



Flagler County Board of County Commissioners Workshop Agenda

Monday, March 21, 2022 • 2:00 p.m.

Government Services Complex, 1769 E. Moody Blvd., Bldg 2, Board Chambers, Bunnell, FL 32110

1. Call to Order
2. Pledge to the Flag and Moment of Silence
3. Welcome: Flagler County Board Chair
4. Comprehensive Plan Update and Discussion
5. Public Comment
6. Adjournment

While this is a workshop only and no decisions are expected to be made by any of the governmental bodies, if a person decides to appeal any matter that may be discussed for a future proceeding, a record of the workshop may be needed and, for such purposes, the person may need to ensure that a verbatim record of the workshop is made.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting should contact the (386) 313-4001 at least 48 hours prior to the meeting.



Comprehensive Plan Compliance Update

Comprehensive Plan Compliance Process

- Every seven years, an evaluation and appraisal review is required by the State of Florida
- Address statutory changes (both adding and removing text), changes to references, and dates
- Address status change: Addition of, or review and update of, a Water Supply Facility Work Plan if within a Water Resource Caution Area
- Update required map series
- EAR/Compliance updates are transmitted to State for review (with background data and analysis), there may be comments, then they are adopted and sent back to the State
- Once adopted, the Comprehensive Plan is in compliance

Why does Compliance Matter?

- Local Government cannot make any changes to the Comprehensive Plan unless it is in compliance.
- Once it is in compliance, local government can make changes as desired to reflect changes in vision, strategy, circumstances. Changes to the text of the plan require State review, but review is expedited.
- Local government can make Future Land Use Map changes (up to 50 acres) locally. Best to share updates with the State but they do not comment.

Compliance Update Summary

- No change to the planning timeframe of 2035
- Remove Plan Overview and Implementation Section (not required)
- Policy A.1.6.9: May approve housing, if affordable, in industrial land use or zoning categories (statutory)
- Policy A.1.1.6: Solar facilities permitted within agricultural land use category (statutory)
- Update to Water Supply Facility Work Plan (status)
- Peril of Flood (statutory)

Flagler County-wide Approach to Resilience

Context: Coastal High Hazard Area

2011 Adaption Action Area: optional Comprehensive Plan designation

2015 Peril of Flood: requires coastal jurisdictions to address future flood risk from storm surge and sea level rise in Comprehensive Plans

2018 Resilient Flagler County Study (focus on coastal critical facilities)

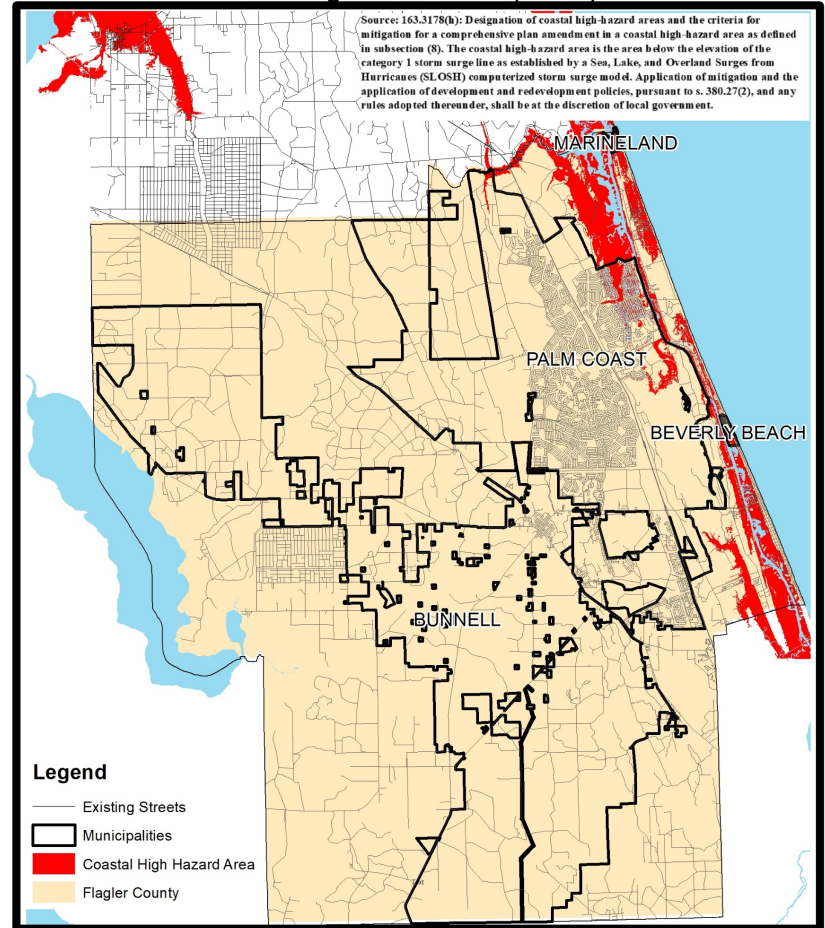
2019 City of Flagler Beach made CHHA an Adaptation Action Area

- Focus on public awareness of the link between emergency preparedness and adaptation

2020 FDEP Resilient Coastlines Program grant funded a County-wide approach to resilience

Completed March 2021

Flagler County Coastal High Hazard Area (CHHA)



This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

0 6,500 3,000 26,000 39,000 52,000 Feet

Prepared By: The Northeast Florida Regional Council
Checked By: Robert Jordan
Production Date: December 2020
Source: NEFRC



Compliance Update Summary

- Goal J.1: Five year Capital Improvements Plan is appendix to Capital Improvements Element and provided to FDEO (statutory clarification)
- Property Rights Element (statutory)
- Remove Public School Facilities Element (not required/statutory)
- Other minor changes including dates

What happens next?

- Transmittal to Florida Department of Economic Opportunity and reviewing agencies
- Agencies review and potentially comment/object
- Comments considered
- EAR/Compliance update adopted and sent back to FDEO
- Plan is in compliance!

Thank You!



Margo Moehring, AICP

Director of Policy & Planning

Northeast Florida Regional Council (NEFRC)

mmoehring@nefrc.org

904 279 0880 X 161

Robert Jordan

Regional Planner

Northeast Florida Regional Council (NEFRC)

rjordan@nefrc.org

904 279 0880 X 104

Proposed Changes to the Flagler County-2035 Comprehensive Plan

A. Strikethrough of the Overview and Implementation Section

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I. Introduction

~~The Flagler County Comprehensive Plan 2010-2035 provides for the planning of the unincorporated areas of Flagler County. Those areas under the jurisdiction of municipalities shall not be bound by the goals, objectives and policies established in the Flagler County Comprehensive Plan, unless otherwise directed by an adopted and approved joint planning agreement, interlocal agreement, memorandum of understanding, multi-jurisdictional development agreement or any other formally adopted agreement.~~

~~The overriding purpose for a Comprehensive Plan is to provide a prediction of future events within the planning horizon and to ensure that the affected local government has the capabilities to accommodate and address changes in the future. Additionally, a Comprehensive Plan provides assistance to elected leaders in making decisions in the overall operation of their jurisdiction. In sum, a Comprehensive Plan should provide residents, business owners, and other local leaders with the goals, objectives and policies to manage the man-made and natural resources of the area in order for that area to remain sustainable.~~

~~The State of Florida embraces this concept and has adopted laws that require every county and city to draft, adopt, and implement a Comprehensive Plan. The requirements for the Comprehensive Plans are identified in the Florida Growth Management Act (Chapter 163, Part II, Florida Statutes) and codified in Florida Administrative Code Chapter 9J-5. Flagler County adopted a Comprehensive Plan subject to the provisions of the Growth Management Act in 1990. In 1999, Flagler County completed an evaluation and appraisal of the success of the 1990 Comprehensive Plan and adopted a revised Comprehensive Plan in 1999. The 1999 updated Plan was needed to address the issues and concerns that were raised in the analysis of the original Comprehensive Plan. Additionally, the 1999 update provided the standards needed to ensure that the County's Comprehensive Plan was consistent with the State's Comprehensive Plan and the Northeast Florida Regional Council's Strategic Regional Policy Plan.~~

~~The Flagler County Board of County Commissioners faces a different set of issues and conditions in 2010. This was first realized in 2007 when the County Commission established a committee of citizens from across the County to guide the development of a common set of goals for Flagler~~

~~County. The primary purpose was to ensure that any future plans had to properly reflect an updated and accurate summary of the issues facing the County. The resulting outcome were guiding principles that addressed such issues as the protection of agricultural uses; the preservation of valuable natural resources; the creation of the City of Palm Coast; and the expansion of the City of Bunnell.~~

~~This updated Comprehensive Plan is for a twenty five year planning horizon from 2010 to 2035. The County is using this planning horizon so that the Comprehensive Plan is a document that provides a consistent vision for the County, but has the ability to adapt to changing conditions. It is also intended that the planning horizon ensure that the long term goals, objectives and policies included herein will be consistent with the State of Florida Comprehensive Plan, as well as the Northeast Florida Regional Council's Strategic Regional Policy Plan.~~

~~The Flagler County Comprehensive Plan has been drafted pursuant to the requirements for comprehensive plans as identified in the Florida Growth Management Act (Chapter 163, Part II, Florida Statutes) and codified in Florida Administrative Code Chapter 9J-5. Flagler County adopted its first comprehensive plan under the provisions of the Growth Management Act in 1990. This 2010 to 2035 Comprehensive Plan addresses the issues and recommendations included in the 2009 Evaluation and Appraisal Report and reflects the second time that a major update and revision occurred since the original adoption in 1990.~~

~~It is important that the Flagler County Comprehensive Plan serve as a guide for leaders over the next 25 years. The eleven elements that constitute the Comprehensive Plan reflect the efforts of the County residents to establish guiding principles for the goals, objectives and policies contained in the Comprehensive Plan. These are intended to assist local leaders so that there is continuity and sustainability.~~

~~The Flagler County Comprehensive Plan is a dynamic document. The projections and recommendations in this document are based on current conditions and the data and analysis available at this time. As time proceeds and change occurs, the Flagler County Comprehensive Plan will need to be evaluated and updated. This provides the opportunity to update and integrate the Comprehensive Plan with other planning tools, such as the Flagler County Board of County Commissioners Strategic Plan, the Florida Department of Transportation (FDOT) long range plans, St. Johns River Water Management District (SJRWMD) water supply plan and the Northeast Florida Regional Council (NEFRC) plans. The evaluation and update is a critical part of the success of a comprehensive plan.~~

~~II. Geographic Setting and Historical Trends~~

~~Flagler County lies in the northeastern part of Florida, about sixty miles southeast of Jacksonville and 25 miles north of Daytona Beach. Flagler County is about 23 miles wide at its widest point east to west, and 29 miles long at its longest point north to south. The Atlantic Ocean beachfront area is 18 miles long and forms the eastern boundary, and Crescent Lake forms a significant portion of its western boundary (See Map 1, Northeast Florida Regional Map).~~

~~Flagler County occupies approximately 571 square miles consisting of 485 square miles of land area and 86 square miles of water area. This area includes the incorporated cities of Beverly Beach, Bunnell, Flagler Beach, Marineland, and Palm Coast. The City of Bunnell, the county seat, is located at the geographical center of Flagler County (U.S. 1 and SR 100 crossroad).~~

~~Flagler County can be divided into two major geographic areas: the coastal area east of U.S. Highway 1 and western Flagler County west of U.S. Highway 1 (See Map 2, Major Geographic Regions). These have been broken down into smaller study areas to aid in the compiling of data that is used to analyze the existing conditions and provide guidance for future actions.~~

