



City of Palm Coast Agenda COUNCIL BUSINESS MEETING

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

Mayor David Alfin
Vice Mayor Ed Danko
Council Member Cathy Heighter
Council Member Nick Klufas
Council Member Theresa Pontieri

Tuesday, November 7, 2023

6:00 PM

COMMUNITY WING

City Staff

Denise Bevan, City Manager

Neysa Borkert, City Attorney

Kaley Cook, City Clerk

- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Other matters of concern may be discussed as determined by City Council.
- If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while Council is in session.
- Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

C. ROLL CALL

D. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (2) The Public may provide comments to the City Council relative to matters not on the agenda at the times indicated in this Agenda. Following any comments from the public,

there may be discussion by the City Council.

(3) When addressing the City Council on specific, enumerated Agenda items, speakers shall:

- (a) direct all comments to the Mayor;
 - (b) make their comments concise and to the point;
 - (c) not speak more than once on the same subject;
 - (d) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
 - (e) obey the orders of the Mayor or the City Council; and
 - (f) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (4) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:**
 - OCTOBER 17, 2023, BUSINESS MEETING**
 - OCTOBER 24, 2023, SPECIAL WORKSHOP MEETING**

F. PROCLAMATIONS AND PRESENTATIONS

- 2. PROCLAMATION - RECOGNIZING WORLD DIABETES DAY AND DIABETES AWARENESS MONTH IN NOVEMBER 2023**
- 3. PROCLAMATION - NOVEMBER 2023 AS LUNG CANCER AWARENESS MONTH**
- 4. PROCLAMATION - NOVEMBER 2023 AS SHIRLEY CHISHOLM MONTH**
- 5. PROCLAMATION - NOVEMBER 2023 AS BE LOCAL, BUY LOCAL MONTH**
- 6. PROCLAMATION - NOVEMBER 2023 AS VETERAN APPRECIATION MONTH**
- 7. PROCLAMATION - THE WEEK OF NOVEMBER 1, 2023, AS WORLD COMMUNICATION WEEK**

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

G. APPOINTMENTS

9. **VICE MAYOR APPOINTMENT FOR FY 2023-2024**
10. **COUNCIL LIAISON APPOINTMENTS FOR FY 2023-2024**

H. ORDINANCES SECOND READ

11. **ORDINANCE 2023-XX A FLUM AMENDMENT FOR 375+/- ACRE AREA FROM COUNTY DESIGNATION OF RESIDENTIAL LOW DENSITY/RURAL ESTATE AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF RESIDENTIAL AND CONSERVATION WITH POLICY TO LIMIT DEVELOPMENT TO 850 UNITS**
12. **ORDINANCE 2023-XX THE CASCADES REZONING - APPLICATION NO. 5107**
13. **ORDINANCE 2023-XX 5TH AMENDMENT TO THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT - APPLICATION NO. 5276**

I. ORDINANCES FIRST READ

14. **ORDINANCE 2023-XX AMENDING CHAPTER 35, NUISANCES, OFFENSES, AND MISCELLANEOUS PROVISIONS, ARTICLE III OF THE CODE OF ORDINANCES, DIVISION 2, CONCERNING DOOR-TO-DOOR SOLICITATION LICENSES**

J. RESOLUTIONS

15. **RESOLUTION 2023-XX APPROVING APPLICATION NO. 5513 FOR THE PARTIAL VACATION OF ONE APPROXIMATELY 50-FOOT UTILITY EASEMENT FOR PROPERTY LOCATED WITHIN REVERIE AT PALM COAST, PHASE 1, AS PLATTED IN REVERIE AT PALM COAST, AS RECORDED IN PLAT BOOK 40 PAGE 3**
16. **RESOLUTION 2023-XX APPROVING THE FINAL PLAT FOR WHITEVIEW VILLAGE PHASE 2 (AR #5096)**
17. **RESOLUTION 2023-XX APPROVING AN IMPACT FEE CREDIT CONTRACT INCLUDING DEDICATION OF LAND BETWEEN THE CITY OF PALM COAST, FLORIDA AND KB HOME JACKSONVILLE, LLC**
18. **RESOLUTION 2023-XX APPROVING A MASTER SERVICES AGREEMENT IN THE AMOUNT OF \$54,100 WITH ABLE OPERATIONS, LLC FOR A TARGETED INDUSTRY**

FEASIBILITY STUDY

K. CONSENT

19. RESOLUTION 2023-XX APPROVING MULTIPLE CONTRACTS FOR CITYWIDE SURVEYING AND MAPPING SERVICES

20. RESOLUTION 2023-XX APPROVING ADDITIONAL FUNDING FOR INFORMATION TECHNOLOGY EXPENSES RELATED TO THE SOUTHERN RECREATION FACILITY PROJECT

