities are encouraged to participate in the Community Rating System (CRS) program. The CRS program recognizes and encourages communities for floodplain management activities that exceed NFIP standards. The CRS program ranks participants on a scale of 1 (best) to 10 (entry level) based on a points-achieved standard. The City's participation has directly reduced flood insurance rates for most policies written for properties with the City. The following section provides a timeline of the City's efforts to improve floodplain management efforts. <ul style="list-style-type: none">02/02/2002: Accepted into the NFIP05/01/2004: CRS Class 7 (15% premium reduction)07/17/2006: Effective Date of revised Flood Insurance Rate Maps08/19/2008: Unified Land Development Code adopted05/01/2009: CRS Class 6 (20% premium reduction)11/20/2014: CRS Class 5 (25% premium reduction)05/01/2017: CRS Class 4 (30% premium reduction). At time of 2017 Class change, there were only 12 other communities with a Class 4 or better designation in the entire United States.06/06/2018: Effective Date of revised Flood Insurance Rate Maps. The proposed ordinance references the upcoming effective date for the updated maps. In the last few years, the Florida Building Code has gradually integrated flood regulations. To ensure ongoing consistency with the NFIP and FBC regulations, the Florida Division of Emergency Management (FDEM) created a "model ordinance" for Florida communities to	

maintain compliance with the NFIP. In the last year, City staff have worked with FDEM consulting staff to align the model ordinance with the City's existing higher standards associated with the Community Rating System (CRS) program. The draft Ordinance(s) are the product of adapting the model ordinance to existing City regulations and standards.

In an effort to receive feedback from the development community, the Ordinance(s) were distributed to the Flagler County Association for Responsible Development (FCARD) stakeholders. Three meetings were conducted with FCARD on April 13, 2017, January 25, 2018, and February 15, 2018 along with subsequent updates and Ordinance(s) drafts. Over the course of these meetings and additional discussions, various changes to the Ordinance(s) associated with Section(s) 10.02 and 14.02 of the Unified Land Development Code (LDC) and Chapter 15 of the Code of Ordinances were requested by FCARD. At the February 21, 2018 Planning and Land Development Regulation Board (PLDRB) meeting, the FCARD requested changes to Section 10.02 of LDC were presented; however, additional changes have been requested and applied since the meeting. Staff will present these changes during the City Council Workshop.

Staff evaluated the following Comprehensive Plan Policies to determine if the proposed Ordinance(s) are consistent.

Objective 6.1.12 – Floodplain Protection

Maintain the hydrological and ecological function of floodplain areas by reducing loss of flood storage capacity and protecting the functional value of wetlands.

Policy 6.1.12.1 – The City shall enforce land development regulations and amend the LDC, as necessary, to specify limitations on the encroachment, setbacks, buffer zones, alteration and incompatible land uses in design storm event floodplains. At a minimum, the City shall include the following criteria as the basis for the protection of 100-year floodplains:

A. Minimization of flood damage and related losses by prohibiting new development within 100-year floodplains unless the structures uses elevated lowest floors or flood proofing, and provide compensating storage.

B. Protection of appropriate floodplain areas by land acquisition or conservation easements.

C. Minimum standards for drainage from developments within 100-year floodplains to reduce impacts on adjoining properties or degradation of the quality of the receiving surface water bodies.

Policy 6.1.12.2 – The City shall continue to participate in the FEMA Community Rating Systems (CRS) program, which involves meeting higher than minimum National Flood Insurance Program (NFIP).

Policy 6.1.12.3 – The City's LDC shall be reviewed annually to ensure that it is consistent with the latest available regulations promulgated by the FEMA to reduce property damage and loss of life due to flooding.

Policy 6.1.12.4 – The City shall protect the natural functions of the 100-year floodplain so that the flood carrying and flood storage capacity are maintained by implementing and enforcing floodplain regulations and reviewing development proposals for the presence of impacts on floodplains.

Staff has determined that the proposed Ordinance(s) are consistent with all applicable Comprehensive Plan Policies.

Ordinance(s) Timeline Summary:

January 17, 2018 PLDRB Workshop

February 21, 2018 PLDRB Business Meeting: PLDRB Action – 6-0 vote – Recommend to City Council to approve the Ordinance to amend Section(s) 10.02 and 14.02 of the Unified Land Development Code.

Recommended Action :

Adopt Ordinance 2018-XX Amending Section 10.02 of the Unified Land Development Code relating to Flood Damage Protection

ORDINANCE 2018- _____
AMENDING SECTION 10.02 OF THE
UNIFIED LAND DEVELOPMENT CODE

AN ORDINANCE OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE CITY’S UNIFIED LAND DEVELOPMENT CODE; REPEALING SECTION 10.02, “FLOOD DAMAGE PROTECTION” OF CHAPTER 10, ENVIRONMENTAL AND CULTURAL RESOURCE PROTECTION, AND REPLACING IT WITH NEW SECTION 10.02, “FLOODPLAIN MANAGEMENT” TO CLARIFY INTENT AND TO REFLECT CURRENT DEVELOPMENT TRENDS; AMENDING SECTION 14.02, “GLOSSARY” TO ADD, REVISE AND DELETE DEFINITIONS RELATING TO FLOODPLAIN TERMINOLOGY; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of Palm Coast and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the City of Palm Coast was accepted for participation in the National Flood Insurance Program on February 4, 2002 and the City of Palm Coast desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the Florida Building Code as adopted by Ordinance 2008-14; and

WHEREAS, the City Council has determined that an amendment to Section 10.02 - Flood Damage Protection and related definitions in Section 14.02 - Glossary is warranted to remain consistent with the National Flood Insurance Program requirements; and

WHEREAS, the City’s Planning and Land Development Regulation Board (PLDRB) held a public meeting to hear public input and discuss these proposed revisions, and found the revisions to be consistent with the Comprehensive Plan; and

WHEREAS, at a meeting on February 21, 2018 the PLDRB voted 6-0 in favor of the proposed revisions; and

WHEREAS, the City Council of Palm Coast has determined to revoke the previous Section 10.02 and replace it with the following text as shown below; and

WHEREAS, words with underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2. REPEALING SECTION 10.02 – “FLOOD DAMAGE PROTECTION” AND REPLACING IT WITH SECTION 10.02 – “FLOODPLAIN MANAGEMENT” OF THE UNIFIED LAND DEVELOPMENT CODE. Section 10.02 – Flood Damage Protection is hereby repealed and replaced by the following:

Sec. 10.02 Floodplain Management

10.02.01 Administration

- A. **General.** These regulations shall be known as the Floodplain Management Ordinance of the City of Palm Coast, hereinafter referred to as “this article.”
- B. **Scope.** The provisions of this article shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

10.02.02 Reserved.

10.02.03 Intent.

- A. The purposes of this article and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public

health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

B. **Coordination with the Florida Building Code.** This article is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

C. **Warning.** The degree of flood protection required by this article and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guarantee of vested use, existing use, or future use is implied or expressed by compliance with this article.

D. **Disclaimer of Liability.** This article shall not create liability on the part of City Council of the City of Palm Coast or by any officer or employee thereof for any flood damage that results from reliance on this article or any administrative decision lawfully made thereunder.

10.02.04 **Applicability**

A. **General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

B. **Areas to which this article applies.** This article shall apply to all flood hazard areas within the City of Palm Coast as established in Section 10.02.04.C of this article.

- C. Basis for establishing flood hazard areas.** The Flood Insurance Study for Flagler County, Florida and Incorporated Areas dated June 6, 2018 and any subsequent revisions, and the accompanying Flood Insurance Rate Maps (FIRM), are adopted by reference as a part of this article and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the City of Palm Coast Community Development Department, 160 Lake Avenue, Palm Coast, Florida 32164.
- D. Submission of additional data to establish flood hazard areas.** To establish flood hazard areas and base flood elevations, pursuant to Section 10.02.07 of this article the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the Floodplain Administrator indicates that ground elevations:
1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as a flood hazard area and subject to the requirements of this article and, as applicable, the requirements of the Florida Building Code.
 2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.
- E. Other Laws.** The provisions of this article shall not be deemed to nullify any provisions of local, state or federal law.
- F. Abrogation and greater restrictions.** This article supersedes any article in effect for management and development in flood hazard areas. However, it is not intended to repeal or abrogate any other provisions of existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between these regulations and any other regulation, the more restrictive shall govern. This article shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this article.
- G. Interpretation.** In the interpretation and application of this article, all provisions shall be:
1. Considered as minimum requirements;
 2. Liberally construed in favor of the governing body; and
 3. Deemed neither to limit nor repeal any other powers granted under state statutes.

10.02.05 Duties and Powers of the Floodplain Administrator

- A. Designation.** The Land Use Administrator is designated the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.
- B. General.** The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this article. The Floodplain Administrator shall have the authority to render interpretations of this article consistent with the intent and purpose of this article and may establish policies, and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically provided in this article without the granting of a variance pursuant to Section 10.02.09 of this article.

C. Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

1. Review applications and plans to determine whether proposed development will be located in flood hazard areas;
2. Review applications for modifications of any existing development in flood hazard areas for compliance with the requirements of this article;
3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
4. Provide available flood elevation and flood hazard information;
5. Determine whether additional flood hazard data shall be obtained from other sources which shall be developed by an applicant;
6. Review applications to determine whether proposed development will be reasonably safe from flooding;
7. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this article is demonstrated, or disapprove the same in the event of noncompliance; and
8. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this article.

D. Substantial improvements and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before the repairs are made;
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes substantial improvements or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of “substantial improvement”; for proposed work to repair damage caused by flooding, the determination requires evaluation of previous permits issued to repair flood-related damage as specified in the definition of “substantial damage”;

4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this article is required.
- E. **Modifications of the strict application of the requirements of the Florida Building Code.** The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 10.02.09 of this article.
- F. **Notices and orders.** The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this article.
- G. **Inspections.** The Floodplain Administrator shall make the required inspections as specified in Section 10.02.08 of this article for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.
- H. **Other duties of the Floodplain Administrator.** The Floodplain Administrator shall have other duties, including but not limited to:
1. In coordination with the Building Official, review all permits for construction within the Special Flood Hazard Areas to ensure that the proposed project meets the flood resistant construction requirements of the *Florida Building Code*, including elevation requirements;
 2. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 10.02.05.D of this article;
 3. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
 4. Require applicants, who submit hydrologic and hydraulic engineering analyses to support permit applications, to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
 5. Review required design certifications and documentation of elevations specified by this article and the Florida Building Code to determine that such certifications and documentations are complete. Elevation certificates shall be provided at three stages, 1) construction drawings, 2) building under construction, and 3) finished construction;
 6. Notify the Federal Emergency Management Agency (FEMA) when the corporate boundaries of the City of Palm Coast are modified; and
 7. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction;

areas subject to this limitation are identified on Flood Insurance Rate Maps as “Coastal Barrier Resource System Areas” and “Otherwise Protected Areas.”

- I. **Floodplain management records.** Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this article and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this article; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this article and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at City of Palm Coast.

10.02.06 Permits

- A. **Permits required.** Any owner or owner’s authorized agent (hereinafter “applicant”) who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.
- B. **Floodplain development permits or approvals.** Floodplain development permits or approvals shall be issued pursuant to this article for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.
- C. **Buildings, structures and facilities exempt from the *Florida Building Code*.** Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this article:
1. Railroads and ancillary facilities associated with the railroad.
 2. Nonresidential farm buildings on farms, as provided in Section 604.50, F.S.
 3. Temporary buildings or sheds used exclusively for construction purposes.
 4. Mobile or modular structures used as temporary offices.
 5. Those structures or facilities of electric utilities, as defined in Section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.

6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site, and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
9. Structures identified in Section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

D. Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the City of Palm Coast. The information provided shall:

1. Identify and describe the development to be covered by the permit or approval.
2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
3. Indicate the use and occupancy for which the proposed development is intended.
4. Be accompanied by a site plan or construction documents as specified in Section 10.04.07.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant’s authorized agent.
7. Give such other data and information as required by the Floodplain Administrator.

E. Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to this article shall not be construed to be a permit for, or approval of, any violation of this article, the Florida Building Codes, or any other ordinance of this community. The issuance shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

F. Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

G. Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this article or any other ordinance, regulation or requirement of the City.

H. Other permits. Floodplain development permits and building permits shall include a condition or disclaimer that all other applicable state or federal permits be obtained by the applicant before

commencement of the permitted development. Such permits may include but not limited to the following:

1. The St. Johns Water Management District; section 373.036, F.S.
2. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
3. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
4. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
5. Federal permits and approvals.

10.02.07 Site Plans and Construction Documents

A. Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this article shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries, 25-foot floodway setback, flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 10.02.07.B.2 or Section 10.02.07.B.3 of this article.
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 10.02.07.B.1 of this article.
4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Existing and proposed alignment of any proposed alteration of a watercourse.

B. Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source, or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
3. Where base flood elevation data and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

C. Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway or within the 25-foot floodway setback, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analyses to FEMA as specified in Section 10.02.07.D of this article and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone "O" or Zone "AH".
3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 10.02.07.D of this article.

D. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant shall seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

10.02.08 Inspections

- A. General.** Development for which a floodplain development permit or approval is required shall be subject to inspection.
- B. Development other than buildings and structures.** The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this article and the conditions of issued floodplain development permits or approvals.
- C. Buildings, structures and facilities exempt from the *Florida Building Code*.** The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this article and the conditions of issued floodplain development permits or approvals.
- D. Buildings, structures and facilities exempt from the *Florida Building Code*, lowest floor inspection.** Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator:
- 1.** If a design flood elevation was used to determine the required elevation of the lowest floor, certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
 - 2.** If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 10.02.07.B.3.b of this article, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.
- E. Buildings, structures and facilities exempt from the *Florida Building Code*, final inspection.** As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 10.02.08.D of this article.
- F. Manufactured homes.** The Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this article and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Building Official.

10.02.09 Variances and Appeals

- A. General.** The Land Use Administrator and the City of Palm Coast Planning and Land Development Regulation Board shall hear and decide on requests for appeals and the Planning and Land Development Regulation Board shall hear requests for variances from the strict application of this article. Pursuant to Section 553.73(5), F.S., the Planning and Land

Development Regulation Board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to Section 3109 of the Florida Building Code, Building.

- B. Appeals.** Same process as set out in Section 2.16, of the Land Development Code.
- C. Limitations on authority to grant variances.** The Planning and Land Development Regulation Board shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 10.02.09.H of this article, the conditions of issuance set forth in Section 10.02.09.I of this article, and the comments and recommendations of the Land Use Administrator, Floodplain Administrator and the Building Official. The Planning and Land Development Regulation Board has the right to attach such conditions as it deems necessary to further the purposes and objectives of this article.
- D. Restrictions in floodways.** A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 10.02.07.C of this article.
- E. Historic buildings.** A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.
- F. Functionally dependent uses.** A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this article, provided the variance meets the requirements of Section 10.02.09.D, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.
- G. Alteration of sand dunes or mangrove stands in coastal high hazard areas.** A variance shall not be issued for any proposed alteration of sand dunes or mangrove stands in coastal high hazard areas (Zone V) unless the applicant submits, and the City approves, an engineering analysis that demonstrates the proposed alteration will not increase the potential for flood damage or the potential for erosion. Any such variance shall not be issued unless the proposed alteration is approved by the Florida Department of Environmental Protection. This limitation shall not apply to mangrove stands within City canals.
- H. Considerations for issuance of variances.** In reviewing requests for variances, the Planning and Land Development Regulation Board shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, Land Development Code and this article, and the following:
1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
 2. The danger to life and property due to flooding or erosion damage;

3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development with existing and anticipated development;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
6. The compatibility of the proposed development with existing and anticipated development;
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets, and bridges.

I. Conditions for issuance of variances. Variances shall be issued only upon:

1. Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this article or the required elevation standards.
2. Determination by the Planning and Land Development Regulation that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. Literal interpretation of the provision of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Land Development Code and would result in unnecessary and undue hardship on the applicant;
 - c. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances;
 - d. The variance is the minimum necessary, considering the flood hazard, to afford relief;
 - e. The special conditions and circumstances are not self-imposed and do not result from the actions of the applicant; and
 - f. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of Court in such a manner that it appears in the chain of title of the affected parcel of land;
 - g. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the

variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property;

- h. The proposed development must not be in conflict with or contrary to the public interest;
- i. The proposed development must be consistent with the Comprehensive Plan and the provisions of this Land Development Code;
- j. The proposed development must not impose a significant financial liability or hardship for the City;
- k. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants; and
- l. The proposed development must comply with all other applicable local, state, and federal laws, statutes, ordinances, regulators, or codes.

10.02.10 Violations

- A. Violations.** Any development that is not within the scope of the Florida Building Code but that is regulated by this article that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this article, shall be deemed a violation of this article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.
- B. Authority.** For development that is not within the scope of the Florida Building Code but that is regulated by this article and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.
- C. Unlawful continuance.** Any person who shall continue any work after having been served with a notice of violation of a stop work order, except such work as that a person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

10.02.11 Flood Resistant Development Design and construction of buildings, structures and facilities exempt from the Florida Building Code.

- (i) Pursuant to Section 10.02.06.C of this article, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 10.02.17 of this article.

10.02.12 Subdivisions

A. Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

B. Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Delineation of flood hazard areas, floodway boundaries, 25-foot floodway setback, flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
2. All subdivisions where the base flood elevation is not included on the FIRM, the base elevations are determined in accordance with Section 10.02.07.B.1. of this article; and
3. Compliance with the site improvement and utilities requirements of Section 10.02.13 of this article.
4. Any reduction in the water-holding capacity of the flood hazard area caused by development, structures, and site improvements shall be compensated such that no increase in water surface elevations, peak discharges, or velocities occurs either upstream, downstream, or in the vicinity of the site during occurrence of flood events up to and including the base flood. The compensatory storage shall be located within the same defined floodplain's hydrologic sub basin as the placement of the fill. Technical data providing evidence of the equivalency of the compensatory storage shall be submitted to the City.
5. Applicant shall ensure that technical data reflecting base flood elevation changes or flood hazard area boundary changes are submitted to Federal Emergency Management Agency, with the City's endorsement, for a conditional Flood Insurance Rate Map revision. Prior to approval of final plat, an issued Letter of Map Change determination from FEMA is required.

10.02.13 Site Improvements, Utilities and Limitations

A. Minimum requirements. All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

B. Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste

disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

- C. Water supply facilities.** All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.
- D. Compensatory storage.** Any reduction in the water-holding capacity of the flood hazard area caused by development, structures, and site improvements shall be compensated such that no increase in water surface elevations, peak discharges, or velocities occurs either upstream, downstream, or in the vicinity of the site during occurrence of flood events up to and including the base flood. The compensatory storage shall be located within the same defined floodplain's hydrologic sub basin as the placement of the fill. Technical data providing evidence of the equivalency of the compensatory storage shall be submitted to the City.
- E. Limitations on sites in regulatory floodways and 25-foot floodway setback.** No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway or 25-foot floodway setback unless the floodway encroachment analysis required in Section 10.02.07.C.1 of this article demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.
- F. Limitations on placement of fill.** Subject to the limitations of this article, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.
- G. Limitations on sites in coastal high hazard areas (Zone V).** In coastal high hazard areas, alteration of sand dunes and mangrove stands shall not be permitted. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 10.02.17.I.3 of this article.

10.02.14 Manufactured Homes

- A. General.** Manufactured homes shall not be installed in floodways and 25-foot floodway setback except in an existing manufactured home park or subdivision. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to Section 320.8249, F. S. and shall comply with the requirements of Chapter 15C-1, F. A. C. and the requirements of this article.
- B. Foundations** All manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:
 - 1. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code Residential Section R322.2 and this article. Foundations for manufactured homes subject to Section 10.02.14.F of this article are permitted to be reinforced piers or other foundation elements of at least equal strength.

2. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.3 and this article.
- C. **Anchoring.** All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over the top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.
- D. **Elevation.** Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 10.02.14.E or Section 10.02.14.F of this article, as applicable.
- E. **General elevation requirement.** Unless subject to the requirements of Section 10.02.14.F of this article, all manufactured homes that are placed, replaced, or substantially improved on sites located:
1. Outside of a manufactured home park or subdivision;
 2. In a new manufactured home park or subdivision;
 3. In an expansion to an existing manufactured home park or subdivision; or
 4. In an existing manufactured home park or subdivision upon which a manufactured home has incurred “substantial damage” as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).
- F. Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to Section 10.02.14.E of this article, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:
1. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or
 2. Bottom of frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.
- G. **Enclosures.** Enclosed areas below elevated manufactured shall comply with the requirements of the Florida Building Code Residential Section R322.2 or Section R322.3 for such enclosed areas, as applicable to the flood hazard area.
- H. **Utility equipment.** Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322.

10.02.15 Recreational Vehicles and Trailer Parks

- A. **Temporary placement.** Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:
1. Be prohibited to park or store a recreational vehicle for more than a total of three (3) days,

or any part thereof in any consecutive seven (7) day period on a residential driveway; or

2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

B. Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in Section 10.02.15.A of this article for temporary placement shall meet the requirements of Section 10.02.14 of this article for manufactured homes.

10.02.16 Tanks

A. Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

B. Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 10.02.16.C of this article shall:

1. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy, assuming the tank is empty, and the effects of flood-borne debris.
2. Not be permitted in coastal high hazard areas (Zone V).

C. Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

D. Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

10.02.17 Other Development

A. General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this article or the Florida Building Code, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the limitations of Section 10.02.13.E of this article if located in a regulated floodway;
3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

4. Be constructed of flood damage-resistant materials; and
 5. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.
- B. Fences in regulated floodways.** Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 10.02.13.E of this article.
- C. Retaining walls, sidewalks and driveways in regulated floodways.** Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 10.02.13.E of this article.
- D. Roads and watercourse crossings in regulated floodways.** Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways, shall meet the limitations of Section 10.02.13.E of this article. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 10.02.07.C.3 of this article.
- E. Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V).** In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:
1. Structurally independent of the foundation system of the building or structure;
 2. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
 3. Have a maximum slab thickness of not more than four (4) inches.
- F. Decks and patios in coastal high hazard areas (Zone V).** In addition to the requirements of the *Florida Building Code*, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:
1. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
 2. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
 3. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional

demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.

4. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

G. Other development in coastal high hazard areas (Zone V). In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

1. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
2. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
3. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

H. Nonstructural fill in coastal high hazard areas (Zone V). In coastal high hazard areas:

1. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
2. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
3. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

10.02.18 Critical Facilities

- A. New critical facilities shall be directed and sited away from special flood hazard areas. A critical facility shall have at least one (1) access road connected to land outside the special flood hazard area that is capable of supporting a 4,000-pound vehicle. The top of the road shall be no lower than six (6) inches below base flood elevation.
- B. New critical facilities constructed within a Special Flood Hazard Area without a determined base flood elevation shall not be constructed unless base flood elevations are determined and certified data is provided from a Florida licensed professional engineer, The technical data shall

be submitted to the Federal Emergency Agency with the City's endorsement for a Letter of Map Change to remove the entire project area from the Special Flood Hazard Area. Prior to close out of the permit, a Letter of Map Change determination shall be submitted to the Floodplain Administrator.

SECTION 3. AMENDMENT TO SECTION 14.02. – “GLOSSARY” OF CHAPTER 14 – GLOSSARY OF THE UNIFIED LAND DEVELOPMENT CODE. Section 14.02. - “Glossary” of the

City of Palm Coast Unified Land Development Code is hereby amended as follows:

Sec. 14.02. Glossary

Addition (to an existing building): Relating to flood damage protection, this term means any walled and roofed expansion to the perimeter of a building in which a common load-bearing wall other than a firewall connects the addition. Any walled and roofed addition connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.

Alteration of a watercourse: A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal: Relating to flood damage protection, means a request for review of the Floodplain Administrator's interpretation of any provision of Section 10.02. ~~this term means any walled and roofed expansion to the perimeter of a building in which a common load-bearing wall other than a firewall connects the addition. Any walled and roofed addition connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.~~

ASCE 24: A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood: A flood having a 1-percent chance of being equaled or exceeded in any given year. The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation: The elevation of flood having a one percent chance of being equaled or exceeded in any given year, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map.

Basement: That portion of a building having its floor subgrade (below ground level) on all sides.

Breakaway wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Coastal high hazard area: Relating to flood damage protection, this term means ~~an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.~~ a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

~~*Coastal velocity hazard area:* An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.~~

Compensatory storage (floodplain): An artificially excavated hydraulically equivalent volume of storage used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain.

~~*Construction, existing:* See *Structure, existing*.~~

Construction, new: Relating to flood damage protection and the flood resistant requirements of the Florida Building Code, this term means any ~~Any~~ structure for which the "start of construction" commenced after February 5, 1986, or standard based upon specific technical base flood elevation data that establishes the area of special flood hazard. The term also includes any subsequent improvements to such structure.

~~*Construction, start of (other than new construction or substantial improvements under the Coastal Barrier Resources Act Title 16, Chapter 55, United States Code):* Relating to flood damage protection, this term includes substantial improvement and means the date the building permit was issued for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building including, but not limited to, a manufactured home and mobile home on a site such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home or mobile home on a foundation. Permanent construction does not include land preparation such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units and are not part of the main building. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.~~

Critical facilities: Any facility that, if flooded or impacted by a natural disaster, would result in severe consequences to public health and safety. Critical facilities include, but are not limited to, hospitals, nursing homes, police stations, fire stations, emergency operation centers, chemical or hazardous materials storage facilities, and utility facilities. The term includes facilities that are assigned Flood Design Class 3 and Flood Design Class 4 pursuant to the Florida Building Code, Building.

Design flood: The flood associated with the greater of the following two areas:

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation: The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet.

Development: Relating to flood damage protection, this term means any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, tanks, mining, dredging, filling, grading, paving, excavating, drilling operations, or temporary or permanent storage of materials or equipment or other land disturbing activities.

Elevated building: A nonbasement building built to have the lowest floor elevated above the ground level by solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

Elevation: The placement of a structure above flood level to minimize or prevent flood damages.

Encroachment: The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood control: Keeping floodwaters away from specific developments or populated areas by the construction of flood storage reservoirs, channel alterations, dikes and levees, bypass channels, or other engineering works.

Flood damage-resistant materials: Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood elevation study: See *Flood insurance study*.

Flood fringe: Relating to flood damage protection, this term means the portion of the floodplain that lies beyond the floodway and serves as a temporary storage area for floodwaters during a flood. This section receives waters that are shallower and of lower velocities than those of the floodway.

Flood hazard area: The greater of the following two areas:

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood hazard boundary map (FHBM): Relating to flood damage protection, this term means an official map of a community issued by the Federal Emergency Management Agency that defines the boundaries of the areas of special flood hazard as Zone A.

Flood insurance rate map: An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study: The official report provided by the Federal Emergency Management Agency. It is an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, elevation, and determination of mudslide (i.e., mudflow) and/or flood related erosion hazards. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodplain: Any land area susceptible to being inundated by water from any source. Also, see definition of *flood* or *flooding*.

Floodplain Administrator: The office or position designated and charged with the administration and enforcement of this article (may be referred to as the Floodplain Manager).

Floodplain development permit or approval: An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this article.

~~*Floodplain variance:* See *Variance, floodplain.*~~

~~*Flood prone:* See *Floodplain.*~~

~~*Floodproofing:* Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved property, water, and sanitary facilities, structures and their contents.~~

~~*Floodwall:* Relating to flood damage protection, this term means a constructed barrier of resistant material, such as concrete or masonry block, designed to keep water away from structure.~~

~~*Floodway:* The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.~~

~~*Floodway encroachment analysis:* An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.~~

~~*Floor:* The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction.~~

~~*Floor, lowest:* The lowest floor of the lowest enclosed area (including, but not limited to, basement). An unfinished or flood resistant enclosure used solely for parking of vehicles, building access, or storage in an area other than a basement is not considered a building's lowest floor, provided such enclosure is not built to render the structure in violation of the nonelevation design standards of Chapter 10. In Coastal High Hazard Areas, the lowest floor is considered the horizontal structure member of that floor.~~

~~*Floor, lowest:* The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24.~~

~~*Florida Building Code (FBC):* The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.~~

~~*Footing:* Relating to flood damage protection, this term means the enlarged base of a foundation wall, pier, or column, designed to spread the load of the structure so that it does not exceed the soil bearing capacity.~~

~~*Foundation walls:* Relating to flood damage protection, this means a support structure that connects the foundation to the main portion of the building or superstructure.~~

~~*Freeboard:* Relating to flood damage protection, this term means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.~~

~~*Functionally dependent use:* A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities. ~~*-and/or water dependent facility:* Relating to flood damage protection, this term means a use and/or facility that cannot be used for its intended purpose, unless it is located or carried out in close proximity to water, such as a docking or port use and facility necessary~~~~

for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities and uses.

Grade, highest adjacent: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a building.

Grade, slab on: Relating to flood damage protection, this term means a structural design where the first floor sits directly on a poured concrete slab that sits directly on the ground.

Historic structure: Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings. Any structure that is:

- ~~(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~
- ~~(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;~~
- ~~(3) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior; or~~
- ~~(4) Individually listed on a local inventory of historic places in communities with historic preservation programs certified either:
 - ~~a. By an approved state program as determined by the Secretary of the Interior; or~~
 - ~~b. Directly by the Secretary of the Interior in states without approved programs.~~~~

Improvement, substantial: Any combination of repairs, reconstruction, rehabilitation, alteration, additions or improvements to a structure taking place ten years from the date of such action in which the cumulative cost equals or exceeds 50 percent of the market value before the start of construction of the improvement of the structure. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure. However, the term does not include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications identified by the Land Use Administrator and which are solely necessary to assure safe living conditions. This term does not include any alteration of a "historic structure", provided the alteration will not preclude the structure's continued designation as an "historic structure."

Independent scientific body: Relating to flood damage protection, this term means a nonfederal technical or scientific organization involved in the study of land use planning, floodplain management, hydrology, geology, geography, or any other related field of study concerned with flooding.