~~The coastal area east of U.S. Highway 1 occupies approximately thirty-five percent of the total land area. This area contains the coastal cities of Flagler Beach, Beverly Beach, Marineland and Palm Coast. There are five areas of unincorporated Flagler County that include the planned communities of Plantation Bay, Matanzas Shores, Grand Haven and Hammock Dunes; and unincorporated Painters Hill and Hammock areas along A1A. Most of the urban development activity in Flagler County has occurred in this area due to following factors:~~

- ~~1. Traditional development pattern of the Florida coast.~~
- ~~2. The attractive natural resources.~~
- ~~3. A relatively affordable supply of housing within a reasonable commute of employment opportunities in other counties.~~
- ~~4. A developed and connected roadway system providing access to SR A1A, Interstate 95, U.S.1 and SR 100.~~

~~Current land development patterns show that most of the residential development in the coastal area is occurring in the City of Palm Coast and surrounding unincorporated areas where central water and sewer facilities are available. Other residential development occurs in the incorporated areas of Flagler Beach, Beverly Beach or Bunnell, and older, small subdivisions or isolated single-~~

~~family residences along A1A, SR 100, Old Dixie Highway, Old Kings Road and John Anderson Highway. There are many factors that have resulted in the residential development of the coastal area. The primary reason is the close proximity to the Atlantic Ocean and the Intercoastal Waterway. This location provides for a pleasant climate and appealing lifestyle. Additionally there are numerous parks and recreational facilities and a growing commercial base in Palm Coast. The coastal area also contains numerous opportunities for business development and excellent schools. The Flagler coastal area is characterized by an overall low-density residential land use pattern. This provides an attractive area for new residents, but may result in an inefficient land use pattern that increases the cost for urban services (roads, sewer, schools, etc.).~~

~~The eastern, coastal region of the county also has many regional inducements for continued growth. The eastern seaboard of Florida has traditionally experienced growth because of tourism/retirement and proximity to the ocean and Intercoastal Waterway. Flagler County has traditionally been a tourism and retirement destination. Given the changes in the global economy, Flagler County now has additional attributes (proximity to Interstate I 95, FEC rail line, close proximity to Jacksonville and Orlando Metropolitan Statistical Areas) that are alluring for development of industrial and technological uses. These assets help local governments in the development of balanced, sustainable communities. Prior to the economic downturn of 2008 and 2009, both Volusia and St. John Counties were experiencing high growth rates and there were thriving employment opportunities to residents of Flagler County. This accelerated residential and service commercial opportunities in the eastern portions of the County. This accelerated growth has greatly diminished and employment opportunities have declined resulting from the down turn of the worldwide economy. This trend emphasizes the need for Flagler County to diversify its land use options in order to attract industry and other business opportunities outside the tourism and service sectors.~~

~~The region of Flagler County west of U.S.1 occupies approximately 65 percent of the total land area. This area is characterized by farming and timber production. Small rural communities that have existed for many years include St. Johns Park, Espanola, Haw Creek and Cody's Corner. Rural subdivisions (one acre minimum) include Flagler Estates, Daytona North and Smokerise. Flagler Estates is an antiquated subdivision that provides no infrastructure.~~

~~Up until 2005 there was little development pressure seen in the West Flagler region. In 2005, the annexation of 10,000 acres into the City of Bunnell raised concerns from state and regional agencies. The Florida Department of Community Affairs and others expressed a concern that the annexation would spur the unchecked development of the sparsely populated rural lands. The primary issue pertains to the potential for sprawling development occurring in a manner that:~~

- ~~1. Does not address the provision of urban services in an efficient and orderly manner;~~
- ~~2. Results in the degradation of valuable natural resources including wetlands, wildlife corridors and aquifer recharge areas;~~
- ~~3. Establishes incompatible land use patterns that effectively eliminate the existing agricultural uses and rural land uses.~~

The current economic conditions have slowed the pressure for development of raw land for new housing and commercial products. This has not abated the concern from state and regional agencies. The critical element is to make sure all local governments have in place the necessary land use policies needed to guide the development or preservation in Western Flagler County.

III. Guiding Principles

Flagler County has experienced considerable growth and additional intergovernmental coordination issues since the adoption of the 1999 EAR-based amendments. The Flagler County Commission embraced the idea of working in a comprehensive manner to address the growth management issues that occurred after the adoption of the 2000 Comprehensive Plan. The County Commission created the Flagler County Futures Committee in 2007 as a way of systematically defining growth issues and setting in place methods for addressing those issues. This diverse group represented a variety of interests and provided guidance in the development of a general vision and guiding principles that needed to be used in the development of the goals, objectives and policies of the new comprehensive plan. The following summarizes the major issues facing Flagler County in the development of comprehensive plan for the 2010-2035 planning horizon.

Issue 1. Sustainability

- Preservation and protection of natural resources, including: sensitive lands, habitats, wetland areas, floodways, beaches, offshore artificial reefs, and wildlife corridors.
- Preservation of the rural character of western Flagler County.
- Recognition and preservation of Flagler County's rich history, culture, and heritage.

The term "Sustainability" has many definitions and interpretations. The following figure represents how sustainability requires a balance between social, economic and environmental resources in order for the continued prosperity of the residents, businesses and natural resources within Flagler County.

Figure 1. Sustainability illustration

Source: Adams, W.M. (2006). "The Future of Sustainability: Re-thinking Environment and Development in the Twenty-first Century."

In Flagler County, "sustainability" represents the ideas that Flagler County will be able to provide for the balance among the economic, social and environmental elements. Additionally, a sustainable community, such as Flagler County, can provide its residents with the quality of life they prefer. This becomes increasingly difficult as a community grows in population and diversifies in the individuals' interest. For example, an area that is primarily rural with farming as its primary economic base and ample amounts of natural, open lands will typically have a homogeneous population that shares the same desired goals for that community. If this area experiences changes to the economic base, such as a shift from an agricultural based economy to a bedroom community or tourism based economy, then the population will have different and diverse interests in how government interacts with the private sector. This has been the trend in Flagler County since the adoption of the 2000 Comprehensive Plan.

In western Flagler County the predominant land use categories are "Agriculture and Timberlands" (63%) and "Conservation" (29%). The creation and application of these land use categories occurred as part of the initial comprehensive plan created under the 1985 Growth Management Act. The final densities and policies applicable to these land use categories were completed over a period of ten years. The overall policy direction was to allow for landowners to realize value from limited residential development and protect wetland resources. The policies and land use categories were developed to provide a balance, as well as methods to protect the agricultural and natural resources in western Flagler County. There has been limited success, but the future development pattern of home sites on 5-acre tracts now appears to be incompatible with many of the agricultural interests. It is imperative that the County utilize a program to encourage landowners to support agricultural and natural resources in western Flagler County and allow for limited development.

Over the 25-year planning horizon Flagler County's role will include the difficult task of reviewing and making decisions that provide for the interests of the residents. The various issues raised in the 2009 Evaluation and Appraisal Report clearly show that the leaders of Flagler County are aware of these changing interests and the social, economic and physical impacts to the natural and built environments.

Issue 2. Water Resource Protection Planning

- ~~Balance the water demand with sustainable capacity development through protection of water resources (including surface waters, aquifers, and wetlands) and conservation.~~
- ~~Determine how the Comprehensive Plan has protected the quantity and quality of surface waters as environmental assets, water sources, and recreational opportunities.~~

~~The issue of water supply, provision of potable water and water conservation is already a major issue in the entire State of Florida. Flagler County is facing a difficult task of balancing competing interests. On one side is the need for economic growth and diversity, the preservation and protection of the agricultural economy and continuation of the real estate/construction sector of the economy. These factors require the consumption and use of water and in some cases, the land where groundwater or surface water is “produced.” The other side of the issue is the need to preserve natural resources, the desire to maintain a “small town” character and the interest in maintaining low costs for the production of potable water. Flagler County must work with the cities and SJRWMD in order to balance these factors. The County’s role in the provision of these services may be changed over the next 25 years but its role in developing plans for water conservation, water source protection and efficient delivery of services will remain in place.~~

Issue 3. Public Infrastructure

- ~~(Eastern Flagler County) The upgrading of wastewater treatment on the barrier island within unincorporated and incorporated Flagler County.~~
- ~~(Eastern Flagler County) The improvement of water hydrants on the barrier island for firefighting.~~
- ~~Promote the expansion of wastewater reuse within unincorporated and incorporated Flagler County.~~
- ~~Enhancing intergovernmental coordination between Flagler County, its cities, and adjacent counties to provide services more efficiently and achieve more sustainable growth.~~
- ~~Directing commercial and industrial growth to existing transportation corridors and major intersections where utilities can be provided.~~

~~The provision of public infrastructure consisting of potable water, sanitary sewer, stormwater management and reclaimed water will continue to be controversial items in the future. Local governments, quasi-governmental entities, private companies and on-site facilities currently provide for potable water, sanitary sewer (septic) and reclaimed water services throughout Flagler County. Stormwater management is a mixture of older systems that can be private or publicly maintained and newer systems which are typically maintained by quasi-governmental entities, such as home owners associations or community development districts. These services have to be planned and provided in order to meet statutory requirements for concurrency and the public's demand for efficiency of government. Flagler County will have a role as a coordinator, a regulator and a limited provider of these services now and in the future.~~

~~Issue 4. Family Friendly Environment~~

- ~~• Enhancement of recreational opportunities by preserving natural areas for outdoor pursuits and by developing parks and a regional trail system.~~
- ~~• Preservation of the natural shoreline of major water bodies, including Crescent and Dead lakes, and provisions for adequate and appropriate public access.~~

~~The issue of family friendly environment is directly related to quality of life. People will move to and reside in a County that provides them with social, cultural, and economic resources that compliment their desired lifestyles. The Comprehensive Plan for Flagler County carries this concept in all of the elements.~~

~~Issue 5. Economic Development~~

- ~~• (Central Flagler County) Reservation of adequate economic development opportunities along the U.S. Highway 1 and Interstate 95 corridors and encouraging commercial and industrial infill, including economic development at and around the airport industrial park.~~
- ~~• (Western Flagler County) Protecting and promoting sustainable agriculture and supporting agri-businesses.~~
- ~~• (Eastern Flagler County) Protecting and enhancing water dependent economic development, including marine industries.~~
- ~~• Nature and historic based tourism — Promote environmental based and environmentally friendly tourism as well as tourism based on historic attributes.~~

- ~~Integrate education with the County's economic development plans due to its importance and relationship business development.~~

~~The local economy is the foundation of the stability of any county. Flagler County's leaders have long realized that there is need to diversify the economic base. Efforts to step up the local economy have been severely hurt by the international economic downturn that occurred since 2007. Local leaders are looking for opportunities to act within a regional approach to improve the economic opportunities in Flagler County. The current conditions reflect an area that was heavily dependent on the residential construction industry and agriculture related businesses. These elements will continue to be important parts of Flagler County's economy. The next step is to expand those existing businesses and use the local resources to attract new business opportunities to the County to ensure long term stability.~~

Issue 6. Transportation

- ~~(Central Flagler County) Improving the transportation network through more east-west connections across the railroad, effective access management, and enhanced connectivity.~~
- ~~Improving corridor connectivity, in particular S.R. A1A, S.R. 100, U.S. Highway 1, Old Dixie Highway, and inclusion of SIS facilities.~~
- ~~Coordinating multi-jurisdictional issues, primarily pertaining to corridors between neighboring counties and FDOT facilities.~~
- ~~Long range transportation planning and modeling.~~
- ~~(Central Flagler County) Enhancing non motorized accessibility to Town Center through support of a rails-to-trails connection to U.S. Highway 1, public transportation, and improved street network.~~

~~Transportation will continue to be a major issue facing Flagler County. There are currently a multitude of issues that need to be addressed within the next five years. These include whether or not to form a new metropolitan planning organization (MPO/TPO) or join one of the existing MPO/TPOs'. The need to coordinate internally with the cities will need to be enhanced regardless of the decision on the MPO/TPO. Additionally, there are requirements by the State of Florida to address multi-modal transportation and reduction of greenhouse gases. These issues must be incorporated into decision on land use in order to be truly effective. Lastly, once the decisions on planning and design have been addressed, then there will be plans needed for the funding of the improvements. The old models of relying on impact fees and developer exactions will not sufficiently fund all of the improvements, especially the operational costs of transit services and the construction/maintenance of pedestrian facilities.~~

Issue 7. Coastal Protection and Preservation

- Preserving and retaining ocean views, beaches, public beach access, and parks.
- Promoting dune protection and pursuing other means to prevent and mitigate beach erosion.
- Maintaining the Scenic A1A Highway and the beachfront character through design guidelines and other development regulations that minimize visual impacts.
- Protecting coastal development and populations from hazards to life and property by limiting density increases on the barrier island.