L. PUBLIC PARTICIPATION

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

M. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

N. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

O. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

P. ADJOURNMENT

21. AGENDA CALENDAR AND WORKSHEET

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department CITY ADMINISTRATION Division	Amount Account #
Subject: MINUTES OF THE CITY COUNCIL: OCTOBER 17, 2023, BUSINESS MEETING OCTOBER 24, 2023, SPECIAL WORKSHOP MEETING	
Presenter: Kaley Cook, City Clerk	
Attachments: 1. Minutes (2)	
Background:	
Recommended Action: APPROVE MINUTES OF THE CITY COUNCIL: OCTOBER 17, 2023, BUSINESS MEETING OCTOBER 24, 2023, SPECIAL WORKSHOP MEETING	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department CITY ADMINISTRATION Division	Amount Account #
Subject: PROCLAMATION - RECOGNIZING WORLD DIABETES DAY AND DIABETES AWARENESS MONTH IN NOVEMBER 2023	
Presenter: Mayor and City Council	
Attachments: 1. Proclamation	
Background: The City of Palm Coast would like to recognize November 14, 2023, as World Diabetes Day, and the month of November 2023 as Diabetes Awareness Month.	
Recommended Action: PROCLAIM WORLD DIABETES DAY AND DIABETES AWARENESS MONTH IN NOVEMBER 2023	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount
Division		Account #
Subject:	PROCLAMATION - NOVEMBER 2023 AS LUNG CANCER AWARENESS MONTH	
Presenter:	Mayor and City Council	
Attachments:	1. Proclamation	
Background:	The City of Palm Coast would like to proclaim November 2023 as Lung Cancer Awareness Month.	
Recommended Action:	PROCLAIM NOVEMBER 2023 AS LUNG CANCER AWARENESS MONTH	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount
Division		Account #
Subject: PROCLAMATION - NOVEMBER 2023 AS SHIRLEY CHISHOLM MONTH		
Presenter: Mayor and City Council		
Attachments: 1. Proclamation		
Background: The City of Palm Coast would like to recognize November 2023 as Shirley Chisholm Month.		
Recommended Action: PROCLAIM NOVEMBER 2023 AS SHIRLEY CHISHOLM MONTH		

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount
Division		Account #
Subject: PROCLAMATION - NOVEMBER 2023 AS BE LOCAL, BUY LOCAL MONTH		
Presenter: Mayor and City Council		
Attachments: 1. Proclamation		
Background: The City of Palm Coast would like to recognize November 2023 as Be Local, Buy Local Month.		
Recommended Action: PROCLAIM NOVEMBER 2023 AS BE LOCAL, BUY LOCAL MONTH		

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount
Division		Account #
Subject: PROCLAMATION - NOVEMBER 2023 AS VETERAN APPRECIATION MONTH		
Presenter: Mayor and City Council		
Attachments: 1. Proclamation		
Background: The City of Palm Coast would like to proclaim November 2023 as Veteran Appreciation Month.		
Recommended Action: PROCLAIM NOVEMBER 2023 AS VETERAN APPRECIATION MONTH		

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount
Division		Account #
Subject:	PROCLAMATION - THE WEEK OF NOVEMBER 1, 2023, AS WORLD COMMUNICATON WEEK	
Presenter:	Mayor and City Council	
Attachments:	1. Proclamation	
Background:	The City of Palm Coast would like to proclaim the week of November 1, 2023, as World Communication Week.	
Recommended Action:	PROCLAIM THE WEEK OF NOVEMBER 1, 2023, AS WORLD COMMUNICATION WEEK	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNICATIONS AND MARKETING	Amount
Division		Account #
Subject: PRESENTATION - PRESENT CERTIFICATES TO GRADUATING STUDENTS OF THE CITY OF PALM COAST'S CITIZENS ACADEMY CLASS		
Presenter: Brittany Kershaw, Director of Communications & Marketing		
Background: The members of the 53 rd Citizens Academy Class are graduating today. Citizens Academy was created to educate residents about the operation of our City government. During the last seven Monday afternoons, from 1:00 to 4:00 p.m., Academy students attended classes where City directors discussed operations relating to their departments. In order to fully understand the function of each department as it relates to the City, students were encouraged to ask questions during these sessions.		
Recommended Action: PRESENT CERTIFICATES TO GRADUATES		

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount																																																	
Division		Account #																																																	
Subject: VICE MAYOR APPOINTMENT FOR FY 2023-2024																																																			
Presenter: Mayor and City Council																																																			
Attachments:																																																			
Background: Section 5(b) of the City Charter states that there will be an annual election for Vice Mayor and that “such election shall take place at the first meeting after the General Election or at the organizational meeting during years when there is no election.” Council Members, and the year they served as Vice Mayor, are listed below: <table><tr><td>2000</td><td>James Holland</td><td>2012</td><td>Bill Lewis</td></tr><tr><td>2001</td><td>Ralph Carter</td><td>2013</td><td>Bill McGuire</td></tr><tr><td>2002</td><td>William Venne</td><td>2014</td><td>Jason DeLorenzo</td></tr><tr><td>2003</td><td>Jon Netts</td><td>2015</td><td>Bill McGuire</td></tr><tr><td>2004</td><td>Ralph Carter</td><td>2016</td><td>Heidi Shipley</td></tr><tr><td>2005</td><td>Mary DiStefano</td><td>2017</td><td>Steve Nobile</td></tr><tr><td>2006</td><td>William Venne</td><td>2018</td><td>Robert G. Cuff</td></tr><tr><td>2007</td><td>Jon Netts</td><td>2019</td><td>Nicholas Klufas</td></tr><tr><td>2008</td><td>Alan Peterson</td><td>2020</td><td>Nicholas Klufas</td></tr><tr><td>2009</td><td>Mary DiStefano</td><td>2021</td><td>Eddie Branquinho</td></tr><tr><td>2010</td><td>Holsey Moorman</td><td>2022</td><td>Eddie Branquinho</td></tr><tr><td>2011</td><td>Frank Meeker</td><td>2023</td><td>Ed Danko</td></tr></table>				2000	James Holland	2012	Bill Lewis	2001	Ralph Carter	2013	Bill McGuire	2002	William Venne	2014	Jason DeLorenzo	2003	Jon Netts	2015	Bill McGuire	2004	Ralph Carter	2016	Heidi Shipley	2005	Mary DiStefano	2017	Steve Nobile	2006	William Venne	2018	Robert G. Cuff	2007	Jon Netts	2019	Nicholas Klufas	2008	Alan Peterson	2020	Nicholas Klufas	2009	Mary DiStefano	2021	Eddie Branquinho	2010	Holsey Moorman	2022	Eddie Branquinho	2011	Frank Meeker	2023	Ed Danko
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Recommended Action: APPOINT VICE MAYOR FOR FY 2023-2024																																																			

