

**DRI NOPC AND AMENDMENT TO PUD DEVELOPMENT AGREEMENT FOR
PLANTATION BAY DRI
TECHNICAL STAFF REPORT**

Project Name

Plantation Bay Notice of Proposed Change (NOPC) and PUD

Owner

Prestwick at Plantation Bay, General Partnership, and WL Residential Land, LLC

Agent

Dick Smith

Existing Zoning & Land Use(s)

Zoning: PUD (Planned Unit Development) District

Land Use: Mixed Use: Low Intensity, Low/Medium Density (MUL)

Previous Public Hearings and Actions

August 6, 1985 – Board of County Commissioners conducted a public hearing at a special called meeting for initial consideration of the Plantation Bay Development of Regional Impact (DRI).

September 3, 1985 – Board of County Commissioners unanimously approved Resolution No. 85-14 (recorded at Official Records Book 262, Page 807, Public Records of Flagler County, Florida) establishing the Plantation Bay DRI and establishing a 20 year development schedule.

December 2, 1985 – Board of County Commissioners unanimously approves a minor amendment correcting a Scrivener's error through approval of Resolution No. 85-24 (recorded at Official Records Book 268, Page 746, Public Records of Flagler County, Florida).

April 6, 1998 – Board of County Commissioners unanimously approves the first amendment to the DRI through approval of Resolution No. 98-31 (Agenda Item #27; recorded at Official Records Book 615, Page 1737, Public Records of Flagler County, Florida).

September 2, 2003 – Board of County Commissioners (Agenda Item #38) deemed Plantation Bay to be vested from the application of Land Development Code Section 6.02.00, the County's wetland protection regulations.

July 13, 2004 – Planning Board recommended approval (5-1) of the second amendment to the Plantation Bay DRI (Agenda Item #8), subject to seven conditions:

1. Section 4.1 of Attachment A and Section 25 of Attachment C specify 24,289 ADT based on actual traffic counts using professionally accepted methodology.
2. Deletion of Section 10A of Attachment C for the purpose of requiring compliance with the 25 foot upland buffer requirement of the D.O.

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3. Section 6.7 of Attachment A continues to require improvements to the box culvert under Old Dixie Highway if required by the County Engineer. [This condition is subject to further review by the County's Development Engineer].
4. Density calculation for each residential parcel and use of 15% variation is expressed as set forth in Section VI of the Staff Report.
5. The 2-story height commitment not be contraindicated by Section 13.4c.
6. The existing Phase III contribution for solid waste disposal as found in Section 14 of Attachment A continue in force and effect.
7. That parcel abutting the east r/w line of U.S. 1 and being north of Eagle Rock Ranch include the proposed lake excavation indicated on the SJRWMD permit application.

Six of the seven conditions are ultimately incorporated into the draft Resolution forwarded to the Board of County Commissioners, with the condition amending Map H-1 indicating a 5.89 acre water body not completed prior to the Board of County Commissioners meeting. Staff's recommendation to the Board of County Commissioners was forwarded as approval of Resolution as drafted by staff and inclusion of the 5.89 acre lake on Map H-1.

August 16, 2004 – Board of County Commissioners initially reviews the second amendment to the DRI (Agenda Item #29); this public hearing is continued to time and date certain on September 20, 2004.

September 20, 2004 – Board of County Commissioners unanimously approves the second amendment to the DRI through approval of Resolution No. 2004-125 (Agenda Item #27; recorded at Official Records Book 1145, Page 1928, Public Records of Flagler County, Florida), setting the expiration and buildout date for the DRI as September 2, 2010 (Section 3 of the Resolution).

February 19, 2007 – Board of County Commissioners unanimously approved (Agenda Item #7) a time extension for the completion of Bay Drive and its connection to U.S. Highway 1 for Plantation Bay Westlake Units 5, 6, 7, 8, and 9 from September 1, 2007 to September 1, 2009, subject to no production home Certificates of Occupancy (except model homes) to be issued within Plantation Bay Westlake Section 5, 6, 7, 8, and 9 prior to either completion of the roadway connection to U.S. Highway 1 or completion of the temporary stabilized secondary means of egress to Old Dixie Highway.