Flagler County's eastern boundary is the coastline of the Atlantic Ocean and the western boundary is Crescent Lake. These are valuable natural resources that are the principle assets for the tourism portion of the local economy and serve as an attractor for those relocating to Florida from elsewhere. Over the next 25 years Flagler County faces many challenges in managing and overseeing the health and viability of these resources. This will require an extensive coordination effort with a variety of federal, state and regional agencies and organizations.

The information and public input that resulted in this list of major issues provided the framework for the 2009 Evaluation and Appraisal Report as well as a series of generalized vision statements and guiding principles. The following guiding principles provide the basis for the goals, objectives and policies that need to be included in the 2010-2035 Comprehensive Plan. These goals, objectives and policies in turn lay the framework for more detailed implementation opportunities between Flagler County and the cities within the County.

Guiding Statement for the Comprehensive Plan

- Flagler County balances rural conservation and urban growth to support a strong economy and diverse neighborhoods with easy access to services and amenities.
- Coordinated efforts to protect and enhance the natural and built environments through sustainable choices that make Flagler County a model for a "green" community (beach, mainland neighborhoods, and rural areas).

Guiding Principles for the Comprehensive Plan

Principle One: We will protect and enhance our natural environment.

- Flagler County will conserve land through efficient development patterns.
- Flagler County will conserve and protect water through sensitive design.
- Flagler County will strive to protect our air quality through reduction of green-house gas emissions.

Principle Two: We will foster sustainable growth.

- Flagler County will make efficient use of limited water resources.
- Flagler County will create opportunities to expand the local economy, focusing on clean industries.
- Flagler County will be mindful of natural hazards and mitigate risks to life and property.
- Flagler County will strive to reduce energy usage and explore the use of alternative energy sources to achieve energy sustainability.
- Flagler County will support sustainable agribusiness in Flagler County through equitable protection of agricultural lands.
- Flagler County will foster livable neighborhoods, with a variety of housing options and adequate community services, amenities and infrastructure.
- Flagler County will support and expand sustainable mobility options through development patterns and transportation investments.

Principle Three: We will seek opportunities for local and regional coordination and partnership.

- Flagler County will designate growth tiers (policy areas) to accommodate urban growth while protecting our natural and agricultural resources.
- Flagler County will coordinate infrastructure provision and development decisions with other public and private providers to increase efficiency and maximize our investment.
- Flagler County will coordinate service provision with other public and private providers to increase customer service and maintain a high quality of life.

IV. Demographic Information

The County and cities must know what is in place, what needs to be in place and how to fund it in order to develop a viable plan for sustainability in Flagler County. The first step is to review the past trends and identify the population growth trends for the planning timeframe. Flagler County has been one of, if not, the fastest growing County in Florida since the mid 1990's. This reflects the transition from a primarily rural setting to a suburban setting. The following tables provide a summary of the total population and land use trends for the County, including the cities for the 25-year planning horizon.

Table 1. Population Change 2000 to 2009

	April 1, 2000 (Census)	April 1, 2007 (est.)	Percent Change
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Flagler County Total			
Beverly Beach	547	509	-6.95
Bunnell	2,122	2,394	12.82
Flagler Beach	4,878	5,401	10.72
Marineland (part)	6	9	50.0
Palm Coast	32,732	70,376	115.01
UNINCORPORATED	9,547	14,879	55.85
Florida	15,982,824	18,680,367	16.88
Incorporated	7,904,403	9,508,495	20.29
Unincorporated	8,078,421	9,171,872	13.54

Source: Bureau of Economic and Business Research, 2008

Table 2. Population Projections 2010 to 2035

	2010	2015	2020	2025	2030	2035
Total Flagler County	95,700	114,700	137,400	159,500	180,600	200,300
Unincorporated Flagler County	12,221	14,121	16,391	18,601	20,711	22,681

Source: Flagler County Growth Management and Bureau of Economic and Business Research, 2009

These projections provide for a basic estimate of population so that the County can better project where development pressure will develop. These need to be used in conjunction with the goals, objectives and policies of the local government comprehensive plans to verify the potential for these projections to be realized. As development pressures inevitably continue in the western area, it is reasonable to expect some of the population allocated to the Cities of Beverly Beach, Flagler Beach and the Town of Marineland to be realized in the western areas of Bunnell, Flagler County and Palm Coast. This does not mean that these projections should not be used, but care needs to be used in determining the potential impacts in the future.

Table 3. Peak Resident and Non-Resident Population for Flagler County

Population Group	2010 (Est)	2015 (Proj)	2020 (Proj)	2025 (Proj)	2030 (Proj)	2035 (Proj)
Resident Population						
Incorporated	83,479	100,579	121,009	141,299	159,899	177,619
Unincorporated Flagler County	12,221	14,121	16,391	18,601	20,711	22,681
Flagler County Total	95,700	114,700	137,400	159,500	180,600	200,300
Seasonal Population						
Flagler County Total	11,227	12,702	14,371	16,260	18,397	20,814
Total Population						
Flagler County Total	106,927	127,402	151,771	175,760	198,997	221,114

Source: Flagler County Planning Department, 2010, based on US Census ACS 2006 to 2008 and 2009 BEBR data.

Table.4 Flagler County Residential Dwelling Unit Estimates and Projections

	2010	2015	2020	2025	2030
Total Population	103,991	127,896	150,498	171,096	190,591
Persons per dwelling unit	2.35	2.35	2.34	2.33	2.33
Total dwelling units	44,223	54,538	64,215	73,233	81,914

Source: Florida Housing Data Clearinghouse, Shimberg Center for Housing Studies and Flagler County Planning Department 2009

Note that the County is using data from the Florida Housing Data Clearinghouse for the data and analysis required for the Housing Element. This is different than the updated County population projections made by the Bureau of Economic and Business Research (BEBR), which is used for the Future Land, Transportation, Infrastructure, Recreation and Open Space Elements. The County realizes that there are differences in the projections, but there are sufficient consistencies so that sound goals, objectives and policies can be developed and adopted in the Comprehensive Plan. Flagler County will continuously update the data as these organization update and improve their projections.

The Flagler County Comprehensive Plan Elements are designed with goals, objectives and policies that are intended to prevent and discourage urban sprawl. Flagler County's role will require greater coordination with the cities since the population projections show that the majority of the population will reside within the cities. This means that Flagler County and the other local governments need to provide for shared efforts for protecting and preserving valuable agricultural and natural resources.

V. Administration of the Comprehensive Plan

Implementation: The comprehensive plan attempts to address all of the significant issues consisting of protection of agricultural and natural resources; provision of a good quality life to residents and businesses; provision of affordable workforce housing; provision of effective emergency management; and efficient delivery of utilities and public services. The goals, objectives and policies provide the guidance to local leaders. The actual implementation of these goals, objectives and policies are contained in many different document and avenues. The following provides a guide as to how Flagler County has organized the implementation of the comprehensive plan. These are not the sole sources of implementation, but are the primary resources used by the elected officials and staff in the implementation of the comprehensive plan.

Jurisdiction: The Flagler County Comprehensive Plan 2010-2035 provides for the planning of the unincorporated areas of Flagler County. Those areas under the jurisdiction of municipalities shall not be bound by the goals, objectives and policies established in the Flagler County Comprehensive Plan, unless otherwise directed by an adopted and approved joint planning agreement, interlocal agreement, memorandum of understanding, multi-jurisdictional development agreement or any other formally adopted agreement. There are goals, objectives and policies that incorporate coordination with other governmental and private entities. It is understood that all parties must agree to the method of implementation of these goals, objectives and policies and this may be out of the control of Flagler County.

Interpretation: The Flagler County Comprehensive Plan addresses many complex issues that results in a variety of goals, objectives and policies. The issues addressed in the plan combined with the level of detail needed for these goals, objectives and policies can result in misunderstandings of the document. The Planning and Zoning Director, or that person's designee, shall be the official interpreter of the Comprehensive Plan. If a fellow staff member, resident, development applicant or other person with standing on a particular issue requests an official clarification or interpretation of the Comprehensive Plan then it shall be referred to the Planning and Zoning Director. As such, the Planning and Zoning Director or the designee shall consult with the appropriate staff members to ensure that the most up-to-date information is used in making the staff's official interpretation of the Comprehensive Plan.

Appeal of Interpretation: Appeals of the Planning and Zoning Director's interpretation of the Comprehensive Plan shall be made in accordance with procedures adopted by the Flagler County Commission.

A. The Future Land Use Element

Policy A.1.1.6: Flagler County shall continue to administer land development regulations governing Agricultural Districts as adopted into the County's Land Development Code. This agricultural district allows bona-fide agricultural pursuits, timber production, and limited residential development at a gross density of one (1) unit per twenty (20) acres. Solar facilities, as defined in FS 163.3205(2), shall also be a permitted use in agricultural land use districts.

Policy A.1.2.1: ~~By 2012,~~ Flagler County shall prepare and adopt an antiquated subdivision study. The study will be used to provide the baseline assessment of existing lots of records that do not comply with currently adopted dimension requirements as established in the Land Development Code (LDC). The County shall use this analysis in forming amendments to the regulations to address the problems of lands which are platted, but possess limitations to development based upon inadequate public facilities and services, substandard lot configurations, or environmental constraints.

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

Policy A.1.6.9: The Board of County Commissioners may approve the development of housing that is affordable, as defined in Chapter 420.0004, Florida Statutes, on any parcel in a residential, commercial, or industrial land use and zoning category.

Policy A.2.3.1: ~~By 2011,~~ Flagler County shall develop design standards in the Land Development Code (LDC) to encourage village centers as methods of discouraging "strip commercial" development.

Policy A.2.5.1: ~~By 2015,~~ Flagler County shall coordinate with other local governments, private utility providers and quasi-governmental agencies in order to identify an appropriate method of delivering potable water and sanitary sewer along Old Kings Road in order to serve the future residents along this roadway.

Policy A.2.5.3: By 2015, Flagler County shall complete a detailed transportation analysis to determine the future conditions of Old Kings Road and John Anderson Highway to determine if improvements to add capacity and/or address safety issues are warranted.