Letter of Map Change (LOMC): An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include, but not limited to:

- (1) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

- (2) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (3) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- (4) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

~~*Levee:* Relating to flood damage protection, this term means a man-made structure; usually an earthen embankment designed and constructed in accordance with sound engineering practices to contain, control, or diverts the flow of water to provide protection from temporary flooding.~~

~~*Level of protection:* Relating to flood damage protection, this term means the greatest flood level against which a protective measure is designed to be fully effective.~~

~~*Light-duty truck:* As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:~~

- ~~(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or~~
- ~~(2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or~~
- ~~(3) Available with special features enabling off-street or off-highway operation and use.~~

~~*Loss, repetitive:* Relating to flood damage protection, this term means two flood-related losses within a ten-year period, when combined, must equal or exceed 50 percent of market value.~~

~~*Mangrove stand:* An assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (*Avicennia nitida*); red mangrove (*Rhizophora mangle*); white mangrove (*Longunculariaracemosa*); and buttonwood (*Conocarpus erecta*).~~

~~*Manufactured home:* A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." A mobile home fabricated on or after June 15, 1976 in an off-site manufacturing facility for installation or assembly at the building site, which each section bears the insignia of the State Department of Community Affairs. A structure that is transportable in one or more sections and built on a permanent chassis designed to be used with a permanent foundation when connected to the required utilities. The term shall not include recreational vehicles. Relating to flood damage protection, the term means a building, transportable in one or more sections, built on a permanent chassis designed for use with or without a permanent foundation when connected to the required~~

utilities. The term also includes park trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured home (mobile home) park/subdivision, existing: Relating to flood damage protection, this term means a manufactured home (mobile home) park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes (mobile homes) are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before February 5, 1986 or standard based upon specific technical base flood elevation data which established the area of special flood hazard.

Manufactured home/mobile home/park/subdivision, expansion to an existing: Relating to flood damage protection, this term means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes (mobile homes) are to be affixed (including the minimum installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before February 5, 1986.

Manufactured home/mobile home park/subdivision, new: Relating to flood damage protection, this term is defined as a manufactured (mobile home) park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes (mobile homes) are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after February 5, 1986.

~~*Manufactured home/mobile home park/subdivision, substantially improved existing:* Where the repair, reconstruction, rehabilitation, or improvement of the streets, utilities, and pads equals or exceeds 50 percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.~~

Market value: Relating to flood damage protection, this term means the Property Appraiser's 'Just Value' of the structure, excluding the land, or an appraisal of the structure by a qualified independent appraiser certified property appraiser. For the purposes of determining "substantial damage" per incident, the market value is the value prior to the damage occurring. For purposes of determining "substantial improvements", the market value is the value prior to the start of construction of each improvement.

Market value: The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this article, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

~~*Mean sea level:* The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. Relating to flood damage protection, this term is synonymous with 'National Geodetic Vertical Datum' (NGVD).~~

~~*Mobile home:* A structure, transportable in one or more sections, which is eight body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. This structure is required to bear the insignia of the U.S. Department of Housing and Urban Development (HUD). Relating to flood damage protection, this term means a building that is transportable in one or more sections and built on a permanent chassis designed for use with or without a permanent foundation when connected to the required utilities. The term also includes park trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.~~

~~*National Geodetic Vertical Datum (NGVD):* Relating to flood damage protection, this term means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.~~

~~*One hundred (100)-year flood elevation:* See *Base flood elevation*.~~

~~*Park trailer:* A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S.]~~

~~*Post:* Relating to flood damage protection, this term means long upright support units for a building that are set in pre-dug holes and backfilled with compacted material. Each post usually requires bracing to other units. They are also known as columns, although they are usually made of wood.~~

~~*Primary frontal dune:* Relating to flood damage protection, this term means a continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.~~

~~*Recreational vehicle:* Relating to flood damage protection, this term means a vehicle that is:~~

- ~~(1) Built on a single chassis;~~
- ~~(2) Four hundred square feet or less when measured at the largest horizontal projection;~~
- ~~(3) Designed to be self-propelled or permanently towable by a light duty truck; and~~
- ~~(4) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.~~

~~*Relocation:* Relating to flood damage protection, this term means the moving of a structure from a flood area to a new location, normally to one where there is not threat of flooding.~~

~~*Repetitive loss:* See *Loss, repetitive*.~~

~~*Retrofitting:* Relating to flood damage protection, this term means floodproofing measures taken on an existing structure.~~

~~*Riprap:* Relating to flood damage protection, this term means broken stone, cut stone blocks, or rubble placed on slopes to protect them from erosion or scouring caused by floodwaters or wave action.~~

~~*Riverine:* Relating to flood damage protection, this term means relating to, formed by, or resembling a river including, but not limited to, tributaries, stream, brook, etc.~~

~~*Runoff:* Relating to flood damage protection, this term means that portion of precipitation that is not intercepted by vegetation, absorbed by the land surface, or evaporated, and thus flows overland into a depression, stream, lake, or ocean (runoff, called immediate subsurface runoff, also takes place in the upper layers of the soil).~~

~~*Sand Dunes:* Naturally occurring accumulations of sand in ridges or mounds landward of the beach.~~

~~*Setback, 25-foot floodway:* The area between the outer boundary of the regulatory floodway associated with natural named wetland systems including, but not limited to Big Mulberry Branch and Bulow Creek shown on the FIRM and a line parallel thereto at a distance of 25 feet. The purpose of the 25-foot floodway setback is to minimize encroachments to protect floodplain storage and natural floodplain functions.~~

~~*Setback, 30-year:* Relating to flood damage protection, this term means a distance equal to 30 times the average annual long-term recession rate at a site measured from the reference feature.~~

Shallow flooding, areas of: A designated AO, AH, AR/AO, AR/AH or VO Zone on a community's FIRM with a one percent or greater annual chance of flooding to an average depths of one foot to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Sheet flow (area): See *shallow flooding, areas of*.

Slab on grade: See *Grade, slab on*.

Special flood hazard areas: ~~The land in the flood plain within a community subject to a one percent or greater change of flooding in any given year.~~ An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

Start of construction: See *Construction, start of*.

Structure: Anything constructed, installed or portable, the use of which requires a location on a parcel of land, such as buildings, manufactured homes, mobile homes, fences, billboards, swimming pools, poles, pipelines, transmission lines, advertising signs, a gas or liquid storage tank, seawall, bulkhead, revetment, or other man-made facilities or infrastructure. ~~Relating to flood damage protection, this term means a walled and roofed building, including, but not limited to, a gas or liquid storage tank that is principally above ground, including, but not limited to, a manufactured home and mobile home.~~ For the purposes of Subsection 4.01.05—Residential Docking Facilities along Saltwater and Freshwater Canals (and Intracoastal Waterway, as applicable) and Section 4.16—Marinas, this term means anything constructed or otherwise located or operated on or over water, extended over water, or affixed to something that is or will be located on the ground and covered by water, or is located on land and is an essential part of the operation or an integral system of the marina such as, by way of example only, fuel and electrical systems.

Structure, existing and Building, existing: Relating to flood damage protection, this term means any structure or building for which the "start of construction" commenced before February 5, 1986 or standard based upon specific technical base flood elevation data that establishes the area of special flood hazard.

Substantial damage: ~~Relating to flood damage protection, this term means damage of any origin including, but not limited to, a gas or liquid storage tank that is principally above ground including, but not limited to, a manufactured home and mobile home.~~

Substantial damage: Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial improvement: Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to August 19, 2008. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

~~*Substantial improvement:* See *Improvement, substantial.*~~

~~*Thirty (30) year setback:* See *Setback, 30 year.*~~

~~*Variance, floodplain:* Relating to flood damage protection, this term means a grant of relief from the requirements of this Section 10.02 or the flood resistant construction requirements of the Florida Building Code that permits construction in a manner otherwise prohibited by this Section 10.02 or the flood resistant construction requirements of the Florida Building Code where specific enforcement would result in unnecessary hardship.~~

~~*Venting:* Relating to flood damage protection, this term means a system designed to allow floodwaters to enter an enclosure, usually the interior of foundation walls, so that the rising water does not create a dangerous differential in hydrostatic pressure. This is usually achieved through small openings in the wall, such as a missing or rotted brick, or concrete block, or small pipe.~~

~~*Violation, remedy a:* Relating to flood damage protection, this term means to bring the structure or other development into compliance with state or local floodplain management regulations or if this is not possible, to reduce the impacts of its noncompliance. Ways to reduce impact include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.~~

~~*Water dependent facility:* A use and/or facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port use and facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities and uses.~~

~~*Watercourse:* A natural or artificial channel in which a flow of water occurs either continually or intermittently.~~

~~*Watershed:* Relating to flood damage protection, this term means an area that drains to a single point. In a natural basin, this is the area contributing flow to a given place or stream.~~

~~*Water table:* Relating to flood damage protection, this term means the uppermost zone of water saturation in the ground.~~

~~*Water surface elevation:* The height, in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) of 1988, or other datum specified on the Flood Insurance Rate Map (FIRM), of floods of various magnitudes and frequencies in the floodplains of coastal and riverine areas.~~

~~*Zone of imminent collapse:* Relating to flood damage protection, this term means an area subject to erosion adjacent to the shoreline of an ocean, bay, or lake and within a distance equal to ten feet plus five times the average annual long-term erosion rate for the site measured from the reference feature.~~

SECTION 4. APPLICABILITY. For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Palm Coast, Florida. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 5. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 6. CODIFICATION. It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to Section,” “Article,” or other appropriate word.

SECTION 7. CONFLICTS. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

Approved on first reading this 3rd day of April 2018.

Adopted on second reading after due public notice and hearing this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

WILLIAM E. REISCHMANN, JR. ESQ.
CITY ATTORNEY

City of Palm Coast, Florida Agenda Item

Agenda Date: 04/17/2018

Department Item Key	Amount Account
Subject A COMPREHENSIVE PLAN AMENDMENT TO UPDATE THE WATER SUPPLY FACILITIES WORK PLAN	
<p>Background: <u>Update from the February 20, 2018 Business Meeting</u> This item was heard by City Council at their February 20, 2018 Business Meeting. There were no changes suggested to this item. Staff forwarded this Ordinance to multiple State agencies as required. There were no comments received from the State agencies.</p> <p><u>Update for the February 20, 2018 Business Meeting</u> This item was heard by City Council at their February 13, 2018 Workshop. There were no changes suggested to this item.</p> <p><u>Original Background</u> Florida Statutes mandate a coordinated planning process between regional water supply plans prepared by the water management districts pursuant to Chapter 373, Florida Statutes (F.S.), and comprehensive plans prepared by local governments pursuant to Chapter 163. Specifically, local governments must address in their comprehensive plans the water supply sources necessary to meet and achieve existing and projected water use demand for the established planning period, considering the applicable regional water supply plan prepared pursuant Section 373.709, F.S.</p> <p>In January 2017, the St. Johns River Water Management District (SJRWMD) approved the Northeast Florida Regional Water Supply Plan (NEFRWSP), as required by state statutes, the City must update the Water Supply Facilities Work Plan (WSFWP) in the Comprehensive Plan by July 2018.</p> <p>As required by state statutes, the amendment consists of recognizing the current and future water demand from both within the City as well as entities with an agreement with the City for water supply. The projected water demand to 2035 is shown in the table below. These projections use the average of low and medium projections from the Bureau of Economic and Business Research (BEBR) January 2016 projections. The future year population projections represent a decrease from the projections provided in the last update of the WSFWP in 2010 (approximately 12.5% in 2035). This decrease in population projection in turn reflects the decrease in the water demand and need for alternative water supply in the updated WSFWP.</p> <p>In addition to the population projections, the WSFWP update includes identifying new potential sources for the alternative water supply. In 2010, the focus of alternative water supply was the development of a seawater desalination plant that would serve other regional suppliers in addition to the City of Palm Coast (this effort was commonly known as the Coquina Coast project). It was during the second phase of planning that the Coquina Coast project was deemed to be not economically feasible and that other alternative sources should be</p>	

considered prior to desalination of seawater. These alternative sources are discussed in more detail below.

	Population		Water Demand (MGD)	Water Supply (MGD)	
			Raw	Traditional ²	Alternative ³
2010	Within City	75,258	7.315	7.678	0.00
	Outside ¹	3,730	0.363		
	Total	78,988	7.678		
2015 ^a	Within City	79,858	7.419	7.813	0.00
	Outside ¹	4,245	0.394		
	Total	84,104	7.813		
2020	Within City	90,076	8.710	9.328	0.00
	Outside ¹	6,390	0.618		
	Total	96,466	9.328		
2025	Within City	110,640	10.699	12.02	0.00
	Outside ¹	7,849	0.759		
	Total	118,489	11.458		
2030	Within City	129,064	12.480	13.02	1.0
	Outside ¹	9,156	0.885		
	Total	138,220	13.366		
2035	Within City	146,960	14.211	13.02	2.0
	Outside ¹	10,426	1.01		
	Total	157,385	15.219		

¹The projected population and water demand figures reflect both retail customers and bulk water agreements outside city limits.

²Traditional water supply includes groundwater from the Confined Surficial Aquifer and Upper Floridan Aquifer and the amounts reflect the allocation requested in the CUP modification application. The existing CUP allocation for 2015 is 11.02 MGD.

³Alternative water supply includes brackish groundwater from the Upper Floridan Aquifer and Lower Floridan Aquifer, surface water, treated concentrate and reclaimed wastewater.

^aThe City received a CUP permit with a 2015 allocation of 11.02 MGD.

As demonstrated in the table above, the City has a Consumptive Use Permit (CUP) for 11.02 Million Gallons/Day (MGD). This CUP is adequate to serve the projected demand for water until about 2023. The City is in the process of modifying the current Consumptive Use Permit (CUP) to add an allocation of alternative supply to meet the projected demands through 2035. The plan for additional water supply includes a request for additional fresh water as safely allowed by modeling and the resulting impact analysis as well as alternative sources as described below.

As provided in the water demand table above, the City will seek to draw 1.0 MGD from alternative supply source by 2030 and 2.0 MGD by 2035. This alternative water supply source is expected to potentially include brackish groundwater from the Upper Floridan Aquifer and Lower Floridan Aquifer, surface water, treated concentrate, and reclaimed wastewater.

The City of Palm Coast staff worked very closely with St Johns River Management District staff during the development of the NEFRWSP to identify potential alternative water sources. SJRWMD staff toured the watershed area in Palm Coast and observed the 54 miles of stormwater canal systems and associated weirs in consideration of the surface water interaction with the surficial aquifer. Additionally, there were numerous discussions between the agencies to accomplish certain actions to supplement the water supply from alternative sources. Based on mutual agreement between the agencies, the following actions are on-going, or are proposed for completion within the next 10 to 15 years as needed by growth and demand.

Action 1 (On-going). Continue treatment and reuse of Drinking Water Byproduct (DWB) from Water Treatment Plant (WTP) No. 2 and No. 3 as an additional alternative water source. Currently, the DWB is being diverted from WTP No. 3 and blended with WTP No. 1 raw water prior to treatment at WTP No. 1. At WTP No. 2, the City is treating the DWB produced from the membrane softening process with lime softening followed by microfiltration to recover the DWB as drinking water. Both projects could eliminate the wasteful discharge of DWB to surface waters and could ultimately recover up to about 1.95 MGD of water.

Action 2 (On-going). In partnership with the SJRWMD through a shared-cost agreement, the City installed a reuse irrigation system along both sides of US Highway 1 to provide up to 1 MGD of reuse for aquifer recharge. A wetland monitoring plan will be utilized to determine the success of this project. The reuse water for this system can be sourced from either WWTP No. 1 or No. 2. This project is being monitored at this time to determine the positive benefit to the wetlands in the region.

Action 3 (On-going). Completed an aquifer performance test of the brackish upper Floridan Aquifer system in the northern wellfield. The data acquired from these tests have been modeled to determine the feasibility of receiving an allocation of brackish water in the CUP. The SJRWMD is reviewing the model outcome and will complete an impact analysis in order to determine an acceptable allocation in early 2018.

Action 4 (Future Project). Investigate additional means of aquifer recharge utilizing advanced treated wastewater from WWTP No. 2. This method of indirect potable reuse has the potential of providing up to 2 MGD of additional fresh water allocation in advance of utilizing the more costly brackish water in the upper Floridan aquifer.

Action 5 (Future Project). Investigate the benefits of adding storage to the stormwater collection system in an effort to mitigate wetland impacts due to withdrawals from the Confined Surficial Aquifer.

The SJRWMD staff has been very supportive of these short and long range plans and have included them in the NEFRWSP. City staff's strategy to have multiple avenues for additional water supply provides for a reasonable and sustainable strategy to allow Palm Coast to accommodate the anticipated demand into the future.

The update of the WSFWP accomplishes the following requirements consistent with Florida Statutes:

1. Coordinate all aspects of its comprehensive plan with the appropriate water management district's regional water supply plan. [s. 163.3177(4)(a), F.S.]
2. Ensure that its future land use plan is based upon the availability of adequate water supplies and public facilities and services. [s. 163.3177(6)(a), F.S.]
3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving a building permit, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. [s. 163.3180(2)(a), F.S.]
4. Revises the Infrastructure Element to:
 - a. Identify and incorporate alternative water supply projects identified in the updated regional water supply plan, or the alternative project proposed by the local government under s. 373.0361(7), F.S. [s.163.3177(6)(c), F.S.]
 - b. Identify the traditional and alternative water supply projects and the conservation and reuse programs necessary to meet current and future water use demands within the local government's jurisdiction. [s. 163.3177(6)(c), F.S.]
 - c. Update the water supply facilities work plan for at least a 10-year planning period for construction of public, private, and regional water supply facilities, which are identified in the element as necessary to serve existing and new development. [s. 163.3177(6)(c), F.S.]
5. Revises the Five-Year Schedule of Capital Improvements to include water supply, reuse, and conservation projects and programs to be implemented during the five- year period [s. 163.3177(3)(a)4, F.S.].
6. Revises the Conservation Element to ensure that projected water needs and sources are for at least a 10-year planning period, considering the appropriate regional water supply plan(s) or, in the absence of an approved regional water supply plan, the applicable district water management plan. [s. 163.3177(6)(d), F.S.]
7. Revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with the applicable regional water supply plans and regional water supply authorities. [s. 163.3177(6)(h)(1), F.S.]

This item was reviewed at a public hearing by the Planning and Land Development Regulation Board (PLDRB) at their January 17, 2018 meeting. The PLDRB recommended that the City Council approve the proposed amendment.

Recommended Action: Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that City Council Approve and transmit the proposed comprehensive plan amendments.

ORDINANCE 2018-__
COMPREHENSIVE PLAN AMENDMENTS TO UPDATE
THE WATER SUPPLY FACILITIES WORK PLAN

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE INFRASTRUCTURE, CONSERVATION AND COASTAL MANAGEMENT, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS IN ORDER TO MEET STATUTORY REQUIREMENTS RELATED TO WATER SUPPLY FACILITIES PLANNING; PROVIDING FOR CONFLICTS, RATIFICATION OF PRIOR ACTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Palm Coast enacted Ordinance 2010-07, adopting the *City of Palm Coast 2035 Comprehensive Plan*; and

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

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments; and

WHEREAS, the Legislature has established a coordinated planning process between regional water supply plans prepared by the water management districts pursuant to Chapter 373, Florida Statutes (F.S.), and comprehensive plans prepared by local governments pursuant to Chapter 163, Part II, F.S.; and

WHEREAS, under these laws, local governments must address in their comprehensive plans the water supply sources necessary to meet and achieve existing and projected water use demand for the established planning period, considering the applicable regional water supply plan prepared pursuant Section 373.709, F.S.; and

WHEREAS, Section 163.3177(6)(c)3, F.S., requires local governments within areas projected to have insufficient supplies of water from traditional sources to amend the comprehensive plan: (1) to incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.709(2)(a) or proposed by the local government under s. 373.709(8)(b); and (2) to adopt a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including the development of alternative water supply projects and conservation and reuse, which are necessary to serve existing and new development.

WHEREAS, the work plan must be updated within 18 months after the water management district updates the regional water supply plan; and

WHEREAS, the regional water supply plan was updated on January 2017; and

WHEREAS, the City of Palm Coast Planning and Land Development Regulation Board (PLDRB) acting as the City's Local Planning Agency, considered the proposed comprehensive plan amendments at a public hearing on January 17, 2018 and voted to recommend approval of the proposed Comprehensive Plan Amendment; and

WHEREAS, on February 20, 2018 and April 17, 2018 the City of Palm Coast City Council held public hearings on this Comprehensive Plan amendment after due public notice and upon thorough and complete consideration and deliberation, adopted the proposed Comprehensive Plan amendment; and

WHEREAS, the Comprehensive Plan amendments adopted by this Ordinance complies with the requirements of the Community Planning Act, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, as well as other applicable law, and is consistent with the goals, objectives, and policies and the overall land use plan of the City's *Comprehensive Plan*; and

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

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

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

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

(a). The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

(b). The City Council of the City of Palm Coast hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the proposed amendment to the *Comprehensive Plan of the City of Palm Coast*. The exhibits to this Ordinance are hereby incorporated as if fully set forth herein verbatim.

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

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

SECTION 2. INFRASTRUCTURE ELEMENT AMENDED. Amending the goals, objectives, policies, exhibits, and maps of the Infrastructure Element as indicated in “Exhibit A” which Exhibit is incorporated herein by this reference thereto as if fully set forth herein verbatim.

SECTION 3. CONSERVATION AND COASTAL MANAGEMENT ELEMENT AMENDED. Amending the goals, objectives, and policies of the Conservation and Coastal Management Element as indicated in “Exhibit B” which Exhibit is incorporated herein by this reference thereto as if fully set forth herein verbatim.

SECTION 4. INTERGOVERNMENTAL COORDINATION ELEMENT AMENDED. Amending the goals, objectives, and policies of the Intergovernmental Coordination Element as indicated in “Exhibit C” which Exhibit is incorporated herein by this reference thereto as if fully set forth herein verbatim.

SECTION 5. CAPITAL IMPROVEMENTS ELEMENT AMENDED. Amending the goals, objectives, and policies of the Capital Improvements Element as indicated in “Exhibit D” which Exhibit is incorporated herein by this reference thereto as if fully set forth herein verbatim.

SECTION 6. CONFLICTS/RATIFICATION OF PRIOR ACTIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.
Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of Palm Cost Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provision of the Ordinance.

SECTION 9. 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.

APPROVED on first reading after due public notice and public hearing the 20th day of February 2018.

ADOPTED on second reading after due public notice and public hearing the 17th day of April 2018

CITY OF PALM COAST, FLORIDA

Milissa Holland, Mayor

ATTEST:

Virginia Smith, City Clerk

Attachments:

1. Exhibit A – Infrastructure Element Amended
2. Exhibit B – Conservation and Coastal Management Element Amended
3. Exhibit C – Intergovernmental Coordination Element Amended
4. Exhibit D – Capital Improvements Element Amended



CHAPTER 5 INFRASTRUCTURE ELEMENT

SUMMARY

Sanitary Sewer

Sanitary sewer service in the City is provided by the City of Palm Coast, which currently owns and operates the system. On July 24, 2003, the City reached an agreement to purchase the FWSC wastewater system. The City of Palm Coast finalized the purchase of the Utility on October 30, 2003. The central sewer system was initially established for the ITT Palm Coast development in 1973. In addition, there are approximately 36 septic systems in the City that handle wastewater flows from individual homes and businesses. The central sewer system in the City has a current permitted treatment capacity of 6.83 million gallons ~~a~~-per day. With the return of growth to the City resulting in the first wastewater treatment plant (WWTP#1) nearing its² design capacity, a second wastewater treatment plant (WWTP#2) has been constructed. The design capacity of the plant is 6.0 million gallons per day with an initial installed capacity of 2.0 million gallons per day. The plant is scheduled to go online in early 2018 with a projection to be expanded in 2023 to 4.0 million gallons per day. The sanitary sewer sub-element's GOPs establish the minimum LOS standard to allow future development to occur when sewer facilities can accommodate the increased demand. The sanitary sewer sub-element also encourages the phasing out of the septic systems, expansion of reuse systems, and requiring connection to central sewer and reuse systems where available.

Natural Groundwater Aquifer Recharge

The Floridan aquifer and the Confined Surficial aquifer are the primary sources of potable water for the City. Groundwater quality can be affected by many activities such as discharges from underground and aboveground petroleum and chemical underground storage tanks, stormwater run-off, and faulty septic tanks. The proximity of the aquifer to the land surface may also affect overlying wetland systems if water withdrawals are not properly managed. The majority of the City is located in an area of low- to moderately-low recharge to the Floridan aquifer. The SJRWMD has completed the development of a groundwater model for the Palm Coast aquifer in order to assess the potential for current and projected hydrologic and environmental impacts. Recharge function of land can be maximized by specific land development regulations to limit impervious surfaces, protect wetlands, preserve more open space, and promote higher water quality treatment standards for stormwater where appropriate. The natural groundwater aquifer recharge sub-element's GOPs provide objectives and policies for maintaining aquifer or enhancing aquifer recharge, coordinating with SJRWMD and other regulatory agencies, and developing regulations to establish wellhead protection.





GOAL 5.1: POTABLE WATER SERVICE

Protect the health, safety, welfare of the public while assuring a sufficient, dependable, and high-quality potable water supply, meeting the needs of Palm Coast on a timely basis, at a reasonable cost and, at a minimum, in compliance with all Federal and State regulatory requirements.

FINDING: *The City's water system consists of three water treatment plants. The first plant, Water Treatment Plant #1, is a lime softening plant that went into operation in 1979 and expanded in 1981. It is currently permitted for 6.0 million gallons a day (mgd). A second plant, Water Treatment Plant #2, began operation in 1992 and has a FDEP permitted capacity of 6.387.58 mgd. The third plant, Water Treatment Plant #3, came online in 2008 with an initial capacity of 3.0 mgd. Due to the age of the systems, modification, rehabilitation, renewal, and/or replacement of components of the existing water systems may be required. To meet the future potable water consumer demands, expansion of the existing system is required. This expansion program must meet the future water demands of the citizens and businesses of the City.*

Policy 5.1.1.4 –The City shall update and revise the WSFWP within 18 months following the district ~~adopting of the SJRWMD District~~ updating a Regional Water Supply Plan. The plan, at a minimum, shall identify new or proposed water supply facilities that are necessary to serve existing and new development through 2035 to cover at least a 10 year planning period.

Policy 5.1.2.1 –In coordination with the Northeast Florida Regional Council (NEFRC), Department of Economic Opportunity (DCADEO), SJRWMD and any other pertinent entities, the City shall identify long-term water supply strategies consistent with the City's consumptive use permit, and shall consider the latest final version of the SJRWMD Water Supply Plan to develop the WSFWP.

Policy 5.1.2.3 – The City shall coordinate with the SJRWMD and other pertinent entities to evaluate additional potential water supply sources and recovery technologies for the City potable water service area when considering new or expanding facilities. Water supply sources and recovery technologies may include, but shall not be limited to: reuse, use of surface water and stormwater (when permitted and practicable), reverse osmosis, membrane softening, and desalinization of brackish groundwater.-





Policy 5.1.5.2 – The City shall continue to participate in the Coquina Coast Cooperators Desalination Project and, if necessary, enter into an interlocal agreement in order to investigate and develop a seawater desalination project, either land or sea based. The City shall investigate the use of advanced treated wastewater as an alternative source for aquifer recharge, continue to recover and treat concentrate for delivery as potable water, to expand the reclaimed water distribution system where economically feasible and determine the degree of influence the stormwater collection system has on the wetland and aquifer systems in the Palm Coast wellfields.

GOAL 5.2: SANITARY SEWER FACILITIES

Protect the health, safety and welfare of the public by ensuring wastewater treatment facilities and services are environmentally sound, effective, and meet the City’s current and future demands.

FINDING: *During the first six months of 2017, the average day flow through the wastewater treatment plant was 5.9 mgd representing 86% of the plants’ design capacity of 6.83 mgd. The second wastewater treatment plant began construction in October 2016 and is projected to be put online in early 2018. The initial plant capacity will be 2.0 mgd with expansion to 4.0 mgd planned for in 2023. Total system design capacity will be 8.83 mgd while average day flows are projected at 6.4 mgd. This represents approximately 2772 percent of the total permitted treatment capacity. With an additional expansion of 2.0 mgd projected for 2023, the total permitted design capacity will be 10.83 mgd so the projected Max ~~three-month~~three-month average day flow is not expected to exceed this design capacity until 2033. Expansion of wastewater treatment plant #1 is currently planned for ~~in~~ 2031.*

Policy 5.2.1.2 - The City shall adopt and enforce the following minimum LOS standards for wastewater as the basis for determining the availability of facility capacity and planning for the demand generated by a development:

- A. An average daily flow of 82 gallons per capita per day LOS shall be utilized.
- B. A maximum daily flow of 93 gallons per capita per day LOS shall be utilized.
1. The Equivalent Residential Unit (ERU) shall be based on 2.4 persons per capita/day ERU.



ORDINANCE - EXHIBIT A

City of Palm Coast
2035 Comprehensive Plan - Goals, Objectives, and Policies



~~**Policy 5.4.1.5** — The City shall continue to participate in the Coquina Coast Cooperators Desalination Project and, if necessary, enter into an interlocal agreement in order to investigate and develop a seawater desalination project, either land or sea based.~~





Exhibit 5.1 – 2035 Water Supply Facilities Work Plan Update

Introduction

The City of Palm Coast adopted the 2020 Water Supply Facilities Work Plan (WSFWP) in December of 2007 as required by the Florida Legislature. The 2020 WSFWP was prepared for a 14-year (2007 – 2020) planning period. The latest University of Florida Bureau of Economic and Business (BEBR) population projections are significantly lower than the projections that were used in preparing the 2020 WSFWP in 2007. The slower growth of the area due to the recent economic conditions has resulted in significantly lower population projections. This requires that the 2020 WSFWP be updated to reflect the current growth conditions. ~~The 2010 WSFWP update is~~ prepared for a 25-year planning period to 2035 reflecting the City's ~~long-term~~ long-term water supply strategy and in conjunction with the Comprehensive Plan ~~Amendment~~. This update is prepared for a 17-year ~~17-year~~ planning period ending in 2035 and will be adopted into the Palm Coast Comprehensive Land Use Plan as required by the 2017 North Florida Regional Drinking Water Supply Plan.