November 19, 2007 – Board of County Commissioners unanimously approved (Agenda Item #14) Ordinance No. 2007-16 (recorded at Official Records Book 1640, Page 1591, Public Records of Flagler County, Florida) adopting supplemental development standards for Plantation Bay Westlake Units 5, 6, 7, 8, and 9.

May 5, 2008 – Board of County Commissioners unanimously approved (Agenda Item #15) a one year time extension for the completion of Bay Drive from September 1, 2009 to September 1, 2011, including or upon completion of 150 Certificates of Occupancy, whichever occurred earlier, for Units 5 through 9A.

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September 21, 2009 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for a two year time extension pursuant to 2009’s Senate Bill 360 (specifically Section 14(3) of Chapter 2009-96, Laws of Florida), extending the deadline date for construction of Bay Drive extension to U.S. Highway 1 from September 1, 2011 to September 1, 2013.

October 10, 2011 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for a two year time extension pursuant to 2011’s House Bill 7207 (specifically Section 73(1) of Chapter 2011-139, Laws of Florida), extending the deadline date for construction of Bay Drive extension to U.S. Highway 1 from September 1, 2013 to September 1, 2015.

October 10, 2011 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for a time extension pursuant to 2011’s House Bill 7207 (specifically Section 54 of Chapter 2011-139, Laws of Florida), extending the expiration and buildout date for the Plantation Bay Development of Regional Impact from September 2, 2013 to September 2, 2017. Through the County’s response to PlanMor’s request, the County acknowledged the previous extension of the DRI for three years from September 2, 2010 to September 2, 2013 through Section 6 of Chapter 2007-204, Laws of Florida.

January 30, 2012 -- PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for a ten month plus 24 day time extension pursuant to Section 252.363, Florida Statutes, through Executive Orders 11-128, 11-172, and 11-202, for the 2011 wildfire season, extending the deadline date for construction of Bay Drive extension to U.S. Highway 1 from September 1, 2015 to July 25, 2016.

January 30, 2012 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for a ten month plus 24 day time extension pursuant to Section 252.363, Florida Statutes, through Executive Orders 11-128, 11-172, and 11-202, for the 2011 wildfire season, extending the expiration and buildout date for the Plantation Bay Development of Regional Impact from September 2, 2017 to July 26, 2018.

November 12, 2012 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for a sixteen month time extension pursuant to Section 252.363, Florida Statutes, through Executive Order 12-140 for Tropical Storm Debby and Executive Order 12-199 for Tropical Storm Isaac, extending the deadline date for construction of Bay Drive extension to U.S. Highway 1 from July 25, 2016 to November 25, 2017 (six months plus sixty days tolled for each separate duration of each executive order).

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November 12, 2012 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for sixteen month time extension pursuant to Section 252.363, Florida Statutes, through Executive Order 12-140 for Tropical Storm Debby and Executive Order 12-199 for Tropical Storm Isaac, extending the expiration and buildout date for the Plantation Bay Development of Regional Impact from July 26, 2018 to November 26, 2019 (six months plus sixty days tolled for each separate duration of each executive order).

June 6, 2016 – Board of County Commissioners unanimously approved (Agenda Item #27) Ordinance No. 2016-06 (recorded at Official Records Book 2141, Page 283, Public Records of Flagler County, Florida) amending and restating in its entirety the supplemental development standards for Plantation Bay Westlake Units 5, 6, 7, 8, and 9.

August 15, 2016 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for six month plus sixty day time extension pursuant to Section 252.363(1)(a) and (b), Florida Statutes, through Executive Order 16-136 for Tropical Storm Colin, extending the deadline date for construction of Bay Drive extension to U.S. Highway 1 from November 25, 2017 to July 24, 2018.

August 15, 2016 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for six month plus sixty day time extension pursuant to Section 252.363(1)(a) and (b), Florida Statutes, through Executive Order 16-136 for Tropical Storm Colin, extending the expiration and buildout date for the Plantation Bay Development of Regional Impact from November 26, 2019 to July 25, 2020.