Policy A.2.7.2: ~~By 2012,~~ Flagler County shall coordinate with the owners of all properties abutting the Airport so that the appropriate land use and development will occur, this includes potential amendments to the Future Land Use Map so that residential and agricultural lands are changed to industrial, institutional, or commercial land uses. These amendments shall be subject to site-specific analysis to determine compatibility with the adjoining properties and sufficient facilities to provide necessary services (transportation, water, sanitary sewer, stormwater, etc.).

Policy A.2.8.2: ~~By 2015,~~ Flagler County will finalize performance standards in the Land Development Code (LDC) regarding the development of the antiquated Bunnell Land Company subdivision plat, north of Old Dixie Highway. The performance standards shall be used as incentives so that lands can be more intensively developed for residential uses if there is provision of centralized potable water, sanitary sewer and adequate capacity on adjoining roadways. Additionally, the performance standards shall encourage preservation of environmental resources and use of Leadership in Energy and Environmental Design (LEED)/Green Building standards as additional incentives to land owners.

Objective A.5.3: ~~By 2011,~~ Flagler County shall draft and adopt amendments to the Land Development Code (LDC) for the Flagler Agricultural Resource Mitigation System (FARMS) so that there are stringent performance-based development standards to serve as incentives for land owners to develop limited areas for rural villages that emphasize sustainability and compatibility with the agricultural and natural resources of the Western Area of Flagler County (the portion of the County west of U.S. Highway 1).

Objective A.5.4: ~~By 2012,~~ Flagler County shall draft and adopt amendments to the Land Development Code (LDC) for an incentive program that emphasizes the use of residential clustering for properties designated as Agriculture and Timberlands and that contain between 100 and 499 acres in order to assure sustainability and compatibility with the agricultural and natural resources of the Western Area of Flagler County (portion of the County west of U.S. Highway 1).

B. Transportation Element

Objective B.1.7: ~~By December 2012~~ and every three years thereafter, Flagler County will study and recommend Transportation System Management (TSM) improvements and travel demand management measures in order to increase roadway capacity, reduce peak hour congestion, reduce greenhouse gas emissions, and improve roadway safety.

Policy B.1.10.1: ~~By 2013,~~ Flagler County will develop an integrated County-wide Pedestrian, Bicycle, and Multi-Use Trail Master Plan that is coordinated with the plans of the incorporated municipalities within Flagler County and the surrounding counties. The plan will be implemented concurrent with land development and public roadway improvement projects.

Objective B.1.12: Flagler County shall coordinate its comprehensive planning process, ~~including the 2010 Evaluation and Appraisal Report (EAR) based amendments and subsequent amendments,~~ with the adopted Airport Master Plan for the Flagler County Airport, the continuing Florida Aviation System Planning process, and the Florida Department of Transportation (FDOT) Adopted Five Year Work Program.

C. Housing Element

Policy C.1.3.1: ~~By the year 2011 and biennially thereafter,~~ Flagler County shall update the inventory of identified dilapidated housing units.

Objective C.1.4: ~~By 2013,~~ Flagler County shall update and amend its plan of action concerning conservation, rehabilitation, and demolition activities.

Policy C.1.8.1: ~~By the year 2015~~ Flagler County shall ensure that the Land Development Regulations (LDR) include locational criteria for the establishment of housing for the elderly and other special needs groups which considers accessibility, convenience, and infrastructure availability.

Policy C.1.8.2: ~~By the year 2015~~ Flagler County shall ensure that the Land Development Regulations (LDR) include locational criteria for the establishment of housing for the elderly and other special needs groups within the Coastal High Hazard Area (CHHA).

Policy C.1.8.3: ~~By the year 2013,~~ Flagler County shall ensure that the Land Development Regulations (LDR) include locational criteria for the establishment of rural and farmworker housing, as defined in Florida Statutes and infrastructure availability.

Policy C.1.12.1: ~~By December 2012,~~ Flagler County shall adopt Land Development Regulations (LDRs) that define extremely-low-income persons and permit the construction of accessory dwelling units within single-family zoning districts to be used for housing extremely-low-income persons consistent with Florida Statutes. The LDRs shall include provisions pertaining to minimum and maximum size of the accessory dwelling units, minimum design requirements of the accessory dwelling units and standards for ensuring that the accessory dwelling units do not change the character of single-family neighborhoods within Flagler County.

D. Infrastructure Element

Policy D.1.1.10: Flagler County shall coordinate with private and public utilities to ensure that the provision of potable water and sanitary sewer is maintained throughout the County in a manner consistent with the adopted Future Land Use Element and the Water Supply Facilities Work Plan. The County shall not issue development orders or development permits without first consulting with other local governments, private utility providers or quasi-governmental entities (e.g., Community Development Districts) to determine whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the County of a ~~building permit~~ certificate of occupancy or its functional equivalent. The County will also ensure that adequate water supplies and facilities are available and in place prior to issuing a ~~building permit~~ certificate of occupancy or its functional equivalent.

Policy D.1.3.1: The County shall not issue development orders or development permits without first consulting with other local governments, private utility providers or quasi-governmental entities (e.g., Community Development Districts) to determine whether adequate sanitary sewer facilities will be available to serve the new development no later than the anticipated date of issuance by the County of a ~~building permit~~ certificate of occupancy or its functional equivalent.

Policy D.1.7.2: Flagler County shall investigate alternative management systems such as consolidation or the creation of an authority for the delivery of wastewater and water services. ~~The County shall document the results of this investigation as part of its Comprehensive Plan Evaluation and Appraisal Report (EAR).~~

Objective D.2.1: In order to alleviate the potential harmful impacts of septic tank usage to ground water supplies, Flagler County shall ~~by the year 2015~~ conduct an engineering study of the Hammock area (beach communities) of Flagler County. The study will investigate the environmental impacts of continued septic tank use, alternatives to septic tank usage, and the feasibility of a public sewage treatment system.

Objective D.3.2: Flagler County shall strive to reduce the per capita consumption of water by ten percent (10%) from 2010 levels ~~by the year 2020~~ through the implementation of the following policies. The primary purpose shall be that potable water shall be utilized more efficiently on a per capita basis ~~in~~ as compared to current levels of consumption.

Policy D.3.1.4: Flagler County shall continue to monitor and coordinate with ~~adjoining its~~ water service providers ~~(private and public) to ensure approved Consumptive Use Permits are consistent with the respective adopted Water Supply Facilities Work Plans.~~ The County shall monitor and participate, as necessary, in water service providers' water supply planning process, including updates to their water supply facilities work plans and consumptive use permits, to ensure that the water service providers account for and meet the County's current and future water needs.

Policy D.5.6.3: The County's Water Supply Facilities Work Plan (2022-2035) is incorporated into the Comprehensive Plan as Appendix A of the County's Infrastructure Element.

Flagler County Water Supply Facilities Work Plan

Infrastructure Element

Exhibit A

(2022 - 2035)

Prepared by:
Northeast Florida Regional Council

2022

Section 1: Introduction

The purpose of the Flagler County (the County) Water Supply Facilities Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the County's jurisdiction. The Work Plan's planning period is 2022-2035.

At a minimum, it will be necessary to update this document prior to the end of the planning period. In addition, in accordance with Section 163.3177(6)(c), and Section 163.3177(4)(a), F.S., the County must ensure coordination of its comprehensive plan with the plans of SJRWMD. Therefore, if SJRWMD updates its North Florida Regional Water Supply Plan (NFRWSP) and affects the County, it will be necessary to update the Work Plan during the planning period. Intergovernmental Coordination Element Policy I.1.1.2. and related policies contains enabling language to ensure such coordination with SJRWMD's plans.

Section 2: Potable Water Supplier Information

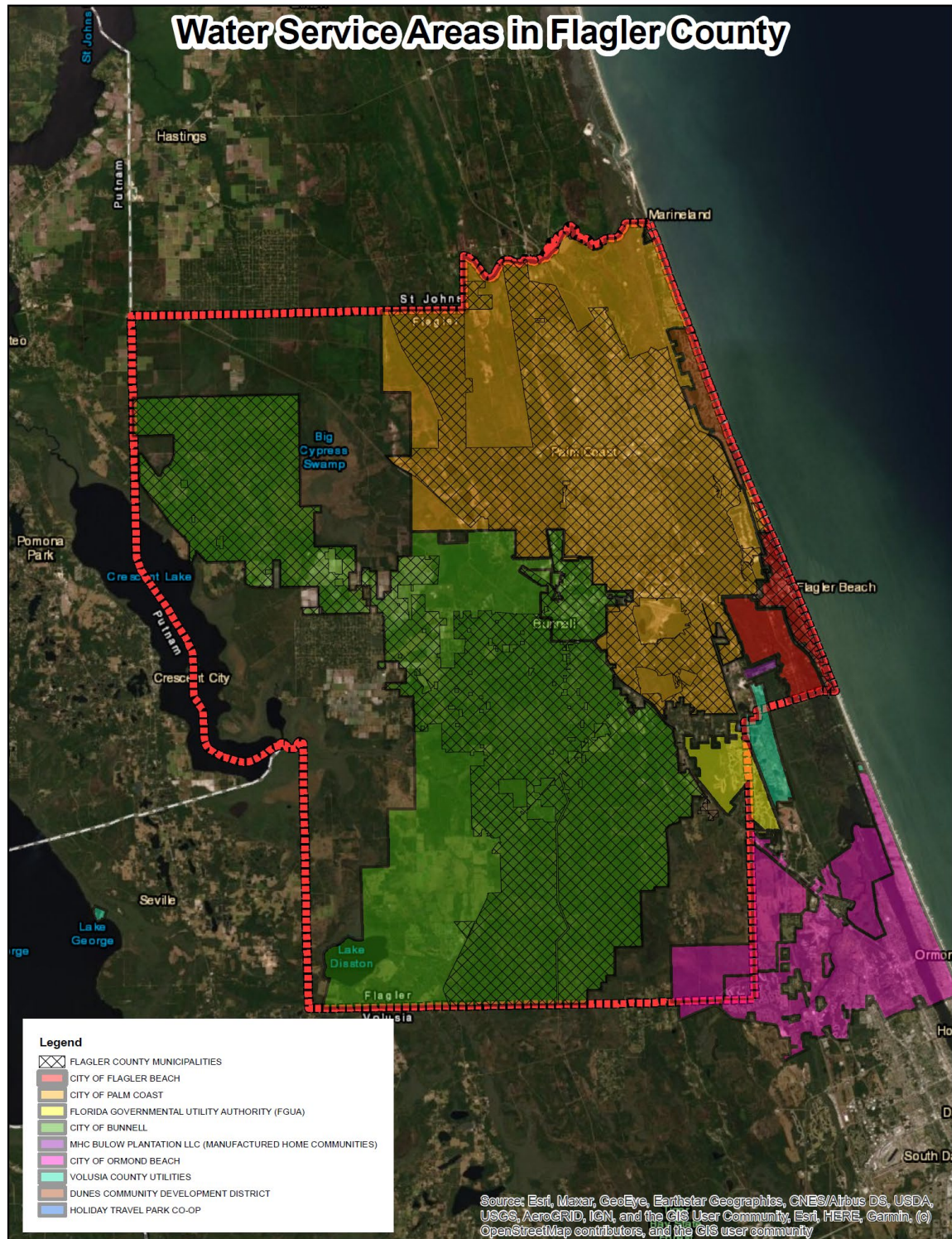
2.1 Public Potable Water Supplier

Flagler County is not a potable water service provider and does not own or maintain a potable water or wastewater system. The County relies on other entities to provide potable water service to unincorporated areas of the County. Each entity is financially responsible for their respective systems. The following entities provide potable water service within unincorporated areas of Flagler County:

Utility
City of Flagler Beach
City of Palm Coast
Florida Governmental Utility Authority (FGUA)
City of Bunnell
MHC Bulow Plantation LLC (Manufactured Home Communities)
City of Ormond Beach
Volusia County Utilities
Dunes Community Development District
Holiday Travel Park Co-Op, Inc

The figure below contains a map showing the service areas of these water suppliers.