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount																				
Division		Account #																				
Subject: COUNCIL LIAISON APPOINTMENTS FOR FY 2023-2024																						
Presenter: Kaley Cook, City Clerk																						
Attachments: 1. Report																						
Background: The members of the Palm Coast City Council serve on various regional boards. The appointments are reviewed annually. Current Boards and Council Liaisons: <table><tr><td>Organization</td><td>2022-2023</td></tr><tr><td>Affordable Housing Advisory Committee</td><td>CM Heighter</td></tr><tr><td>Flagler County Transportation</td><td></td></tr><tr><td>Disadvantaged Local Coordinating Board</td><td>CM Heighter</td></tr><tr><td>Flagler Schools Oversight Committee</td><td>Mayor Alfin/CM Pontieri</td></tr><tr><td>Florida Department of Juvenile Justice, Circuit 7</td><td>CM Pontieri</td></tr><tr><td>River to Sea Transportation Planning Organization</td><td>Mayor Alfin</td></tr><tr><td>St. Johns River Water Management District</td><td>CM Danko</td></tr><tr><td>Stewart Marchman Act (SMA) Healthcare</td><td>CM Heighter</td></tr><tr><td>Tourist Development Council</td><td>CM Klufas</td></tr></table> In addition to the Organizations listed above, there have been requests to appoint Council Members to the following two groups: - Flagler County Cultural Council - Family Life Center			Organization	2022-2023	Affordable Housing Advisory Committee	CM Heighter	Flagler County Transportation		Disadvantaged Local Coordinating Board	CM Heighter	Flagler Schools Oversight Committee	Mayor Alfin/CM Pontieri	Florida Department of Juvenile Justice, Circuit 7	CM Pontieri	River to Sea Transportation Planning Organization	Mayor Alfin	St. Johns River Water Management District	CM Danko	Stewart Marchman Act (SMA) Healthcare	CM Heighter	Tourist Development Council	CM Klufas
Organization	2022-2023																					
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Flagler Schools Oversight Committee	Mayor Alfin/CM Pontieri																					
Florida Department of Juvenile Justice, Circuit 7	CM Pontieri																					
River to Sea Transportation Planning Organization	Mayor Alfin																					
St. Johns River Water Management District	CM Danko																					
Stewart Marchman Act (SMA) Healthcare	CM Heighter																					
Tourist Development Council	CM Klufas																					
Recommended Action: APPOINT COUNCIL LIASIONS FOR FY 2023-2024																						

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: ORDINANCE 2023-XX A FLUM AMENDMENT FOR 375+/- ACRE AREA FROM COUNTY DESIGNATION OF RESIDENTIAL LOW DENSITY/RURAL ESTATE AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF RESIDENTIAL AND CONSERVATION WITH POLICY TO LIMIT DEVELOPMENT TO 850 UNITS		
Presenter: Jose Papa, AICP, Senior Planner		
Attachments: 1. Presentation 2. Ordinance 3. Staff Report 4. Location Map 5. Current FLUM 6. Current Zoning Map 7. Proposed FLUM		
Background: This is a legislative item. <u>UPDATED BACKGROUND FROM THE SEPTEMBER 19, 2023, BUSINESS MEETING:</u> City Council heard the first reading of this item at their September 19, 2023, Business Meeting. Staff transmitted the proposed Comprehensive Plan amendment to various State agencies for review. There were no comments or objections to the proposed amendment. <u>ORIGINAL BACKGROUND FROM THE SEPTEMBER 19, 2023, BUSINESS MEETING:</u> The subject area of this amendment is a total 375.6+/- acre site located 3 miles south of State Road 100 on the westside of Seminole Woods Blvd. The application includes a proposed Future Land Use Map (FLUM) amendment for recently annexed 330.8+/- acre area (which was adopted by City Council at their August 15, 2023, meeting) from its current Flagler County designations of Residential Low Density/Rural Estate and Conservation to City of Palm Coast designations of Residential and Conservation. There is an additional 44.8+/- acre parcel with a current designation of City Residential that will be part of the Cascades Planning Area and will be subject to a site-specific policy to limit development in the Planning Area to 850 dwelling units. In addition to the Comprehensive Plan Amendment, there is a companion zoning map amendment for the subject area to amend the current Flagler County designations of Planned Unit Development, & New Rural Communities to City of Palm Coast designation of Single Family Residential-1, Multi-Family Residential-2, and Preservation.		