May 24, 2017 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for an 18 month plus 360 day time extension pursuant to Section 252.363(1)(a) and (b), Florida Statutes, through Executive Orders 16-205 for Tropical Depression #9 (later strengthening to Tropical Storm Hermine), 16-230 (and extensions) for Hurricane Matthew, and 17-120 for the Statewide Drought Conditions/Wildfires, extending the deadline date for construction of Bay Drive extension to U.S. Highway 1 from July 24, 2018 to January 21, 2021.

May 24, 2017 – PlanMor, Inc., as General Partner for Intervest at Plantation Bay, filed notification with the County of its eligibility for an 18 month plus 360 day time extension pursuant to Section 252.363(1)(a) and (b), Florida Statutes, through Executive Orders 16-205 for Tropical Depression #9 (later strengthening to Tropical Storm Hermine), 16-230 (and extensions) for Hurricane Matthew, and 17-120 for the Statewide Drought Conditions/Wildfires, extending the expiration and buildout date for the Plantation Bay Development of Regional Impact from July 25, 2020 to January 23, 2023.

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March 5, 2018 – Board of County Commissioners unanimously approves the third amendment to the DRI through approval of Resolution No. 2018-23 (Agenda Item #9B; recorded at Official Records Book 2267, Page 926, Public Records of Flagler County, Florida), setting the expiration and buildout date for the DRI as January 22, 2028 (Sections 2.A.5 and 2.E of the Resolution).

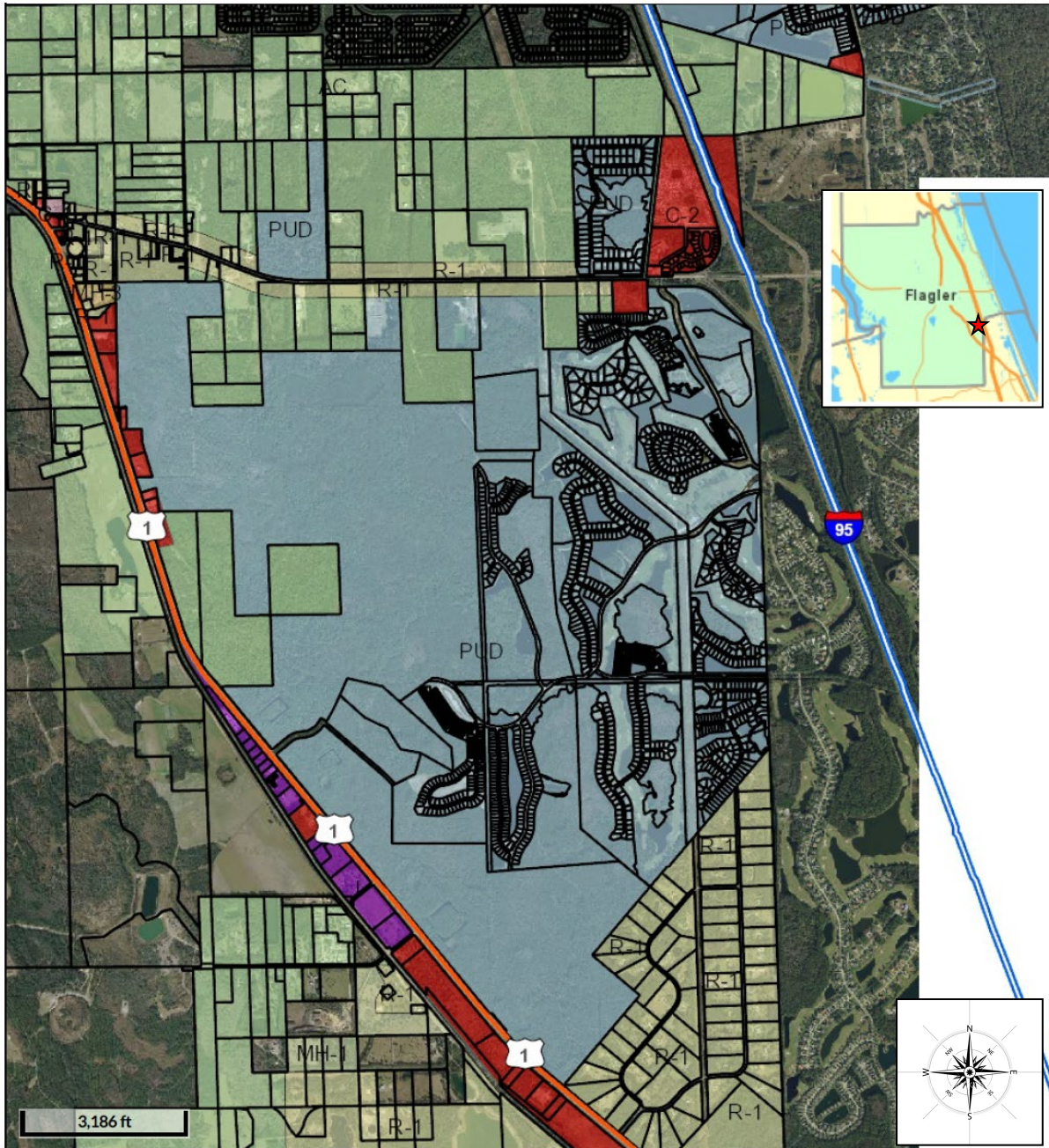
February 6, 2023 – Board of County Commissioners unanimously approves the fourth amendment to the DRI through approval of Resolution No. 2023-10 (Agenda Item #9A), adding the 40 acre Cook Parcel to the DRI.