Figure 1: Water Supply Service Areas in Flagler County.



Flagler County is dependent on multiple other entities for its potable water service. Therefore, it is important for the County to monitor and participate, as necessary, in its water suppliers water supply planning processes to ensure that these entities accurately account for the County’s current and future water needs. Infrastructure Element Policy D.1.3.4 establishes enabling language to ensure such coordination.

2.2 Potable Water Service Area Agreements

The County has several agreements (or authorizations) that allow for the provision of potable water, wastewater, and reclaimed water service in the unincorporated area. Policies I.1.1.4, I.1.2.1.6, D.1.7.1, and J.1.4.2 contain enabling language for entering and maintaining such interlocal agreements. The following section contains an inventory of agreement/authorizations.

Flagler County, the City of Palm Coast, the City of Flagler Beach, and a private developer entered into a stipulated settlement agreement in 2007 that established respective retail water and wastewater services areas. In addition, the agreement allowed the City of Palm Coast and City of Flagler Beach to provide reclaimed water service to certain areas.

Flagler County and the City of Flagler Beach entered into another agreement in 2016 to allow the City of Flagler Beach to provide water and wastewater services to an area referred to as the John Anderson Corridor.

In 2020, Flagler County transferred the Flagler County Utilities at Plantation Bay water and wastewater system to Florida Governmental Utility Authority (FGUA).

Section 3: Potable Water Sources and Demand

3.1 Public Supply Water Sources and Demand

The County’s water suppliers primarily utilize the Upper Florida aquifer (UFA) for their potable water supply source. However, some entities also utilize the confined surficial aquifer (CSA) to a minimal extent. Below is a listing of the potable water service providers and the corresponding consumptive use permits (CUPs) data.

Utility	CUP Number	CUP Expiration Date	Primary water source
City of Flagler Beach	59	2036	UFA
City of Palm Coast	1947	2041	UFA, CSA
Florida Governmental Utility Authority (FGUA)	1960	2021, renewal pending	UFA
City of Bunnell	1982	2036	UFA, CSA

MHC Bulow Plantation LLC (Manufactured Home Communities)	2002	2022	CSA
City of Ormond Beach	8932	2024	UFA
Volusia County Utilities	86278	2021, renewal pending	UFA
Dunes Community Development District	51136	2024	UFA
Holiday Travel Park Co-Op, Inc	1979	2041	UFA

Population and water demand within Flagler County is expected to increase during the planning period. Below are figures from the 2015-2035 NFRWSP relative to projected population and water demand for public water suppliers within Flagler County.

Table X. Public Supply Population Projections and Demand Projections (Source NFRWSP Table B-5)

	Population				Water Demand (mgd)			
	2020	2025	2030	2035	2020	2025	2030	2035
City of Flagler Beach	5,726	6,646	7,504	8,125	0.89	1.04	1.17	1.27
City of Palm Coast	98,034	113,771	128,464	142,274	9.31	10.81	12.20	13.52
FGUA (f/k/a Plantation Bay)	1,587	1,842	2,080	2,304	0.10	0.12	0.14	0.15
City of Bunnell	3,419	3,968	4,480	4,962	0.37	0.43	0.49	0.54
Manufactured Home Communities	1,377	1,377	1,377	1,377	0.08	0.08	0.08	0.08
City of Ormond Beach (Also in Volusia)	0	0	0	0	0.00	0.00	0.00	0.00
Volusia County Utilities (Also in Volusia)	1,189	1,189	1,189	1,189	0.19	0.19	0.19	0.19
Dunes Community Development District	5,722	5,722	5,722	5,722	0.56	0.56	0.56	0.56
D & E Water Resources, LLC / Heart Island (Also in Volusia)	78	151	151	151	0.01	0.02	0.02	0.02
TOTALS	117,132	134,666	150,967	166,104	11.51	13.25	14.85	16.33

3.2 Domestic Self-Supply (DSS)

In addition to public potable water supply service, a significant portion of Flagler County utilizes domestic self-supply to meet their water needs. Table 1 contains population and water demand projections for Domestic Self-Supply (DSS) within Flagler County. The respective DSS population and water demand is anticipated to increase through the planning period. Comprehensive plan policy D.1.5.4 contains enabling language for the County to require connection to public centralized wastewater and water systems within one year from the date of notice that these services are available

Table 1¹

Population and Water Demand Projections for DSS and Public Supply

	2020	2025	2030	2035
Population Projections (county-wide)	4,599	6,665	8,664	10,727
Water Demand Projections (million gallons per day)	0.28	0.41	0.53	0.65

Section 4: Non-potable Water Suppliers

4.1 Non-Potable Water Services

Flagler County is not a sanitary sewer or reclaimed water service provider. The County relies on other entities to provide sanitary sewer service and reclaimed water service to some unincorporated areas of the County. The following entities have established reclaimed water services areas or provide reclaimed water services within some unincorporated areas of Flagler County:

Utility
City of Flagler Beach
City of Palm Coast
Florida Governmental Utility Authority (FGUA)
City of Bunnell
City of Ormond Beach
Volusia County Utilities
Dunes Community Development District

2.2 Non Potable Water Service Agreements

The County has several agreements (or authorizations) relative to wastewater and/or reclaimed water service in some unincorporated area. The following section contains an inventory of agreement/authorization.

¹ North Florida Regional Water Supply Plan (2015-2035), Table B-6A

- Flagler County, the City of Palm Coast, the City of Flagler Beach, and a private developer entered into a stipulated settlement agreement in 2007 that established respective retail water and wastewater services areas. In addition, the agreement allowed the City of Palm Coast and City of Flagler Beach to provide reclaimed water service to certain areas.
- Flagler County and the City of Flagler Beach entered into another agreement in 2016 to allow the City of Flagler Beach to provide water and wastewater services to an area referred to as the John Anderson Corridor.
- In 2020, Flagler County transferred the Flagler County Utilities at Plantation Bay water and wastewater system to Florida Governmental Utility Authority (FGUA).

Section 5: Water Supply and Facility Concurrency

5.1 Potable Water Level of Service

Flagler County Infrastructure Element Policy D.1.1.5 and Capital Improvements Element Policy J.1.1.11 contains enabling language that the established the County's potable water facilities level of service and all future development and redevelopment in the County shall be compatible with the adopted LOS standards. The County's currently potable water LOS is 125 gpcd and/or 300 gallons per ERU which is consistent with the LOS standards for the County's municipal water suppliers. Below are the LOS standards for the County's municipal water suppliers.

Municipal Utility	LOS
City of Flagler Beach	Residential: 125 gpcd Commercial: 2,000 g/acre per day
City of Palm Coast	125 gpcd
City of Bunnell	120 gpcd
City of Ormond Beach	110 gpcd
Volusia County Utilities	Residential: 300 g/ERU Office: 0.15 gpd/sq. ft. Retail, institutional & industrial: 0.10 gpd/sq ft

5.2 Water Supply and Facility Concurrency

The current legislative requirements for concurrency [i.e., Section 163.3180(2), F.S.] require that the County's comprehensive plan and land development regulations ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the County anticipates issuing a certificate of occupancy. In addition, the Town must include consultation with the applicable water supplier during the permit review process and prior to the approval of a building permit, to determine if adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. Policies

D.1.1.10 and J.1.17 provides enabling language for water supply and facility concurrency and address the requirements of Section 163.3180(2)(a), F.S., including coordination with the County's water suppliers.

Section 6: Water Supply and Facility Capacity Projects

6.1 Flagler County Water Supply and Facility Capacity Projects

Flagler County does not currently have any projects identified in the NFRWSP. Three of the County's water service providers (i.e., Palm Coast, Bunnell, and Flagler Beach) have project options identified in the NFRWSP that they are implementing.

Section 7: Water Conservation Practices

The County currently implements water conservation practices, including some that are enabled by comprehensive plan policies. The County's water conservation practices include the following:

- The County shall ensure that the Water Supply Facilities Work Plan and the Infrastructure Element are implemented through interlocal agreements, memorandums of understanding, or similar instruments that would include the establishment of provisions for conserving potable water resources, including implementation of reuse programs, encouraging the use of stormwater in lieu of treated water, and potable water conservation strategies and techniques per Policy D.3.1.2, (5).
- Flagler County shall assist the St. Johns River Water Management District (SJRWMD) in its public information programs in an effort to increase public awareness and acceptance of water conservation techniques including wastewater reclamation per Policy D.3.2.1.
- Flagler County will continue to implement its water conservation related ordinances which include the use of low volume plumbing fixtures and the use of xeriscape and Florida-Friendly landscaping techniques per Policy D.3.2.2.
- Flagler County shall use water conservation efforts to protect valuable water supplies in order to strive to maintain a reliable, sustainable source of potable water through 2035 per Objective D.3.3.
- Flagler County shall establish specific standards in the Land Development Regulations (LDRs) to ensure consistency with the water conservation elements of the adopted Water Supply Facilities Work Plan that may include the implementation of native/xeric landscaping requirement for new development, retrofitting of existing development, installation of reclaimed water with augmentation from stormwater storage facilities in

order to reduce the use of potable water for irrigation purposes, development of incentives to use water saving programs, implementation on restrictions/disincentives on irrigation that uses potable water, and adjustment of potable water and sanitary sewer impact fees when meeting specific criteria for conservation purposes per Policy D.3.3.1.

- Flagler County shall coordinate and cooperate with all adjoining water providers (private and public) that serve residents and businesses residing in the unincorporated areas with the development of alternative water sources per Policy D.3.3.2.
- Coordinating with the SJRWMD to identify and plug abandoned, free-flowing wells per policies D.1.5.4, F.1.5.4 and F.1.6.3.
- Flagler County shall promote water conservation through the continued implementation of its Water Conservation Program which includes the implementation of low water use residential landscapes, efficient irrigation technologies for agriculture, the installation of low water use plumbing fixtures, and the use of reclaimed water on golf courses per Policy D.5.4.6.
- Flagler County shall promote and encourage water conservation measures to reduce demand for potable water per Objective F.1.6.
- Flagler County will coordinate with water suppliers within Flagler County to attempt to achieve a per capita potable water use demand reduction to 121 gallons per capita per day through conservation measures including, but not limited to, water conservation programs and improved water conservation techniques and technology per Policy F.1.6.2.
- Flagler County shall promote water conservation coordination with the St. Johns River Water Management District (SJRWMD) in the adoption and enforcement of local water conservation measures. These measures shall be accompanied by the dissemination of public information on water conservation techniques per Policy F.1.6.5.
- Flagler County shall, as part of its WSFWP and through its LDRs, adopt water conservation measures based on the SRWMD's Florida Water Stat and the U.S. Environmental Protection Agency's (EPA's) Water Sense programs, including but not limited to: low water plumbing fixtures, low-irrigation landscape techniques (referred to in various programs as Xeriscape, Right Plant Right Place, and Florida Friendly landscaping); reuse of treated wastewater effluent; and the dissemination of information to the public per Policy F.1.6.6.
- Flagler County may request periodic reports from the various utilities which supply water from within Flagler County updating the effectiveness of their water conservation programs per Policy F.1.6.7.
- Flagler County shall partner with the St. Johns River Water Management District (SJRWMD) in the dissemination of public information related to water conservation per Policy F.1.6.12.