In 2005 (while the entire subject area was within unincorporated Flagler County), the FLUM designation for the Cascades was amended to its current Flagler County designations of Residential Low Density/Rural Estate and Conservation. After approval of the FLUM amendment a PUD Agreement was approved by Flagler County in 2005 (called the Cascades at Grand Landings).

The PUD agreement covered an area of 696+/- acres and permitted 416 single-family residential units along with 20,000 sq. ft. clubhouse and other recreational amenities. As part of the FLUM and PUD agreement approval, approximately 354 acres of mainly wetlands and environmentally sensitive areas was transferred to Flagler County in 2005. No development commenced within the Cascades PUD area.

The proposed amendment was reviewed for the following:

- **Analysis of the proposed amendment's impacts on public facilities and infrastructure.** Consistent with the required analysis to compare the proposed land use designation with the existing land use designation, staff compared the current maximum potential development (using the approved PUD entitlements-416 dwelling units) against the proposed potential development (850 dwelling units) to determine impacts on public facilities and infrastructure. The proposed amendment will have an increase on the demand for services and infrastructure. Consistent with the development process outlined in the Land Development Code, a concurrency determination will be conducted during the site plan/platting process. Any deficiency found in the infrastructure system may require the developer to pay a proportionate share of the improvements necessary to address the deficiency.
- **Impacts on the environmental/cultural resources.** The proposed amendment will not have impacts on any significant environmental or cultural resources. A small section of the subject area is within Flood Zone A, any development within this area will require compensatory storage within the same defined floodplain's hydrologic sub basin as the placement of the fill pursuant to section 10.02.11B Land Development Code.

There are no other identifiable impacts to the environmental and cultural resources in the subject area as analyzed in the staff report.

Finally, it is important to note that the proposed amendment will designate 67+/- acres as Conservation on the FLUM. This is consistent with Comprehensive Plan Policies 6.1.9.9 and 6.1.10.6, all optimal quality wetlands that are larger than 10 acres or are connected to a system that is larger than 10 acres are to be designated as Conservation on the Future Land Use Map.

- **Compatibility with surrounding land uses.** The proposed FLUM designations are generally consistent with the surrounding properties.

Finally, the proposed amendment is consistent with comprehensive plan policies regarding:

- Directing development where existing infrastructure is available, and
- Designation of wetland systems and other environmentally sensitive land as Conservation on the FLUM.

Planning and Land Development Regulation Board (PLDRB) Public Hearing

The PLDRB held a public hearing on August 20 regarding this application. Members of the public spoke to express concerns about stormwater impacts and buffering from potential

multi-family development. A PLDRB Board member spoke regarding concerns about the increase in impact from the proposed development. The PLDRB voted 4-1 to recommend approval of the proposed amendment.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB) FINDS APPLICATION NO. 5109 CONSISTENT WITH THE COMPREHENSIVE PLAN AND RECOMMENDS THAT CITY COUNCIL APPROVE THE FLUM AMENDMENT FROM RESIDENTIAL LOW DENSITY/RURAL ESTATE & CONSERVATION (FLAGLER COUNTY DESIGNATIONS) TO RESIDENTIAL & CONSERVATION (CITY OF PALM COAST DESIGNATIONS). ALONG WITH A SITE-SPECIFIC POLICY TO LIMIT DEVELOPMENT ON THE SUBJECT AREA TO 850 DWELLING UNITS

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: ORDINANCE 2023-XX THE CASCADES REZONING APPLICATION NO. 5107		
Presenter: Bill Hoover, AICP, Senior Planner		
Attachments: 1. Ordinance 2. Staff Report 3. Location Map 4. Future Land Use Maps (2) Current and Amended 5. Current Zoning Map 6. Proposed Zoning Map 7. Survey 8. Environmental Report 9. Rezoning Amendment Affidavit 10. Combined Neighborhood Meeting and Summary 11. Application 12. Public Correspondence Received (7)		
Background: This is a quasi-judicial item, please disclose any ex parte communication. <u>UPDATED BACKGROUND FROM THE SEPTEMBER 19, 2023, BUSINESS MEETING:</u> This item was heard by City Council at the September 19, 2023, Business Meeting. There have been no changes to the item since the first reading. <u>ORIGINAL BACKGROUND FROM THE SEPTEMBER 19, 2023 BUSINESS MEETING:</u> The applicant is proposing to rezone 375 +/- acres of vacant land located on the NW side of Seminole Woods Blvd. about ½ mile NE of US Highway 1 from the Planned Unit Development (PUD) and New Rural Communities (NRC) Zoning Districts to the Single-Family Residential-1 (SFR-1), Multi-Family Residential – 2 (MFR-2) and Preservation (PRS) Zoning Districts. The fishhook shaped property (44 +/- acres with a current zoning of New Rural Communities) on the northern end of the project is owned by JTL Grand Landings Development, LLC (Fishhook Parcel) who purchased it in July 2014. Later, it was annexed into the City and has a current City FLUM designation of Residential. The remaining four parcels (331 +/- acres with a current zoning of Planned Unit Development) are owned by Byrndog PCP, LLC who purchased the land in August 2022. These four parcels were approved for annexation into the City on August 15, 2023. A separate FLUM application for these four parcels requests that the parcels be redesignated Residential except for some key wetland areas that would be designated Conservation. It should be noted that		

the FLUM application also includes the Fishhook Parcel and offers a maximum cap of 850 residential units to be developed throughout the five parcels.