Florida Statutes, Comprehensive Plan, and Land Development Code Compliance

Chapter 380.06, Florida Statutes, includes statewide Development of Regional Impact requirements. Changes to DRI development orders are somewhat routine local government actions but vary in their impact. The general method of amending a D.O. is to adopt a Resolution amending only certain sections which must then be read in pari materia with previous Resolutions. In this case, the draft Resolution (submitted with the application) before the Board is a document that consolidates existing and proposed language in a combined clean (no redline) format, and will serve as the document describing the rights and obligations of the Plantation Bay DRI/PUD.

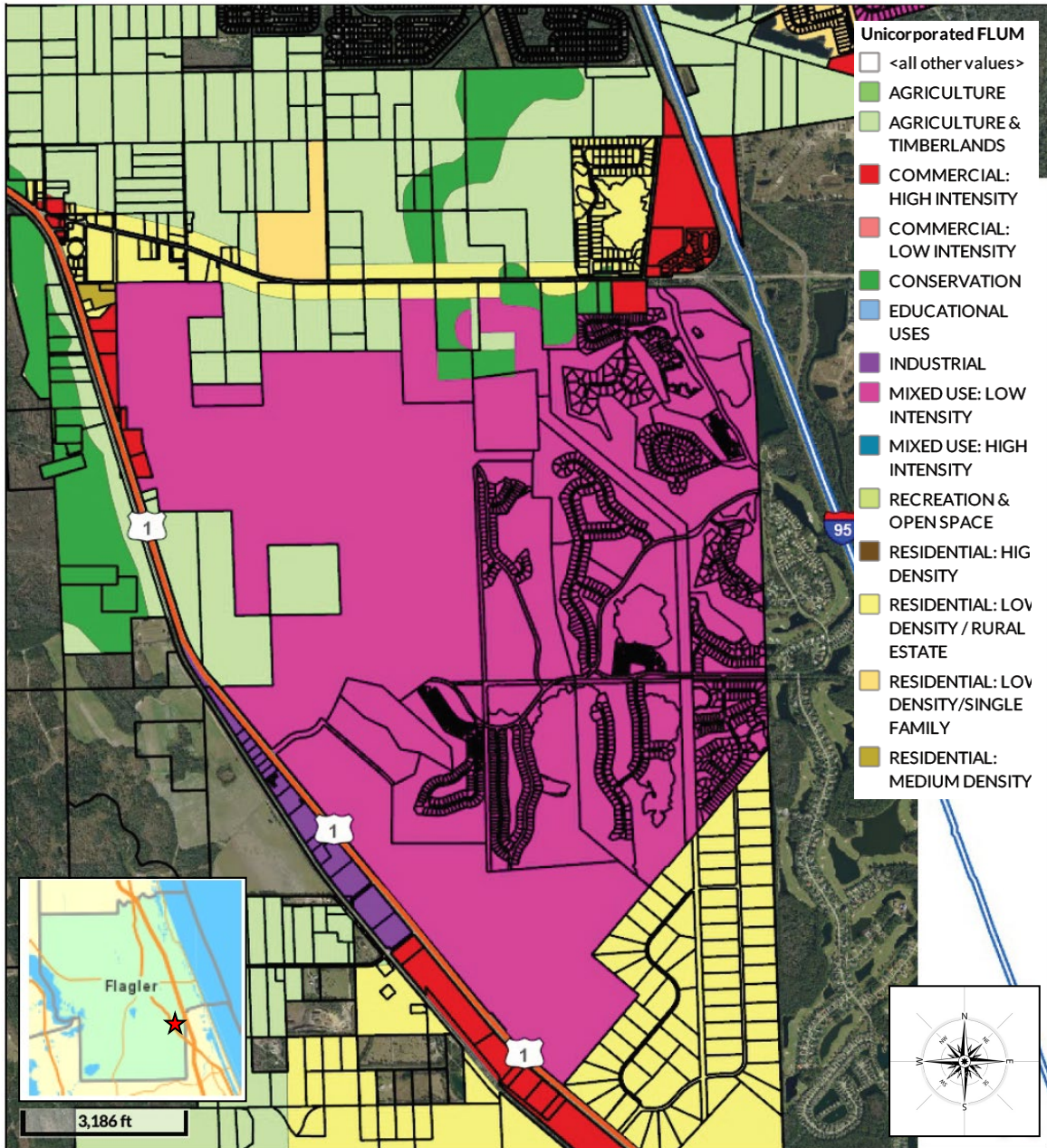
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Official Zoning Map



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Future Land Use Map



RESOLUTION 2025-___

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY CONSTITUTING THE FIFTH AMENDMENT TO THE PLANTATION BAY DEVELOPMENT OF REGIONAL IMPACT (DRI); AMENDING AND RESTATING FLAGLER COUNTY RESOLUTION NOS. 85-14, 98-31, 2004-125, 2018-23, AND 2023-10; APPROVING A NOTICE OF PROPOSED CHANGE FOR THE PLANTATION BAY DRI AND FINDING THAT SUCH CHANGE DOES NOT REQUIRE FURTHER REVIEW PURSUANT TO SECTION 380.06, F.S.; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING AND RESTATING THE PLANTATION