		Population	Water Demand (MGD)		Water Supply (MGD)	
			Finished	Raw	Traditional ²	Alternative ³
2010	Within City	<u>75,258,760</u>	<u>6.567.68</u>	<u>7.3158.53</u>	<u>7.6788.95</u>	0.00
	Outside ¹	<u>3,7303,723</u>	<u>0.3250.38</u>	<u>0.3630.42</u>		
	Total	<u>7898879,793</u>	<u>6.888.06</u>	<u>7.6788.95</u>		
2015 ^a	Within City	<u>79,85893,822</u>	<u>7.0289.46</u>	<u>7.41940.51</u>	<u>7.81311.02</u>	0.00
	Outside ¹	<u>4,2454,596</u>	<u>0.3740.46</u>	<u>0.3940.51</u>		
	Total	<u>84,10498,419</u>	<u>7.4019.92</u>	<u>7.81311.02</u>		
2020	Within City	<u>90,076113,800</u>	<u>7.93611.56</u>	<u>8.71013.01</u>	<u>9.32811.02</u>	<u>0.002.63</u>
	Outside ¹	<u>6,3905,587</u>	<u>0.5630.57</u>	<u>0.6180.64</u>		
	Total	<u>96,466119,387</u>	<u>8.49912.13</u>	<u>9.32813.65</u>		
2025	Within City	<u>110,640133,124</u>	<u>9.74713.66</u>	<u>10.69915.50</u>	<u>12.0211.02</u>	<u>0.005.24</u>
	Outside ¹	<u>7,8496,546</u>	<u>0.6910.67</u>	<u>0.7590.76</u>		
	Total	<u>118,489139,670</u>	<u>10.43814.33</u>	<u>11.45816.26</u>		
2030	Within City	<u>129,064151,530</u>	<u>11.37115.68</u>	<u>12.48018.14</u>	<u>13.0211.02</u>	<u>1.08.01</u>
	Outside ¹	<u>9,1567,460</u>	<u>0.8070.77</u>	<u>0.8850.89</u>		
	Total	<u>138,220158,990</u>	<u>12.17716.45</u>	<u>13.36619.03</u>		
2035	Within City	<u>146,960168,999</u>	<u>12.94717.60</u>	<u>14.21120.88</u>	<u>13.0211.02</u>	<u>2.010.89</u>
	Outside ¹	<u>10,4268,324</u>	<u>0.9190.87</u>	<u>1.011.03</u>		
	Total	<u>157,385177,323</u>	<u>13.86618.47</u>	<u>15.21921.91</u>		



ORDINANCE - EXHIBIT A

City of Palm Coast
2035 Comprehensive Plan - Goals, Objectives, and Policies



<p>¹The projected population and water demand figures reflect both retail customers and bulk water agreements outside city limits.</p> <p>²Traditional water supply includes groundwater from the Confined Surficial Aquifer and Upper Floridan Aquifer and the amounts reflect the allocation requested in the CUP modification application. The existing CUP allocation for 2015 is <u>11.029-54</u> MGD.</p> <p>³Alternative water supply includes brackish groundwater from the Upper Floridan Aquifer and Lower Floridan Aquifer, surface water, <u>treated concentrate and reclaimed or wastewater sea water</u>.</p> <p>^aThe City is currently applying for received a CUP permit with a 2015 allocation of 11.02 MGD.</p>						

As part of the current Consumptive Use Permit (CUP) modification application, the City is conducting a groundwater hydraulic modeling study to determine the availability of additional groundwater from ~~existing sources and~~ new alternative ground water supply sources, including brackish groundwater. Due to the City's designation as a Priority Water Resource Caution Area (PWRCA), the City anticipates that alternative water supplies will be needed at some point in the future to meet projected demands. The WSFWP assumes that groundwater sources, including brackish water, will be available to meet the water demands ~~until beyond 2019~~ 2035. The WSFWP further assumes that additional water demands beyond ~~2019~~ 2029 will be met by alternative water supplies.

The attached ~~2010-2018-2014~~ 2022 short-term work plan (Table 5.1) and the ~~2015-2023-2035~~ 2027 long-term work plan (Table 5.2) lists the projects necessary to meet the projected demands based on the assumptions discussed above.

Traditional Water Supply

The City owns and operates three (3) water treatment plants (WTPs). WTP No. 1 is classified as a lime-softening treatment plant with a permitted design capacity of 6.0 MGD. WTP No. 2 is classified as a membrane softening treatment plant with a current permitted design capacity of ~~6.3847.58~~ MGD. WTP No. 3 is classified as a low pressure reverse osmosis treatment plant with a permitted design capacity of 3.0 MGD.

The current raw water source supplied to the three water treatment plants is defined as the Traditional Raw Water Supply, which consists of the confined surficial aquifer water for WTP No. 1 and WTP No. 3, and the upper Floridan aquifer water for WTP No. 2. The City is currently permitted for a total of ~~9.51~~ 11.02 MGD from the Traditional Supply. This allocation is only sufficient to meet the City demand until ~~2044~~ 23. The City is in the process of modifying the current Consumptive Use Permit (CUP) to ~~increase the~~ add an allocation of ~~the Traditional~~ alternative Supply ~~from 9.51 MGD to 11.023 MGD~~ to meet the projected demands through ~~20435~~ 35. Please note that while the City is currently seeking an alternative source allocation,



ORDINANCE - EXHIBIT A

City of Palm Coast
2035 Comprehensive Plan - Goals, Objectives, and Policies



they plan to seek as much additional fresh water as safely allowed by modeling and the resulting impact analysis.

Reuse Water

Reuse of reclaimed water for irrigation is a form of alternative water supply which replaces ground water or potable water for irrigation of residential and other public accessible areas. The City has been implementing reclaimed water reuse projects since 1995. Currently, reclaimed water is being used for irrigation at the Hammock Dunes golf course development, Grand Haven golf course development, Town Center development, ~~and~~ several other residential developments along Old Kings Road along with ~~and miscellaneous~~ common areas within the City.

City ordinance requires that all new residential and commercial developments use reclaimed water for landscaping irrigation if reclaimed water is available. The implementation of reclaimed water reuse has significantly reduced potable water demands. During the past three years, The City has completed a new reclaimed water pump station at WWTP No. 1 and reclaimed water mains to supply reclaimed water to the developments along Old Kings Road and to Cigar Lake. A reclaimed water distribution pump station has ~~recently~~ been constructed at Cigar Lake to pump the stored reclaimed water to Town Center and other reuse sites for irrigation. A reclaimed water main has been constructed along Old Kings Road to the north to provide irrigation water to the Conservatory golf course and the DCDD Creek course. The main continues along Matanzas Woods Parkway to US Highway No.1 to supply reclaimed water to future residential and commercial developments along US Highway No.1. Currently, reclaimed water from WWTP No.1 is supplied to a distributed spray irrigation system along both sides of US Highway No.1 for aquifer recharge and is designed to provide up to one million gallons per day of flow.

The WWTP No. 1 is permitted to reuse up to ~~about~~ 11.07 MGD of public access irrigation. The ~~current~~ 2016 annual average day usage of reuse water by the existing developments is ~~approximately~~ 3.60142 MGD. An additional 879,106,000 was used for aquifer recharge. Future WWTP No. 2, which is scheduled to be ~~under construction in the fall of 2010~~ placed online in early 2018, will treat wastewater to advanced standards. The reclaimed water from WWTP No. 2 ~~can~~ will be used for irrigation of new residential, commercial and golf course developments along US Highway 1 north of Palm Coast Parkway. The projected reclaimed water reuse capacity for WWTP No. 2 is estimated to be about ~~7.805.0~~ 7.805.0 MGD when the facility is built out.

Alternative Water Supply

The City of Palm Coast ~~is~~ participateding in the Coquina Coast Seawater Desalination Alternative Water Supply Project (Coquina Coast). ~~which plans on~~ The project was based on utilizing seawater as raw water source for the region. As a key member of the Coquina Coast project, the City ~~is~~ actively participateding in the feasibility study and the preliminary design of the project. The study and preliminary design phase of the project ~~is~~ was sponsored by the St. Johns River Water Management District (SJRWMD) and a group of eleven regional suppliers. The Coquina Coast project ~~currently under study~~ planneds to have a capacity of about 50 Million Gallons per Day (MGD) to meet the demands of the region beyond the year 2050.



ORDINANCE - EXHIBIT A

City of Palm Coast 2035 Comprehensive Plan - Goals, Objectives, and Policies



After completing a one year Phase 1 study, the consultant of the Coquina Coast project recommended that a land based seawater desalination plant be designed and constructed along the Flagler County coast rather than an off-shore vessel based facility. The Coquina Coast regional suppliers, including Palm Coast, decided during the second phase of planning that the Coquina Coast project was not economically feasible and that other alternative sources should be considered prior to desalination of seawater. ~~are working with its consultant to finalize the scope for Phase 2 preliminary design phase. The Phase 2 preliminary design is scheduled to be completed by 2014. The Coquina Coast project consultant suggests that the construction of the Coquina Coast project may be completed and be on line between 2017 and 2019 to supply water. The Coquina Coast project is being included in the upcoming SJRWMD 2010 Drinking Water Supply Plan. If the Coquina Coast project is successfully implemented it is expected that it may be on line to supply the drinking water to the region between the year 2017 and 2019. This WSFWP incorporates the potential availability of the alternative water supply from the Coquina Coast project in 2019.~~

The City has implemented ~~is also investigating~~ projects to recover the drinking water byproduct (DWB) generated from the WTP No. 2 and WTP No. 3 membrane softening process to be utilized as an additional alternative water source. The DWB ~~is~~ would then being treated to be utilized as finished drinking water. The City ~~plans to investigate~~ is diverting the DWB from WTP No. 3 and blending it with WTP No. 1 raw water prior to treatment at WTP No. 1. At ~~the~~ WTP No. 2, the City is ~~investigating~~ treating the DWB produced from the membrane softening process with lime softening followed by microfiltration to recover the DWB as drinking water. Both projects could eliminate the wasteful discharge of DWB to surface waters and could ultimately recover up to about 1.95 MGD of water as drinking water or as raw water.

The City has installed a reuse irrigation system along both sides of US Highway ~~No.~~ 1 in order to provide up to 1 MGD of reuse for aquifer recharge. The wetland monitoring plan will be utilized to determine the success of this project. The reuse water for this system can be sourced from either WWTP No. 1 or No. 2.

The City has completed an aquifer performance test of the brackish upper Floridan Aquifer system in the northern wellfield. The data acquired from these tests have been modeled to determine the feasibility of receiving an allocation of brackish water in the CUP. The SJRWMD is reviewing the model outcome and will complete an impact analysis in order to determine an acceptable allocation in early 2018.

The City plans to investigate additional means of aquifer recharge utilizing advanced treated wastewater from WWTP No. 2. This method of indirect potable reuse has the potential of providing up to 2 MGD of additional fresh allocation in advance of utilizing the more costly brackish water in the upper Floridan aquifer.

The City plans to investigate the benefits of adding storage to the stormwater collection system in an effort to mitigate wetland impacts due to withdrawals from the Confined Surficial Aquifer.





Conservation and Reuse Practices

The City's current per capita (88.1 gpdpc) of distributed water use is lower than the majority of jurisdictions within the St. Johns River Water Management District. The City will continue to implement the ongoing water conservation and reuse practices listed below in order to maintain the relatively low per capita use.

- Technological, Procedural, and/or Programmatic Improvements Management
 - Water Treatment Plant Technologies
 - Water Use Monitoring
 - Free Water Conservation Plumbing Retrofitting Kits for Residential Customers
 - Indoor Conservation Programs
 - Develop and Enforce Water Efficient Landscape Ordinance (in cooperation with SJRWMD)
 - Irrigation Design Requirements
 - Requiring Individual Metering
 - Requiring the Use of Low-Volume Plumbing Devices
- Reuse Conservation Practices
 - Requiring New Development to Install a Reuse Water Distribution System
 - Requiring Connection to the Reuse Water System
 - Requiring Individual Metering
- Customer and Employee Education
- Use of Conservation based Rate Schedule





Table 5.1 – Short Term Work Plan (FY 2018-2022)

Project Name	Purpose of Project	Responsible Party	Funding Source ¹	Fiscal Year Estimated Costs					Estimated Total Cost	Estimated Year of Operation
				2018	2019	2020	2021	2022		
GENERAL IMPROVEMENTS										
Citation/OKR/SR100 Water Main Loop	Improve and increase water distribution capacity	City of Palm Coast	UCPF	\$1,500,000					\$1,500,000	2018
Old Kings Road Water Main Extension to Eagle Lakes		City of Palm Coast	UCPF	\$150,000					\$150,000	2018
Distribution System Improvements		City of Palm Coast	UCPF	\$905,000	\$975,000	\$1,095,000	\$1,125,000	\$1,275,000	\$5,375,000	
Old Kings Road Water Mains (Phase 2)		City of Palm Coast	UCPF		\$500,000				\$500,000	2019
Malacompra Drainage Project main relocate		City of Palm Coast	UCPF	\$150,000					\$150,000	2018
TRADITIONAL WATER SUPPLY										
WTP No. 1										
Plant Miscellaneous Improvements (Construction)	Improve plant performance	City of Palm Coast	UCPF	\$280,000	\$675,000	\$500,000		\$500,000	\$1,955,500	
Well SW-43 Replacement	Maintain well capacity	City of Palm Coast	UCPF	\$480,000	\$200,000				\$680,000	
Replacement Well Construction	Improve well capacity	City of Palm Coast	UCPF	\$300,000	\$400,000	\$400,000	\$400,000	\$500,000	\$2,000,000	
WTP No. 2										
Plant Miscellaneous Improvements	Improve Plant Performance	City of Palm Coast	UCPF	\$50,000	\$500,000	\$500,000		\$300,000	\$1,350,000	
Well Field Expansion – add 3 additional wells	Increase well capacity	City of Palm Coast	UCPF	\$2,100,000					\$2,100,000	2018
WTP No. 3										
Concentrate Pump	Maintenance of alternative supply	City of Palm Coast	UCPF	\$120,000					\$120,000	2018
CUP Modification for fresh water supply	Increase raw water capacity	City of Palm Coast	UCPF				\$100,000		\$100,000	2021





Table 5.1 – Short Term Work Plan (FY 2018-2022)- continued

Project Name	Purpose of Project	Responsible Party	Funding Source ¹	Fiscal Year Estimated Costs					Estimated Total Cost	Estimated Year of Operation
				2018	2019	2020	2021	2022		
ALTERNATIVE WATER SUPPLY										
CUP Modification and Alternative Water Study	Modify CUP – Add Brackish Source Allocation	City of Palm Coast	UCPF	\$100,000					\$100,000	2018
REUSE WATER SUPPLY										
Reclaimed water main extension to Indian Trails Sports complex	Add distribution of reuse water	City of Palm Coast	UCPF	\$1,000,000					\$1,000,000	2018
Aquifer Storage and Recovery Investigation and Land Acquisition		City of Palm Coast	UCPF			\$750,000		\$100,000	\$850,000	2022
Wastewater Treatment Plant No. 2 (WWTP #2) Expansion – Planning and Engineering	Develop additional reuse water	City of Palm Coast	UCPF					\$500,000	\$500,000	

¹Funding Source Acronym Definitions:
UCPF = Utility Capital Projects Fund





Table 5.2 – Long Term Work Plan (FY 2023 - 2035)*

Project Name	Purpose of Project	Responsible Party	Funding Source	Estimated Cost	Project Development Phase Timing			
					Planning	Engineering/ Design	Permitting	Construction
TRADITIONAL WATER SUPPLY COMPONENT								
WTP No. 3 Plant Expansion	Increase the treatment capacity from 3.0 MGD to 6.0 MGD; increase the storage capacity and the higher service pumping capacity and other process equipment	City of Palm Coast	TBD ¹	\$4,500,000	2022	2023	2023	2024
North and South Wellfield Property Acquisition	Provide additional well-sites for capacity development	City of Palm Coast	TBD	\$2,000,000	2023			
Well Construction Replacements	Maintain adequate and sustainable water supply	City of Palm Coast	UCPF	\$2,500,000				
REUSE WATER COMPONENT								
WWTP No. 2 Reuse for Aquifer Recharge – Non Potable Reuse	Mitigate freshwater withdrawal impacts on wetlands	City of Palm Coast	TBD	\$1,700,000	2023	2023	2024	2025
Expand Reuse Transmission to Developments of Regional Impact to the West	Distribution of additional reuse water for irrigation and aquifer recharge	City of Palm Coast	TBD	TBD	2023	TBD	TBD	TBD
Expand WWTP No. 2 to 4.0 MGD	Allow for additional advanced treated wastewater for reuse	City of Palm Coast	TBD	\$13,500,000	2022	2022	2022	2023
ALTERNATIVE WATER SUPPLY COMPONENT								
Develop Brackish water supply	Increase raw water capacity	City of Palm Coast	TBD	\$4,500,000	2023	2024	2025	2025-2030
WTP No. 3 Plant Expansion	Add 3.0 MGD of brackish source treatment capacity	City of Palm Coast	TBD	\$4,500,000	2023	2024	2025	2025-2035

*Additional improvements to the water distribution system will be needed depending on the completion of the system hydraulic modeling.

¹TBD: Funding source to be determined upon completion of future financial feasibility study





**CHAPTER 6
CONSERVATION AND COASTAL MANAGEMENT ELEMENT**

Policy 6.1.1.5 - The City shall support FDEP in its implementation and enforcement of the State and Federal air pollution laws, rules and regulations by placing conditions, where appropriate, on applicable development approvals, in accordance with law, to require developers to consult the FDEP on methods to control fugitive emission.

FINDING: *Groundwater resource supply protection is becoming increasingly important because of growth and in development patterns within the City. With increased development comes the potential for increased contamination, which may threaten the drinking water quality.*

Groundwater from the Floridan and Confined surficial aquifer systems is currently the sole source of drinking water available to the residents and businesses. Flagler County, including the City, is identified by the St. Johns River Water Management District (SJRWMD) as a “Priority Water Resource Caution Area” (PWRCA) which means that

“existing and reasonably anticipated sources of water may not be adequate to supply water for all existing legal uses and anticipated future needs while sustaining water resources and related natural systems”.

The City finds that it has legal rights that have vested in the City and which predate and have priority over other water users. The City has invested considerable time and resources to attain prior legal right status.

As the City continues to grow rapidly, traditional sources of water may be limited in the future. Development of alternative water supplies, expansion of reuse systems, conservation efforts, wellhead protection, and other water resource management strategies are critical to meeting future water demand needs.

Policy 6.1.2.4 – The City shall encourage SJRWMD, FDEP, and other applicable regulatory agencies to pursue additional groundwater monitoring studies on the quality of the Confined surficial and Floridan water resources within the City.

Policy 6.1.4.2 – The City shall continue to ~~participate in the Coquina Coast Cooperators and continue to investigate and develop a seawater desalination project, either land or sea~~



ORDINANCE EXHIBIT B

City of Palm Coast
2035 Comprehensive Plan - Goals, Objectives, and Policies



based develop reuse alternatives for treated wastewater and investigate the use of the stormwater collection and storage system as a source for aquifer recharge.





CHAPTER 7 INTERGOVERNMENTAL COORDINATION ELEMENT

In June 2008, the City entered into a Memorandum of Agreement to become part of the Coquina Coast Seawater Desalination Project. This multi-jurisdictional effort will analyze the feasibility of a desalination plant in order to use seawater as a long-range water supply source. The investigation of providing for a regional solution to fresh water shortages by desalination of seawater was concluded in 2010. Of the original 11 cooperators only 2 existed in 2010, being Palm Coast and Lake County. While it was determined that a land based facility was more economically feasible than a sea based vessel, it was also determined that the project was not financially supportable at this time due to the slowdown in regional growth. It was finally determined that all other fresh or brackish groundwater sources should be exhausted before pursuing a seawater conversion solution in the future. The City is located within the North Florida Regional Water Supply Plan (NFRWSP) planning area. The NFRWSP identifies solutions, including alternative water supply, water conservation and other potential project options to meet the current and future water use needs of the region.

Policy 7.1.3.5 – The City shall continue to participate with other local governments and utilities as part of the North Florida Regional Water Supply Plan Coquina Coast Seawater Desalination Project to develop a desalination as a regional-alternative water supply sources, water reuse, and conservation projects.

Policy 7.1.3.6 – The City shall coordinate and cooperate with local governments and other entities to which the City provides potable water service by taking actions which include, but are not limited to, the following:

- A. Coordinate water demand projections for those areas to which the City provides potable water service.
- B. When requested, provide technical data and analysis related to water supply availability for Future Land Use Map Amendments, Rezoning, and other development approvals in those areas to which the City provides potable water service.
- C. Continue to implement the numerous interlocal agreements between the City and other local governments and entities.
- D. If necessary, develop intergovernmental agreements to address water supply concurrency requirements for those areas to which the City provides potable water service.
- E. ~~Continue to investigate regional water supply solutions, including the Coquina Coast Seawater Desalination Project, with other local governments and entities.~~



ORDINANCE EXHIBIT C

City of Palm Coast
2035 Comprehensive Plan - Goals, Objectives, and Policies



-
- F. Continue to share technical data and analysis with State, regional, and other local governments and entities to maximize efficient water use and conservation and minimize public expenditures.





CHAPTER 8
CAPITAL IMPROVEMENTS ELEMENT

Policy 8.1.1.2 - The Capital Improvements Element shall concentrate on the first five (5) years of capital needs, shall be financially feasible and shall be reviewed and updated annually by ~~December~~October 1. (See 5-year Capital Improvements Program for the schedules of improvements for each facility element in **Exhibit 8.2, Exhibit 8.3, and Exhibit 8.4**).

Policy 8.1.1.3 - The Capital Improvements Element includes, by reference, the Flagler County School District ~~2014~~2017-2018~~5~~ Work Plan, adopted on September 1~~96~~, 2014-2017 by the Flagler County School Board

Policy 8.1.2.3 – The CIP shall be updated annually, by ~~December~~October 1, to reflect the adopted budget and include those projects identified in the first five years of the Water Supply Facilities Work Plan.



City of Palm Coast, Florida Agenda Item

Agenda Date : 04/17/2018

Department	CITY CLERK	Amount
Item Key	3184	Account
		#
Subject	RESOLUTION 2018-XX INITIATING THE CONFLICT RESOLUTION PROCEDURES WITH FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS FOR WATER SERVICES TO THE PROPERTY KNOW AS AIRPORT COMMONS.	
Background :	At the April 10, 2018 Workshop, City Council directed the City Attorney to prepare the necessary documents relating to the conflict with Flagler County for water services. The City Attorney has prepared the necessary documents to initiate the Conflict Resolution process with Flagler County for water services. The City Attorney will present the Conflict Resolution and process to City Council at the business meeting on April 17, 2018.	
Recommended Action :	For Council consideration and direction.	

RESOLUTION 2018-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, FINDING THAT THERE IS A CONFLICT BETWEEN PALM COAST AND FLAGLER COUNTY AND DIRECTING CITY STAFF TO REQUEST THE COUNTY TO TEMPORARILY HALT DEVELOPMENT APPROVALS ON A PARTICULAR PARCEL TO ALLOW TIME FOR THE COUNTY AND CITY TO ENGAGE IN DISPUTE RESOLUTION REGARDING CERTAIN INTERLOCAL AGREEMENTS; AND AUTHORIZING THE CITY ATTORNEY TO INITIATE LEGAL PROCEEDINGS REGARDING SUCH CONFLICT TO MAINTAIN STATUS QUO, IF THAT BECOMES NECESSARY; THAT SIGNIFICANT LEGAL RIGHTS OF THE CITY WILL BE COMPROMISED IF A COURT PROCEEDING TO MAINTAIN THE STATUS QUO DOES NOT TAKE PLACE PRIOR TO COMPLIANCE WITH DISPUTE RESOLUTION PROCEEDINGS UNDER CHAPTER 164, FLORIDA STATUTES, UNLESS THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY HONORS THE UTILITY SERVICE AREAS OF THE CITY ESTABLISHED IN INTERLOCAL AGREEMENTS; FINDING THAT IMMEDIATE DANGER TO THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC REQUIRES THE CITY OF PALM COAST'S IMMEDIATE ACTION IN FILING APPROPRIATE LAWSUITS SEEKING NECESSARY REMEDIES AGAINST FLAGLER COUNTY IF FLAGLER COUNTY DOES NOT VOLUNTARILY MAINTAIN THE STATUS QUO, AND THAT, UPON THE FILING OF ANY LAWSUITS AGAINST FLAGLER COUNTY, SUCH LAWSUITS SHOULD NOT BE ABATED DUE TO THE CITY'S INABILITY TO COMPLY WITH CHAPTER 164, FLORIDA STATUTES; PROVIDING FOR THE TAKING OF ACTIONS TOWARD INITIATING CONFLICT RESOLUTION PROCEEDINGS PURSUANT TO FLORIDA LAW; FINDING THAT CERTAIN ACTIONS MAY THREATEN OR JEOPARDIZE THE CITY'S UTILITY SERVICE AREAS; PROVIDING FOR AUTHORITY OF THE CITY MANAGER; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast is the owner and operator of the City of Palm Coast Water, Reclaimed Water and Wastewater Systems (Systems); and

WHEREAS, the City Council has issued Utility System Revenue Bonds, with certain bond covenants; and

WHEREAS, the City Council of the City of Palm Coast has also enacted Chapter 49 (the “Ordinance”), which Ordinance provides rules pertaining to the Systems to meet the City’s obligations relating to the operation of the Systems as well as to comply with the regulatory agencies’ requirements relating to the operation of the Systems, in addition to all other obligations of the City relating to the Systems such as obligations to bond holders; and

WHEREAS, pursuant to the provisions of applicable law, it is incumbent upon, and fiscally responsible for, the City Council of the City of Palm Coast to ensure that the Systems which were purchased at significant public expense, are protected and that the public investment made to procure the Systems are protected by protecting the City’s exclusive service area agreements; and

WHEREAS, the City Council of the City of Palm Coast has acted in accordance with the provisions of Article VIII, Section 2(b) of the Constitution of the State of Florida, which provides, in pertinent part, that “municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law”; Section 166.021(1), Florida Statutes, which provides, in pertinent part, that “[a]s provided in S.2(b), Art. VIII of the State Constitution, municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law”, Section 166.021(3), Florida Statutes, which provides, in pertinent part, that “[t]he Legislature recognizes that pursuant to the grant of power set forth in S.2 (b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislation may act” except for certain very limited matters; and other applicable law to include, but not be limited to, the provisions of Chapter 180, Florida Statutes; and

WHEREAS, the City Council of the City of Palm Coast has, from time-to-time, as necessary, taken actions to protect the purchasers of the bonds that funded the acquisition of the Systems, the citizens of the City of Palm Coast, and the consuming public, to ensure that the Systems are run in a prudent manner; and

WHEREAS, the City must take action to ensure that the financial investments of the City are protected, that the purchasers of the bonds that funded the acquisition of the Systems are acknowledged, that the rights and expectations of the citizens of the City of Palm Coast are honored, and that the consuming public is provided quality public services by means of the Systems, consistent with the public interest, the interlocal agreements, and the controlling requirements of Florida law; and

WHEREAS, Section 5.1 of the Settlement Agreement between the City and the County, among others, dated January 31, 2007 (the “Agreement”), provides that the City and County agree to the “retail water/wastewater, and reclaimed water service areas as depicted on the Map, and shall not offer to serve or serve within the service area of another without the express written consent of the other”, and the County has violated this Section by offering to provide potable water and wastewater services to a parcel of real property

located at Aviation Way and S.R. 100, and described in Exhibit A (the “Property”), which is located adjacent to the Flagler County Airport, and is within the City’s exclusive service area established in the Agreement; and

WHEREAS, in Section 5.4 of the Agreement, the County and City agreed to cooperate regarding any and all permitting for utility development or implementation of the Agreement; and in Section 6.1, Territorial Agreements, the County agreed to honor the City’s service and boundary lines as specified on the Map, and not to seek to offer or provide service in the City’s exclusive water/wastewater/reclaimed service areas shown on the Map; in Section 6.4, the County agreed not to take any action “in a manner which is inconsistent with the intent and spirit of the Agreement.” Rather, the County agreed to “engage in ongoing activities that will result in the provision of utility services to the public in a coordinated manner”, and to “engage in intergovernmental coordination and collaboration in order to benefit the public”; and

WHEREAS, the Interlocal Agreement between the City of Palm Coast and Flagler County relating to the Development of Unincorporated and Incorporated Lands In and Around the Flagler County Airport, dated June 18, 2015 (the “Interlocal”), provides in Section 4(a) that for property within the Airport, utility service will be governed by an agreement identified as the existing City/County Airport Utility Agreement (Exhibit E). Exhibit E provides that the County will abide by the City’s utility rules and regulations in receiving utilities at the Airport. The City utility rules are found in Chapter 49 of the Code of Ordinances. Section 49-62(h) prohibits the County from connecting its utility services to another property, which would be violated if the County connects its utility service to the Property. The penalty for doing so includes the recovery of all costs incurred by the City in remedying the violation; and

WHEREAS, the County’s actions in violation of these interlocal agreements and in violation of the City’s Utility rules and the County Comprehensive Plan, which requires intergovernmental coordination, demonstrate a disregard of the City and its citizens, the investments of the City in the Systems, the parties’ service areas, the Interlocal and the Agreement, and other material and pertinent matters; and

WHEREAS, the City has attempted to resolve the conflicts with the County, to no avail, and through this Resolution, will reach out to the County to request the County maintain the status quo on the Property until the parties can reach an amicable solution to the dispute; and

WHEREAS, if the dispute resolution procedures are unsuccessful, and the County refuses to maintain the status quo regarding development of the Property, the City of Palm Coast City Council authorizes the institution of litigation challenging Flagler County’s actions in seeking to provide retail water and sewer service to the Property, and the City Attorney may seek, among other remedies, temporary injunctive relief to prevent the County from offering retail service to this property, and seek recovery of costs; and

WHEREAS, if the City is unable to proceed immediately with seeking this temporary injunction, then the County may proceed to construct infrastructure to begin to

serve the Property, which will be costly, and which violates the interlocal agreements. Further, the owner of the Property could be prejudiced, in that the owner may proceed to develop the Property utilizing an unlawful utility connection, and if the City prevails in the litigation, all construction would have to be demolished; and

WHEREAS, Fla. Stat. §164.1041(2) allows a governmental entity to determine that the dispute resolution process provided in Chapter 164 does not need to be followed if a finding is made that significant legal rights will be compromised if a court proceeding does not take place before the dispute resolution process; and

WHEREAS, the City Council of the City of Palm Coast hereby expresses its intent and commitment to continue to act in a manner consistent with the essential requirements of law, in accordance with the principles of intergovernmental coordination, sound public management practices and principles, and in a manner that is fiscally sound and prudent.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS/INTENT.

(1) The provisions set forth in the recitals to this Resolution are hereby adopted by the City Council of the City of Palm Coast as the legislative findings and intent.

(2) The City Council hereby acknowledges the fact that the City Manager and the City Council have engaged and will continue to engage the County in a continuing dialogue in an attempt to ensure that Flagler County will respect the rights of the City of Palm Coast and its citizens, and to engage in sound and collaborative growth management and public utility facility planning.