JTL Grand Landings Development, LLC wants to rezone their Fishhook Parcel to SFR-1 and Byrndog PCP, LLC wants to rezone their four parcels to SFR-1, MFR-2 and PRS. The areas designated Residential on the FLUM would be rezoned to SFR-1 except for two separated areas with frontage along Seminole Woods Boulevard that would be rezoned to MFR-2.

The developer is preserving key wetland areas of about 67 +/- acres and will be constructing single-family homes with a minimum lot width of 50 feet and developing two separated multi-family projects along Seminole Woods Boulevard. This is not leap-frog development as ITT single-family lots have already been developed on the opposite side of Seminole Woods Boulevard and to the southwest of the project is the Integra Woods apartment community. Both of the proposed multi-family projects will be across from single-family homes that back up to Seminole Woods Boulevard (a minor arterial roadway) so the residents of those single-family homes will be subject to some additional vehicular noise along this major roadway and some impact from the proposed multi-family projects. The two multi-family communities will be required to provide a 25-foot wide Landscape Buffer "G" which will assist in providing some needed screening between the single-family residences and the multi-family residences.

Public Participation: The developer notified the neighboring property owners of a neighborhood meeting that was held on August 9, 2023, at 6:00 P.M. at the Hijacker's restaurant adjacent to the Flagler County Airport. Eight neighbors, the developer's two representatives and two City staff members attended. Neighbors voiced concerns especially with the two proposed MFR-2 zoned areas directly across Seminole Woods Boulevard. Three signs along Seminole Woods Boulevard will be erected and news ads will be run prior to each public hearing.

Planning and Land Development Regulation Board (PLDRB) Meeting: The PLDRB reviewed this application at its regularly scheduled meeting at 5:30 PM on August 16th, 2023, and by a 5 – 0 vote recommended approval to City Council. No one from the public spoke during the rezoning public hearing but two neighboring residents did speak against the overall project during the accompanying FLUM Amendment public hearing, which was heard just before this item.

Changes Since the Planning and Land Development Regulation Board Meeting: The applicant has tried to address the concerns of the neighbors and the PLDRB members by proposing two voluntary conditions that would be placed as additional site specific policies in their FLUM Amendment request. The first condition would require all of the 25' wide Landscape Buffer "G" to not overlap with the 40' wide drainage easement located on the NW side of Seminole Woods Boulevard (per the LDC it could overlap 12.5' into the drainage easement). The applicant also offered to provide a minimum setback of 150 feet for all residential buildings in the proposed MFR-2 area from the southeast edge of the 40' drainage easement. To compensate the developer for this reduced area for the location of their MFR-2 buildings they have requested that their proposed MFR-2 area be expanded along all of their frontage along Seminole Woods Boulevard which increases the MFR-2 area about five acres. Staff believes the applicant's recent changes makes the project generally more compatible with the existing single-family homes across Seminole Woods Boulevard as the multi-family buildings would have a minimum separation of 245 feet from the rear setback line of those single-family homes in lieu of 147.5 feet.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD RECOMMENDED APPROVAL TO CITY COUNCIL TO REZONE 375 +/- ACRES FROM THE PLANNED UNIT DEVELOPMENT (PUD) AND NEW RURAL COMMUNITIES (NRC) ZONING DISTRICTS TO THE SINGLE-FAMILY RESIDENTIAL-1 (SFR-1), MULTI-FAMILY RESIDENTIAL-2 (MFR-2) AND PRESERVATION (PRS) ZONING DISTRICTS

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: ORDINANCE 2023-XX 5TH AMENDMENT TO THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT - APPLICATION NO. 5276		
Presenter: Bill Hoover, AICP, Senior Planner		
Attachments: 1. Presentation 2. Ordinance 3. Agreement 4. Exhibits 5. Location Map		
Background: This is a quasi-judicial item, please disclose any ex parte communication. <u>PROPOSED CHANGES FROM APPLICANT SINCE JUNE 6, 2023:</u> The applicant has met with staff numerous times to potentially address City Council's concerns voiced at the June 6, 2023, second reading on this item. Essentially, the applicant has dropped residential uses from Tract 17 and added IND-1 uses to Tracts 4, 13A, 13B, and 13C that are all located along the east side of US Highway 1. <u>CITY COUNCIL SECOND READING ON JUNE 6, 2023:</u> The City Council continued this MPD Amendment with concerns about allowing residential uses on Tract 17 and a lack of tracts with allowed IND-1 uses along US Highway 1. <u>CITY COUNCIL FIRST READING ON MAY 16, 2023:</u> The City Council approved the accompanying 9th Amendment to the Palm Coast Park DRI via Resolution 2023-52 and approved this 5th Amendment to the Palm Coast Park MPD at its regularly scheduled meeting on May 16, 2023. <u>ORIGINAL BACKGROUND FROM THE MAY 16, 2023, BUSINESS MEETING:</u> The Declarant for the Palm Coast Park MPD, Byrndog PCP, LLC, has requested this 5 th Amendment to the Palm Coast Park MPD Development Agreement (MPD DA) which encompasses a variety of changes to land uses on some tracts and some development standards. The Declarant is proposing to change the MPD Uses, DRI Land Uses and/or LDC Zoning Categories in Table 4-1 of the MPD DA. a. On Tracts 5A - 5E also allow Industrial MPD Uses using LDC Zoning Category		

of IND-1.