- Flagler County shall appropriately engage in enforcement actions pertaining to non-compliance with the County's Code provisions related to water conservation per Policy F.16.13.

Section 8: Nonpotable Water (reuse) Practices

The County currently implements reuse practices, including some that are enabled by comprehensive plan policies.

8.1 Reuse Practices

Utilization of reuse water is important to reduce potable water demand. The County's reuse practices include the following:

- Flagler County shall ensure that the Water Supply Facilities Work Plan and the Infrastructure Element are implemented through interlocal agreements, memorandums of understanding, or similar instruments that future wastewater treatment facilities shall have reuse as part of their design and upon expansion of any wastewater treatment facilities reuse shall be encouraged per Policy D.3.1.2.
- In order to encourage all potential occupants of industrial parks to have an approved wastewater reuse plan. Flagler County shall, during the development review process, refer these potential occupants either to the Florida Department of Environmental Protection (FDEP or the St. Johns River Water Management District (SJRWMD) depending on the ultimate use per Policy F.1.6.4.
- Flagler County shall, as part of its Water Supply Facilities Work Plan (WSFWP) and through its Land Development Regulations (LDRs), adopt water conservation measures based on the St. Johns River Water Management District's (SJRWMD's) Florida Water Star and the U.S. Environmental Protection Agency's (EPA's) Water Sense programs, including but not limited to low water use plumbing fixtures; low-irrigation landscape techniques(referred to in various programs as Xeriscape, Right Plant Right Place, and Florida Friendly Landscaping); reuse of treated wastewater effluent, and the dissemination of information to the public per Policy F.1.6.6.
- Flagler County within its area of legal jurisdiction shall require, consistent with the rules of the St. Johns River Water Management District (SJRWMD), that wastewater be reused where practical. New wastewater treatment plants shall be required to provide for the reuse and/or disposal of wastewater by best available technology, including for agricultural or landscaping irrigation, percolation, or other permitted measures per Policy F.1.6.8.

- Flagler County shall consider alternate means and incentives to conserve water including, but not limited to, irrigation meters, reuse of stormwater, cisterns, surface water pumps, and identify other alternative potable water resources per Policy F.1.6.11.
- Flagler County's Land Development Regulations (LDRs) shall include incentives so that new development to be designed in accordance with the limitations of the natural environment and the conservation of water resources including the use of clustered development, attached dwelling units and other innovative land development techniques to decrease water use. Standards within the Land Development Regulations (LDRs) shall include water reuse for irrigation of golf courses and, when possible, for other landscapes per Policy F.1.9.2.

Section 9: Water Source Protection Practices

The County currently implements water source protection practices, including some that are enabled by comprehensive plan policies. These include the following:

- Protecting potable water well fields and aquifer recharge areas by regulating certain land use activities, chemicals/substances, and impervious surfaces per policies A.1.1.1(5) and A.4.1.11
- Flagler County shall continue to rely on the St. Johns River Water Management District (SJRWMD) to conduct water supply studies and evaluations in advance of development pressure necessary to provide for the orderly and environmentally-compatible development of the County's water resources. These studies should include the identification of recharge areas for all aquifers, safe yield determinations, delineation of optimal wellfield production areas, and evaluation of saline water interface monitoring data from existing wellfields per Policy D.5.2.1.
- Flagler County shall continue to implement a financially self-supporting permit process to protect the quality of groundwater recharge. This permit process, as provided for in Article VI. of the Flagler County Land Development Regulation (LDRs) provides minimum standards for the use, handling, production and storage of hazardous and toxic materials by non-residential activities. These standards constitute a Wellfield Protection Ordinance regulating potentially adverse activities around wellfields and are most strict within selected travel times or distances that can be reasonably expected to affect groundwater quality per Policy D.5.4.1
- Flagler County's Wellfield protection zones as identified in the Wellfield Protection Ordinance shall be included in the Comprehensive Plan and indicated on the Future Land Use Map per Policy D.5.4.2.
- Flagler County's Wellfield Protection Ordinance shall be amended to include future planned wellfields as soon as well locations are known per Policy D.5.4.3.

- Flagler County shall continue to enforce and maintain the standards for wellfield protection contained in the Land Development Regulations (LDRs) in order to ensure that reasonable land use controls protect public water supply wellfields by preventing the inappropriate location of incompatible land uses. These incompatible land uses shall include industrial and commercial land uses, landfills, rockpit lakes which penetrate through confining beds and new waste storage, disposal and treatment facilities per Policy D.5.4.4.
- Flagler County shall require that all unsewered areas within protection zones in the Wellfield Protection Ordinance for a wellfield should be placed on central sewer system, when available and connection is financially feasible, in order to protect the quality of water recharging the wellfield per Policy D.5.4.5.
- Flagler County shall continue consistent with its Water Supply Facilities Work Plan (WSFWP) to cooperate with the Florida Department of Environmental Protection (FDEP) and the St. Johns River Water Management District (SJRWMD), in their groundwater quality monitoring programs by implementing land use controls around public water supply wellfields and working to provide additional water quality protection for water recharging the wellfields per Policy F.1.5.1.
- Flagler County shall biennially review the Land Development Regulations (LDRs) related to wellfield protection to determine any necessary changes based on the Florida Administrative Code's (FAC) applicable rule for Florida Department of Environmental Protection (FDEP) regulated facilities and the State of Florida's Source Water Assessment Program (SWAP) as required by the Federal Safe Drinking Water Act (SWDA) and amendments. Flagler County's Land Development Regulations (LDRs) related to wellfield protection shall continue to address, but not be limited to, the following: wellfield protection zones, location and protection of future planned wellfields(as soon as locations are known); and monitoring and restrictions within the wellfield protection zones per Policy F.1.5.3.
- Flagler County shall utilize the best available information from technical reports, studies, computer models, and guidance from State and Federal agencies to establish regulations within the Land Development Regulations (LDRs), as needed, for wellfield and aquifer recharge protection per Policy F.1.5.6.

E. Coastal Management Element

Objective E.1.5: Flagler County shall aim to equal or exceed the current acreage of beaches and dunes ~~by the year 2015~~ and shall use approaches as specified in Policy E.1.5.1, Policy E.1.5.2, Objective E.1.6, Policy E.1.6.1, and Policy E.1.6.2.

Policy E.1.6.4: In order to help protect the primary and secondary dune system and mitigate the effects of a storm surge, criteria shall be incorporated in the Land Development Regulations (LDRs) ~~by 2013~~ that require the following:

Coastal High Hazard Area Sub-Element (Replace Objective E.2.3 and Policies E.2.3.1 through E.2.3.9 with Proposed Objective E.2.3 and Policies E.2.3.1 through E.2.3.17 along with Proposed Objective E.2.4 and Proposed Policies E.2.4.1 through E.2.4.4.)

~~**Objective E.2.3:** Flagler County shall direct population concentrations away from known or predicted Coastal High Hazard Areas (CHHAs) through acquisition of property within these areas and implementation of local and State regulatory measures including the Coastal Construction Control Line (CCCL) rules, Flagler County Land Development Regulations (LDRs), and Flagler County Future Land Use Map.~~

~~**Policy E.2.3.1:** Flagler County shall encourage the relocation of threatened and/or damaged structures and infrastructure landward of the Coastal High Hazard Area (V zone).~~

~~**Policy E.2.3.2:** Flagler County may hold a referendum election for the purpose of continued funding of the Environmentally Sensitive Lands (ESL) program with the intent of expanding purchases of flood prone natural areas.~~

~~**Policy E.2.3.3:** Coastal land and land within the Coastal High Hazard Area (CHHA) shall have a high priority when Flagler County undertakes land acquisition programs for the preservation of natural areas, flood plains, or endangered lands.~~

~~**Policy E.2.3.4:** Lands seaward of the Coastal Construction Control Line (CCCL) shall be designated as unsafe building areas consistent with the Land Development Regulations (LDRs) which shall serve as the line from which applicable setbacks are determined.~~

~~**Policy E.2.3.5:** Development within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) V Zone shall be limited through Flagler County restrictions regarding~~

~~the provision of water, sewer, and road facilities to service V Zone areas where infrastructure facilities have been damaged and/or destroyed by storm forces.~~

~~**Policy E.2.3.6:** A statement shall be included on all new subdivision plats located within areas of potential storm surge inundation that: "The area as depicted hereon is subject to storm surge inundation during a Category 1, 2, 3, 4, and 5 hurricane".~~

~~**Policy E.2.3.7:** Flagler County shall, through its Land Development Regulations (LDRs), maintain evacuation routes within coastal areas consistent with Policies A.6.1.2 and B.1.5.10.~~

~~**Policy E.2.3.8:** Flagler County shall discourage the location of new adult living facilities, nursing homes, and other similar medical facilities that serve Flagler County's special needs population within the Coastal High Hazard Area (CHHA).~~

~~**Policy E.2.3.9:** Within the Coastal High Hazard Area (CHHA), Flagler County will not make infrastructure improvements to accommodate development with more density or intensity than allowed by the Comprehensive Plan's Future Land Use Map.~~

Objective E.2.3: Flagler County shall continue to assess the current and future risks to human life and property from floods and other natural hazards in the coastal areas and implement development and redevelopment strategies.

Policy E.2.3.1: Flagler County shall maintain and update as needed, all maps—including FEMA flood zones and repetitive claim maps, storm surge/Coastal High Hazard Area maps, and sea level rise impact maps—identifying current and potential future areas subject to high flood hazard.

Policy E.2.3.2: Flagler County shall continue to document and maintain maps of extreme high tides ("king tides"), more frequent severe rainfall events and newly revealed areas at risk of flooding to efficiently target mitigation efforts.

Policy E.2.3.3: Flagler County shall continue to provide flood relief and cleaning operation to lessen the residents' hardship after a major rainstorm and document the County's after-the-storm efforts to evaluate and recommend implementation of minor improvements and projects to be included in the Capital Improvement Plan.

Policy E.2.3.4: Flagler County shall continue to utilize the Future Land Use Map as the basis for development and redevelopment. The siting, design, and development of structures shall be consistent with regulations contained in the Florida Building Code, as amended from time to time.

Policy E.2.3.5: Flagler County shall manage its planning, regulatory, and utility services to steer

future population concentrations away from the Coastal High Hazard Area-(CHHA), which is defined as the area below the elevation of the Category 1 Storm Surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge models.

Policy E.2.3.6: Flagler County shall not approve any increases in hotel/motel beds and residential densities in the CHHA that would increase evacuation times above the 16 hours level of service for out-of-county hurricane evacuation for a Category 5 Storm event as measured on the Saffir-Simpson scale as provided in Section 163.3148(7)(b), F.S.

Policy E.2.3.7: Flagler County shall amend its Land Development Regulations (LDRs) to prohibit hospitals, congregate living facilities for persons with special needs, nursing homes, and the like from locating within CHHA and FEMA defined Special Flood Hazard Area, and also encourage such existing facilities to relocate to safer locations within the County.