BAY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 3, 1985, the Board of County Commissioners of Flagler County (the “Board”) passed and adopted the Plantation Bay Development of Regional Impact (“DRI”) Development Order (“D.O.”) and Planned Unit Development (“PUD”) zoning pursuant to Resolution No. 85-14; and

WHEREAS, on April 6, 1998, the Board passed and adopted Resolution No. 98-31 constituting the first amendment to the D.O.; and

WHEREAS, on September 20, 2004, the Board passed and adopted Resolution No. 2004-125 constituting the second amendment to the D.O.; and

WHEREAS, on March 5, 2018, the Board passed and adopted Resolution No. 2018-23 constituting the third amendment to the D.O.; and

WHEREAS, on February 6, 2023, the Board passed and adopted Resolution No. 2023-10 constituting the fourth amendment to the D.O.; and

WHEREAS, the Plantation Bay DRI, as amended, is a planned community located on approximately 2,614 acres in unincorporated area of Flagler County and 1,099 acres in unincorporated Volusia County, presently providing for a maximum of 5,000 residential units and related commercial, institutional, recreational and other uses; and

WHEREAS, the owners of the undeveloped land within the Plantation Bay DRI, Prestwick at Plantation Bay, General Partnership, and WL Residential Land, LLC, have submitted a Notice of Proposed Change (“NOPC”), requesting certain amendments to the DRI Development Order; and