- b. On Tract 13A change DRI Uses from Business/Institutional to Mixed Uses.
- c. On Tract 15 change MPD Uses from Flex Uses to Residential Low Density, change DRI Uses from Business/Institutional to Residential, and update applicable LDC Zoning Categories.
- d. On Tract 17 add Institutional to MPD Uses, change DRI Uses from Business/Institutional to Mixed-Uses, add PSP as a LDC Zoning Category, and clarify that a RV/Boat Storage Facility operated as a business could be allowed in COM-2 as a Special Exception.
- e. On Tracts 21A and 21B also allow MPD Uses of Residential High Density, change DRI Uses to Mixed-Uses and add various LDC Zoning Categories.

The Declarant is also proposing changing the MPD Exhibit “B” MPD Master Plan as follows:

- a. Split Tract 21 into Tracts 21A and 21B.
- b. Change Tract 15 from Flex Uses to Residential Low Density.
- c. Also allow IND-1 uses on Tracts 5A – 5E.

The Declarant is also proposing adding some light industrial development standards and reduced the maximum building height on Tract 21A from 80 feet to 50 feet.

Planning and Land Development Regulation Board (PLDRB): The PLDRB reviewed this at its regularly scheduled meeting on April 19, 2023, and by a 5 – 0 vote, found it in compliance with the Comprehensive Plan and recommended approval to City Council without any changes.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD RECOMMENDS THAT CITY COUNCIL APPROVE ORDINANCE 2023-XX 5TH AMENDMENT TO THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT - APPLICATION NO. 5276

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	CODE ENFORCEMENT	Account #
Subject:	ORDINANCE 2023-XX AMENDING CHAPTER 35, NUISANCES, OFFENSES, AND MISCELLANEOUS PROVISIONS, ARTICLE III OF THE CODE OF ORDINANCES, DIVISION 2, CONCERNING DOOR-TO-DOOR SOLICITATION LICENSES	
Presenter:	Michael Giuliano, Local Business Tax Inspector and Barbara Grossman, Code Enforcement Manager	
Attachments:	1. Ordinance 2. License Application	
Background:	<u>UPDATED BACKGROUND FROM THE OCTOBER 10, 2023, WORKSHOP:</u> This item was heard by City Council at their October 10, 2023, City Council Workshop. The attached Ordinance has been updated to reflect the changes requested by City Council. <u>ORIGINAL BACKGROUND FROM THE OCTOBER 10, 2023, WORKSHOP:</u> The City of Palm Coast is granted the authority, under § 2(b)m Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law. The City Council desires to amend City of Palm Coast Ordinance No. 03-31, as amended by Ordinance No. 2004-14 codified as Chapter 35, <i>Nuisances, Offenses, and Miscellaneous Provisions</i>, Article III, <i>Solicitation</i>, Division 2, <i>Peddlers and Hawkers</i>, Section 35-163, <i>License Required; Application; Issuance; Term</i>, of the Code of Ordinances, City of Palm Coast, Florida ("Code") in order to update the application process, requirements and criteria for obtaining a solicitor's license necessary to conduct door-to-door solicitation within the City's jurisdictional limits. Section 501.022, Florida Statutes outlines the permitting process counties must follow when issuing door-to-door solicitation permits, indicates what information must be included in an application, and provides a nondiscretionary licensure process. Section 501.022, Florida Statutes, grants county clerks the authority to issue solicitation permits within counties but does not preempt a municipality from establishing its own permitting or licensure requirements for solicitors. See Op. Att'y Gen. Fla. 86-86 (1986). The City Council finds that updating the City's licensing process for door-to-door solicitation to make it consistent with the county permitting requirements as outlined in Section 501.022, Florida Statutes, will aid in establishing an efficient and uniform process of issuing solicitation licenses within the City.	

There has been a recent increase in unlicensed solicitors in the City, so amending the Ordinance at this time will provide additional safety measures to our residents.

The City Council of the City of Palm Coast, Florida, hereby finds this Ordinance to be in the best interest of the public health, safety, and welfare of the citizens of Palm Coast.

Recommended Action:

ADOPT ORDINANCE 2023-XX AMENDING CHAPTER 35, NUISANCES, OFFENSES, AND MISCELLANEOUS PROVISIONS, ARTICLE III OF THE CODE OF ORDINANCES, DIVISION 2, CONCERNING DOOR-TO-DOOR SOLICITATION LICENSES

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: RESOLUTION 2023-XX APPROVING APPLICATION NO. 5513 FOR THE PARTIAL VACATION OF ONE APPROXIMATELY 50-FOOT UTILITY EASEMENT FOR PROPERTY LOCATED WITHIN REVERIE AT PALM COAST, PHASE 1, AS PLATTED IN REVERIE AT PALM COAST, AS RECORDED IN PLAT BOOK 40 PAGE 3		
Presenter: Virginia Smith, Land Management Administrator		
Attachments: 1. Presentation 2. Resolution 3. Petition 4. Support Letter from FPL		
Background: This is a legislative item. The City of Palm Coast received a request to vacate one approximately 50-foot utility easement for the property located within Reverie at Palm Coast, Phase 1, as platted in Reverie at Palm Coast, as recorded in Plat Book 40, Page 3. All Utilities have agreed to the vacation of this easement, including a support letter from FPL to vacate the easement, as attached. A new easement has been provided and recorded for the City of Palm Coast to access to the existing well site located near the Reverie's property. Staff recommends the vacation of the one approximately 50-foot utility easement for the property located within Reverie at Palm Coast, Phase 1, as platted in Reverie at Palm Coast.		
Recommended Action: ADOPT RESOLUTION 2023-XX APPROVING APPLICATION NO. 5513 FOR THE PARTIAL VACATION OF ONE APPROXIMATELY 50-FOOT UTILITY EASEMENT FOR PROPERTY LOCATED WITHIN REVERIE AT PALM COAST, PHASE 1, AS PLATTED IN REVERIE AT PALM COAST, AS RECORDED IN PLAT BOOK 40 PAGE 3		