Policy E.2.3.8: Redevelopment of existing dwelling units located in the CHHA is prohibited unless an engineering study supporting that redevelopment can occur in a safe manner when considering building construction, design, siting, and future storm events.

Policy E.2.3.9: Flagler County shall limit public expenditures in the CHHA or flood-prone areas by restricting expansion/improvement of the existing utilities except for improvements necessary to: 1) correct current deficiencies; 2) serve planned redevelopment pursuant to the Community Redevelopment Area (CRA) Community Redevelopment Plan; or 3) improve environmental quality.

Policy E.2.3.10: Flagler County shall require any development activities seaward of the Coastal Construction Control Line (CCCL) established pursuant to Chapter 161.053, F.S. to be consistent with the statutory provisions.

Policy E.2.3.11: Flagler County shall continue to revise building codes and land development regulations to enhance flood mitigation measures in vulnerable areas to reduce future risks associated with high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise. In these areas, the County shall require vulnerability reduction measures for all new development, redevelopment, and infrastructure such as additional hardening, higher floor elevations or incorporation of natural infrastructure for increased resilience.

Policy E.2.3.12: Flagler County shall consider, whenever feasible, purchasing properties in areas most vulnerable to destructive storm surges for recreational uses and open space.

Policy E.2.3.13: Rise in sea level projected by the Federal Government (National Oceanic and Atmospheric Administration) shall be taken into consideration in all future decisions regarding the design, location, and development of infrastructure and public facilities in the potentially affected areas.

Policy E.2.3.14: Flagler County shall recognize the CHHA as an Adaption Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (Chapter 163.3177(6)(g)(10),

F.S.).

Policy E.2.3.15: Flagler County shall consider the implications of the AAA when reviewing changes to the use, intensity, and density of land lying within the AAA.

Policy E.2.3.16: Flagler County shall recognize existing regulations, programs, and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and practices related to flooding. These regulations, programs, and policies include, but are not limited to, the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy, and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulations would otherwise apply to a development or redevelopment project.

Policy E.2.3.17: Flagler County shall expand the messaging related to flood risk and emergency preparedness to identify the existence of and reasons for the AAA. The link between emergency preparedness and adaption will be strengthened so that residents and businesses understand that readiness for storm events is enhanced by adaptation efforts to increase resiliency.

The following definitions are relevant to this effort:

Flood Hazard Area: The greater of the following two areas:

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

Flood Insurance Rate Map (FIRM): The official map of the community on which the Federal Emergency Management Agency (FEMA) has delineated both special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by FEMA that contains the FIRM, the Flood Boundary, and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data.

Floodway: The channel of a river or other riverine 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 (1) foot.

Objective E.2.4: Flagler County shall continue to apply the best planning and engineering practices in development to attenuate and mitigate future flood events and modify the LDRs and other relevant regulatory documents as needed.

Policy E.2.4.1: Flagler County shall further update its floodplain related ordinances for consistency with the Florida Building Code and also ensure that all future modifications of the flood-resistant construction requirements in the County Code and LDR continue to be consistent with, or more stringent than, requirements of the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

Policy E.2.4.2: Flagler County shall continue to upgrade its stormwater infrastructure through drainage improvements, installation of tidal backflow preventers, and seawall repair in addition to sustainable flood management actions such as installation of bioswales, recharge through drainage wells, use of pervious pavement, maintenance of natural preserves and protection of tidal beaches that will stand the test of time and be adaptable to future climate changes.

Policy E.2.4.3: The floodplain administrator / Flagler County Administrator or his or her designee shall review all permit applications to determine whether the proposed development sites will be reasonably safe from flooding. If a proposed development site is in a flood hazard area, all site development activities, -- including grading, filling, utility installation and drainage modifications-- , for all new development and substantial improvements shall be designed and constructed with methods, practices, and materials that minimize flood damage and that are in accordance with the County Code.

Policy E.2.4.4: Flagler County shall continue to participate in the National Flood Insurance Program's Community Rating System (CRS) administered by FEMA to reduce flood losses and achieve flood insurance premium discounts for their residents.

GOAL E.3: The amount of public access to coastal resources shall increase between now ~~and the year 2020~~ through the planning timeframe.

F. Conservation Element

Objective F.1.5: Recognizing that Flagler County is in a ~~Priority~~ Water Resource Caution Area (PWRCA) and depends on the Volusia-Floridan aquifer – designated as a Sole Source Aquifer – the quality and quantity of Flagler County groundwater resources shall not be degraded.

Policy F.1.5.8: ~~By December 2012,~~ Flagler County shall request that the St. Johns River Water Management District (SJRWMD) identify and prepare a three-dimensional potentiometric map of the Surficial aquifer recharge areas in the County.

G. Economic Development Element

Policy G.2.1.2: Flagler County shall strive to reduce the unemployment in Flagler County below the rate for the State of Florida, and to raise the average earnings per worker to 120% of the current average salary ~~by 2020~~.

Policy G.2.1.3: Flagler County shall strive to decrease the percentage of work force migration from 35% to 28% ~~by 2015~~.

Policy G.4.1.3: Flagler County shall, in partnership with the County's municipalities, continue to re-examine its number of Industrial site locations and ~~by 2013 then biennially thereafter~~ update its Land Development Regulations for Industrial/Commercial uses.

H. Recreation and Open Space Element

No proposed changes

I. Intergovernmental Coordination Element

Policy I.1.1.2: ~~The~~ Flagler County will maintain a Water Supply Facilities Work Plan that is coordinated with the St. Johns River Water Management District's (SJRWMD) ~~District~~ Regional Water Supply Plan by updating the ~~[sic] Flagler~~ County's Work Plan within 18 months of an update to the District's ~~District~~ Regional Water Supply Plan that affects the County.

Policy I.1.1.3: Flagler County will participate in the development of updates to the St. Johns River Water Management District's (SJRWMD) ~~Water Supply Assessment and District~~ Regional Water Supply Plan and in other water supply development-related initiatives facilitated by the SJRWMD that affect Flagler County.

Policy I.1.1.4: ~~By 2013~~, Flagler County shall establish a joint planning committee with the municipalities through adoption of a joint planning agreement, interlocal agreement, or memorandum of understanding. The joint planning committee will direct Planning Department staff to provide formal review and recommendations for development proposals abutting municipal boundaries and municipal annexation petitions. In addition, the joint planning agreement, interlocal agreement, or memorandum of understanding will address collaborative

planning and decision making on population projections, public school siting, the location and extensions of public facilities that are subject to concurrency, and will identify locally unwanted land uses.

Policy I.1.2.4: ~~By 2013,~~ Flagler County shall develop a long range transportation Concurrency Management System in coordination with the Florida Department of Transportation, adjacent counties, municipalities within its boundaries, and adjacent municipalities.

J. Capital Improvements Element

GOAL J.1: Flagler County will provide adequate public facilities to all residents within its jurisdiction as determined by adopted level of service (LOS) standards. When a five-year capital plan is adopted, it will be an appendix to the County's Capital Improvements Element and shall be provided to the Florida Department of Economic Opportunity or successor agency.

Objective J.1.7: Flagler County shall ~~be~~ manage debt in a prudent and efficient manner.

K. Public School Facilities Element

I. Introduction

~~Flagler County and each municipality within the County, unless exempt or subject to a waiver, must adopt a Public School Facilities Element (PSFE) that is consistent with those adopted by the other local governments within the County and enter into an interlocal agreement pursuant to Section 163.31777, Florida Statutes. A Public School Facilities Element shall be based upon data and analyses that addresses, among other items, how level of service standards will be achieved and maintained. The PSFE shall:~~

- ~~1. Contain one or more goals which establish the long term end toward which public school programs and activities are ultimately directed.~~
- ~~2. Contain one or more objectives for each goal, setting specific, measurable, intermediate ends that are achievable and mark progress toward the goal.~~

- ~~3. Contain one or more policies for each objective which establish the way in which programs and activities will be conducted to achieve an identified goal. The objectives and policies shall address items such as:~~
- ~~a. The procedure for an annual update process;~~
 - ~~b. The procedure for school site selection;~~
 - ~~c. The procedure for school permitting;~~
 - ~~d. Provision for infrastructure necessary to support proposed schools, including potable water, wastewater, drainage, solid waste, transportation, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization;~~
 - ~~e. Provision for co-location of other public facilities, such as parks, libraries, and community centers, in proximity to public schools;~~
 - ~~f. Provision for location of schools proximate to residential areas and to complement patterns of development, including the location of future school sites so they serve as community focal points;~~
 - ~~g. Measures to ensure compatibility of school sites and surrounding land uses;~~
 - ~~h. Coordination with adjacent local governments and the school district on emergency preparedness issues, including the use of public schools to serve as emergency shelters; and~~
 - ~~i. Coordination with the Future Land Use Element.~~

~~The Element also shall include a map series that depicts the existing and anticipated location of educational and ancillary plants, including the general location of improvements to existing schools or new schools anticipated over the 5-year or long-term planning period. The maps will of necessity be general for the long-term planning period and more specific for the 5-year period. Maps indicating general locations of future schools or school improvements may not prescribe a land use on a particular parcel of land.~~

~~H. Goals, Objectives, and Policies~~

~~GOAL K.1:~~ ~~Flagler County shall coordinate with the Flagler County School District to ensure public school facilities are of the highest quality, meet the needs of the existing and future~~

population, serve as a resource to the community, and comply with the Constitution of the State of Florida and all other applicable statutory requirements.

Intergovernmental Coordination and Implementation Sub-Element

Objective K.1.1: ~~Flagler County shall coordinate with the Flagler County School District (School District) and local governments in order to discuss school-related issues: share information, facilitate amendments to, and implementation of, the Public School Facilities Element.~~

Policy K.1.1.1: ~~Flagler County shall meet with the Flagler County School Board on an annual basis, as needed, in a workshop context to discuss issues of mutual concern.~~

Policy K.1.1.2: ~~Flagler County planning staff shall meet with other local government and School District planning staff as part of an established working group on or about April 16th and September 1st of each year to discuss issues regarding the coordination of land use and public school facilities planning.~~

Policy K.1.1.3: ~~Flagler County planning staff shall participate in the development and presentation of an annual report on the coordination of land use and public school facilities planning to the Oversight Committee, as constituted in the *Interlocal Agreement for Public School Facility Planning*.~~

Policy K.1.1.4: ~~Flagler County shall participate in the Oversight Committee, as described in the *Interlocal Agreement for Public School Facility Planning*, in order to monitor the implementation of this Element.~~

Policy K.1.1.5: ~~Annually by February 1st, Flagler County shall provide a report on growth and development trends to the School District.~~

Policy K.1.1.6: ~~Annually, as necessary, Flagler County shall update the map series of this Element to include the locations of proposed schools and improvements listed in the Tentative District Educational Facilities Plan. In addition, the Future Land Use Element, including the Future Land Use Map, shall be updated, if necessary, to coordinate with the locations of proposed schools and improvements.~~

~~**Policy K.1.1.7:** Flagler County's financially feasible Capital Improvement Element includes, by reference, the Flagler County School District 2009-2010 Work Plan dated August 31, 2009, adopted by the Flagler County School Board on September 15, 2009.~~

~~**Policy K.1.1.8:** Flagler County shall follow the process outlined in the *Interlocal Agreement for Public School Facility Planning* to propose any changes to amend this Element.~~

~~**Objective K.1.2:** Flagler County shall involve the School District in the development review and approval process in order to better coordinate land use and development decisions with public school facilities.~~

~~**Policy K.1.2.1:** Flagler County shall include a non-voting representative appointed by the School District on the Local Planning Agency.~~