(3) Part II, Chapter 163, Florida Statutes, is styled as “Local Government Comprehensive Planning and Land Development Regulation Act” and requires local governments to comprehensively plan and manage growth and the provision of public facilities such as potable water, wastewater treatment, and the use of water resources in a conservation mode by reusing water for multiple purposes. The City Council of the City of Palm Coast has dedicated itself to engaging in sound comprehensive planning practices and has implemented sound growth management practices and principles. The actions of the County substantially interfere with the programs of the City of Palm Coast to implement the goals, objectives and policies of the City of Palm Coast Comprehensive Plan which the State of Florida has found to be consistent with the controlling provisions of State law, unless the County will agree to maintain the status quo to allow the parties to engage in dispute resolution.

(4) It is the intention of the City Council for the City of Palm Coast to hereby initiate conflict resolution procedures pursuant to Chapter 164, Florida Statutes, prior to initiating judicial proceedings. The City Council for the City of Palm Coast recognizes the statutory mandate that it initiate conflict resolution proceedings prior to initiating court proceedings under Chapter 164, Florida Statutes.

(5) It is the intent of the City Council to take any and all actions that may be necessary to address and remedy the actions of the County which harm the interests of the City, its citizens and the Systems.

SECTION 2. FINDING OF ADVERSE EFFECT UPON CITY'S LEGAL RIGHTS AND UTILITY CUSTOMERS.

(1) Flagler County does not have the legal authority to enter into and take actions that adversely affect the established utility service areas of the City of Palm Coast which relate to the Systems, and which violate the Interlocal, the Agreement, and the City's utility rules.

(2) The actions of Flagler County interfere with the exercise of the home rule powers of the City of Palm Coast, the Systems, the investment backed expectations of the City of Palm Coast, the rights of the purchasers of the bonds, the funds deriving from which were used by the City to purchase the Systems, the benefits inuring to the customers of the City who utilize the Systems, the comprehensive planning and growth management responsibility of the City of Palm Coast, and the basic role of the City of Palm Coast to provide essential public services pursuant to Chapter 180, Florida Statutes, Utility Service Areas which the City of Palm Coast has purchased at great cost to its citizens and which it has managed and implemented in accordance with its home rule governmental powers.

SECTION 3. SUPER MAJORITY FINDING OF THE CITY COUNCIL; AUTHORIZATION TO CITY ATTORNEY.

(1) The City Council for the City of Palm Coast, by a three-fourths vote, finds that significant legal rights of the City will be compromised, and immediate danger to the health, safety, and welfare of the public will be adversely affected if the filing of any lawsuits against Flagler County are delayed or, subsequent to filing, are abated. Additionally, if Flagler County agrees to provide City water and sewer to the Property, there could be costly demolition required if the City prevails. For this reason, and pursuant to Fla. Stat. 164.1041(2), the dispute resolution process does not need to be followed in this matter, prior to initiating litigation.

(2) If the County does not agree to maintain the status quo and halt development approvals on the Property until the parties reach an amicable resolution, the City Attorney is hereby authorized to file such lawsuits as the City Attorney may determine to be necessary against Flagler County, and to bypass the conflict resolution process set forth in Chapter 164, Florida Statutes, as may be necessary, to prosecute or defend any lawsuit or other actions to protect the City's Interlocal Agreements with the County, its Utility Service Areas and the investments of the City of Palm Coast, the property interests and rights of the City of Palm Coast, the customers of the City of Palm Coast Utility, and the governmental integrity of the City of Palm Coast as a municipal government exercising constitutionally permitted home rule powers.

(3) The City Council of the City of Palm Coast hereby directs the City Manager to cause a certified copy of this Resolution to be delivered, return receipt request, to the

County Administrator of Flagler County within five (5) days after passage of this Resolution, together with a letter pursuant to Section 164.1052(1), Florida Statutes.

SECTION 4. ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized to take any and all such administrative actions that are deemed necessary and appropriate to implement the provisions of this Resolution.

SECTION 5. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

SECTION 6. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on the 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Approved as to form and legality

William E. Reischmann, Jr., Esquire
City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND IN GOVERNMENT SECTION 8, TOWNSHIP 12 SOUTH, RANGE 31 EAST, BEING A PORTION OF PARCEL 412 RECORDED IN OFFICIAL RECORD BOOK 601, PAGES 1989 THROUGH 2025, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AS A POINT OF REFERENCE BEING THE WEST QUARTER CORNER OF SAID SECTION 8, TOWNSHIP 12 SOUTH, RANGE 31 EAST, THENCE SOUTH 01°13' 43" EAST ALONG THE WEST LINE OF SECTION 8 A DISTANCE OF 161.99 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 100, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING THE WEST LINE OF SAID SECTION 8 NORTH 89°09'05" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 100 A DISTANCE OF 529.36 FEET TO THE NORTHWEST CORNER OF THE PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 363, PAGES 319 AND 320, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 00°50'55" EAST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 260.00 FEET; THENCE DEPARTING THE WEST LINE OF SAID PARCEL SOUTH 89°09'05" WEST A DISTANCE OF 527.64 FEET TO A POINT ON SAID WEST LINE OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 31 EAST; THENCE ALONG THE WEST LINE OF SAID SECTION 8 NORTH 01°13'43" WEST A DISTANCE OF 260.01 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

City of Palm Coast, Florida Agenda Item

Agenda Date: 4/17/2018

Department	PLANNING	Amount
Item Key	3168	Account
		#
Subject	RESOLUTION 2018-XX APPROVING THE STRATEGIC ACTION PLAN UPDATES AND ADDITIONAL PRIORITIES FOR FISCAL YEAR 2018-2019	
Background :	<p>This item was heard by City Council at their March 27, 2018 Workshop which highlighted the results of City Council interviews conducted in February. On April 10, 2018, City Council revisited the "Points of Interest" that are new activities associated with the Strategic Action Plan. The results of these discussions are depicted in Exhibit A. Staff requests that City Council consider each "Point of Interest" individually and vote through a ballot approach. Those items exhibited on Exhibit A that receive three votes or more will be adopted priorities for the next fiscal year effective by Resolution adoption.</p>	
Recommended Action :	<p>Adopt Resolution 2018-XX approving the Strategic Action Plan Updates and Additional Priorities for Fiscal Year 2018-2019.</p>	

RESOLUTION 2018 - _____
CITY COUNCIL STRATEGIC ACTION PLAN
ADDITIONAL PRIORITIES FOR FISCAL YEAR 2018-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING ADDITIONAL CITY COUNCIL PRIORITIES AND UPDATES TO THE STRATEGIC ACTION PLAN FOR FISCAL YEAR 2018-2019; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast City Council continues to support the City’s Vision, Mission, Values, and Goals as set forth in the Strategic Action Plan; and

WHEREAS, the City of Palm Coast City Council annually evaluates the Strategic Action Plan to remain nimble and focused on the needs of the community; and

WHEREAS, a continual year-long process has been established to track progress and ensure effective stewardship of annual priorities and fiduciary responsibility to the citizens of Palm Coast.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:

SECTION 1. APPROVAL OF ADDITIONAL CITY COUNCIL PRIORITIES. The City Council of the City of Palm Coast hereby approves the additional City Council priorities and updates to the Strategic Action Plan, as attached hereto and incorporated herein by reference as Exhibit “A.”

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

SECTION 3. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 4. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution, including, but not

limited to, inclusion of supporting projects and programs to further the additional City Council priorities in the budget process for further City Council consideration.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA SMITH, CITY CLERK

Attachment: Exhibit "A" – Fiscal Year 2018-2019 City Council Additional Priorities and Strategic Action Updates

Approved as to form and legality

William E. Reischmann, Jr., Esq.

Exhibit A

Fiscal Year 2018-2019 City Council Additional Priorities

1. Evaluate opportunities to work with citizens along Florida Park Drive to improve landscaping along the roadway
2. Engage an external consultant to identify options through a traffic engineering study to address traffic issues on Florida Park Drive
3. Create a stakeholders group to create a new Vision for Town Center through a strategic approach
4. Create a dedicated funding mechanism to support events and programs in pursuit of innovation in Town Center. Utilize stakeholders to create funding program framework
5. Evaluate the feasibility of requiring new construction to incorporate a committed fiber port through building code regulations
6. Develop a robust citizen engagement platform and ensure that cost-benefit analysis includes ongoing maintenance of the platform
7. Evaluate opportunities to improve public facing “public records” search capabilities
8. Improve communications infrastructure (phone/internet service) at City Hall and other City facilities to ensure continuum of services
9. Evaluate existing software product(s)’ maintenance costs and technological advancement needs to ensure that long-term financial investment is acceptable or justifies an alternative product
10. Evaluate Town Center and other locations within the southern part of the City with the potential to incorporate a future premier multi-purpose recreation center that all generations are served.
11. Request Florida Power & Light to provide a presentation to City Council to discuss feasibility of underground utility retrofits and mounting of equipment on utility poles

Name:	Additional Priority? (Yes or No)
1. Evaluate opportunities to work with citizens along Florida Park Drive to improve landscaping along the roadway	
2. Engage an external consultant to identify options through a traffic engineering study to address traffic issues on Florida Park Drive	
3. Create a stakeholders group to create a new Vision for Town Center through a strategic approach	
4. Create a dedicated funding mechanism to support events and programs in pursuit of innovation in Town Center. Utilize stakeholders to create funding program framework	
5. Evaluate the feasibility of requiring new construction to incorporate a committed fiber port through building code regulations	
6. Develop a robust citizen engagement platform and ensure that cost-benefit analysis includes ongoing maintenance of the platform	
7. Evaluate opportunities to improve public facing “public records” search capabilities	
8. Improve communications infrastructure (phone/internet service) at City Hall and other City facilities to ensure continuum of services	
9. Evaluate existing software product(s)’ maintenance costs and technological advancement needs to ensure that long-term financial investment is acceptable or justifies an alternative product	
10. Evaluate Town Center and other locations within the southern part of the City with the potential to incorporate a future premier multi-purpose recreation center that all generations are served.	
11. Request Florida Power & Light to provide a presentation to City Council to discuss feasibility of underground utility retrofits and mounting of equipment on utility poles	

City of Palm Coast, Florida Agenda Item

Agenda Date: 4/17/2018

Department Item Key	CITY CLERK	Amount Account
Subject	APPOINT MEMBERS TO THE BEAUTIFICATION AND ENVIRONMENTAL ADVISORY COMMITTEE	
Background:		
<p>The term for the five members of the Beautification and Environmental Advisory Committee (BEAC) expire on May 1, 2018. The regular members of the committee are: Kenneth Jones, John Kapcar, Glenn Partelow, Joanna Salkovitz and Jeffrey Seib. With the exception of Joanna Salkovitz, all other members wish to be reappointed.</p> <p>Applications were also received from Edward Beier, Steve Glaze and Marcia S. Foltz.</p> <p>Advertisements were published in the Flagler News-Tribune and on posted on the City's website. Staff also sent out emails to recent Citizen Academy graduates.</p> <p>District information has been verified by the City Clerk's office. Staff has performed the necessary background screening.</p> <p>City Council will be requested to fill the five seats from the applicants below.</p>		
Applicant	Voting District	Occupation
Edward Beier	3	Retired – Office of Special Investigations – Air Force
Marcia S. Foltz	3	Retired – Chief Planner – Landscape Architect
Steve Glaze	4	Landscape Architect
Kenneth Jones*	2	Retired - Retail
John Kapcar*	4	Retired – Airline Employee
Glenn Partelow*	4	Retired - Educator
Jeffrey Seib*	1	Retired – Agricultural Research Scientist
*Requesting to be reappointed.		
Recommended Action:		
City Council to appoint five members to the BEAC.		



VOLUNTEER BOARD AND COMMITTEE APPLICATION

Thank you for your interest in serving the City of Palm Coast.

Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration of your appointment.

Please be advised that background screening of all applicants is required.

Résumés may be attached.

Please check the Board/Committee/Council for which you are applying:

<input checked="" type="checkbox"/>	Beautification & Environmental Advisory Committee *	<input type="checkbox"/>	Planning & Land Development Regulation Board * ♠
<input type="checkbox"/>	Code Enforcement Board *	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board *
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

* Appointees must file a Financial Disclosure Form 1 with the City Clerk at time of appointment and **ANNUALLY** thereafter with the Flagler County Supervisor of Elections.

♠ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: Edward Beier E-mail address: edwardbeier@aol.com

Residence Address: 75 Lagare Street District # 3

City: Palm Coast State: Florida Zip: 32137

Mailing Address (If Different from Residence): _____

Home Phone 386-445-0831 Business Phone: _____

Date of Birth: 04/07/36 Place of Birth: Philadelphia, PA

How long have you been a permanent resident of Palm Coast? 11 years

What year did you become a continuous resident of the City of Palm Coast? 1975, my mother moved here and I would visit her.

List all places of residence for the last five years.

Address	City & State	From	To
75 Lagare Street	Palm Coast, FL	2007	Present

Are you a registered voter in Flagler County? Yes No

Have you ever used or been known by any other legal name? Yes No

If yes, explain: _____

Are you a citizen of the United States? Yes No

If no, explain: _____

If you are a naturalized citizen of the United States, date of naturalization: _____

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: Retired – Office of Special Investigations –Special Agent Air Force

Occupation: _____ Current Employer: _____

Current Business Address: _____

City State Zip Phone #

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment
Flagler County Public Schools	Education	Substitute Teacher	2007 - Present
Publix	Supermarket	P/T Customer Service	2010 - Present

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position Employee Agency Period of Employment

3. EDUCATION

High School: _____ Year Graduated: _____
Name & Location

List postsecondary educational institutions or programs attended:
Name & Location Dates Attended Certificate/Degrees Received

Temple University – Philadelphia, PA 1962 BS Degree

4. **MILITARY SERVICE**

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: 1960-1992

Branch or Component: US Navy and US Air Force

Date and Type of Discharge: Retired 1992 – Honorable Discharge

5. **INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?**

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No
If yes, which Board or Committee? _____

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)

American Legion, Palm Coast - Officer

Historical Society, Palm Coast

6. **QUALIFICATIONS FOR APPOINTMENT**

State your experiences and interests or elements of your personal history that qualify you for this appointment. I have taken various courses in government and city planning. I completed the Sheriff Citizens Academy and Palm Coast Academy. I have been active in meetings with the Grand Haven Community. I have been very active in a variety of Palm Coast events as guest speaker.

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

Office Title Date of Election or Appointment Term of Office Level of Government

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business	Relationship to the Business	Business Relationship to Agency

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

I have been associated with Palm Coast since 1975 and became a permanent resident in 2007. During the years I visited my mother, I watched the city grow. I was witness to the detailed planning and beautification standards which made the city unique. I marveled at the efforts that were made to preserve the beauty. Now we are in a building boom and I am saddened by the loss of our wildlife and forestry; therefore, it is very important that we ensure beautification is high on the list when new permits are issued and when building decisions are made. We owe this to ourselves and the younger generation, but also to the ones that came before us; the founding fathers; the leaders who began this beautiful city.

What is your understanding of the relationship of this Board or Committee to the City Council?
The Beautification and Environmental Advisory Committee should work with the City Council to provide recommendations, information and advise concerning Beautification and Environmental issues. It should provide studies and investigations as requested by the City Council. It should provide detailed analysis of Beautification and Environmental issues when assigned by the City Council. The committee should serve as guidance to the City Council.

7. REFERENCES – Please list three references (business and/or personal)

Art Dycke - 5 Lagare Street, Palm Coast, FL 32137 386-446-8636
Name, Address & Telephone Number

Pam Walker - 80 Front Street, Palm Coast, FL 32137 386-246-9637

Name, Address & Telephone Number

Joe Palermo - 73 Lagare Street, Palm Coast, FL 32137 386-445-3631

Name, Address & Telephone Number

8. ACKNOWLEDGMENT

If required by law, will you file a financial disclosure statement?

Yes

No

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.

Signature

Date 4/3/2018

NOTE: If you have questions concerning the duties and responsibilities of any of the above Boards or Committees please contact the City Clerk's Office.

RETURN TO:	City Clerk's Office City of Palm Coast 160 Lake Avenue Palm Coast, Florida 32164	PHONE:	386-986-3713
		FAX:	386-986-3714
		EMAIL:	bredline@palmcoastgov.com
		WEBSITE:	www.palmcoastgov.com

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

SUNSHINE LAW: The primary purpose of Government in the Sunshine Law is to assure public access to the decision-making processes of public boards and commissions. The Sunshine Law extends to discussions and deliberations as well as to formal actions taken by boards and commissions.

*Should you not be selected at this time, your application will be kept on file for consideration for six (6) months.
Should you wish to be considered for another board, committee, or task force during that time,
you must contact the City Clerk's Office and request reconsideration.*

EDWARD D. BEIER

75 Lagare Street
Palm Coast, Florida 32137

(386) 445-0831 / (386) 503-8499
beiered@aol.com

PROFESSIONAL OBJECTIVE

SHORT TERM OBJECTIVE: Apply leadership techniques, methods, skills, and for Beautification & Environmental Advisory Committee.

LONG TERM OBJECTIVE: A sense of ownership and initiative, creative thinking, and a dedication towards teamwork.

SUMMARY OF QUALIFICATIONS

Extremely motivated, results-driven, and professional with exceptional communication skills and an extensive background in the following broad-based competencies:

CUSTOMER SERVICE
SUBSTITUTE TEACHER
SALES MARKETING FINANCIAL
MANAGEMENT
PROGRAM MANAGEMENT
PROGRAM DEVELOPMENT
HOME LANDSCAPING

KNOWLEDGE, SKILLS, AND ABILITIES

1. Marketing Executive
2. Maintain relationships with existing customers through regular review visits.
3. Contacting clients by phone to negotiate terms of an agreement and conclude sales
4. Management and coordination on all aspects of the delivery of a professional education course, including site selection, ordering of instructional materials, monitoring student registrations, processing of student and instructor evaluations, recording and reporting of rosters, preparing completion certificates, etc.
5. Respond to common inquiries or complaints from employees, residents and families, regulatory agencies, and members of the business community.
6. Write speeches, articles or publications to conform to prescribed style and format.
7. Present information to all levels of employees and public or private groups.
8. Over thirty year's extensive professional services and business operations experience. Successful interaction with numerous decision makers at all levels.
9. Strong interpersonal skills and ability to function as a productive team member, lead a team, or accomplish tasks without supervision. Mission oriented.
10. Computer skills: MS Office Suite, typing, and internet.

PROFESSIONAL BUSINESS EXPERIENCE

PUBLIX, Palm Coast, Florida

05/09 – Present

Customer Service (PT)

FLAGLER COUNTY PUBLIC SCHOOL, Bunnell, Florida

08/07 – Present

Substitute Teacher

EDWARD D. BEIER

75 Lagare Street
Palm Coast, Florida 32137

(386) 445-0831 / (386) 503-8499
beiered@aol.com

PRINCE GEORGE'S COMMUNITY COLLEGE, Largo, Maryland
Administrative Assistant, Testing Coordinator

12/92 – 04/07

MARRIOTT VACATION CLUB INTERNATIONAL, Washington, DC
Senior Marketing Executive

06/97 – 11/08

UNITED STATES AIR FORCE, Special Agent (**Retiree**)

06/69- 04/96

United States Air Force, Office of Special Investigations. Fifteen years experience in fraud investigation including the compilation and writing of fraud surveys and analysis of fraud investigations and drafting of Fraud Information Reports for publication to field and headquarters.

Twenty-two years working knowledge of personnel background techniques. Ten years experience providing management and oversight review of field offices. Served as advisor to high level command and provided recommendations regarding operations and management structure. Reviewed agent personnel reports. Fourteen years experience performing protective service operations at various security detail levels, including command posts, motorcade and advance teams. Conducted counter-intelligence and covert operations.

CIVIL SERVICE, DEPT OF DEFENCE, (**Retiree**), Various Locations
Program Analyst, Logistics Management Specialist

12/62 – 03/92

EDUCATION

- TEMPLE UNIVERSITY – Philadelphia, PA, Aug 1962
Bachelor of Science in Business Administration Degree
- GEORGE WASHINGTON UNIVERSITY, Washington, DC
Graduate Courses
- INTEGRATED LOGISTICS SUPPORT MANAGEMENT SCHOOL – Washington, DC
- RENESSEALER POLYTECHNIC INSTITUTE, DEFENSE CONTRACTING AND PROJECT MANAGEMENT, Washington, DC
- UNITED STATES AIR FORCE, OFFICE OF SPECIAL INVESTIGATION ACADEMY, Washington, DC

PROFESSIONAL TRAINING / MEMBERSHIPS

- Current Officer - Sgt at Arms - American Legion Post 115, Palm Coast, FL
- Flagler County Sheriff's Office 2017 Citizens Academy
- United States Air Force Office of Investigations Academy, Washington, D.C.
- Protective Services Operations Training Course, Washington, D.C.
- Marketing
- Testing Technician
- College Data Processing System Training
- Member of Flagler County Chamber of Commerce
- Volunteer at Signature Health Care, Ormond Beach, FL

EDWARD D. BEIER

75 Lagare Street
Palm Coast, Florida 32137

(386) 445-0831 / (386) 503-8499
beiered@aol.com

ADDITIONAL INFORMATION

AWARDS:

- Excellent Performance Awards
- Senior Marketing Executive of the Year Award
- Senior Marketing Executive of the Quarter Award
- Meritorious Service Medal
- Commendation Medal
- Outstanding Unit Award
- Good Conduct Medal
- National Defense Service Medal
- Air Force Longevity Service Award Ribbon

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.



Signature

Date 4/3/2018

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RETURN TO: City Clerk's Office
City of Palm Coast
160 Lake Avenue
Palm Coast, Florida 32164

PHONE: 386-986-3713
FAX: 386-986-3714
EMAIL: kredline@palmcoastgov.com
WEBSITE: www.palmcoastgov.com

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Should you not be selected at this time, your application will be kept on file for consideration for six (6) months. Should you wish to be considered for another board, committee, or task force during that time, you must contact the City Clerk's Office and request reconsideration.



VOLUNTEER BOARD AND COMMITTEE APPLICATION

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Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration of your appointment.

Please be advised that background screening of all applicants is required.

Résumés may be attached.

Please check the Board/Committee/Council for which you are applying:

<input checked="" type="checkbox"/>	Beautification & Environmental Advisory Committee *	<input type="checkbox"/>	Planning & Land Development Regulation Board* ♣
<input type="checkbox"/>	Code Enforcement Board*	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board*
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

* Appointees must file a Financial Disclosure Form 1 with the City Clerk at time of appointment and **ANNUALLY** thereafter with the Flagler County Supervisor of Elections.

♣ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: MARCIA STEVENS FOLE E-mail address: STASHA0017@GMAIL.COM

Residence Address: 135 FRONT ST. District # 3

City: PALM COAST State: FL Zip: 32137

Mailing Address (If Different from Residence): _____

Home Phone: 561-306-5048 Business Phone: cell

Date of Birth: 6/14/1953 Place of Birth: MELBAXE, MASS

How long have you been a permanent resident of Palm Coast? 2 YEARS

What year did you become a continuous resident of the City of Palm Coast? 2016

List all places of residence for the last five years.

Address: 770 Park Dr. W. Boca Raton FL. City & State: Boca Raton FL. From: ad. 1/11/16 To: Dec. 2016

Are you a registered voter in Flagler County? Yes No
 Have you ever used or been known by any other legal name? Yes No
 If yes, explain: MARCIA STEVENS (MAIDEN NAME)

Are you a citizen of the United States? Yes No
 If no, explain: _____

If you are a naturalized citizen of the United States, date of naturalization: _____

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: CHIEF PLANNER AND LANDSCAPE ARCHITECT
 Occupation: RETIRED Current Employer: _____
 Current Business Address: (SEE RESUME)

City _____ State _____ Zip _____ Phone # _____

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment
City of DEERFIELD BEACH 150 NE 2 nd AVE DEERFIELD BEACH, FL	City/Government	CHIEF PLANNER	April 2001 - Oct. 2015

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
 If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position	Employee Agency	Period of Employment
<u>(SEE ABOVE)</u>		

3. EDUCATION

High School: Stonington High / Cal. Year Graduated: 1976

Name & Location	Dates Attended	Certificate/Degrees Received
<u>LEO BATTI Ridge</u>	<u>1971 - 1976</u>	<u>1976 BACH. LANDSCAPE ARCHITECTURE</u>

4. MILITARY SERVICE

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: _____

Branch or Component: _____

Date and Type of Discharge: _____

5. INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No
If yes, which Board or Committee? _____

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)

- AMERICAN ~~INSTITUTE~~ INSTITUTE OF CERTIFIED PLANNERS (CAICP)
- RIVER TO SEA CITIZEN ADVISORY (COUNTY OF FLAHER)
- VOLUNTEER MARINE LAND

6. QUALIFICATIONS FOR APPOINTMENT

State your experiences and interests or elements of your personal history that qualify you for this appointment.

- LANDSCAPE ARCHITECT, COMMUNITY APPEARANCE BOARD ADMINISTRATION FOR 14 YEARS (CITY)
- REVIEW OF SITE LANDSCAPE PLANS 14 YEARS -

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

LICENSED LANDSCAPE ARCHITECT

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

FLAHER COUNTY - RIVER TO SEA CITIZEN ADVISORY COMMITTEE

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

Office Title	Date of Election or Appointment	Term of Office	Level of Government

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business	Relationship to the Business	Business Relationship to Agency

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

ABSOLUTELY - YES

What is your understanding of the relationship of this Board or Committee to the City Council?

THIS IS AN ADVISORY POSITION APPOINTED BY CITY COUNCIL. CITY COUNCIL HAS NO DIRECTIVE TO ACCEPT ANY RECOMMENDATIONS OF COMMITTEE, AND MAY ACT ON THEIR OWN ACCORD AS DETERMINED

7. REFERENCES - Please list three references (business and/or personal) ^{* THESE PEOPLE DO KNOW ME AS}
- ① MR. CHRISTINE CARLYLE (312-896-1108) (NAME, ADDRESS & TELEPHONE NUMBER) CHRISTINE@SLB.COM MARCIA STEVENS
 - ② HAROLD HAYTE (ASIA) CITY OF DEERFIELD BEACH (954-482-4210) HHAYTE@DEERFIELD-BEACH.COM
 - ③ KATHY MCCREARY (214-543-7406) SKKCMS23@GMAIL.COM

8. ACKNOWLEDGMENT Yes No

If required by law, will you file a financial disclosure statement?

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.


Signature

4/2/2018
Date

NOTE: If you have questions concerning the duties and responsibilities of any of the above Boards or Committees please contact the City Clerk's Office.

RETURN TO:	City Clerk's Office City of Palm Coast 160 Lake Avenue Palm Coast, Florida 32164	PHONE:	386-986-3713
		FAX:	386-986-3714
		EMAIL:	CityClerk@palmcoastgov.com
		WEBSITE:	www.palmcoastgov.com

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

SUNSHINE LAW: The primary purpose of Government in the Sunshine Law is to assure public access to the decision-making processes of public boards and commissions. The Sunshine Law extends to discussions and deliberations as well as to formal actions taken by boards and commissions.

Should you not be selected at this time, your application will be kept on file for consideration for six (6) months. Should you wish to be considered for another board, committee, or task force during that time, you must contact the City Clerk's Office and request reconsideration.

MARCIA STEVENS FOLTZ, AICP

13 Front Street
Palm Coast, Florida 32137

(561) 306-5048

E Mail: Mstevens_aicp@hotmail.com

PROFESSIONAL EXPERIENCE:

April 2001 to October 2015 City of Deerfield Beach Planning and Growth Management

Chief Planner: **Long Range Planning:** Responsible for all proposed land use amendments and DCA approvals, updating the Comprehensive Plan including 10-Year Water Supply Facilities Plan, EAR and EAR amendments, transportation element and community planning studies and initiatives which have included development of land development regulations and special purpose district coordination. **Current Planning:** Responsible for the site plan review process and administration (DRC), plats and rezoning analysis, manager of landscape staff, Community Appearance Board administration and all building permit approvals for the Planning Department.

Jan. 1996- 1999: City of Dallas Department of Planning and Development

Chief Planner: **Community Planning:** Responsible for preparing and managing land use and urban design studies, including the development of land development regulations and ordinances, special purpose neighborhood and historical districts, transportation planning and permitting.

Duties included:

- The implementation and management of City Council approved work program
- Updating comprehensive plan and other regulatory actions
- Preparing neighborhood and urban design studies
- The preparation and coordination of study recommendations and resulting rezoning ordinances
- Grant writing for urban design project funding and long range planning needs
- Coordination with the public to address developmental issues
- Serving as senior staff support to intergovernmental agencies such as DART expansion (light rail), Texas Dept. of Transportation and for regional planning projects of the North Central Texas Council of Governments.
- Managing consulting design professionals (including engineers, planners and architects)
- Department budgeting with capitol improvement projects and coordination

1993-1995: Urban Systems, Inc. - New Orleans, La.

Sr. Project Manager: Responsible for the project planning and design services for a variety of projects from site entitlement to construction administration. Worked with Urban System's engineering staff, assisting in the design, and production of construction documents for commercial facilities, highways and streets. Provided expertise in project site design, signage systems, permitting, zoning, contract negotiations and public agency coordination.

1988 - 1992: Mauna Lani Resort - Big Island, Hawaii

Director of Planning and Design: Responsible for the implementation of the 4,200 acres resort master plan (second phase), including resort development, rezoning, platting, permitting (building, historical, environmental, coastal/shoreline, PUD and other special purpose permits), conceptual design, profit/ cost analysis and consultant management.

Built Projects:

Ritz Carlton-Mauna Lani,	Three oceanfront single family subdivisions
Mauna Lani Bungalows and Canoe House	Islands at Mauna Lani (condominiums)
Second golf course (Senior Skins)	Two public beach parks.
Conceptual Design Mauna Lani Cove Marina (88 acres with 250 mooring and 150 residential homes)	

1986-1988: Hyatt Regency Waikoloa - Big Island, Hawaii

Superintendent Assistant, Landscape Architect: Hawaiian Dredging Construction Company, Big Island, Hawaii

Assisted five superintendents with clarification requests, change orders, site layouts and quality control issues. Scheduled, procured and coordinated \$8 million dollars worth of landscape material, inclusive of irrigation with other project trades on site. Efforts transformed 62 acre site from lava desert into lush resort hotel.

1983-1996: Stevens Associates - Anchorage, Alaska

Owner: Landscape architectural/planning firm, specializing in large scale master planning projects. Eklutna Native Corporation (7,000 acres), and US Army Base Mater Planning for Forts. Richardson. Wainwright and Greely. Landscape architect for various park and school projects, including three Chapter ASLA awards.