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: RESOLUTION 2023-XX APPROVING THE FINAL PLAT FOR WHITEVIEW VILLAGE PHASE 2 (AR #5096)		
Presenter: Bill Hoover, AICP, Senior Planner and Dennis Leap, P.E., Site Development Manager		
Attachments: 1. Presentation 2. Resolution 3. Final Plat		
Background: This is a quasi-judicial item, please disclose any ex parte communication. The application, submitted by the applicant, Alliant Engineering, Inc., proposes to plat and subdivide approximately 20.78 acres of land into 81 single family residential lot. Whiteview Village Phase 2 is located at the southwest corner of the intersection of Pine Lakes Parkway and White Mill Drive and west of Whiteview Village Phase 1. The Future Land Use Map is Mixed Use (Neighborhood Scale Village Center) and the Official Zoning is Whiteview MPD. The Whiteview MPD was adopted on September 18, 2018 by the Palm Coast City Council for a total of 210 single-family lots. A site development permit was issued on April 19, 2021 in accordance with the approved construction plans filed with the approved preliminary plat. Prior to plat execution, the applicant will be required to provide a performance surety bond of 120% of the infrastructure cost, which has not been completed, in the amount of \$146,672.45. The project meets the technical requirements of the City Code and Florida Statutes, Chapter 177 FS.		
RECOMMENDED ACTION: ADOPT RESOLUTION 2023-XX APPROVING THE FINAL PLAT AND AUTHORIZING THE MAYOR TO EXECUTE THE PLAT AND STAFF TO ISSUE A FINAL PLAT DEVELOPMENT ORDER FOR APPLICATION NO. 5096		

City of Palm Coast, Florida Agenda Item

Agenda Date: November 7, 2023

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount
Division	PLANNING	Account #
Subject:	RESOLUTION 2023-XX APPROVING AN IMPACT FEE CREDIT CONTRACT INCLUDING DEDICATION OF LAND BETWEEN THE CITY OF PALM COAST, FLORIDA AND KB HOME JACKSONVILLE, LLC	
Presenter:	Virginia Smith, Land Management Administrator and Carl Cote, Director of Stormwater & Engineering	
Attachments:	1. Presentation 2. Resolution 3. Contract	
Background:	As part of the Fire Department's 2020-2029 Fire Station Development Methodology Report, a future station in the Whiteview Parkway area is needed to meet established level of service standards. Planning and Land staff have been working with KB Home Jacksonville Division in acquiring land in the area identified in the Whiteview Parkway area for this goal. The opportunity to acquire land through a fire impact fee credit contract with KB Home Jacksonville has been discussed and a draft is attached for Council's consideration. The fire impact fees will be used in the future by KB Home Jacksonville for another project, in the approximate amount of \$92,000, for the acquisition of the land off of Whiteview Parkway for the City's future fire station. A draft of the contract is attached, and staff is recommending Council authorize the City Manager to negotiate, finalize, and execute the fire impact fee contract with KB Home Jacksonville.	
Recommended Action:	ADOPT RESOLUTION 2023-XX APPROVING AN IMPACT FEE CREDIT CONTRACT INCLUDING DEDICATION OF LAND BETWEEN THE CITY OF PALM COAST, FLORIDA AND KB HOME JACKSONVILLE, LLC	

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	CITY ADMINISTRATION	Amount	\$54,100
Division	ECONOMIC DEVELOPMENT	Account #	10012103-049000
Subject: RESOLUTION 2023-XX APPROVING A MASTER SERVICES AGREEMENT IN THE AMOUNT OF \$54,100 WITH ABLE OPERATIONS, LLC FOR AN ECONOMIC DEVELOPMENT TARGETED INDUSTRY FEASIBILITY STUDY			
Presenter: Jason DeLorenzo, Chief of Staff			
Attachments: 1. Presentation 2. Resolution 3. Master Services Contract 4. RFSQ Submittal			
Background: Council Priority: A. Strong Resilient Economy A municipal targeted industry feasibility study is important for several reasons: Economic Development: Such studies help municipalities identify and prioritize industries with the potential to generate economic growth and job opportunities within their region. By understanding which industries align with their strengths and resources, municipalities can strategically attract and support businesses in these sectors. Job Creation: Targeted industry studies can lead to the creation of jobs, which can have a positive impact on the local labor force and reduce unemployment rates. By focusing on industries with growth potential, municipalities can encourage the establishment and expansion of businesses that hire local residents. Economic Diversification: Relying on a single industry can leave a municipality vulnerable to economic downturns. By diversifying the local economy through targeted studies, a municipality can mitigate the risks associated with overdependence on a particular sector. Tax Revenue: Attracting businesses in specific industries can increase tax revenue for the municipality. This additional revenue can be used to fund essential services and infrastructure improvements, benefiting the entire community. Improved Quality of Life: A targeted industry study can lead to the growth of industries that improve the overall quality of life in a municipality. For example, attracting companies in healthcare, technology, or advanced manufacturing can lead to advancements in healthcare services, education, and a higher skilled workforce.			

