

ORDINANCE NO. 2025-0XX
COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE THE UPDATED WATER FACILITIES SUPPLY WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER FACILITIES SUPPLY WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT; PROVIDING FOR ADOPTION OF AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT PROVIDING FOR UPDATED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities adopt comprehensive plans to regulate development and planning with regard to land within their corporate limits; and

WHEREAS, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, Subsection 163.3167(9), Florida Statutes, requires each local government to address in its Comprehensive Plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

WHEREAS, Subsection 163.3177(4)(a), Florida Statutes, requires the city to coordinate its local Comprehensive Plan with the Northeast Florida Regional Planning Council (NEFRPC) Regional Water Plan; and

WHEREAS, Subsection 163.3177(6)(c), Florida Statutes, requires local governments to prepare and adopt an updated Water Facilities Supply Plan and to amend their comprehensive plans within 18 months after the St. Johns River Management District approves the Northeast Florida Regional Planning Council (NEFRPC) Water Plan Update; and,

WHEREAS, the St. Johns River Water Management District approved the Northeast Florida Regional Water Supply Plan Update on December 12, 2023; and,

WHEREAS, the CITY OF FLAGLER BEACH, Florida, has carefully prepared amendments to its comprehensive plan pursuant to sub-section 163.3177(6)(c), Florida Statutes, in order to adopt amendments or revisions in conformance with the adopted Water Supply Facilities Work Plan; and

WHEREAS, the purpose of the Capital Improvements Element is to demonstrate the fiscal feasibility of the City's Comprehensive Plan accomplished by estimating costs of improvements, analysis of the City's fiscal capability to finance and construct improvements, and adoption of financial policies to guide funding.

WHEREAS, the goal for Capital Improvements is to provide the necessary capital facilities to meet current infrastructure deficiencies and to accommodate future growth concurrent with demonstrated infrastructure needs in a timely and fiscally sound manner.

WHEREAS, the Five-year Schedule of Capital Improvements is required for identification and to ensure that the goals, objectives and policies established in the Capital Improvements Element are met or exceeded and contain the project description, location, determination of consistency, and projected costs and revenue sources needed to construct the project.

WHEREAS, the CITY OF FLAGLER BEACH has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Land Planning Agency, Department of Economic Opportunity and after the proposed amendment of the plan was returned to the CITY OF FLAGLER BEACH, in accordance with Chapter 163.3184, Florida Statutes; and

WHEREAS, the City Commission desires to adopt the updated Work Plan along with amendments to the current comprehensive plan to guide and control the future development of Flagler Beach, and to preserve, promote and protect the public health, safety and welfare;

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

Section 1: The whereas clauses are hereby incorporated as true and correct findings of fact of the City COMMISSION.

Section 2: The CITY OF FLAGLER BEACH hereby adopts by reference, the

updated Water Facilities Supply Work Plan which is attached hereto and incorporated herein as Exhibit "A". The CITY OF FLAGLER BEACH's Comprehensive Plan is hereby amended by adopting water supply related amendments to its current Comprehensive Plan; which amendments are set forth in Exhibit "B" and made a part hereof. These amendments specifically amend by adding Objectives and Policies to its Public Facilities Element; and amend the Capital Improvement Element with an updated Five-year Capital Improvement Schedule.

Section 3: A copy of the Comprehensive Plan, as amended, shall be kept on file in the office of the City Clerk, CITY OF FLAGLER BEACH, Florida.

Section 4: The Planning and Zoning Department is hereby directed to transmit three copies of the amendments hereby adopted to the State Land Planning Agency, Department of Economic Opportunity; the NE Florida Regional Planning Council, and to any other unit of local government who has filed a written request for a copy, within 10 working days after adoption, in accordance with Section 163.3184(3)(b), Florida Statutes.

Section 5: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7: Effective Date. The effective date of this ordinance amending the City's Comprehensive Plan shall be 31 days after the State Land Planning Agency notifies the City that the plan amendment package is complete. No development orders dependent on this amendment may be issued or commence before the effective date of this ordinance. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless become effective by the City Commission's adoption of an ordinance affirming its effective status, a copy of which ordinance shall be sent to the State Land Planning Agency, Department of Economic Opportunity. If timely challenged, this amendment shall not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

APPROVED on first reading after due public notice and hearing the 8th of May 2025.

ADOPTED on second reading after due public notice and public hearing this 22nd day of May 2025.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

CITY CLERK

Patti King, Mayor

APPROVED AS TO FORM AND LEGALITY:

DREW SMITH, CITY ATTORNEY

EXHIBIT A

10-YEAR WATER SUPPLY FACILITIES WORK PLAN

Prepared by
City of Flagler Beach
and
Meade and Hunt

Adopted May XX, 2025
Ordinance 2025-XX