1981- 1983: USKH (Fortune 500 A &E Firm) - Anchorage, Alaska

Director of Planning: Firm's project expertise ranged from interstate highway, bridge, airport, residential, office and hospital designs, to the development of city and local parks. Responsible for the planning and public participation aspects for most projects, the planner for airport and community plans and the site designer and landscape architect for all architectural projects; inclusive of many parks and commercial developments.

Ms. Stevens has also served as a staff architect for CCC/HOK Architects, and as a staff landscape architect for Design Consortium, New Orleans, La.

Specific Development and Design-Oriented Experience Includes the Following:

- Land development regulations
- Comprehensive master planning
- Public participation process
- Neighborhood land use planning
- Urban design studies
- Landscape Architecture and site civil design
- Grant writing for project funding
- Environmental analysis and project permitting
- Capitol improvement budgeting
- Project document coordination
- Cost and quantity estimating
- PID/TIF developments

EDUCATION:

1976 Bachelor of Landscape Architecture
Louisiana State University

REGISTRATION:

American Institute of Certified Planners No. 015070
Registered Landscape Architect: Louisiana, Hawaii and Texas



VOLUNTEER BOARD AND COMMITTEE APPLICATION

Thank you for your interest in serving the City of Palm Coast.

Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration of your appointment.

Please be advised that background screening of all applicants is required.

Résumés may be attached.

Please check the Board/Committee/Council for which you are applying:

<input checked="" type="checkbox"/>	Beautification & Environmental Advisory Committee *	<input type="checkbox"/>	Planning & Land Development Regulation Board * ♣
<input type="checkbox"/>	Code Enforcement Board *	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board *
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

* Appointees must file a Financial Disclosure Form 1 with the City Clerk at time of appointment and **ANNUALLY** thereafter with the Flagler County Supervisor of Elections.

♣ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: Steve M. Glaze E-mail address: glazegator@cfl.rr.com

Residence Address: 17 Karanda Place District # 4

City: Palm Coast State: FL. Zip: 32164

Mailing Address (If Different from Residence): Same as above

Home Phone: (386) 586-6883 Business Phone: (386) 677-2482

Date of Birth: 08-10-1968 Place of Birth: Beckley WV

How long have you been a permanent resident of Palm Coast? 14 Years

What year did you become a continuous resident of the City of Palm Coast? 2004

List all places of residence for the last five years.

Address	City & State	From	To
17 Karanda Place	Palm Coast FL.	2004	Present

Are you a registered voter in Flagler County? Yes No
 Have you ever used or been known by any other legal name? Yes No
 If yes, explain: N/A

Are you a citizen of the United States? Yes No
 If no, explain: N/A

If you are a naturalized citizen of the United States, date of naturalization: N/A

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: N/A
 Occupation: Landscape Architect Current Employer: Zev Cohen & Associates, Inc.
 Current Business Address: 300 Interchange Blvd, Suite C

Ormond Beach FL. 32174 (386) 677-2482
City State Zip Phone #

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment
ZevCohen & Associates, Inc	Engineering	Landscape Designer	4-04-9/11, 9/14-Present
Hammock Gardens Nursery, Inc.	Nursery	Landscape Designer	8/13-10/15

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
 If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position	Employee Agency	Period of Employment
<u>N/A</u>		

3. EDUCATION

High School: John I. Leonard High School Year Graduated: 1986
Name & Location

List postsecondary educational institutions or programs attended:

Name & Location	Dates Attended	Certificate/Degrees Received
University of Florida	1996-2002	Bachelor of Landscape Architecture

4. MILITARY SERVICE

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: N/A

Branch or Component: N/A

Date and Type of Discharge:

5. INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No

If yes, which Board or Committee? N/A

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)

American Society of Landscape Architecture

6. QUALIFICATIONS FOR APPOINTMENT

State your experiences and interests or elements of your personal history that qualify you for this appointment.

Ive been a practicing Landscape Designer and Consultant for over 17 years as well as a Resident of the City of Palm Coast.

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

Bachelor in Landscape Architecture

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

N/A

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

Office Title Date of Election or Appointment Term of Office Level of Government

N/A

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business

Relationship to the Business

Business Relationship to Agency

I work for a local consulting firm which holds several continuing service contracts with municipalities located in Volusia and Flagler Counties. That firm has also been awarded multiple Design and Permitting contracts for various municipal projects.

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

I bring a level of professionalism and aptitude consistent with my 17 years of Landscape Design and consulting experience. As is with my daily obligation of my profession, separation of decision maker and advocate will be maintained.

What is your understanding of the relationship of this Board or Committee to the City Council?

We have consulting and recommending affiliation.

7. REFERENCES – Please list three references (business and/or personal)

Mr. Bobby Ball 5960 Kendrew Dr., Port Orange FL. (386) 299-7433 - cell
Name, Address & Telephone Number

Mr. Ken Davis 21 Lakeside Place, Palm Coast FL. (386) 899-5000 - cell
Name, Address & Telephone Number

Mr. Kevin White 817 Macbeth Court, St. John's FL. (904) 803-4539 - cell
Name, Address & Telephone Number

8. ACKNOWLEDGMENT

If required by law, will you file a financial disclosure statement?

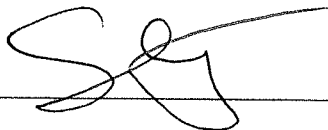
Yes

No

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.



Signature

4-5-18

Date

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City of Palm Coast
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Palm Coast, Florida 32164

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Professional Resume

Steven M. Glaze

17 Karanda Place, Palm Coast, FL 32164

Phone: 386-586-6883

Email: glazegator@cfl.rr.com

LANDSCAPE ARCHITECTURE SKILLS

- ◆ Skilled in the techniques of conceptual design, artistic rendering, sketching
- ◆ Knowledgeable of sub-tropical planting material and design criteria
- ◆ Skilled at various computer software programs (Computer-aided rendering, CADD, GIS, Photoshop, PowerPoint and Excel) which streamline the project's completion
- ◆ An acute attention to detail
- ◆ Knowledgeable in the latest modes of design and materials used for project implementation
- ◆ Facilitated construction administration for landscape, hardscape and irrigation installations
- ◆ Knowledgeable in tree mitigation determinations
- ◆ Adept in entrance feature design/vistas and hardscape elements design

LAND PLANNING SKILLS

- ◆ Competent in performing site inventory and analyses
- ◆ Strong working knowledge of land development codes and policies
- ◆ Accomplished in comprehensive and overall master planning
- ◆ Knowledgeable in annexation, rezoning, comprehensive plan amendments, land development code compliance
- ◆ Accomplished in preparing GIS exhibits for planning (land use, zoning, flood plains, wetlands, etc.)

MANAGEMENT SKILLS

- ◆ Well-organized, time-efficient, task and team-oriented
- ◆ The ability to direct and facilitate a project from conceptual design to construction implementation
- ◆ The ability to organize and coordinate ideas, timelines, materials and products for completion
- ◆ Overseeing/maintaining departmental needs
- ◆ Supervising/training staff of 5-10 employees
- ◆ Establishing department production goals
- ◆ Preparing productivity graphs
- ◆ Performing employee evaluations
- ◆ Completing expense reports
- ◆ Heading Safety Committee (*President*)

EDUCATION

- 1998-2002 **Bachelor of Landscape Architecture**
University of Florida, Gainesville, FL
GPA: 3.82 (Graduated with Highest Honors)
- 1994-1997 **Associate of Arts Degree**
Palm Beach Community College, Lake Worth, FL
- 1983-1986 **High School Diploma**
John I. Leonard High School, Lake Worth, FL

ACADEMIC AWARDS/HONORS

- Dean's List** - *Fall 1995, 1996, 1997, 2001; Spring 1999, 2000*
- President's Honor Roll** - *Spring 2000*
- News Article** - Recognition by local newspaper and city officials for class-wide project (*East Gainesville Master Plan*)

*Interview with Local Magazine (Pelican Post) on "Shangri-La on your doorstep",
Why choose a Design Professional, Spring 2014*

EMPLOYMENT HISTORY

- 4/04-9/11, 9/14-Present **ZEV COHEN & ASSOCIATES, INC.**
300 Interchange Blvd. Suite C., Ormond Beach, FL
Landscape Designer/Planner
Contact: Dwight DuRant, President
- 8/13-10/15 **HAMMOCK GARDENS NURSERY, INC.**
5208 N. Ocean Shore Blvd., Palm Coast, FL
Landscape Designer/Planner
Contact: Mike Fonseca, Owner
- 5/02-1/04 **CAUSSEAUX & ELLINGTON, Inc.**
6011 NW 1st Place, Gainesville, FL
Landscape Designer/Co - Planner/CADD
Contact: Rory Causseaux, President
- 5/00-5/02 **BUFORD DAVIS & ASSOCIATES**
2406 NW 43rd St., Gainesville, FL
Landscape Architect Apprentice
Contact: EJ Buldoc, Landscape Architect
- 2/98-7/98 **LAND DESIGN SOUTH**
1280 N. Congress Ave., Suite 215, West Palm Beach, FL
Landscape Architect Apprentice
Contact: Jennifer Morton, Partner/Landscape Architect
- 8/96-7/98 **FLORIDA VERTICAL BLIND CO.**
522 Number G Street, Lake Worth, FL
Installer
Contact: Jim King, President
- 10/86-2/95 **UNITED PARCEL SERVICE**
2001 Avenue P, Riviera Beach, FL
Re-loader/Pre-loader Supervisor

PROFESSIONAL ORGANIZATIONS

American Society of Landscape Architecture - Member

COMMUNITY INVOLVEMENT

- Flagler County AYSO – Soccer Coach (three years)**
Police Athletic League (P.A.L.) – Little League Baseball Coach (two years), Football Coach (three years)
American Youth Football (AYF) – Coach (one year)
Flag Football 4 Fun – Coach (three years)
Upward - Basketball Coach (two years)
Church Leadership Involvement -Teaching adults, men's bible study groups, youth (middle school) and children
Sports Clinic Mission Trip - Boa Vista Brazil
Youth Leader – Teach/Instruct Teenager (7 years)
Hammock Beach Beautification Board Member – Review Landscape Plans for Beautification Board

REFERENCES – Available upon request

Steven M. Glaze

17 Karanda Place, Palm Coast, FL 32164

Phone: 386-586-6883

Email: glazegator@cfl.rr.com

REFERENCES

Mr. Bobby Ball
5960 Kendrew Dr.
Port Orange, FL 32137
(386) 299-7433

Civil Engineer/Co-worker

Dr. Ken Davis
21 Lakeside Place
Palm Coast, FL 32137
(954) 899-5000

Chiropractor/Friend

Mr. Kevin White
817 Macbeth Court
St. John's, FL 32259
(904) 803-4539

Landscape Architect/Classmate



VOLUNTEER BOARD AND COMMITTEE APPLICATION

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Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration of your appointment.

Please be advised that background screening of all applicants is required.

Résumés may be attached.

Please check the Board/Committee/Council for which you are applying:

<input checked="" type="checkbox"/>	Beautification & Environmental Advisory Committee *	<input type="checkbox"/>	Planning & Land Development Regulation Board* ♠
<input type="checkbox"/>	Code Enforcement Board*	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board*
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

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♠ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: KENNETH JONES E-mail address: ANCHORDOWN@ATT.NET

Residence Address: 8 COTTAGE GATE CT District #: _____

City: PALM COAST State: FLORIDA Zip: 32137

Mailing Address (If Different from Residence): _____

Home Phone: 386-447-0713 Business Phone: N/A

Date of Birth: 2/10/51 Place of Birth: CUBA

How long have you been a permanent resident of Palm Coast? 20 YEARS

What year did you become a continuous resident of the City of Palm Coast? 1998

List all places of residence for the last five years.

JUST PALM COAST

Address	City & State	From	To
N/A			

Are you a registered voter in Flagler County? Yes No
 Have you ever used or been known by any other legal name? Yes No
 If yes, explain: _____

Are you a citizen of the United States? Yes No
 If no, explain: _____

If you are a naturalized citizen of the United States, date of naturalization: _____

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: NATIONAL DIRECTOR INVENTORY MGMT.

Occupation: _____ Current Employer: _____

Current Business Address: _____

City _____ State _____ Zip _____ Phone # _____

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment
N/A	RETIRED SINCE	1998	

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
 If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position	Employee Agency	Period of Employment

3. EDUCATION

High School: HOMESTEAD / SUMMIT CALIF. Year Graduated: 1969
Name & Location

List postsecondary educational institutions or programs attended:

Name & Location	Dates Attended	Certificate/Degrees Received
COLLEGE OF FINANCIAL PLANNING	1999-2001	PASSED CFP COURSE
UNIVERSITY OF FLORIDA	1999	MARTIN GARDNER
UNIVERSITY OF S. CALIF.	SUMMER 1968	

4. MILITARY SERVICE

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: _____

Branch or Component: _____

Date and Type of Discharge: _____

5. INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No

If yes, which Board or Committee? ORIGINAL MEMBER OF BEAC

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)

CURRENTLY - TREASURER - FRIENDS OF THE LIBRARY OF FLAGLER COUNTY
CURRENTLY - ASST. TREASURER - FRIENDS OF WASHINGTON OAKS
PREVIOUS - PRESIDENT MASTER GARDENERS OF FLAGLER COUNTY (> YRS)

6. QUALIFICATIONS FOR APPOINTMENT

State your experiences and interests or elements of your personal history that qualify you for this appointment.

HAVE BEEN A BOARD MEMBER SINCE BEAC WAS LAUNCHED.
HAVING BEEN A BIG BOX RETAIL EXECUTIVE AND A MASTER GARDENER
GIVE ME INSIGHT INTO BOTH BUSINESS & NATURE NEEDS.

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

MASTER GARDENER DESIGNATION. WAS PRESIDENT OF
MASTER GARDENER CLUB FOR 7 YEARS.

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

BEAC

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

Office Title Date of Election or Appointment Term of Office Level of Government

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business Relationship to the Business Business Relationship to Agency

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

I HELPED TO CREATE THE REVIEW PROCESS FOR ART IN PUBLIC PLACES
I CREATED THE ARTS COMMISSION TO AID THE BEAC & CITY
TO GET MODERN INPUT FOR THE ART REVIEW PROCESS.

What is your understanding of the relationship of this Board or Committee to the City Council?

WE ARE TO REVIEW AND ADVISE ON ISSUES CONCERNING
THE ENVIRONMENT AND WAYS TO MAKE OUR CITY
MORE BEAUTIFUL.

7. REFERENCES – Please list three references (business and/or personal)

BILL BUTLER 160 LAKE AVE. PALM COAST 386-936-3760
Name, Address & Telephone Number

TOM GARGIULO 8 CEDAR POINT DR. P.C. 386-446-0617
Name, Address & Telephone Number

SHARON GRONNING 13 COTTAGE GATE CT P.C. 386-445-5971
Name, Address & Telephone Number

8. ACKNOWLEDGMENT

If required by law, will you file a financial disclosure statement?

Yes

No

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

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Signature

3/23/18
Date

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<input type="checkbox"/>	Code Enforcement Board*	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board*
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

* Appointees must file a Financial Disclosure Form 1 with the City Clerk at time of appointment and **ANNUALLY** thereafter with the Flagler County Supervisor of Elections.

♣ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: John Kapcar E-mail address: pattidale@gmail.com
 Residence Address: 21 Ryker Ln District #: _____
 City: Palm Coast State: FL Zip: 32164
 Mailing Address (If Different from Residence): _____
 Home Phone: 386 263 2007 Business Phone: none
 Date of Birth: 11/02/1941 Place of Birth: Bayonne, NJ
 How long have you been a permanent resident of Palm Coast? 10 years
 What year did you become a continuous resident of the City of Palm Coast? 2007

List all places of residence for the last five years.

Address	City & State	From	To

Are you a registered voter in Flagler County? Yes No
 Have you ever used or been known by any other legal name? Yes No
 If yes, explain: _____

Are you a citizen of the United States? Yes No
 If no, explain: _____

If you are a naturalized citizen of the United States, date of naturalization: _____

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: aircraft load planner
 Occupation: _____ Current Employer: none
 Current Business Address: _____

City State Zip Phone #

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment
<u>Retired for 10 years</u>			

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
 If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position	Employee Agency	Period of Employment

3. EDUCATION

High School: Bayonne High Year Graduated: 1960
Name & Location

List postsecondary educational institutions or programs attended:
Name & Location Dates Attended Certificate/Degrees Received

4. MILITARY SERVICE

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: 1961-1965

Branch or Component: U. S. Air Force

Date and Type of Discharge: Honorable 16 Apr 65

5. INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No

If yes, which Board or Committee? BEAC

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)

The American Legion

Elks

The Sheltering Tree

6. QUALIFICATIONS FOR APPOINTMENT

State your experiences and interests or elements of your personal history that qualify you for this appointment.

Member of the BEAC For the last 10 years.

Life member of the Monmouth County Friends of Clearwater, environmental organization. President 2 terms, Vice Pres. 2 terms.

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business

Relationship to the Business

Business Relationship to Agency

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

I have been a member of the committee for BEAC for 10 years and have been a decision maker when necessary.

What is your understanding of the relationship of this Board or Committee to the City Council?

To bring attention of beautification and environmental issues to the city Council.

7. REFERENCES – Please list three references (business and/or personal)

Bill Butler

BEAC

Name, Address & Telephone Number

Ken Jones

BEAC

Name, Address & Telephone Number

Glenn Partelow

BEAC

Name, Address & Telephone Number

8. ACKNOWLEDGMENT

If required by law, will you file a financial disclosure statement?

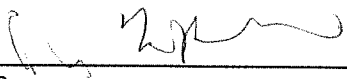
Yes

No

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.



Signature

2/8/18

Date

NOTE: If you have questions concerning the duties and responsibilities of any of the above Boards or Committees please contact the City Clerk's Office.

RETURN TO:	City Clerk's Office City of Palm Coast 160 Lake Avenue Palm Coast, Florida 32164	PHONE:	386-986-3713
		FAX:	386-986-3714
		EMAIL:	CityClerk@palmcoastgov.com
		WEBSITE:	<u>www.palmcoastgov.com</u>

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

SUNSHINE LAW: The primary purpose of Government in the Sunshine Law is to assure public access to the decision-making processes of public boards and commissions. The Sunshine Law extends to discussions and deliberations as well as to formal actions taken by boards and commissions.

*Should you not be selected at this time, your application will be kept on file for consideration for six (6) months.
Should you wish to be considered for another board, committee, or task force during that time,
you must contact the City Clerk's Office and request reconsideration.*



VOLUNTEER BOARD AND COMMITTEE APPLICATION

Thank you for your interest in serving the City of Palm Coast.

Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration of your appointment.

Please be advised that background screening of all applicants is required.

Résumés may be attached.

Please check the Board/Committee/Council for which you are applying:

<input checked="" type="checkbox"/>	Beautification & Environmental Advisory Committee*	<input type="checkbox"/>	Planning & Land Development Regulation Board* ♣
<input type="checkbox"/>	Code Enforcement Board*	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board*
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

* Appointees must file a Financial Disclosure Form 1 with the City Clerk at time of appointment and **ANNUALLY** thereafter with the Flagler County Supervisor of Elections.

♣ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: GLENN W. PARTELOW Email address: GPARTELOW1@CFL.PR.COM

Residence Address: 35 EASTWOOD DR. District # _____

City: PALM COAST State: FL. Zip: 32164

Mailing Address (If Different from Residence): _____

Home Phone: 386 586 3437 Business Phone: X

Date of Birth: 09-02-1947 Place of Birth: NEW YORK

How long have you been a permanent resident of Palm Coast? 14 yrs.

What year did you become a continuous resident of the City of Palm Coast? 2003

List all places of residence for the last five years.

Address	City & State	From	To

Are you a registered voter in Flagler County? Yes No
 Have you ever used or been known by any other legal name? Yes No
 If yes, explain: _____

Are you a citizen of the United States? Yes No
 If no, explain: _____

If you are a naturalized citizen of the United States, date of naturalization: _____

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: TEACHER

Occupation: _____ Current Employer: NONE

Current Business Address: _____

City: X State: _____ Zip: _____ Phone #: _____

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment
<u>FLAGLER COUNTY BOARD OF ED.</u>			<u>8 years.</u>
<u>SWIM COACH</u>			

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
 If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position	Employee Agency	Period of Employment

3. EDUCATION

High School: PORTCHESTER, N.Y. Year Graduated: 1965
Name & Location

List postsecondary educational institutions or programs attended:
Name & Location Dates Attended Certificate/Degrees Received

<u>UNIV SOUTHERN CT.</u>	<u>1969-77</u>	<u>MS.</u>
<u>UNIV OF CT.</u>	<u>65-69</u>	<u>BS. EDUCATION 6TH year</u>

4. **MILITARY SERVICE**

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: _____

Branch or Component: _____

Date and Type of Discharge: _____

5. **INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?**

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No

If yes, which Board or Committee?

CURRENT BEAC CHAIR

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)

6. **QUALIFICATIONS FOR APPOINTMENT**

State your experiences and interests or elements of your personal history that qualify you for this appointment.

CHAIR INLAND WETLAND IN CT.

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

BS. ED + AGRICULTURAL NAT. RESOURCES.

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

Office Title Date of Election or Appointment Term of Office Level of Government

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business

Relationship to the Business

Business Relationship to Agency

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

EXPERIENCE IN ENVIR. MATTERS

What is your understanding of the relationship of this Board or Committee to the City Council?

ADVISORY

7. REFERENCES – Please list three references (business and/or personal)

Name, Address & Telephone Number

Name, Address & Telephone Number

Name, Address & Telephone Number

PREVIOUS MEMBERSHIP ON BOARD.

8. ACKNOWLEDGMENT

If required by law, will you file a financial disclosure statement?

Yes

No

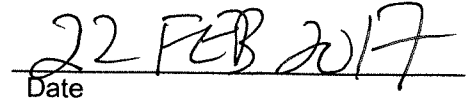
I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.



Signature



Date

NOTE: If you have questions concerning the duties and responsibilities of any of the above Boards or Committees please contact the City Clerk's Office.

RETURN TO: City Clerk's Office
City of Palm Coast
160 Lake Avenue
Palm Coast, Florida 32164

PHONE: 386-986-3713
FAX: 386-986-3714
EMAIL: CityClerk@palmcoastgov.com
WEBSITE: www.palmcoastgov.com

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SUNSHINE LAW: The primary purpose of Government in the Sunshine Law is to assure public access to the decision-making processes of public boards and commissions. The Sunshine Law extends to discussions and deliberations as well as to formal actions taken by boards and commissions.

*Should you not be selected at this time, your application will be kept on file for consideration for six (6) months.
Should you wish to be considered for another board, committee, or task force during that time,
you must contact the City Clerk's Office and request reconsideration.*



VOLUNTEER BOARD AND COMMITTEE APPLICATION

Thank you for your interest in serving the City of Palm Coast.

Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration of your appointment.

Please be advised that background screening of all applicants is required.

Résumés may be attached.

Please check the Board/Committee/Council for which you are applying:

<input checked="" type="checkbox"/>	Beautification & Environmental Advisory Committee *	<input type="checkbox"/>	Planning & Land Development Regulation Board* ♣
<input type="checkbox"/>	Code Enforcement Board*	<input type="checkbox"/>	Volunteer Firefighters' Pension Fund Board*
<input type="checkbox"/>	Leisure Services Advisory Committee		
<input type="checkbox"/>	Flagler County Housing Task Force/Affordable Housing Advisory Council: <input type="checkbox"/> Citizen from the City of Palm Coast representing essential services personnel <input type="checkbox"/> Representative of residential home building industry		
<input type="checkbox"/>	River to Sea Transportation Planning Organization Advisory Committees: <input type="checkbox"/> Citizens Advisory Committee (CAC) <input type="checkbox"/> Bicycle and Pedestrian Advisory Committee (BPAC)		

* Appointees must file a Financial Disclosure Form 1 with the City Clerk at time of appointment and **ANNUALLY** thereafter with the Flagler County Supervisor of Elections.

♣ Requires at least one board member to be appointed from **EACH** City Council District, when possible.

ALL CITY BOARDS AND COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW AND PUBLIC RECORDS LAW.

RE-APPOINTMENT Yes No

1. PERSONAL

Name: Jeffery C. Seib E-mail address: jcs@mail.ifas.ufl.edu
 Residence Address: 233 Birchwood Drive District # 1
 City: Palm Coast State: Florida Zip: 32137

Mailing Address (If Different from Residence): _____

Home Phone: 386-446-3480 Business Phone: cell 386-503-6390
 Date of Birth: 02-20-1949 Place of Birth: New Jersey

How long have you been a permanent resident of Palm Coast? 23 years
 What year did you become a continuous resident of the City of Palm Coast? 1995

List all places of residence for the last five years.

Address	City & State	From	To

Are you a registered voter in Flagler County? Yes No
 Have you ever used or been known by any other legal name? Yes No
 If yes, explain: _____

Are you a citizen of the United States? Yes No
 If no, explain: _____

If you are a naturalized citizen of the United States, date of naturalization: _____

2. EMPLOYMENT HISTORY (A résumé may be attached at the option of the applicant) (If retired, please still list your previous occupation and employment history.)

If retired, please list your occupation before retirement: Senior Research Scientist
 Occupation: _____ Current Employer: _____
 Current Business Address: _____

City _____ State _____ Zip _____ Phone # _____

List all of your employment history during the last five years. Include employers' name, business address, type of business, occupation, or job title and period(s) of employment.

Employer & Address	Type of Business	Occupational Title	Period of Employment

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
 If yes, identify the position(s), the name(s) of the employing agency and the period of employment.

Position	Employee Agency	Period of Employment
Research	University of Florida	1986-2011

3. EDUCATION

High School: Gov. Livingston RHS, New Jersey Year Graduated: 1966
Name & Location

List postsecondary educational institutions or programs attended:

Name & Location	Dates Attended	Certificate/Degrees Received
Louisiana State Univ, Baton Rouge	1971-1975	BS
LSU Baton Rouge La.	1975-1977	MS
University of Florida	part-time	VARIOUS COURSES

4. MILITARY SERVICE

Are you or have you ever been a member of the Armed Forces? Yes No

Date of Service: _____

Branch or Component: _____

Date and Type of Discharge: _____

5. INTEREST/ACTIVITIES/COMMUNITY AND/OR CIVIC INVOLVEMENT?

Are you currently or have you ever served on any City Volunteer Board or Committee? Yes No

If yes, which Board or Committee? current - Beautification and Environmental Advisory Committee

List any business, professional, occupational, civic, or fraternal organizations or community groups of which you have been a member during the past five (5) years.

Name of Organization(s)
Audubon Society
World Wildlife Fund
ASPCA

6. QUALIFICATIONS FOR APPOINTMENT

State your experiences and interests or elements of your personal history that qualify you for this appointment.

long term involvement, since 1978, and perspective of community needs in order to evaluate and recommend to City Council

Have you received any degree(s), professional certification(s), or designation(s) related to the subject matter of this appointment? If yes, list below: Yes No

undergraduate degree in Forest Management, graduate degree in Wildlife Biology -

Do you currently hold any office or position (appointive, civil service, or other) with any government entity? If yes, list below: Yes No

Have you ever been elected or appointed to any public office? If yes, list below: Yes No

Office Title Date of Election or Appointment Term of Office Level of Government
Palm Coast Service District Advisory Council 1995-1998

Have you or a business of which you have been an owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with City government, including the office or agency to which you have been appointed or are seeking appointment? Yes No If yes, explain below:

Name of Business	Relationship to the Business	Business Relationship to Agency

How do you believe that your education, experience, talents and skills will benefit the work of the Board or Committee and are you willing to act as a decision maker and not as an advocate, if required by law?

My academic and career background in agricultural and environmental research combined with public service and long term perspective gives me the ability to understand and evaluate community needs. and the BEAC works to reach and present decisions on issues

What is your understanding of the relationship of this Board or Committee to the City Council?

The BEAC and all citizen advisory groups serve at the will of the City Council. All of our decisions are recommendations presented to City Staff for review and action or to City Council for review and action

7. REFERENCES – Please list three references (business and/or personal)

Mrs. Cynthia Bedell, Palm Coast, 386-445-6731
Name, Address & Telephone Number

Mr. Robert Costa, Perry, Maine, 207-726-3914
Name, Address & Telephone Number

Dr. Yan Ping Wong, U. of Florida, 352-273-8104
Name, Address & Telephone Number

8. ACKNOWLEDGMENT

If required by law, will you file a financial disclosure statement? Yes No

I understand the responsibilities associated with being a member of a City Board or Committee and that I may be subject to financial disclosure laws and ex parte communications rules and that I will be subject to the Code of Ethics for Public Officers and Employees and City rules of conduct.

I certify that I have adequate time to serve if appointed and that I will serve in accordance with the requirements of the Board or Committee to which I am appointed.

Further, by executing this application below, I am authorizing City staff to perform a personal background screening, which shall include a general criminal records check and other checks relative to the board or committee for which I am applying.


Signature

03-23-18
Date

NOTE: If you have questions concerning the duties and responsibilities of any of the above Boards or Committees please contact the City Clerk's Office.

RETURN TO:	City Clerk's Office City of Palm Coast 160 Lake Avenue Palm Coast, Florida 32164	PHONE:	386-986-3713
		FAX:	386-986-3714
		EMAIL:	CityClerk@palmcoastgov.com
		WEBSITE:	www.palmcoastgov.com

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*Should you not be selected at this time, your application will be kept on file for consideration for six (6) months.
Should you wish to be considered for another board, committee, or task force during that time,
you must contact the City Clerk's Office and request reconsideration.*

City of Palm Coast, Florida Agenda Item

Agenda Date : 04/17/2018

Department	CITY CLERK	Amount	
Item Key	3181	Account	
		#	
Subject DISCUSSION SHORTLIST EXECUTIVE SEARCH FIRMS			
Background : At City Council's direction, City staff advertised and released a Request for Solutions (RFS) for Executive Search Firms to assist City Council in the search, recruitment, and selection of the next City Manager. Previously, City Council provided input and guidance on the project timeline as well as approved the RFS document that was advertised. The City received four (4) responses, which have been evaluated and scored by City Council, who is serving as the Evaluation Committee. A project summary report of the RFS, responses, and scoring is attached. City staff will present the initial ranking based on the average scoring of City Council's individual evaluation. This agenda item provides City Council the opportunity to discuss the proposals and revise the scoring and/or ranking if they so choose. After the initial ranking is determined, City Council has the following options: 1. Reject all responses; or 2. Shortlist two or more responses for presentations and further review; or 3. Award to top-ranked response based on initial ranking.			
Recommended Action : For discussion and City Council direction.			