Talent Retention and Attraction: Identifying and supporting industries that require skilled workers can help retain local talent and attract new talent to the area. This can strengthen the labor force and contribute to a vibrant community.

Infrastructure Planning: Targeted industry studies can inform infrastructure development plans. For example, if a municipality seeks to attract technology companies, it may need to invest in high-speed internet access and technology parks. This ensures that the local infrastructure aligns with the needs of the targeted industries.

Competitive Advantage: By conducting these studies, municipalities can gain a competitive advantage in attracting businesses. They can tailor their incentives, workforce development programs, and regulatory environment to meet the specific needs of the industries they are targeting.

Sustainability and Resilience: Municipalities can use targeted industry studies to promote industries that align with sustainability and resilience goals. For instance, promoting green and renewable energy industries can contribute to environmental sustainability and reduce the impact of climate change.

Community Engagement and Support: Involving the local community in the industry targeting process can foster a sense of ownership and support. Residents may be more willing to participate in initiatives that benefit the industries they are passionate about.

In summary, a municipal targeted industry study is important because it allows municipalities to make informed decisions about which industries to focus on, leading to economic growth, job creation, and a more diversified, resilient, and vibrant local economy. These studies can help communities thrive and improve the overall quality of life for their residents.

This Master Services Agreement is in the amount of \$54,100 with ABLE OPERATIONS, LLC.

Recommended Action:

ADOPT RESOLUTION 2023-XX APPROVING A MASTER SERVICES AGREEMENT IN THE AMOUNT OF \$54,100 WITH ABLE OPERATIONS, LLC FOR AN ECONOMIC DEVELOPMENT TARGETED INDUSTRY FEASIBILITY STUDY

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: RESOLUTION 2023-XX APPROVING MULTIPLE MASTER SERVICES AGREEMENTS FOR CITYWIDE SURVEYING AND MAPPING SERVICES		
Presenter: Virginia Smith, Land Management Administrator		
Attachments: 1. Resolution 2. Notice of Intent to Award 3. Project Bid Overview 4. Draft Contracts		
Background: The Planning Division is responsible for land surveys for citywide projects and second party survey plat reviews for development throughout the City of Palm Coast. To help improve the City's development review performance measures and to provide additional surveying professional resources, the City advertised RFSQ-ED-23-52 Citywide Surveying and Mapping in accordance with the City's Purchasing Policy. The Notice of Intent to Award and Project Bid Overview are attached. The City received eight responsive and responsible bids. Staff recommends City Council approve a Master Services Agreement with all eight bidders for the Citywide surveying and mapping services. Having multiple agreements will assist with producing timely surveys and second party survey plat reviews for all land projects. The length of the Master Services Agreements term will be two years and allows for one (1) annual renewal. The eight bidders are as follows: CPH, Inc., England-Thims & Miller, Inc., GAI Consultants, Alliant Engineering, Inc., Kuhar Surveying & Mapping LLC, Pickett and Associates LLC, and Stephenson Wilcox Associates. City staff will obtain these services on an as-needed basis using budgeted funds appropriated by City Council for land projects and second party survey plat reviews for development. The Fiscal Year 2024 Budget includes funds within the departments for these services.		
Recommended Action: ADOPT RESOLUTION 2023-XX APPROVING MULTIPLE MASTER SERVICES AGREEMENTS FOR CITYWIDE SURVEYING AND MAPPING SERVICES		

City of Palm Coast, Florida

Agenda Item

Agenda Date: November 7, 2023

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	\$150,000.00
Division		Account #	43000099-063000-99044
Subject: RESOLUTION 2023-XX APPROVING ADDITIONAL FUNDING FOR INFORMATION TECHNOLOGY EXPENSES RELATED TO THE SOUTHERN RECREATION FACILITY PROJECT			
Presenter: Eric Gebo, Architect III			
Attachments: 1. Resolution			
Background: Council Priority: C. Safe and Reliable Services On May 4, 2021, City Council approved an Agreement with Ohlson Lavoie Corporation to provide Architectural and Engineering Design Services as well as Agreements with Gilbane Building Company, to provide construction management services for the Southern Recreation Facility. On July 19, 2022, City Council approved an amendment to the contract with Gilbane Building Company to establish the guaranteed maximum price for the Southern Recreation Facility along with a contingency and related expenses to the project. This item is to request funding in the amount of \$150,000 for the purchase of information technology equipment for the Southern Recreation Facility Project. Funds will cover materials, equipment, services and installation of security cameras, computers, TV/Network equipment, phones, switches, fiber, and other IT related expenses as necessary to have a fully functional facility. Funds for this project are budgeted in the Capital Projects fund for FY 24.			
Source of Funds Worksheet FY 2024			
Fiber/IT Upgrades 43000099-063000-99044			\$180,000.00
Total Expenses/Encumbered to date			\$0.00
Pending Work Orders/Contracts			\$0.00
Current Contract			\$150,000.00
Balance			\$30,000.00

Recommended Action:

**ADOPT RESOLUTION 2023-XX APPROVING FUNDING FOR INFORMATION
TECHNOLOGY EXPENSES RELATED TO THE SOUTHERN RECREATION FACILITY
PROJECT**