~~**Policy K.1.2.2:** Flagler County shall invite a School District representative to participate in any pre-application development conference that could affect public school facilities.~~

~~**Policy K.1.2.3:** For any Future Land Use Map amendment, development of regional impact development order, or rezoning that has the potential of affecting public school facilities, Flagler County shall consider School District comments and other issues related to public school facilities including, but not limited to, the following:~~

- ~~(1) available school capacity or planned improvements to increase school capacity;~~
- ~~(2) the provision of school sites and facilities within planned neighborhoods;~~
- ~~(3) compatibility of land uses adjacent to existing schools and school property;~~
- ~~(4) the co-location of parks, recreation and neighborhood facilities with school sites;~~
- ~~(5) the linkage of parks, recreation and neighborhood facilities with bikeways, trails, and sidewalks for safe access;~~
- ~~(6) traffic circulation plans, which serve schools and the surrounding neighborhood;~~
- ~~(7) the provision of off-site signalization, signage, access improvements, and sidewalks to serve schools;~~
- ~~(8) the inclusion of school bus turnarounds; and~~
- ~~(9) the use of schools as emergency shelters.~~

~~**Objective K.1.3:** Flagler County shall participate in School District public school facilities planning to ensure consistency with the County's Comprehensive Plan, including the availability of supporting infrastructure.~~

~~**Policy K.1.3.1:** Annually by September 21st, Flagler County shall review the Tentative District Educational Facilities Plan and financially feasible 5-Year School Board Work Program (including the Annual Capital Outlay FTE Forecast and local enrollment projections) and provide comments to the School District regarding consistency with Flagler County's Comprehensive Plan, including the availability of supporting infrastructure.~~

~~**Policy K.1.3.2:** Flagler County shall coordinate its plans for supporting infrastructure, such as water and sewer, roads, drainage, and sidewalks, with the School District's plans for existing and proposed public school facilities.~~

~~**Policy K.1.3.3:** Flagler County shall review potential school closures, significant renovations to existing schools, and new school site selections and provide comments to the School District regarding consistency with Flagler County's Comprehensive Plan including, but not limited to, the following:~~

- ~~(1) environmental suitability;~~
- ~~(2) transportation and pedestrian access;~~
- ~~(3) availability of supporting infrastructure and services;~~
- ~~(4) safety concerns; and~~
- ~~(5) land use compatibility.~~

~~**Policy K.1.3.4:** Within forty-five (45) days of receiving an educational facility site plan, Flagler County shall review the proposed educational facility site plan and provide comments to the School District regarding consistency with Flagler County's Comprehensive Plan and the Land Development Code and need for on-site and off-site improvements. Flagler County shall review educational facility site plans in accordance with Section 1013.33(13), *Florida Statutes*, and the provisions of Section 11(c) and (d) of the *Interlocal Agreement for Public School Facility Planning*.~~

~~**Policy K.1.3.5:** Upon correction of an educational facility site plan to meet Flagler County's comments as described in Policy K.1.3.4, Flagler County shall ensure approvals are expedited and render to the School District all permits, connections, and authorizations.~~

~~**Objective K.1.4:** Flagler County shall cooperate with the School District to ensure that public school facilities serve as places of education and emergency shelter, and as an essential cornerstone of neighborhoods and community; and that the operational capabilities of the School District and the County are harmonized and unified to the maximum extent practicable, so that public funds are conserved and duplicative efforts, projects, and programs are avoided.~~

~~**Policy K.1.4.1:** Flagler County shall cooperate with the School District to locate future public school facilities proximate to residential areas and to complement patterns of development so that future public school facilities serve as community focal points.~~

~~**Policy K.1.4.2:** Flagler County, in cooperation with the School District, shall pursue opportunities to co-locate and share use of the one another's facilities with public school facilities when preparing the annual update to the Capital Improvements Program.~~

~~**Policy K.1.4.3:** When the School District acquires property for a school site, the County shall consider acquiring abutting or proximate property for park purposes.~~

~~**Policy K.1.4.4:** Flagler County shall coordinate with the School District and local governments on emergency preparedness and response issues including, but not limited to, the use of public school facilities as emergency shelters.~~

~~**GOAL K.2:** Flagler County shall enforce adopted level of service standards through appropriate processes, by recognizing the School District's statutory and constitutional responsibility to provide a uniform efficient, safe, secure, and high quality system of free public schools, and Flagler County's authority for land use including the authority to approve or deny development orders that generate students and impact public school facilities.~~

~~**School Concurrency Sub-Element**~~

~~**Objective K.2.1:** Flagler County shall cooperate with the School District to ensure that constitutionally adequate public school facilities are available for the 5-year and long-term planning periods by adopting level of service (LOS) standards and coordinating with the School District to maintain those LOS standards.~~

~~**Policy K.2.1.1:** Flagler County shall cooperate with the School District, through annual coordination or permitting and expedited review, to ensure that eighty percent (80%) of the projected enrollment is in permanent facilities within the five (5) year planning period, and that construction of permanent facilities is planned to meet the adopted level of service (LOS) standards at the projected enrollment for school year 2013-2014 consistent with the Flagler County School District 2009-2010 Work Plan.~~

~~**Policy K.2.1.2:** Flagler County shall utilize the following level of service (LOS) standards to be reviewed and met annually through the five-year schedule of capital improvements update in coordination with the School District to implement School Concurrence:~~

- ~~(1) Elementary: one hundred percent (100%) of permanent Florida Inventory of School Houses (FISH) capacity with State Requirements for Educational Facilities (SREF) utilization factor;~~
- ~~(2) Middle: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor;~~
- ~~(3) K-8: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor;~~
- ~~(4) High: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor;~~
- ~~and~~
- ~~(5) Special Purpose: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor.~~

~~**Policy K.2.1.3:** Flagler County, in coordination with the School District, shall allow relocatables to be utilized to maintain the level of service (LOS) standards on a temporary basis when construction to increase capacity is planned and in process. The temporary capacity provided by relocatables shall not exceed twenty percent (20%) of the permanent FISH capacity and shall be used for a period not to exceed five (5) years. Relocatables may also be used to accommodate capacity utilized for any specific education/development programs as required by law and/or adopted by the School Board.~~

~~**Policy K.2.1.4:** Flagler County, in coordination with the School District, shall consider other capacity options, such as tiered level of service (LOS) standards to meet sudden growth spurts, double sessions, year-long school, dual enrollment and virtual school, if the LOS standards cannot be met with the funding available or cannot be amended to an agreeable standard.~~

~~**Objective K.2.2:** Flagler County shall implement School Concurrency in accordance with State law and the *Interlocal Agreement for Public School Facility Planning*.~~

~~**Policy K.2.2.1:** Flagler County shall coordinate with the School District to develop and modify School Concurrency Service Areas (CSA) in order to maximize available school capacity and make efficient use of new and existing public school facilities. The CSAs shall be developed and, when necessary, modified to minimize transportation costs, limit maximum student travel times, effect desegregation plans, achieve socio-economic, racial, and cultural diversity objectives, and recognize capacity commitments resulting from local governments' development approvals for the CSA and contiguous CSAs. In order to track growth and development logically, the CSAs should generally follow traffic analysis zones.~~

~~**Policy K.2.2.2:** Flagler County, in coordination with the School District, shall allow adjacent CSAs to be utilized to meet School Concurrency requirements in accordance with State law and the *Interlocal Agreement for Public School Facility Planning*.~~

~~**Policy K.2.2.3:** Flagler County, in coordination with the School District, shall not consider the Northwest CSA and West Flagler CSA adjacent, until a connecting transportation facility is constructed.~~

~~**Policy K.2.2.4:** Flagler County, in coordination with the School District, shall apply School Concurrency to residential uses that generate demands for public schools facilities, with the following exceptions:~~

- ~~(1) — in conformity with Chapter 177, *Florida Statutes*, any subdivision of land which subdivides a parcel of forty (40) acres or more into three (3) lots or less;~~
- ~~(2) — single family lots of record having received final plat approval prior to date of enactment of this element;~~
- ~~(3) — multi-family residential development having received final site plan approval prior to date of enactment of this element;~~
- ~~(4) — amendments to residential development approvals issued prior to date of enactment of this element, which do not increase the number of residential units or change the type of residential units proposed;~~
- ~~(5) — any age restricted community with no permanent residents under the age of eighteen (18) [Exemption of age restricted community will be subject to a restrictive covenant limiting the age of permanent residents to eighteen (18) years and older]; and~~
- ~~(6) — any residential development within a DRI development order adopted prior to July 1, 2005 or within a DRI application which was submitted prior to May 1, 2005.~~

~~**Policy K.2.2.5:** Flagler County will only grant development approval if adequate school capacity exists or will be under actual construction within three (3) years, as determined by the School District.~~

~~**Policy K.2.2.6:** Flagler County shall coordinate with the School District to ensure that School District policies to implement School Concurrency are in place and consistent with the *Administrative Procedures Act*.~~

~~**Policy K.2.2.7:** Flagler County shall exercise its land use regulatory powers in accordance with State law and rely upon the determinations and rules of the School District numbered and adopted in accordance with the *Administrative Procedures Act*.~~

~~**Policy K.2.2.8:** Flagler County shall coordinate with the School District on the collection, refund, or credit (towards school impacts fees) of School Concurrency Reservation Fees.~~

~~**Objective K.2.3:** Flagler County, in coordination with the School District, shall ensure that acceptable mitigation is obtained proportionate to the demand created for public educational facilities.~~

~~**Policy K.2.3.1:** Flagler County shall participate with the School District during mitigation negotiations with developers in order to establish an acceptable form of mitigation.~~

~~**Policy K.2.3.2:** Flagler County, in coordination with the School District, shall prefer the following forms of mitigation:~~

- ~~(1) — contribution of land;~~
- ~~(2) — the donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities to be created by the proposed development;~~
- ~~(3) — expansion of existing permanent school facilities subject to the expansion being less than or equal to the level of service set for a new school of the same category;~~
- ~~(4) — payment for construction and/or land acquisition; or~~
- ~~(5) — cost of financing.~~

~~Other potentially acceptable forms of mitigation may include:~~

- ~~(6) establishment of a charter school;~~
- ~~(7) creation of mitigation banking; or~~
- ~~(8) establishment of an educational benefit district.~~

~~**Policy K.2.3.3:** Flagler County, in coordination with the School District, shall ensure mitigation is proportionate to the demand for public school facilities created by the actual development, in accordance with Florida Statutes and as outlined in the *Interlocal Agreement for Public School Facility Planning*.~~

L. Property Rights Element

I. Introduction

The Property Rights Element is a required element. According to Florida Statutes, this Element should require that a local government respect judicially acknowledged and constitutionally protected private property rights. A local government may opt to adopt its own Property Rights Element or use the statement of rights as provided in Florida Statutes.

II. Goals, Objectives, and Policies

GOAL L.1: Flagler County shall consider and recognize the constitutionally protected private property rights of all property owners and consider such rights in local decision-making consistent with the intent of Florida Statutes, the State Comprehensive Plan and all other applicable statutory requirements.

Objective L.1.1: Flagler County shall recognize that each property owner has constitutionally protected private property rights, and shall consider these property rights in local decision-making by referring to a statement of rights identified in this Element.

Policy L.1.1.1: The following rights shall be considered in local decision-making:

- (1) The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- (2) The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- (3) The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- (4) The right of a property owner to dispose of his or her property through sale or gift.