RFS-ADM-18-25 - Executive Search Firm

Project Overview

Project Details	
Reference ID	RFS-ADM-18-25
Project Name	Executive Search Firm
Project Owner	Jesse Scott
Project Type	RFP
Department	Procurement
Budget	\$0.00 - \$0.00
Project Description	The City of Palm Coast issues this Request for Solutions for the purpose of identifying and selecting an Executive Search Firm to assist the City of Palm Coast with selection of the next City manager.
Open Date	Feb 14, 2018 8:00 AM EST
Close Date	Mar 15, 2018 2:00 PM EDT

Highest Scoring Supplier	Score
Developmental Associates, LLC	88.6 pts

Seal status

Requested Information	Unsealed on	Unsealed by



Proposal	Mar 15, 2018 2:03 PM EDT	Jesse Scott
Forms A-B, 1-10	Mar 15, 2018 2:03 PM EDT	Jesse Scott

Conflict of Interest

Declaration of Conflict of Interest You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee. ## Code of Conduct All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members. ## Conflict of Interest No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family: * has direct or indirect financial interest in the award of the contract to any proponent; * is currently employed by, or is a consultant to or under contract to a proponent; * is negotiating or has an arrangement concerning future employment or contracting with any proponent; or, * has an ownership interest in, or is an officer or director of, any proponent. Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict. I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.

Name	Date Signed	Has a Conflict of Interest?
Nicholas Klufas	Mar 15, 2018 4:30 PM EDT	No
Milissa Holland	Mar 15, 2018 10:31 PM EDT	No
Steven Nobile	Mar 30, 2018 8:54 AM EDT	No
Robert Cuff	Apr 05, 2018 9:39 PM EDT	No
Jesse Scott	Mar 15, 2018 2:05 PM EDT	No



Project Criteria

Criteria	Points	Description
Price Estimate	0 pts	Pricing Estimate from RFS
Experience and Past Performance	35 pts	Ability to develop and deliver Executive Placement Solutions, addressing the question, "What have you done to demonstrate you can find and place these kind of people?" demonstrated by past experience with previous clients and firms comparable to the City of Palm Coast, including client references.
Ability to Collaborate and Facilitate	25 pts	Specific information on the Consultant's ability to collaborate and facilitate with divergent team reaching consensus decisions.
Ability to Reach a Broad Target market	10 pts	The Consultant's ability to reach a broad target market, approach to marketing the City as well as the Position, Market Networking, Use of Technology and Industry ranking.
Projected Cost	10 pts	Projected Cost will not be the sole deciding factor in the selection process, but will be considered in the case of this RFS.
Innovation and Creativity	20 pts	Consultant demonstrates innovative techniques used to recruit, screen and select candidates. Consultant demonstrates how they differ from the "Pack" in terms of Innovation and Creativity and how their approach would be the best option for the City of Palm Coast.



All Forms and Proposals	Pass/Fail	All required forms completed and submitted to include all Addenda
Total	100 pts	



Scoring Summary

Active Submissions

	Total	Price Estimate	Experience and Past Performance	Ability to Collaborate and Facilitate	Ability to Reach a Broad Target market
Supplier	/ 100 pts	/ 0 pts	/ 35 pts	/ 25 pts	/ 10 pts
Developmental Associates, LLC	88.6 pts	0 pts (\$24,725.00)	30.8 pts	22.4 pts	7.6 pts
Strategic Government Resources	81 pts	0 pts (\$28,000.00)	29.2 pts	20 pts	7.8 pts
Springsted Waters	73.6 pts	0 pts (\$28,500.00)	26.6 pts	18.6 pts	6.6 pts
GovHR USA	67.4 pts	0 pts (\$27,500.00)	23.8 pts	17.6 pts	6 pts

	Projected Cost	Innovation and Creativity	All Forms and Proposals



Supplier	/ 10 pts	/ 20 pts	Pass/Fail
Developmental Associates, LLC	9.4 pts	18.4 pts	Pass
Strategic Government Resources	7.4 pts	16.6 pts	Pass
Springsted Waters	7.4 pts	14.4 pts	Pass
GovHR USA	6.6 pts	13.4 pts	Pass

City of Palm Coast, Florida Agenda Item

Agenda Date : 04/17/2018

Department	Administration	Amount
Item Key	3072	Account
		#
Subject	RESOLUTION 2018-XX APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SUPERVISOR OF ELECTIONS FOR THE 2018 CITY ELECTIONS	
Background :		
<u>UPDATE FROM THE MARCH 10, 2018 WORKSHOP</u>		
<p>This item was heard by City Council at their March 10, 2018 Workshop. There were no changes suggested to this item. City Council requested an estimate of costs. The City Clerk spoke with the Supervisor of Elections and the estimated maximum cost, to the City, if the City amendments push the ballot to two pages, will be \$10,000.00.</p>		
<u>ORIGINAL BACKGROUND FROM THE MARCH 10, 2018 WORKSHOP</u>		
<p>A City election for City Council District 2 and 4 seats will be held during the Flagler County's primary election in August this year and the general election in November, if a runoff is required. The City Clerk has worked directly with the Supervisor of Elections (SOE) and together they drafted the proposed Interlocal Agreement for the 2018 City Elections.</p> <p>Costs will be limited to the additional cost of ballots, should the SOE's ballot require additional pages due to the City's election and proposed charter amendments.</p>		
Recommended Action :		
<p>Adopt Resolution 2018-XX approving an Interlocal Agreement with the Flagler County Supervisor of Elections for the 2018 City Elections.</p>		

RESOLUTION 2018- _____
INTERLOCAL AGREEMENT
FLAGLER COUNTY SUPERVISOR OF ELECTIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SUPERVISOR OF ELECTIONS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Flagler County Supervisor of Elections has agreed to conduct the 2018 City of Palm Coast Elections; and

WHEREAS, the City desires to enter into an Interlocal Agreement with the Flagler County Supervisor of Elections for the 2018 City Elections.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

SECTION 1. APPROVAL OF INTERLOCAL AGREEMENT. The City Council of the City of Palm Coast hereby approves the terms and conditions of the Interlocal Agreement for the 2018 City Elections with the Flagler County Supervisor of Elections, as incorporated herein by reference and attached hereto as Exhibit "A."

SECTION 2. AUTHORIZATION TO EXECUTE. The City Council of the City of Palm Coast hereby authorizes the Mayor to execute the Interlocal Agreement with the Flagler County Supervisor of Elections for the 2018 City Elections.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 5. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the actions taken in this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Approved as to form and legality

William E. Reischmann, Jr., Esq.
City Attorney

Attachment: Interlocal Agreement with the Flagler County Supervisor of Elections

**INTERLOCAL AGREEMENT
FOR ELECTION SERVICES**

THIS INTERLOCAL AGREEMENT (“Agreement”) is made and entered into this _____ day of _____, 2018 by and between the **FLAGLER COUNTY SUPERVISOR OF ELECTIONS** (hereinafter the “**Supervisor**”), an elected constitutional officer of Flagler County, whose address is 1769 E. Moody Blvd., Building 2, Suite 101, Post Office Box 901, Bunnell, Florida, 32110, and the **CITY OF PALM COAST**, a Florida municipality (hereinafter the “**City**”), whose address is 160 Lake Avenue, Palm Coast, FL 32164.

WITNESSETH

WHEREAS, it is the intent of the Legislature, pursuant to Chapter 163, Florida Statutes, to encourage public agencies to join together in agreements which will best serve the public interest and promote the most efficient expenditures of public funds through avoiding costly duplication of services; and

WHEREAS, Supervisor and City desire to mutually cooperate with each other by causing voter access to polling places to be facilitated at the least possible cost to the public; and

WHEREAS, Supervisor desires to assist City by conducting the 2018 municipal elections to likewise reduce the public costs associated with the electoral process; and

WHEREAS, Supervisor and City have determined that it is in the best interests of the citizens of the City of Palm Coast, Florida that Supervisor and City enter into this Agreement; and

WHEREAS, City hereby acknowledges full responsibility for any and all applicable requirements under the Florida Election Code and any provisions of the City Charter or municipal ordinances which may not be addressed or included in this Agreement; and

WHEREAS, pursuant to State law, the Supervisor is the legal custodian of the Flagler County voting equipment and is charged with responsibility for the custody and maintenance of the equipment; and

WHEREAS, the parties to this Agreement recognize Chapters 97 through 106, Florida Statutes shall govern the conduct of a municipality's election in the absence of an applicable special act, charter or ordinance provision; and

WHEREAS, the City desires the Supervisor to provide only such election services as are stated herein, subject to the terms and conditions set forth in this Agreement; and

WHEREAS, the above recitals are true and correct and form a material part of this Agreement upon which the parties have relied.

NOW THEREFORE IT IS AGREED as follows:

1. **Authority**. This Agreement is entered into pursuant to the terms of the Election Laws and the constitutional and statutory powers of the City and the Supervisor.
2. **Effect of Recitals**. The recitals set forth above are adopted as findings of fact and incorporated into this Agreement.
3. **Term/Duration**. The terms of this Agreement shall commence immediately upon signing by the parties hereto. The Agreement shall be in effect only for the 2018 City of Palm Coast Primary and General Elections.
4. **Compliance with Local and State Laws**. During the term of this Agreement, each party shall comply with all applicable state and local laws,

regulations and ordinances. The parties agree that the City's Municipal Clerk is responsible for ensuring compliance with all applicable Florida Statutes, including the Florida Election Code and any municipal charter provisions and ordinances. Any obligations or duties not set forth in this Agreement shall be the responsibility of the City.

5. Supervisor's Election-Related Services.

(A) Conduct of Elections. The Supervisor shall conduct the City of Palm Coast 2018 Municipal Elections in accordance with Chapters 97 – 106, Florida Statutes. The Supervisor shall conduct all aspects of the primary and regular election, unless otherwise provided or exempted herein, including the programming of the election tabulating equipment, testing the system, certifying the tabulating software as required by the Division of Elections and State Election Code, providing the facility to tabulate the election results, ordering all ballots and precinct registers, and issuing and maintaining the absentee votes.

(B) City Clerk Involvement. Supervisor shall allow the City Clerk to attend and participate in meetings and trainings regarding the elections, including poll worker training;

(C) Certification of Petitions. The Supervisor shall charge 10 cents per petition and advise the City Clerk and/or candidate of the number of accepted petitions upon completion of review. The Supervisor will send a Certification of Petitions to each candidate with a copy to the City Clerk.

(D) Costs. Election costs shall be borne by the Supervisor except as further provided herein. Further, the City shall not be responsible for any replacement costs

associated with repairs to Supervisor's equipment damaged during the 2018 County-wide elections (primary and general).

(E) Certification. The Supervisor will notify the Division of Elections of election, qualified candidates, cancellation of election if appropriate, and election results.

(F) Election ballots. The Supervisor shall provide the City with a ballot proof for approval prior to printing ballots.

(G) Absentee Ballots. Supervisor agrees to accept all requests for absentee ballots by telephone, mail, facsimile, email, or in person. Supervisor also agrees to mail absentee and overseas ballots as requested by registered voters, to receive and securely store any voted absentee ballots, to verify the signatures on any returned voted absentee ballot certificates, and to account for all absentee ballots. Supervisor agrees to comply with Chapter 101, Florida Statutes, in all respects.

(H) Sample Ballots. Supervisor is responsible for coordinating the production and mailing of sample ballots to all registered voters in City.

(I) Canvassing Board. The County Canvassing Board shall be legally responsible for regular municipal elections held concurrent with the 2018 primary and general election and the canvass of election returns thereof in accordance with the Election Code.

(J) Change in Location. Should change(s) of polling location(s) become necessary, the Supervisor is responsible for all costs and mailing of "Polling Place Change Notices" to affected voters.

(K) Poll Workers. Supervisor shall select, hire, train and provide poll workers. Supervisor will have back-up poll workers available on Election Days to work

as alternates on an as-needed basis, as determined by the Supervisor. Supervisor shall be responsible for training all poll workers in accordance with the Florida Election Code and other guidelines, procedures or regulations followed or adopted for the conduct of elections in Flagler County.

(L) Schedule. Supervisor shall establish and distribute to City a schedule clearly identifying deadlines relevant to the 2018 elections via mail or posting on the SOE website. Upon execution of this Agreement, said schedule shall include, but not be limited to, qualifying, printing and publication dates by which City is required to submit ballot and other information to Supervisor.

6. CITY ELECTION-RELATED RESPONSIBILITIES:

(A) Designation. Designate the City Clerk to coordinate with the Supervisor regarding the requirements of this Agreement.

(B) Ballot Items.

1. Provide the Supervisor all referenda ballot items in a timely manner to ensure proper placement on the ballot. Ballot items may not be added or amended later than the last day of qualifying. Draft versions of any referenda ballot items shall be provided to the Supervisor at least 60 days prior to the first day of qualifying, **April 19, 2018**. (this allows for paper size and design of ballot, etc.)

2. Ballot Costs. The City shall be responsible to pay for ballot printing costs due to City ballot content, which requires ballot length to exceed 8.5 x 11 or larger sized ballot, requires double sided printing on 8.5 x 11 or larger sized ballot, or multiple page ballots, regardless of ballot size and the City shall be responsible for any additional shipping and mailing costs imposed due to ballot size.

(C) City Map. At least sixty (60) days prior to the Primary Election and at least sixty (60) days prior to the General Election, provide the Supervisor an updated City map (Shape files) including all annexations or contractions.

(D) Qualify Candidates. The City shall be solely responsible for preparing and providing potential candidates with qualifying packets, and for accepting and processing all qualifying packets, all pertinent information/forms and accepting election expense reports.

(E) Candidate DS-DE 9 and Other Qualifying Forms. Furnish to the Supervisor of Elections' Office in a timely manner, a copy of the Candidates' DS-DE 9 and other qualifying paperwork, as they are submitted to the City Clerk.

(F) Ballot Proof. Furnish to the Supervisor the list of qualified candidates, along with copies of the Candidates' Oaths immediately following the close of the qualifying period, and provide approved ballot data to the Supervisor of Elections' office in Microsoft Word format (in a version compatible with the Supervisor of Elections office) for preparation of the ballot proof. Upon notification by the Supervisor, the City Clerk shall approve or reject the ballot proof by way of facsimile or email within 24 hours of receipt.

(G) Absentee Ballots. Refer all requests for absentee ballots to the Supervisor on a daily basis by 4:30 p.m. The deadline to accept absentee ballot requests is the sixth (6th) day before an election.

(H) Precinct Assistance. Assist the Supervisor of Elections, if requested, in locating emergency/alternative polling locations. Place temporary electronic roadway signs to inform voters of early voting locations and any additional installations of electronic roadway signs as approved by the City.

(I) Notice to Candidates. The City Clerk shall provide written notice to all candidates for City office of the date and time of the Logic and Accuracy testing of the tabulation equipment for the Primary and General Elections.

(J) Advertising. Required legal advertising, including the Notice of Election with city candidate qualifying dates is the responsibility of the City.

7. **Filing of Agreement.** Upon execution, the City shall file and record this Agreement in the official records of the Clerk of Courts of Flagler County, Florida and provide copies to the City Clerk of Palm Coast and the Supervisor.

8. **Indemnification.** Each party, to the extent permitted by Section 768.28, Florida Statutes, agrees to indemnify and hold harmless the other party, their officers, agents and employees, from and against any and all claims, damages, injuries, losses and expenses, including reasonable attorney's fees, arising out of or relating to that party's actions or omissions arising out of this Agreement and the actions or omissions of the party's officers, agents and employees; provided, however, that no party waives sovereign immunity hereby except to the limited extent provided by Section 768.28, Florida Statutes. This Section 8 shall not inure to the benefit of any third parties.

9. **Public Records.** All records and contracts, of whatever type or nature, required by the Agreement shall be available for audit, inspection and copying in accordance with Article 1, Section 24, Constitution of the State of Florida, and Chapter 119, Florida Statutes. The parties shall retain all records and supporting documentation applicable to the Agreement for a minimum of five (5) years after resolution of the final audit and in accordance with Florida law. In the event of an election contest or challenge,

Supervisor agrees to cooperate in providing any public records which the Supervisor maintains or otherwise controls.

10. **Modification**. This Agreement may not be modified or amended except in writing and duly approved and executed by all parties hereto.

11. **Severability**. If any one or more of the covenants or provisions of this Agreement shall be held to be contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall, for any reason whatsoever, be held invalid, then such covenants or provisions shall be null and void, shall be deemed separable from the remaining covenants or provisions of the Agreement, and shall in no way affect the validity of the remaining covenants or provisions of this Agreement.

12. **Sovereign Immunity**. Notwithstanding any other provision set forth in this Agreement, nothing contained in this Agreement shall be construed as a waiver of any party's right to sovereign immunity to third parties under section 768.28, Florida Statutes, or other limitations imposed on the parties' potential liability under state or federal law. As such, the parties shall not be liable under this Agreement for punitive damages or interest for the period before judgment. Further, the parties shall not be liable for any claim or judgment, or portion thereof, to any one person for more than two hundred thousand dollars (\$200,000.00), or any claim or judgment, or portion thereof, which, when totaled with all other claims or judgments paid by the State or its agencies and subdivisions arising out of the same incident or occurrence, exceeds the sum of three hundred thousand dollars (\$300,000.00). This paragraph shall survive termination of this Agreement.

13. **Applicable Law; Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida except its conflict of laws provisions. The parties agree that venue shall be exclusively within the Seventh Judicial Circuit in and for Flagler County, Florida.

14. **Notices.** All notices, demands, requests, instructions, approvals, and claims shall be in writing. All notices of any type hereunder shall be given by Email, certified U.S. mail or by hand delivery to an individual authorized to receive mail for the below listed individuals, or to the following individuals at the following locations:

TO SUPERVISOR:

Kaiti Lenhart
Flagler County Supervisor of Elections
1769 E. Moody Blvd., Bldg. #2, Suite 101
PO Box 901
Bunnell, Florida 32110

TO CITY:

City Clerk
City of Palm Coast
160 Lake Avenue
Palm Coast, Florida 32164

Notice shall be deemed to have been given and received on the date the email or notice is physically received if given by hand delivery, or if notice is given by certified U.S. Mail, then notice shall be deemed to have been given upon the date said notice was received. Any party hereto by giving notice in the manner set forth herein may unilaterally change the name of the person to whom notice is to be given or the address at which notice is to be received.

15. **Interpretation.** Each party hereto has participated in the drafting of all parts of this Agreement. As a result, it is the intent of the parties that no portion of this Agreement shall be interpreted more harshly against any of the parties as the drafter.

16. **Attorney's Fees.** Should any litigation arise concerning this Agreement between the parties hereto, the parties agree to bear their own costs and attorney's fees.

IN WITNESS WHEREOF, the parties hereto affix their hand and seal this ____ day of _____, 2018.

Witness

FLAGLER COUNTY SUPERVISOR OF ELECTIONS

Signature

Kaiti Lenhart

Typed/Printed

Attest:

CITY OF PALM COAST

Virginia A. Smith, City Clerk

Milissa Holland, Mayor

City of Palm Coast, Florida

Agenda Item

Agenda Date : 4/17/2018

Department	Community Development	Amount	\$95,870.00
Item Key	2804	Account	#54029082-063000-85003
Subject	RESOLUTION 2018-XX APPROVING A WORK ORDER WITH MCKIM & CREED, INC., FOR ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE PUMP STATION "D" IMPROVEMENTS PROJECT.		
<u>UPDATE FROM THE MARCH 10, 2018 WORKSHOP</u>			
This item was heard by City Council at their March 10, 2018 Workshop. There were no changes suggested to this item.			
<u>ORIGINAL BACKGROUND FROM THE MARCH 10, 2018 WORKSHOP</u>			
The City of Palm Coast is planning to upgrade the existing sanitary sewer pump station located at 311 Palm Coast Parkway NE. The pump station is referred to by the Utility Department as Pump Station "D". The pump station has been in service since 1980 and is in need of upgrades in order to better meet current service demands, accommodate wastewater flows from future development and eliminate sewage overflows caused by recent rain fall events with storm water flooding and power outages. The primary improvements to the pump station will include removal and replacement of the control panels, plumbing, top slab and hatches along with an upgraded power supply and larger pumps.			
Staff negotiated a scope of services with McKim and Creed, a continuing contract consultant for the City, to provide: engineering design, permitting, bidding and construction administration services, for a not-to-exceed fee in the amount of \$95,870.00. Staff recommends retaining McKim and Creed for design and construction engineering services for the Pump Station "D" Improvements project. Funds for this project are budgeted in the Utility 5-Year Capital Plan			
SOURCE OF FUNDS WORKSHEET FY 2017-2018			
Utility Capital Project- 54029082-063000-85003		\$2,130,000.00	
Total Expenses/Encumbered to date		\$128,642.79	
Pending Work Orders/Contracts		\$	
Current Work Order		\$95,870.00	
Balance		\$1,905,487.21	
Recommended Action :			
Adopt Resolution 2018-XX approving a work order with McKim & Creed, Inc. for engineering design and construction services for the Pump Station "D" Improvements Project.			

RESOLUTION 2018-_____
MCKIM & CREED, INC.,
PUMP STATION D IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING A WORK ORDER FOR DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE PUMP STATION D IMPROVEMENTS PROJECT TO MCKIM & CREED; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE WORK ORDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, McKim & Creed is engaged in a continuing services agreement to provide engineering services to the City of Palm Coast; and

WHEREAS, the City Council of the City of Palm Coast desires to issue a work order under said contract to McKim & Creed for the above referenced engineering services relating to the design and construction of the Pump Station D Improvements project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUCIL OF THE CITY OF PALM COAST, FLORIDA AS FOLLOWS:

SECTION 1. APPROVAL OF WORK ORDER. The City Council of the City of Palm Coast hereby approves the terms and conditions of a work order to McKim & Creed, as attached hereto and incorporated herein by reference herein by reference as Exhibit “A.”

SECTION 2. AUTHORIZATION TO EXECUTE. The City Manager, or designee, is hereby authorized to execute the work order as depicted in Exhibit “A.”

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, is shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 5. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit "A" – Work Order with McKim & Creed

Approved as to form and legality

William E. Reischmann, Jr., Esq.
City Attorney

WORK ORDER # _____
PO #: _____



DATE: 03 / 17 /20 18

Project Manager's Initials _____

SUPPLIER INFORMATION

BID DETAILS

Name	McKim & Creed	Project Title	Pump Station D Improvements
Street	139 Executive Circle, Suite 201	Bid #	RFQ-PW-U-14-05
City, State, Zip	Daytona Beach, FL 32114	City Council Approval date	3/18/18

TOTAL COST: \$ 95,870.00
(must equal amount of Purchase Order)

1. **INCORPORATION BY REFERENCE** The provisions of the agreement dated 03 / 06 / 2009 ("Agreement") are hereby expressly incorporated into and made a part of this Work Order.

2. **METHOD OF COMPENSATION** (chose one): FIXED FEE NOT TO EXCEED*
Fixed - Amount Proposed is set amount for services – will not change regardless of time. Not to exceed -: Spend over time shall not exceed Total Cost without approved change order

*If "NOT TO EXCEED", then TOTAL COST is (chose one): UNIT BASED PERCENT OF FIXED FEE ___%

3. **PRICING** (chose one): ATTACHED INCLUDED IN CONTRACT

4. **SCHEDULE** (chose one): AS NEEDED BASIS SHALL BE COMPLETED BY - 12 / 31 /20 19

5. **DESCRIPTION OF SERVICES** (chose one): ATTACHED INCLUDED IN CONTRACT

6. **OTHER ATTACHMENTS TO THIS WORK ORDER:** No Yes If yes, identify below:

7. **TIME IS OF THE ESSENCE:** The obligation of Supplier to perform services shall commence upon execution of this Work Order and shall be completed as set forth above. Time is of the essence. Failure to meet the completion date shall be a material default and may be grounds for termination of this Work Order and the Agreement.

8. **CONFLICT.** In the event of a conflict between the terms and conditions of the Agreement and this Work Order, the terms of the Agreement shall govern unless otherwise agreed to in writing by all parties. In the event of a conflict between the terms and conditions of this Work Order and any attachments, the terms of this Work Order shall govern unless otherwise agreed to in writing by all parties.

WITNESS WHEREOF, the parties hereto have made and executed this Work Order on this _____ day of _____, 20_____, for the purposes stated herein.

SUPPLIER APPROVAL

CITY APPROVAL

By: _____

By: _____

Print: _____

Print Name: _____

Title: _____

Title: Assistant City Manager or Designee

Date: _____

Date: _____

**CITY OF PALM COAST
PUMP STATION "D" IMPROVEMENTS**

SCOPE OF SERVICES

I. INTRODUCTION

The City of Palm Coast Utility Department desires to make improvements to one of its sewage pump stations located along Palm Coast Parkway east of Clubhouse Drive. Currently, additional development within the service area of Pump Station "D" has caused the facility to experience excessive run times. This project will be focused on installing larger pumps, new control panel and electrical gear, upgrade from 240V to 480V and incorporate a permanent standby generator. Additional improvements include new/larger riser and discharge pipes; new valves; new top slab with new hatch and safety gate; remove top slab of valve pit; remove existing piping, fill valve pit with flowable fill and move valve pit piping to above grade.

II. OBJECTIVE

The objective of this proposal is to develop design plans, permitting, bidding and construction services to upgrade and increase capacity of the existing Pump Station "D".

The CONSULTANT shall coordinate all work activities through the following CITY staff:

Richard Adams – Utility Director
Steve Flanagan – Community Development Director
Mary Kronenberg – Project Coordinator

III. SCOPE OF WORK

The CONSULTANT shall develop design plans and provide permitting, bidding and construction services during construction for the Pump Station "D" Improvements. A detailed listing of the Scope of Services is listed below.

Task 1: Project Kickoff and Data Collection

- CONSULTANT shall develop project documents that will include project setup, project schedule, hard and electronic filing systems, and conduct internal kickoff meeting with the design team. Management of the project will also be included with this task.

- CONSULTANT shall conduct a Project Kickoff Meeting with the CITY staff to discuss the overall project scope, approach, and schedule. CONSULTANT shall prepare the meeting agenda and a detailed schedule for the kickoff meeting. Key team members will be identified and procedures for communication and data

collection will be established. Meeting minutes will be prepared by CONSULTANT and distributed to meeting attendees.

- CONSULTANT shall work with the CITY to coordinate gathering any existing drawings or other data that is pertinent to the design of the Project.

Task 2: Design Services

- CONSULTANT shall perform a specific boundary, topographic and tree survey of the Pump Station "D" site.
- CONSULTANT shall prepare the Project Manual to incorporate the latest front end documents and technical sections.
- CONSULTANT shall prepare 60%, 90% and 100% design drawings and will review the 60% and 90% Drawings with CITY staff. Comments and input from staff will be incorporated into the Contract Documents.
- CONSULTANT shall prepare an Engineer's Opinion of Probable Construction Cost for the project. This information shall be presented to CITY staff for review at the 60%, 90%, and 100% design review stages.
- CONSULTANT shall provide electronic files of the Drawings and Project Manual to the CITY that is suitable for placement on the CITY'S website for bidders and suppliers.

Task 3: Prepare Permit Applications

- CONSULTANT shall prepare and submit a construction permit application to the Florida Department of Environmental Protection (FDEP). Response to one (1) Request for Additional Information (RAI) will be included in the proposal.
- All permit fees will be paid by the CITY.
- Task Nos. 1, 2 and 3 must be completed and submitted to the Utility Director within 105 days of the issuance of Notice to Proceed or Purchase Order.

Task 4: Negotiation and Bidding Services

- CONSULTANT shall prepare and distribute the contract documents for the pump station upgrade and assist the CITY'S staff in bidding the construction of the project.
- CONSULTANT shall schedule a pre-bid meeting to discuss the Project with prospective Contractors and answer questions they may have about the Project. CONSULTANT shall prepare and distribute any necessary clarifications or addenda during the bidding phase to all prospective bidders.

- CONSULTANT shall attend the bid opening, review and evaluate the bids for this Project, prepare a Bid Tabulation, and provide a Letter of Recommendation of Award.

Task 5: Post Design Construction Services

- CONSULTANT shall advise and consult with the CITY for post design and construction activities. CONSULTANT will act as the CITY's representative as provided in the General Conditions of the Contract Documents concerning construction administrative matters as hereinafter described.
- For the purposes of this Scope of Services, it is assumed construction phase services will occur over a period of 150 (one hundred fifty) days, or 120 (one hundred twenty) days from the date of the Notice to Proceed to Substantial Completion and 30 days from Substantial Completion to Final Completion, in accordance with the proposed construction contract between the CITY and the Contractor.
- CONSULTANT shall attend and represent the CITY at preconstruction, progress, and project closeout meetings with the Contractor, surveyors, layout personnel and construction quality control testing personnel. CONSULTANT will also review and monitor Contractor's construction schedule and advise the City of any anticipated project delays and/or early completion indicated through such review and through construction progress observation.
- CONSULTANT shall check and review shop drawings, catalog data, diagrams, illustrations, schedules, samples, test and inspection results and other data the Contractor is required to submit, but only as to conformance with the overall design concept of the project and compliance with the Plans, Specifications, and other Contract Documents.
- CONSULTANT shall provide one (1) signed and sealed set of plans and one (1) electronic copy to the Contractor for submittal to the CITY's Technical Review Committee of the Planning Department. CONSULTANT will not be required to submit utilization plans direct to the City Engineering Department.
- CONSULTANT may, as the CITY's representative, require special inspection or testing of the work (whether or not fabricated, installed or completed). CONSULTANT shall act as interpreter of the terms and conditions of the Contract Documents and judge of the performance hereunder by the CITY and the Contractor and make decisions on all claims of the CITY and the Contractor relating to the execution and progress of the work and all other matters and questions related thereto; however, CONSULTANT shall not be liable for the results of any such interpretations or decisions rendered by CONSULTANT in good faith.
- Based on CONSULTANT's on-site observations as an experienced and qualified design professional and review of the Contractor's applications for payment,

supporting data, and information received from the CITY, CONSULTANT shall determine the amounts owing to the Contractor and recommend approval in writing of payments to the Contractor in such amounts. Such recommendations shall constitute representations to the CITY, that are expressions of CONSULTANT's opinion, based on such observations and review, that the work has substantially progressed to the point indicated and that, to the best of CONSULTANT's knowledge, information and belief, the quality of the work is in accordance with the Contract Documents (subject to an evaluation of the work as a functioning project upon Substantial Completion and to the results of any subsequent tests called for in the Contract Documents.

