

**ORDINANCE 2024-18  
VERANDA BAY REZONING  
APPLICATION NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF  
FLAGLER BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING  
MAP DESIGNATION FOR APPROXIMATELY 899.09 ACRES OF  
CERTAIN REAL PROPERTY; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE  
DATE.**

**WHEREAS**, the City Commission of the City of Flagler Beach, as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes and the City of Flagler Beach Land Development Regulations, is authorized and empowered to consider applications relating to zoning; and

**WHEREAS**, the City of Flagler Beach is in receipt of a request to amend the official zoning map for the property described herein; and

**WHEREAS**, the above described property is presently zoned Planned Unit Development (Flagler County Designation), Reserved and Single Family Residential (City of Flagler Beach Designations) and the request is to have the property rezoned as Master Planned Development; and

**WHEREAS**, the request is in accord with the Future Land Use Map designation of the subject property, and is compliant with all applicable Objectives and Policies of the City of Flagler Beach Comprehensive Plan; and

**WHEREAS**, the Planning and Architectural Review Board (PARB) has recommended the City Commission change the Official Zoning Map to reflect a new designation for the subject property as Master Planned Development; and

**WHEREAS**, the City Commission has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Flagler Beach Comprehensive Plan;
2. The rezoning is compatible with the Land Development Regulations, and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;

3. The rezoning will result in a logical, timely and orderly development pattern;
4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AS FOLLOWS:**

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

**SECTION 2. OFFICIAL ZONING MAP AMENDED.** The approximately 899.09 acre subject area generally located along the east and west of John Anderson Highway, and directly south of State Road 100 as legally described in Exhibit “A” and depicted in Exhibit “B”, attached hereto, is hereby amended from the Flagler County designation of Planned Unit Development and City of Flagler Beach designations of Reserved and Single Family Residential to Master Planned Development (MPD).

**SECTION 3. CONFLICTS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4. INCORPORATION OF DEVELOPMENT AGREEMENT.** The Veranda Bay Amended and Restated Master Planned Development Agreement attached hereto as Exhibit “C” is incorporated into this Ordinance by reference as if fully set forth herein and development upon the property here rezoned shall be consistent with its terms.

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of the Ordinance.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon the effective date of Ordinance No. 2024-18, as adopted by the City Commission of the City of Flagler Beach, Florida. If Ordinance No. 2024-18 does not become effective, then this Ordinance shall become null and void.

**APPROVED** on First Reading the 12th day of September 2024.

**ADOPTED** on Second Reading after due public notice and public hearing this 24th day of October 2024.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA  
CITY COMMISSION

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
Patti King, Mayor

APPROVED AS TO FORM AND LEGALITY:

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DREW SMITH, CITY ATTORNEY

## **EXHIBIT “A”**

## **EXHIBIT “B”**