- CONSULTANT shall make periodic visits to the work site to observe the progress and report to the CITY as to the amount of work completed, the overall quality of executed work, and observed impediments to the successful contract completion. CONSULTANT shall not be required to make exhaustive or continuous on-site observations as to the quality or quantity of completed work; CONSULTANT shall not be responsible for the construction means, methods, techniques, sequences, or procedures or the safety precautions incidental thereto. CONSULTANT's efforts will be directed toward providing assurance to the CITY that the completed project will substantially conform to the contract, plans, and specifications, but CONSULTANT shall not be responsible for the Contractor's failure to perform the construction work in accordance with said documents. Based on on-site observation as an experienced and qualified design professional, CONSULTANT will keep the CITY informed as to the progress of the work, will endeavor to guard the CITY against defects and discrepancies and shall coordinate with the CITY and the Contractor as to disapproving or rejecting work which fails to meet the project plans, specifications or other Contract Documents.
- CONSULTANT shall not provide a record of the Contractor's activities throughout the construction, nor notations on the nature and cost of any extra work or changes ordered during construction. CONSULTANT is not responsible for the performance of the construction contract by the Contractor. In order to maintain a complete record of activities and changes, CONSULTANT shall rely on the CITY to provide information based on inspections conducted by the CITY.
- CONSULTANT shall, in conjunction with other CITY representatives, conduct punch list and final observations of the in-place work to determine if the work is completed substantially in accordance with the plans, specifications and other Contract Documents. These observations shall form the basis for CONSULTANT's review and recommendation for payment on the Contractor's final pay request.
- CONSULTANT shall review Contractor provided record drawings/surveys and other as-built data for installed facilities and bring any apparent discrepancies between the as-built conditions and the design conditions to the attention of the CITY. CONSULTANT shall coordinate with the Contractor regarding provision of the construction record drawings prior to final on-site inspections and punch list

preparation. CONSULTANT shall also prepare and furnish to the CITY one (1) set of signed and sealed Record Drawings and one electronic copy (AutoCAD format) of the record drawings showing those changes made during the construction based on the data noted above. CONSULTANT will prepare statements of completion (qualified if necessary) certifying completion of the work, and submit statements in accordance with the Contract Documents, regulatory agencies, and CITY requirements.

- CONSULTANT shall provide certification of the project to FDEP.
- CONSULTANT shall not be responsible for the acts or omissions of the Contractor or any of the Contractor's Sub-Contractors, Agents, Employees, or other persons performing any of the work under the construction contract, or of others.
- CONSULTANT, through its survey subconsultant, shall establish construction control points on the drawings for the Contractor's use during construction. CONSULTANT is not responsible for laying out the Contractor's work.
- This proposal includes sub consultant services for surveying. CONSULTANT shall coordinate with all the subconsultants during construction.
- No other subconsultant services are included.

IV. FEES AND BILLING

The proposed not-to-exceed fee has been calculated utilizing rates as approved in the base contract between CONSULTANT and the City of Palm Coast. Expenses for sub-consultants, printing, travel, telephone and all other related changes have been estimated and included in the above not-to-exceed fee. CONSULTANT shall invoice the CITY based on actual time and expenses and the total amount invoiced to the CITY shall not exceed \$95,870.00. A Fee Matrix showing the estimated hours and the rates is attached for your review.

FEE MATRIX
CITY OF PALM COAST
JANUARY 2018

PUMP STATION "D" IMPROVEMENTS
PROPOSAL FOR DESIGN, PERMITTING, BIDDING, AND CONSTRUCTION SERVICES

TASK NO.	STAFF CLASSIFICATION DESCRIPTION	Senior Project Manager		Senior Project Engineer		CAD Designer II		Administrative Assistant		Subconsultant Services (Electrical)	Direct Expenses	TOTAL PER TASK
		RATE: HOURS	\$180 TOTAL	RATE: HOURS	\$155 TOTAL	RATE: HOURS	\$100 TOTAL	RATE: HOURS	\$60 TOTAL			
1	PROJECT KICKOFF & DATA COLLECTION											
1.1	In-House Project Management/Internal Kick-Off Meeting	4	\$720	16	\$2,480	2	\$200	16	\$960			
1.2	Kickoff Meeting with the City Staff			4	\$620	4	\$400	4	\$240			
1.3	Coordinate Data Collection			2	\$310					\$2,270		\$5,930
	TASK 1 SUBTOTAL		\$720		\$3,410		\$600		\$1,200			
2	DESIGN SERVICES											
2.1	Topographic Survey for Pump Station "D" (ATS Land Surveying)			2	\$310						\$1,995	
2.2	Prepare Project Manual			12	\$1,860			24	\$1,440			
2.3	Civil Design			42	\$6,510	160	\$16,000	6	\$360			
2.4	Electrical Design			8	\$1,240					\$10,720		
2.5	30%, 60% and 90% Review Meetings with City Staff/Update Project			16	\$2,480							
2.6	Prepare an Opinion of Probable Cost at 60%, 90% and 100% Design			16	\$2,480							
2.7	Quality Assurance/Quality Control			20	\$3,600							
2.8	Provide Electronic Files to City					2	\$200	2	\$120			\$36,960
	TASK 2 SUBTOTAL		\$3,600		\$14,880		\$16,200		\$2,280	\$10,720		
3	PREPARE PERMIT APPLICATIONS											
3.1	Technical Review Committee Submittals					2	\$200	2	\$120			
3.2	Submit FDEP Permit Application			4	\$620	2	\$200	2	\$120			
3.3	Provide Responses to FDEP RAI's			4	\$620	4	\$400	2	\$120			\$2,400
	TASK 3 SUBTOTAL				\$1,240		\$800		\$360			
4	NEGOTIATION AND BIDDING											
4.1	Pre-Bid Meeting			4	\$620							
4.2	Prepare/Distribute Addenda			6	\$930	6	\$600	4	\$240			
4.3	Bid Opening Meeting			2	\$310			2	\$120			
4.4	Prepare Bid Tabulation and Recommendation of Award Letter			2	\$310			4	\$240			
	TASK 4 SUBTOTAL				\$2,170		\$600		\$720			\$3,490
5	POST-DESIGN CONSTRUCTION SERVICES											
5.1	Attend Pre Construction and Project Meetings			40	\$6,200							
5.2	Review Shop Drawings and Other Submittals			6	\$930					\$2,500		
5.3	Provide Tour (4) Sets of Signed & Sealed Drawings for City TRC Review					2	\$200	2	\$120			
5.4	Assist City with Change Order Preparation			4	\$620							
5.5	Review Pay Request Applications			6	\$930			2	\$120			
5.6	Perform Site Visits			64	\$9,920					\$1,500	\$1,000	
5.7	Attend Substantial and Final Observations of Work			8	\$1,240					\$1,000	\$200	
5.8	Review As-Built Drawings			4	\$620							
5.9	Prepare Record Drawings			2	\$310	16	\$1,600			\$1,000		
5.10	Provide Project Certification			2	\$310			2	\$120	\$225		
	TASK 5 SUBTOTAL			24	\$3,080		\$1,800		\$1,800	\$6,225	\$3,195	\$24,680
	Subtotal		\$4,320	276	\$42,780	200	\$20,000	106	\$6,360	\$15,215		\$95,870
	TOTAL TASK NOS. 1 - 5 + SUBCONSULTANT SERVICES + DIRECT EXPENSES											\$73,460

City of Palm Coast, Florida Agenda Item

Agenda Date : 04/17/2018

Department	CITY CLERK	Amount
Item Key	3080	Account
Subject	RESOLUTION 2018-XX AUTHORIZING THE CITY MANAGER TO EXECUTE THE EAST FLAGLER MOSQUITO CONTROL DISTRICT LOW LEVEL FLIGHTS AUTHORIZATION	
<u>UPDATE FROM THE MARCH 10, 2018 WORKSHOP</u> This item was heard by City Council at their March 10, 2018 Workshop. There were no changes suggested to this item.		
<u>ORIGINAL BACKGROUND FROM THE MARCH 10, 2018 WORKSHOP</u> Each year, the East Flagler Mosquito Control District (EFMCD) requests authorization to fly over congested areas in compliance with Federal Aviation Administration requirements. The Citizens of the City of Palm Coast pay for mosquito control services through property taxes, with a portion of this payment covering aerial operations. To provide the service in a timely fashion, without contacting each local government prior to each operation, the EFMCD requires a signed authorization that is in effect for one year. This authorization has become a formality over the years. The authorization permits the district to perform low-level flights (500 feet) for mosquito control. The primary use for the aircraft is the control of developing mosquitos away from congested areas in and around wetlands. The EFMCD does not apply control materials over congested areas unless the need arises. The EFMCD, consulting with health officials, is solely responsible for determining need, which is driven by an extraordinary nuisance or an impending health threat. The requested authorization allows the EFMCD to take the necessary action when the need is officially determined. Public Notice will be published monthly, beginning in March, and ending in October, to provide ongoing public awareness about aerial spray operations and contact information.		
Recommended Action : Adopt Resolution 2018-XX authorizing the City Manager to execute the East Flagler Mosquito Control District Low Level Flights Authorization.		

RESOLUTION 2018-____
MOSQUITO CONTROL FLYOVER SPRAYING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, RECOGNIZES THE EAST FLAGLER MOSQUITO CONTROL SERVICE DISTRICT, IN THE EXERCISE OF ITS PUBLIC HEALTH AND SAFETY RESPONSIBILITIES, TO FLY AT LOW LEVELS (500 FEET) OVER CONGESTED AREAS IN CONNECTION WITH ITS OPERATION; AUTHORIZING THE CITY MANAGER TO EXECUTE THIS AUTHORIZATION; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, PROVIDING FOR IMPLEMENTING ACTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the East Flagler Mosquito Control Service District provides mosquito control for the City of Palm Coast; and

WHEREAS, the City Council of the City of Palm Coast understands the importance of mosquito control; and

WHEREAS, the City Council of the City of Palm Coast desires to continue with the services of East Flagler Mosquito Control Service District for the above referenced services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:

SECTION 1. APPROVAL OF FLYOVER SPRAYING. The City Council hereby approves the terms and conditions for flyover spraying in congested areas within the City of Palm Coast with East Flagler Mosquito Control Service District as attached hereto and incorporated herein by reference as Exhibit "A."

SECTION 2. AUTHORIZATION TO EXECUTE. The City Manager or designee is hereby authorized to execute the Authorization Form as depicted in Exhibit "A."

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 5. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit A - Authorization Form - East Flagler Mosquito Control

Approved as to form and legality:

William E. Reischmann, Jr.
City Attorney

EAST FLAGLER MOSQUITO CONTROL DISTRICT

210 Airport Executive Drive

Palm Coast, FL 32164

Tel: 386.437.0002 Fax: 386.437.0020

flaglermosquito.com

Mark V. Positano, Director
Noah McKinnon, Board Attorney

Board of Commissioners:
Julius Kwiatkowski, Chair
Barbara Sgroi, Vice-Chair
Dr. Florence Fruehan, Treasurer

March 21, 2018

Re: Aerial Mosquito Control

To: Flagler County Local Governments

Each year we request, in compliance with Federal Aviation Regulation 137.51, authorization to fly over congested areas. As you are aware, the citizens you represent pay for mosquito control services via property taxes and part of those services are operations done by helicopter. To provide services in a timely fashion, we request signed authorization to extend for one year. This has become a formality over the years.

This authorization provided by each local government allows the District to carry out low-level flights, 500 feet and below, over congested areas within their boundaries. The helicopter is the main treatment vehicle of the District and most treatments are done to prevent the emergence of saltmarsh mosquitoes.

The enclosed public notice will be published monthly beginning in April and ending in October and serves to provide ongoing public awareness about aerial operations and further provides contact information.

Please execute the accompanying authorization (Mayor, Manager, etc.) and return to our office no later than April 23, 2018.

Thank you for your prompt attention to this matter.

Sincerely,

Mark Positano, Director

Enc.

cc: Mosquito Control Board
Noah McKinnon, Board Attorney

Authorization

This authorization recognizes that the East Flagler Mosquito Control District, in the exercise of its public health and safety responsibilities, may fly at low levels (500 feet) over congested areas in connection with its operations. This authorization extends from April 15, 2017 through April 15, 2018.

Signature: _____ Date: _____

Print/type name: _____

Title: _____

Name of local government: _____

Return to:

**East Flagler Mosquito Control District
24 Utility Drive
Palm Coast, FL 32137**

Please return no later than April 13, 2017.

**Public Notice
Aerial Spraying**

In compliance with regulations of the Federal Aviation Administration (FAA), public notice is hereby given that the East Flagler Mosquito Control District may apply control products by helicopter over or adjacent to congested areas of Flagler County and its municipalities. The purpose of these flights is for the suppression of mosquito populations. Flights will normally be performed at an altitude of 500 feet. Additionally, the District may perform low level flights over and adjacent to wetlands for the purpose of arresting mosquito development.

Areas outside the boundaries of the District may also be subject to aerial spraying in the event of an extraordinary nuisance or potential public health threat.

All flights will be in the public interest, and at times, maximize public safety and mosquito control effectiveness. All control products are approved for control purposes by the Florida Department of Agriculture and U.S. Environment Protection.

For additional information visit the District website at flaglermosquito.com or by calling 386-437-0002. Advance notice of spraying is available on our website.

City of Palm Coast, Florida Agenda Item

Agenda Date : 4/17/2018

Department	STREETS & DRAINAGE	Amount
Item Key	3097	Account
Subject	RESOLUTION 2018-XX APPROVING ONE-YEAR PRICE AGREEMENT WITH ENVIRONMENTAL LAND SERVICES FOR DEBRIS DISPOSAL SERVICES	
<u>UPDATE FROM THE MARCH 10, 2018 WORKSHOP</u> This item was heard by City Council at their March 10, 2018 Workshop. There were no changes suggested to this item.		
<u>ORIGINAL BACKGROUND FROM THE MARCH 10, 2018 WORKSHOP</u> The Public Works Department is responsible for maintaining City property and rights-of-way and needs to lawfully dispose of debris generated from these maintenance activities on an as-needed basis. City staff advertised and solicited bids for debris disposal in accordance with the City's Purchasing Policy. The only bid received was from Environmental Land Services (ELS) in the amount of \$52 per ton. ELS is the local company the City currently uses for these disposal services. City staff recommends that City Council approve a one-year price agreement with Environmental Land Services. Since this is a price agreement, City staff will use this service on an as-needed basis using budgeted funds appropriated by City Council.		
Recommended Action : Adopt Resolution 2018-XX approving one-year price agreement with Environmental Land Services for debris disposal services		

RESOLUTION 2018-____
DEBRIS DISPOSAL SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE PRICE AGREEMENT WITH ENVIRONMENTAL LAND SERVICES, FOR DEBRIS DISPOSAL SERVICES; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Environmental Land Services., has expressed a desire to provide debris disposal services to the City of Palm Coast; and

WHEREAS, the City Council of the City of Palm Coast desires to enter into a price agreement with Environmental Land Services, for the above referenced services.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

SECTION 1. APPROVAL OF PRICE AGREEMENT. The City Council of the City of Palm Coast hereby approves the terms and conditions of the price agreement with Environmental Land Services., which is attached hereto and incorporated herein by reference as Exhibit "A."

SECTION 2. AUTHORIZATION TO EXECUTE. The City Manager, or designee, is hereby authorized to execute the necessary documents.

SECTION 3. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

SECTION 5. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 17th day of April 2018.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit "A" – Price agreement with Environmental Land Services., for Debris Disposal Services

Approved as to form and legality

William E. Reischmann, Jr., Esq.
City Attorney



City of PALM COAST

Administrative Services & Economic Development
Central Services Division

160 Lake Avenue
Palm Coast, FL 32164
386-986-3730

NOTICE OF INTENT TO AWARD

Project: ITB-PW-18-28 Debris Disposal Services

Date: March 6, 2018

Appeal Deadline: Appeals must be Filed by 5:00 PM on March 8, 2018

Firm	Debris Type	Bid
Environmental Land Services, Inc. Bunnell, FL	Vegetative Waste	\$52.00 per Ton
Environmental Land Services, Inc. Bunnell, FL	Construction & Demolition (C&D)	\$52.00 per Ton
Environmental Land Services, Inc. Bunnell, FL	Clean Concrete	No Charge
Environmental Land Services, Inc. Bunnell, FL	Pressure Treated Wood	\$52.00 per Ton
Environmental Land Services, Inc. Bunnell, FL	Misc. Non-Hazardous Debris	\$52.00 per Ton
Environmental Land Services, Inc. Bunnell, FL	Tipping Fee	N/A

The intent of the City of Palm Coast is to award Environmental Land Services, Inc. for all debris types.

Bid protests arising under City Bidding Documents or Procedures shall be resolved under the City of Palm Coast Central Service Division's Bid Protest procedures.

A proposer may protest matters involving the award of this Bid within three (3) business days from the posting of this recommendation to award. Failure to protest to the City's Administrative Services and Economic Development Director, Beau Falgout (bfalgout@palmcoastgov.com) shall constitute a waiver of the protest proceedings.

Any decision of the Administrative Services and Economic Development Director may be appealed to the City Manager by filing a written appeal to the City Manager within seven (7) days of the Administrative Services and Economic Development Director's decision. Any decision of the City Manager may be appealed to the City Council by filing a written appeal to



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the City Clerk within seven (7) days of the City Manager's decision. The same procedures as above shall apply to contest the award of the contract.



ITB-PW-18-28 - Debris Disposal Services

Project Overview

Project Details	
Reference ID	ITB-PW-18-28
Project Name	Debris Disposal Services
Project Owner	Kelly Downey
Project Type	ITB
Department	Procurement
Budget	\$0.00 - \$0.00
Project Description	This Invitation to Bid is issued for the purpose of establishing a one-year contract with a vendor(s) for Debris Disposal Services to lawfully dispose of debris from public property and public rights-of-way. The City of Palm Coast is soliciting bids on behalf of the Public Works Department.



Open Date	Jan 31, 2018 8:00 AM EST
Close Date	Mar 01, 2018 2:00 PM EST

Awarded Suppliers	Reason	Score
Environmental Land Services, Inc		80 pts

Seal status

Requested Information	Unsealed on	Unsealed by
Required Forms (A,B,C,D,1-10)	Mar 01, 2018 2:14 PM EST	Kelly Downey
Permit(s)	Mar 01, 2018 2:14 PM EST	Kelly Downey

Questions and Answers

TFR Enterprises, Inc



ITB-PW-18-28

Tiffany Wilkes, Feb 21, 2018 2:36 PM EST

1. Page 7, Local Preference is prohibited by FEMA. Will the City consider removing this requirement?
2. Page 16, Permits. Are you wanting permits for the disposal facility we own? Or the facility we intend to open an account with? Thank you

Kelly Downey, Feb 21, 2018 4:43 PM EST

Good Afternoon Tiffany. 1. Local preference would still apply to this bid. The debris disposal referenced in this bid manual is not FEMA funded, so local preference would still be a factor. 2. The Permits specifications are listed on page 2 of the bid manual. The permitting applies to the disposal facility for the debris. The City will haul the debris to a specified disposal location. The awarded bidder would specify the debris disposal location.

Public Notices

ITB-PW-18-28 Submission due March 1



Kelly Downey, Feb 28, 2018 8:42 AM EST

ITB-PW-18-28 Debris Disposal submissions are due by 2:00 PM Thursday March 1, 2018.

ITB-PW-18-28 Debris Disposal Submission Deadline

Kelly Downey, Mar 01, 2018 9:15 AM EST

ITB-PW-18-28 Debris Disposal submissions are due by 2:00 PM today - March 1, 2018.

Notice of Intent to Award

Kelly Downey, Mar 06, 2018 9:01 AM EST

The Notice of Intent to Award for ITB-PW-18-28 has been posted.

Submissions



Supplier	Date Submitted	Name	Email	Confirmation Code
Environmental Land Services, Inc	Mar 01, 2018 1:08 PM EST	Laura Cohill	laura.cohill@elsfc.com	MjExODM=

Project Criteria

Criteria	Points	Description
Required Documents	Pass/Fail	All required documents included
Permit(s)	Pass/Fail	All required permits included
Vegetative Waste	20 pts	Vegetative Waste Price
Construction & Demolition (C&D)	20 pts	Construction & Demolition (C&D) Price
Clean Concrete	20 pts	Clean Concrete Pricing
Pressure Treated Wood	20 pts	Pressure Treated Wood Pricing
Misc. Non Hazardous Debris	20 pts	Misc. Non Hazardous Debris Pricing



Tipping Fees	20 pts	Tipping Fees
Total	120 pts	

Scoring Summary

Active Submissions

	Total	Required Documents	Permit(s)	Vegetative Waste	Construction & Demolition (C&D)
Supplier	/ 120 pts	Pass/Fail	Pass/Fail	/ 20 pts	/ 20 pts
Environmental Land Services, Inc	80 pts	Pass	Pass	20 pts (\$52)	20 pts (\$52)



	Clean Concrete	Pressure Treated Wood	Misc. Non Hazardous Debris	Tipping Fees
Supplier	/ 20 pts	/ 20 pts	/ 20 pts	/ 20 pts
Environmental Land Services, Inc	0 pts (\$0)	20 pts (\$52)	20 pts (\$52)	0 pts (\$0)

Proposal Scores

Environmental Land Services, Inc - Scoring Summary

Evaluation Group 1 - Required Document Evaluation

	Total	Required Documents	Permit(s)	Construction & Demolition (C&D)
Reviewer	/ 20 pts	Pass/Fail	Pass/Fail	/ 20 pts
Kelly Downey	20 pts	Pass	Pass	\$52



	Total	Required Documents	Permit(s)	Construction & Demolition (C&D)
Reviewer	/ 20 pts	Pass/Fail	Pass/Fail	/ 20 pts
	Average:	Pass	Pass	\$52
		↓	↓	↓
Calculated:	20 pts	Pass	Pass	20 pts (\$52)

Evaluation Group 2 - Price Evaluation

	Total	Vegetative Waste	Clean Concrete	Pressure Treated Wood	Misc. Non Hazardous Debris
Reviewer	/ 100 pts	/ 20 pts	/ 20 pts	/ 20 pts	/ 20 pts
Kelly Downey	60 pts	\$52	\$0	\$52	\$52
	Average:	\$52	\$0	\$52	\$52



	Total	Vegetative Waste	Clean Concrete	Pressure Treated Wood	Misc. Non Hazardous Debris
Reviewer	/ 100 pts	/ 20 pts	/ 20 pts	/ 20 pts	/ 20 pts
		↓	↓	↓	↓
Calculated:	60 pts	20 pts (\$52)	0 pts (\$0)	20 pts (\$52)	20 pts (\$52)

	Tipping Fees
Reviewer	/ 20 pts
Kelly Downey	\$0
	\$0
	↓
Calculated:	0 pts (\$0)

City of Palm Coast, Florida Agenda Item

Agenda Date : 4/17/2018 9:00:00 AM

Department	CITY CLERK	Amount
Item Key	3177	Account
		#
Subject	CALENDAR/WORKSHEET	
Background :		
Recommended Action :		



Meeting Calendar for 4/18/2018 through 5/31/2018

4/18/2018 5:30 PM

Planning & Land Development Regulation Board
City Hall

4/24/2018 9:00 AM

City Council Workshop
City Hall

4/26/2018 5:00 PM

Beautification and Environmental Advisory Committee
City Hall

5/1/2018 6:00 PM

City Council
City Hall

5/2/2018 10:00 AM

Code Enforcement Board
City Hall

5/8/2018 9:00 AM

City Council Workshop
City Hall

5/9/2018 6:30 PM

Leisure Services Advisory Committee
City Hall

5/11/2018 8:30 AM

Volunteer Firefighters' Pension Board
Fire Station #25



Meeting Calendar for 4/18/2018 through 5/31/2018

5/15/2018 9:00 AM

City Council
City Hall

5/16/2018 5:30 PM

Planning & Land Development Regulation Board
City Hall

5/24/2018 5:00 PM

Beautification and Environmental Advisory Committee
City Hall

5/29/2018 9:00 AM

City Council Workshop
City Hall

#	File #	Item	Title	Staff
			Workshop 4/24/2018	
1		Resolution	Consumptive Use Permit Modification	Adams/Matthews
2		Resolution	Rebuild/Rehab and Testing of SW-4R	Adams/Hogan
3		Resolution	Dunes CDD easement	Butler
4		Presentation	Street Resurfacing Update	Castello
5		Presentation	10 year Capital Improvement forecast	Cote
6		Resolution	Pipe Replace/Rehab	Cote/Peel
7		Presentation	Executive Search Firms	Council
8		Ordinance	Airport Area Overlay Master Plan	Meehan
9		Presentation	Litter	Mini
10		Presentation	Downtown Incentive	Newingham
11		Resolution	Diamond Ground Lease Agreement	Streichsbier
			Business 5/1/2018	
1		Resolution	Consumptive Use Permit Modification	Adams/Matthews
2		Resolution	Rebuild/Rehab and Testing of SW-4R	Adams/Hogan
3		Resolution	Pipe Replace/Rehab	Cote/Peel
4		Proclamation	Nurses Week	Lane
5		Proclamation	Employee Appreciation Month	Lane
6		Ordinance 1st	Airport Area Overlay Master Plan	Meehan
7		Proclamation	Arbor Day	Mini
8		Presentation	Public Safety Update	Staly
9		Resolution	Diamond Ground Lease Agreement	Streichsbier
			Workshop 5/8/2018	
1		Resolution	Presentation to City Council - Year to Date Budget Results	Alves/Williams
2		Ordinance	Amend LDC Chapter 5 rewrite	Hoover
			Business 5/15/2018	
1		Resolution	Dunes CDD easement	Butler
2		Discussion	Final Ranking Executive Search Firms	Council
3		Proclamation	Kids to Park Day	Lane
4		Proclamation	Drug Court Month	
5		Ordinance 1st	Amend LDC Chapter 5 rewrite	Hoover
6		Ordinance 2nd	Airport Area Overlay Master Plan	Meehan

			Workshop 5/29/2018	
1		Presentation	Fund Accounting and Long Term Planning	Alves/Williams
			Business 6/5/2018	
1		Resolution	Contract Executive Search Firms	Council
2		Ordinance 1st	Amend LDC Chapter 5 rewrite	Hoover
3		Presentation	Citizen's Academy Graduation 43	Lane
4		Proclamation	Fire	Lane
			Future	
1		Resolution	Purchase of Wastewater Collection Odor Control Units	Adams/Ashburn
2		Resolution	LW-49 Pump Inspection and Well Rehabilitation	Adams/Hogan
3		Resolution	Master Plan SCADA Telemetry Standardization	Adams/Hogan
4		Resolution	LW-23 Well Rehab	Adams/Roussell
5		Resolution	Fixed Base Meter Reading	Adams/Zaleski
6		Resolution	Annual Fire Inspection Fees	Alves
7		Presentation	Property Tax and Other Revenue 6/12	Alves/Williams
8		Presentation	General Fund and TRIM Rate 7/10	Alves/Williams
9		Resolution	Proposed Millage Rate 7/17	Alves/Williams
10		Presentation	Proprietary and Special Revenue Funds 8/14	Alves/Williams
11		Resolution	Budget Workshop - Final Proposed Budget 8/28	Alves/Williams
12		Resolution	Permit compliance with NECGA (MOU and Conservation easement)	Bevan
13		Resolution	Purchase/Installation Ozone Odor Control Unit WWTP #1	Blake
14		Resolution	Purchase/Installation Primary Clarifier Process Equipment WWTP #1	Blake
15		Resolution	Interlocal Mala Compra Storm Drain Project	Blake/Kronenberg
16		Resolution	Bulldog Drive Maintenance Map	Cote
17		Presentation	Finalize 5 Year CIP 7/31	Cote
18		Resolution	Stormwater and Environmental Engineering Services WO	Cote/Peel
19		Resolution	Plan Administrator for Retirement Benefits	Cullen
20		Resolution	Property Exchange NECGA	Falgout
21		Resolution	IA Flagler Schools Fire Truck Donation	Forte
22		Resolution	WWTP#1 Odor Control	Kronenberg
23		Presentation	Flagler County Health Dept. Update 6/19	Lane
24		Presentation	Citizen's Academy Graduation-10/16 44	Lane
25		Ordinance	Rezone 40 Colchester	Meehan
26		Ordinance 1st	Coastal Trace FLUM	Papa

27		Ordinance 1st	Coastal Trace Rezoning	Papa
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City of Palm Coast, Florida Agenda Item

Agenda Date : 04/17/2018

Department	CITY CLERK	Amount
Item Key	3189	Account
		#
Subject	ATTACHMENTS TO MINUTES	
Background :		
Recommended Action :		

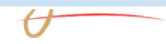
Executive Search Firm

*Administrative Services & Economic Development
Central Services Division*



Schedule

August 29, 2018		RFP Timeline, Sample RFP's Provided
November/December		1:1 Meetings
January 9, 2018	City Council Workshop	Summary of 1:1 Meetings / Direction
January 30, 2018	City Council Workshop	Draft RFP
February 6, 2018	City Council Meeting	Final RFP
February 14, 2018		RFP Released / Ad Published
March 16, 2018		RFP Submission Deadline
March 30, 2018 <u>April 11, 2018</u>		Initial Scoring Due
April 3, 2018 <u>April 17, 2018</u>	City Council Meeting	Shortlist Firms
April 10, 2018 <u>May 9, 2018</u>	City Council Workshop	Presentations
April 17, 2018 <u>May 16, 2018</u>	City Council Meeting	Final Ranking
April 24, 2018 <u>May 30, 2018</u>	City Council Workshop	Draft Contract with Selected Firm
May 1, 2018 <u>June 6, 2018</u>	City Council Meeting	Final Contract with Selected Firm



REQUEST FOR SOLUTIONS



Evaluations and Scoring

- Advertised and released a Request for Solutions (RFS) for Executive Search Firms to assist City Council in the search, recruitment, and selection of the next City Manager.
- Council provided input and guidance on the project timeline as well as approved the RFS document that was advertised.
- Received four (4) responses, which have been evaluated and scored by City Council.



Evaluation Criteria

1. Experience and Past Performance **(0 – 35 points)**
2. Ability to Collaborate and Facilitate **(0 – 25 points)**
3. Ability to Reach a Broad Target Market **(0 – 10 points)**
4. Projected Cost **(0 – 10 points)**
5. Innovation and Creativity **(0 – 20 points)**



Initial Ranking based on average scoring of City Council's individual evaluations

	Total	Price Estimate	Experience and Past Performance	Ability to Collaborate and Facilitate	Ability to Reach a Broad Target market	Projected Cost	Innovation and Creativity
Supplier	/ 100 pts	/ 0 pts	/ 35 pts	/ 25 pts	/ 10 pts	/ 10 pts	/ 20 pts
Developmental Associates, LLC	88.6 pts	0 pts (\$24,725.00)	30.8 pts	22.4 pts	7.6 pts	9.4 pts	18.4 pts
Strategic Government Resources	81 pts	0 pts (\$28,000.00)	29.2 pts	20 pts	7.8 pts	7.4 pts	16.6 pts
Springsted Waters	73.6 pts	0 pts (\$28,500.00)	26.6 pts	18.6 pts	6.6 pts	7.4 pts	14.4 pts
GovHR USA	67.4 pts	0 pts (\$27,500.00)	23.8 pts	17.6 pts	6 pts	6.6 pts	13.4 pts

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Ranking Analysis

- Developmental Associates, LLC received 4 out of 5 City Council selections as the 1st or 2nd place ranking.
- Strategic Government Resources (SGR) received 4 out of 5 City Council selections as the 1st or 2nd place ranking.
- Springsted Waters received 1 out of 5 City Council selections as the 2nd place ranking.
- GovHR received 1 out of 5 City Council selections as the 2nd place ranking.



Options

- A. Shortlist two or more responses for presentations and further review; or
- B. Award to top-ranked response based on initial ranking; or
- C. Reject all responses





QUESTIONS



**Proposed Ordinance(s)
Floodplain Damage Protection
&
Technical Amendments to Florida Building Code**

April 17, 2018



Floodplain Management Timeline

Date	Activity	Affect on Flood Insurance Premiums
02-02-2002	Accepted into the NFIP	Citizens can secure flood insurance
05-01-2004	CRS Class 7	15% reduction*
07-17-2006	Flood Insurance Rate Map(s) Effective Date	Flood zone(s) changed
08-19-2008	Unified Land Development Code adopted	
05-01-2009	CRS Class 6	20% reduction*
11-20-2014	CRS Class 5	25% reduction*
05-01-2017	CRS Class 4	30% reduction*
12-31-2017	Florida Building Code Effective Date (6 th Edition)	
06-06-2018	Flood Insurance Rate Map(s) Effective Date for new maps	Flood zone(s) will change. Proposed ordinance respects new effective date.

*Note: For policies issued for properties within the Special Flood Hazard Area



Ordinance(s) Background

- To remain consistent with the NFIP standards, it is in the public interest to adopt floodplain management regulations that are coordinated within the Florida Building Code.
- The Florida Division of Emergency Management (FDEM) has created a state model ordinance to help communities.
- FDEM provided direct consultation to assist staff with merging the model ordinance, existing regulations of the Unified Land Development Code, Florida Building Code and higher standards of the City's CRS program.

FCARD – Request for Feedback

Three meetings conducted with Flagler County Association for Responsible Development (FCARD)

April 13, 2017; January 25, 2018; and February 15, 2018

Action: Feedback applied, reviewed by FDEM and CRS technical experts, and two sections were modified and found acceptable by reviewing entities.

Comprehensive Plan Analysis

Objective 6.1.12 – Floodplain Protection

Maintain the hydrological and ecological function of floodplain areas by reducing loss of flood storage capacity and protecting the functional value of wetlands.

Policies 6.1.12.1, 6.1.12.2, 6.1.12.3, and 6.1.12.4

Staff Findings: The Ordinance is consistent with Comprehensive Plan Policies.

Planning and Land Development Regulation Board

- January 17, 2018 PLDRB Workshop
- PLDRB Business Meeting (February 21, 2018) – Recommended that City Council Approve Ordinance Section 10.02, LDC by a 6-0 vote

Recommendation

- Staff and PLDRB recommend that City Council approve Ordinance associated with Chapter 10.02, Land Development Code.
- Staff recommends that City Council approve Ordinance Chapter 15 Technical Amendments to the Florida Building Code, Code of Ordinance.

Questions???



Transportation Impact Fee Study

City Council Public Hearing

APRIL 2018



Presented By:



Transportation Impact Fee **Study Milestones**

- City Council Workshop on Land Use Schedule and Fee Calculations
- Follow-up workshops with stakeholders



Presented By:



Transportation Impact Fee **Study Update Costs of Additional Roadway Capacity**

Road Improvement Program Cost Estimate Summary

- Road Costs not in the LRTP \$ 41,747,743.30
- Intersection Costs \$ 13,282,500.00
- Traffic Signal Optimization \$ 3,000,000.00
- Non-LRTP Improvement Costs \$ 58,030,243.30
- **10% Funding for LRTP Roadways** \$ 10,349,268.00
- **Non-LRTP and 10% Funding Costs** \$ **68,379,511.30**



Transportation Impact Fee Study Incentivization

Fee-based Economic Incentives

- Promotion of In-fill (Vested, Platted Single Family Attached or Detached) based on plat recording date
- Diversity of housing choice
 - Single Family
 - Multi-Family
 - Active Adult
- Manufacturing rate
- No Right-of-Way (construction cost accommodates stormwater improvements)
- Intersections vs. Street Widening
- Multi-tenant Retail vs. Free Standing Retail



Presented By:



Transportation Impact Fee Ordinance

- Continue with Annual Adjustment based on FDOT construction costs
- Create Benefit District to fund specific improvements through dedicated impact fees
- Update Impact Fee report/study every five-years (previously six-years)
- Implementation - 30 days for decrease, 90 days for increase (with exemption for new building if building permit is issued by Feb. 1, 2019)



Presented By:



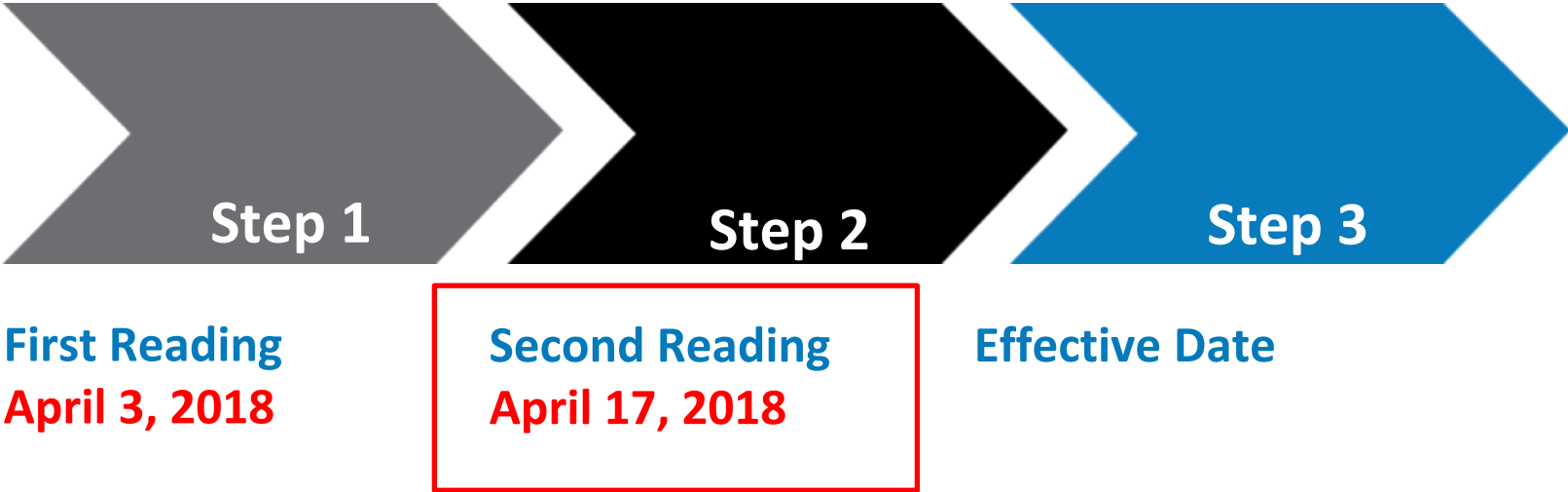
LTG

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Transportation Impact Fee Study Next Steps

Following Today's Presentation



Presented By:



Transportation Impact Fee **Questions or Comments**



Presented By:















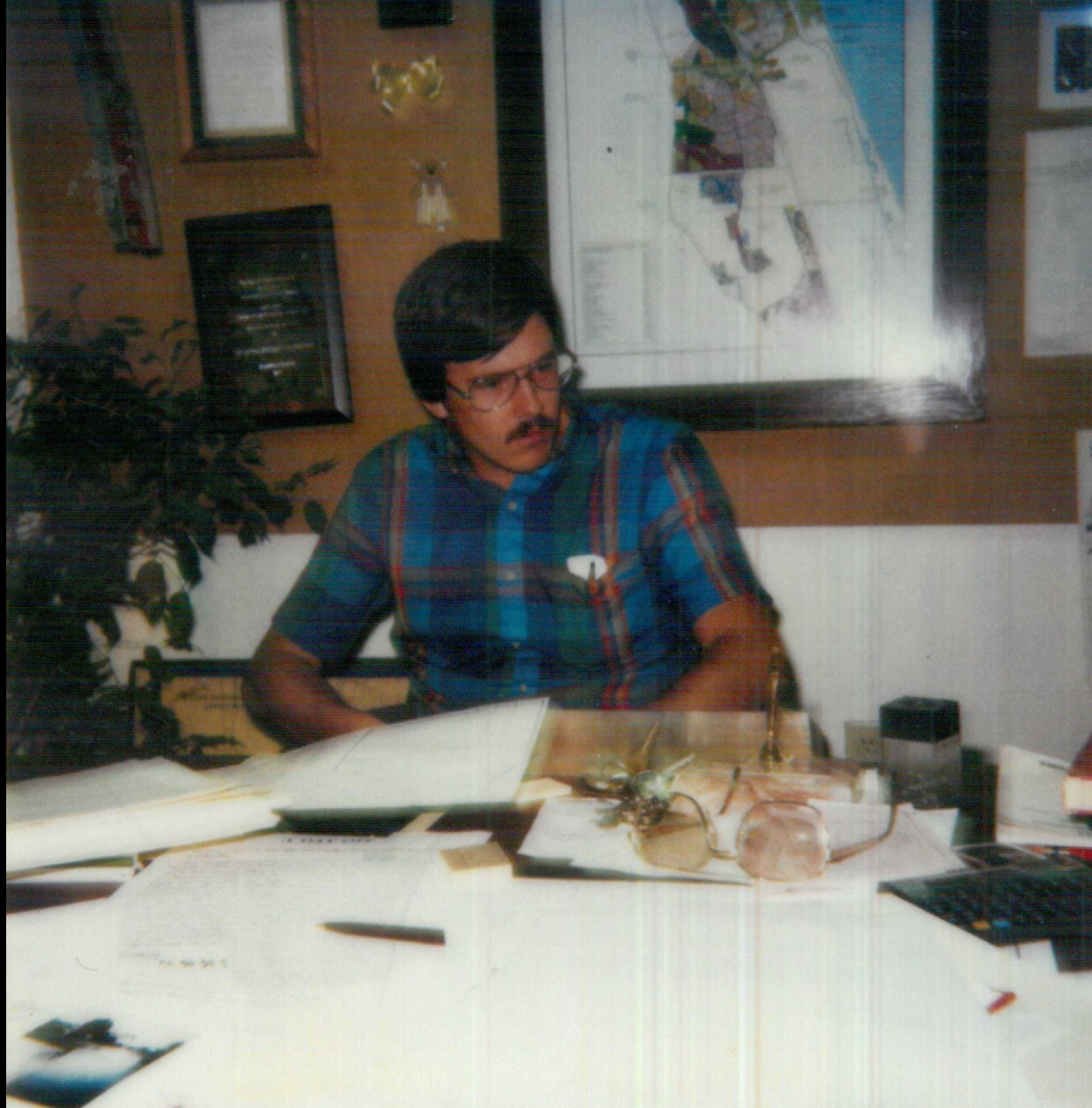








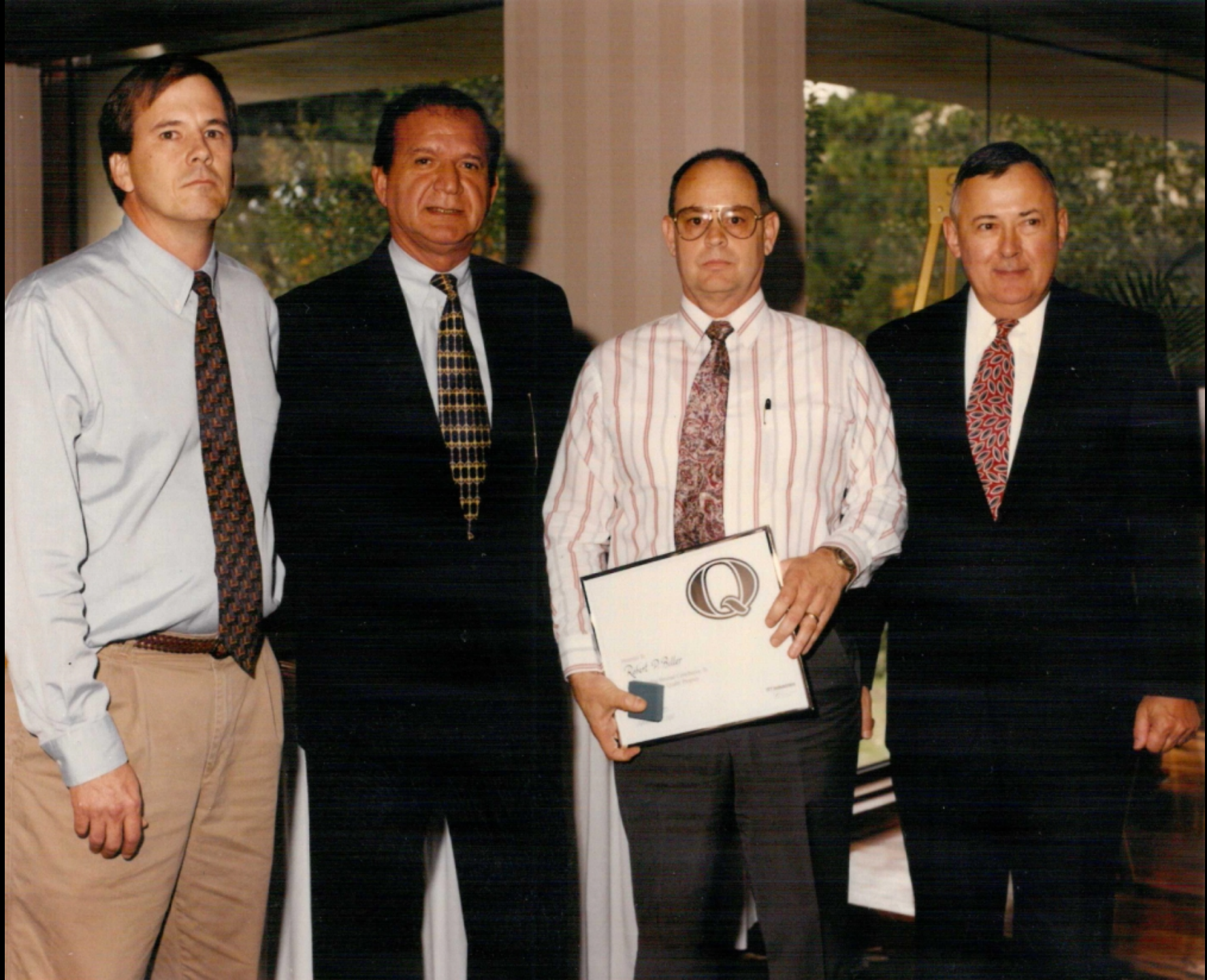






Anthony

CERTIFICATE OF RECOGNITION
Anthony Freda



































2018 Strategic Action Plan Evaluation



CITY COUNCIL BUSINESS – APRIL 17, 2018

Strategic Action Plan Evaluation Timeline

- ✓ **January 30th: 2017 End of Year Progress Report Letter**
- ✓ **February 13th: National Citizen Survey Results**
- ✓ **February – March: City Council Interviews**
- ✓ **March 13th: Annual Progress Report**
- ✓ **March 27th: SAP Evaluation Workshop #1**
- ✓ **April 10th: SAP Evaluation Workshop #2**

Organizing Council Feedback

- Applied City Council feedback from March 27, 2018 and April 10, 2018 Workshops

Format of Upcoming Slides:

ID	Strategy	Priorities	Budget	Priority Yes or No
1	3.2.2	City Council Topic	X	

Potential Additional Priorities

ID	Strategy	Priority	Budget Consideration	Priority Yes or No
1	1.2.3	Evaluate opportunities to work with citizens along Florida Park Drive to improve landscaping along the roadway		
2	1.2.3	Engage an external consultant to identify options through a traffic engineering study to address traffic issues on Florida Park Drive	X	
3	2.1.2	Create a stakeholders group to create a new Vision for Town Center through a strategic approach		
4	2.1.2	Create a dedicated funding mechanism to support events and programs in pursuit of innovation in Town Center. Utilize stakeholders to create funding program framework	X	

Potential Additional Priorities

ID	Strategy	Priority	Budget Consideration	Priority Yes or No
5	2.1.4	Evaluate the feasibility of requiring new construction to incorporate a committed fiber port through building code regulations		
6	5.2.4	Develop a robust citizen engagement platform and ensure that cost-benefit analysis includes ongoing maintenance of the platform	X	
7	3.2.2	Evaluate opportunities to improve public facing “public records” search capabilities	X	
8	3.2.2	Improve communications infrastructure (phone/internet service) at City Hall and other City facilities to ensure continuum of services	X	

Potential Additional Priorities

ID	Strategy	Priority	Budget Consideration	Priority Yes or No
9	3.2.2	Evaluate existing software product(s)' maintenance costs and technological advancement needs to ensure that long-term financial investment is acceptable or justifies an alternative product	X	
10	5.1.2	Evaluate Town Center and other locations within the southern part of the City with the potential to incorporate a future premier multi-purpose recreation center that all generations are served	X	
11	5.2.2	Request Florida Power & Light to provide a presentation to City Council to discuss the feasibility of underground utility retrofits and mounting of equipment on utility poles		

Ballot Distribution

Priorities receiving 3 or more votes will be adopted by Resolution



Comprehensive Plan

Update of the Amendment Water Supply Facilities Work Plan
(WSFWP)

City Council Public Hearing

April 14, 2018



WSFWP Amendment - Background



- Florida Statutes require coordination of Regional Water Supply Plan and Comprehensive Plan
- Within 18 months of approval of Regional Water Supply Plan, local government must amend Water Supply Facilities Work Plan (WSFWP)
- The WSFWP must cover at least 10 years, identify traditional and alternative water supply projects, conservation and reuse activities to meet future demand



WSFWP Amendment - Background



- WSFWP first adopted in Comprehensive Plan in 2008
- Updated in 2010
- Update Transmitted to State Agencies
- No comments or recommended changes from State Agencies



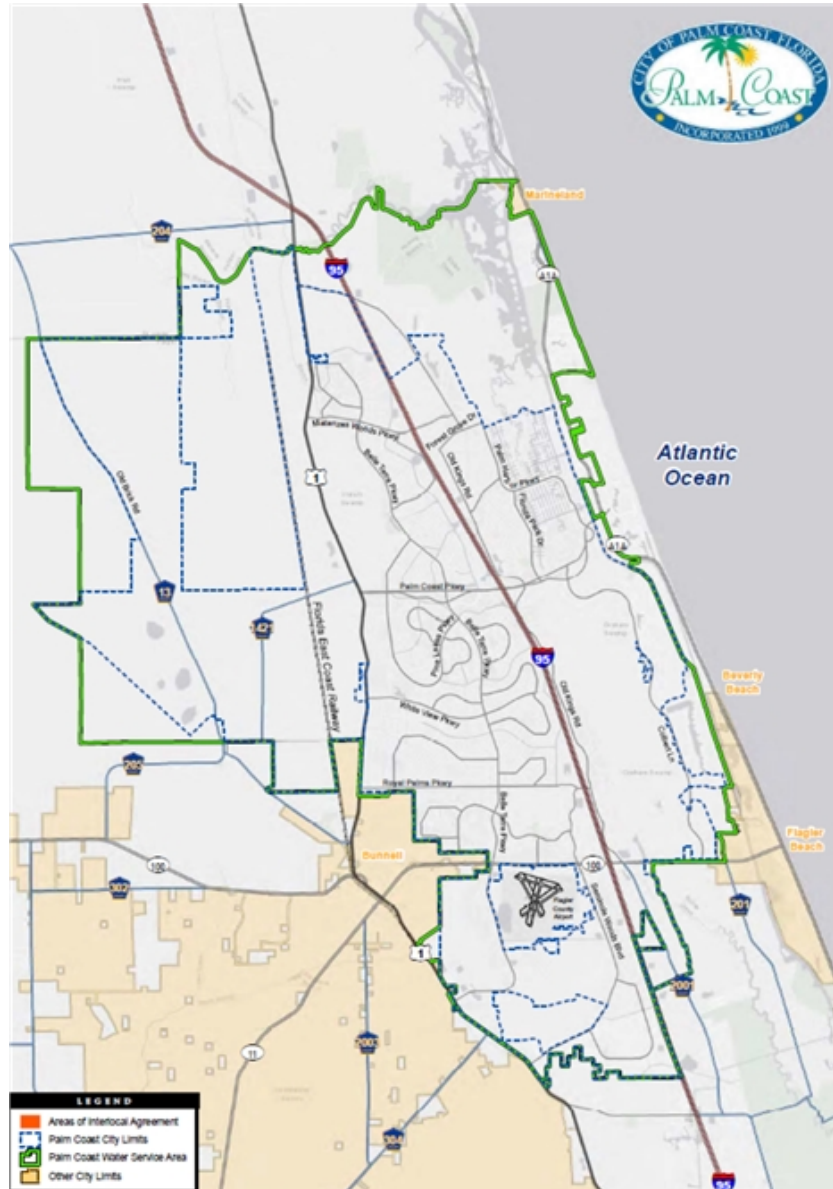
WSFWP Update



- Update of Population Projections for Service Area (Demand)
 - Use Low and Medium BEBR projections
- Identify alternative source of water supply
 - On-going and Future Actions
- Identify and incorporate alternative water supply projects identified in the regional water supply plan
 - Projects included in adopted 5-year CIP
- Identify conservation and reuse programs (On-going)



WSFWP Update – Service Area



- Include areas outside of City municipal boundaries



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WSFWP Update – Population Projections



	Population		Water Demand (MGD)	Water Supply (MGD)	
				Traditional	Alternative
2015	Within City	79,858	7.419	7.813	0.0
	Outside	4,245	0.394		
	Total	84,104	7.813		
2020	Within City	90,076	8.710	9.328	0.0
	Outside	6,390	0.618		
	Total	96,466	9.328		
2025	Within City	110,640	10.699	12.02	0.0
	Outside	7,849	0.759		
	Total	118,489	11.458		
2030	Within City	129,064	12.480	13.02	1.0
	Outside	9,156	0.885		
	Total	138,220	13.366		
2035	Within City	146,960	14.211	13.02	2.0
	Outside	10,426	1.01		
	Total	157,385	15.209		



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WSFWP Update – Alternative Water Supply Source Projects

- Developed in coordination with SJRWMD
- Includes On-going Projects and Future Projects to develop sources of water



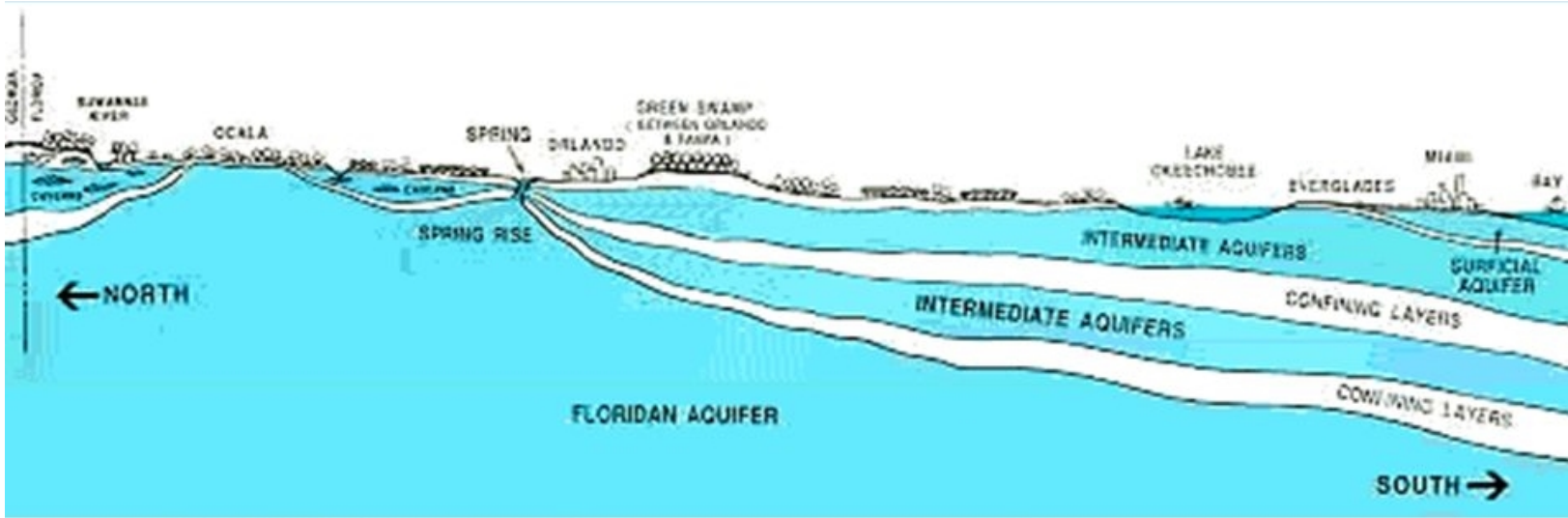
WSFWP Update – Alternative Water Supply Source Projects

On-going. Use of Drinking Water Byproduct (DWB) from Water Treatment Plant (WTP) No. 2 and No. 3.

- DWB from WTP No. 3 and blended with WTP No. 1 raw water
- DWB from WTP No. 2, is recovered through lime softening followed by microfiltration
- Both projects could eliminate the wasteful discharge of DWB to surface waters and ultimately recover up to 1.95 MGD of water.



WSFWP Update – Alternative Water Supply Source Projects



- On-going and Upcoming Aquifer recharge projects
- Confined Surficial
- Upper Floridan



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WSFWP Update – Alternative Water Supply Source Projects

On-going. Reuse Water for Aquifer Recharge

- Partnership with the SJRWMD to install reuse irrigation system along both sides of US Highway 1 to provide up to 1 MGD of reuse for aquifer recharge
- Wetland monitoring plan will be utilized to determine the success of this project (positive benefit to the wetlands in the region)



WSFWP Update – Alternative Water Supply Source Projects

On-going. Aquifer Performance Test of Brackish Upper Floridan Aquifer

- The data acquired from these tests have been modeled to determine the feasibility of receiving an allocation of brackish water in the CUP. The SJRWMD is reviewing the model outcome and will complete an impact analysis in order to determine an acceptable allocation in early 2018.



WSFWP Update – Alternative Water Supply Source Projects

Future Project. Investigate additional means of aquifer recharge utilizing advanced treated wastewater from WWTP No. 2.

- This method of indirect potable reuse has the potential of providing up to 2 MGD of additional fresh water allocation in advance of utilizing the more costly brackish water in the upper Floridan aquifer.

Future Project. Investigate the benefits of adding storage to the stormwater collection system in an effort to mitigate wetland impacts due to withdrawals from the Confined Surficial Aquifer.



WSFWP Update – Capital Projects for Water Supply – Short Range Projects ◀ ▶

Project Name	Purpose of Project	Fiscal Year Estimated Costs					Estimated Total Cost	Estimated Year of Operation
		2018	2019	2020	2021	2022		
TRADITIONAL WATER SUPPLY								
CUP Modification for fresh water supply	Increase raw water capacity				\$100,000		\$100,000	2021
ALTERNATIVE WATER SUPPLY								
CUP Modification and Alternative Water Study	Modify CUP – Add Brackish Source Allocation	\$100,000					\$100,000	2018
REUSE WATER SUPPLY								
Reclaimed water main extension to Indian Trails Sports complex	Add distribution of reuse water	\$1,000,000					\$1,000,000	2018
Aquifer Storage and Recovery Investigation and Land Acquisition				\$750,000		\$100,000	\$850,000	2022
WWTP #2-Expansion-Planning and Engineering	Develop additional reuse water					\$500,000	\$500,000	



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WSFWP Update – Capital Projects for Water Supply – Long Range Projects < >

Project Name	Purpose of Project	Estimated Cost	Project Development Phase Timing			
			Planning	Engineering/ Design	Permitting	Construction
REUSE WATER COMPONENT						
WWTP No. 2 Reuse for Aquifer Recharge – Non Potable Reuse	Mitigate freshwater withdrawal impact on wetlands	\$1,700,000	2023	2023	2024	2025
Expand Reuse Transmission to Development of Regional Impact to the west	Distribution of additional reuse water for irrigation and aquifer recharge	TBD	2023	TBD	TBD	TBD
Expand WWTP No. 2 to 4.0 MGD	Allow for additional advanced treated wastewater for reuse	\$13,500,000	2022	2022	2022	2023
ALTERNATIVE WATER SUPPLY COMPONENT						
Develop Brackish water supply	Increase raw water capacity	\$4,500,000	2023	2024	2025	2025-2030
WTP No. 3 Plant Expansion	Add 3.0 MGD of brackish source treatment capacity	\$4,500,000	2023	2024	2025	2025-2030



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WSFWP Update – Reuse and Conservation Programs

- Technological, Procedural, and/or Programmatic Improvements Management
 - Water Treatment Plant Technologies
 - Water Use Monitoring
 - Free Water Conservation Plumbing Retrofitting Kits for Residential Customers
 - Indoor Conservation Programs
 - Develop and Enforce Water Efficient Landscape Ordinance (in cooperation with SJRWMD)
 - Irrigation Design Requirements
 - Requiring Individual Metering
 - Requiring the Use of Low-Volume Plumbing Devices
- Reuse Conservation Practices
 - Requiring New Development to Install a Reuse Water Distribution System
 - Requiring Connection to the Reuse Water System
 - Requiring Individual Metering
- Customer and Employee Education
- Use of Conservation based Rate Schedule



RECOMMENDATION



- Staff and the PLDRB recommend that City Council Approve the proposed amendment



Next Steps



- Transmittal to Department of Economic Opportunity and other State Agencies
- 2nd Reading



Questions?