WHEREAS, on October 20, 2025, the Board of County Commissioners held a public hearing at which all parties were afforded the opportunity to present

evidence and testimony on all issues, submit rebuttal evidence, and any member of the general public requesting to do so was given an opportunity to present written or oral communication consistent with adopted rules of procedure; and

WHEREAS, written and published legal notice of said hearing was provided in accordance with Chapters 125 and 380, Florida Statutes, and the Flagler County Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA THAT:

Section 1. FINDINGS

- A. The above-listed preamble is incorporated herein as Findings of Fact and Conclusions of Law.
- B. The Notice of Proposed Change filed by Prestwick at Plantation Bay, General Partnership and WL Residential Land, LLC (hereafter collectively referred to as “Developer”) dated July 18, 2025 does not include substantial changes in the conditions underlying the approval of the development order pursuant to Sec. 380.06, Florida Statutes, and does not require further Development of Regional Impact (DRI) review.
- C. This Resolution, like Resolutions No. 85-14, 98-31, 2004-125, and 2023-10, also provides for and amends the Plantation Bay Planned Unit Development to the extent provided herein.

Section 2. FIFTH AMENDMENT TO DEVELOPMENT ORDER

- A. This amendment shall constitute the Fifth Amendment to the Plantation Bay Development of Regional Impact (DRI) Development Order (D.O.). This amendment was promulgated following the Developer’s request for a Notice of Proposed Change (NOPC) seeking to:
 - 1. extend the DRI buildout date to January 22, 2048;
 - 2. adopt an updated Map H-1 dated March 10, 2025; and
 - 3. vest the Plantation Bay DRI and its Development Order to the tree protection and landscape requirements as stated in the Flagler County Land Development Code prior to its update through the adoption of Ordinance No. 2024-06.
- B. This amendment is presented as an amendment and restatement in its entirety of the Plantation Bay Development of Regional Impact Development Order. This amendment shall take precedence and control over prior amendments.
- C. In addition to the foregoing, the Board further specifically finds that:

1. When developed in accordance with the conditions imposed by this Development Order, the Plantation Bay DRI:
 - a. will not have a significant negative impact on the environment and natural resources of the region;
 - b. will have a favorable economic impact on the economy of the region by providing new employment and business for the residents of the region;
 - c. will efficiently use water, sewer, solid waste disposal, public school facilities, and other necessary public facilities;
 - d. will efficiently use public transportation facilities;
 - e. will favorably affect the ability of people to find adequate housing reasonably accessible to their places of employment; and
 - f. will not create an unreasonable additional demand for, or additional use of, energy.

D. Conclusions of law sections 1 through 17 of Resolution 85-14 are amended and restated as follows. In addition to the preceding, the Board of County Commissioners provides the following specific conclusions of law:

1. The proceedings herein have been conducted in compliance with the provisions of Chapter 380, Florida Statutes; and all conditions precedent to the granting of development approval required by Chapter 380, Florida Statutes, have occurred.
2. The proposed Plantation Bay DRI is not located in an area of critical state concern designated pursuant to the provisions of Section 380.05, Florida Statutes.
3. The proposed development does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.
4. The proposed Plantation Bay DRI, subject to the conditions imposed by this Development Order, is consistent with the Flagler County Comprehensive Plan, subdivision regulations, and other local land development regulations.
5. The proposed development is in all material aspects consistent with the report and recommendations of the East Central Florida Regional Planning Council and Northeast Florida Regional Council submitted pursuant to Section 380.06(10), Florida Statutes, except as subsequently modified and reviewed by the East Central Florida Regional Planning Council and Northeast Florida Regional Council.
6. The ADA and the NOPC for the Plantation Bay DRI is hereby approved, subject to the general and special conditions of development contained in Attachment "A" which is made a part hereof by reference. It shall be generally constructed in accordance with the Conceptual Master Plan (Map "H-1") which is Attachment "B" and which is made a part hereof by reference. The proposed development is specifically subject to the conditions based on the Recommendations of the Regional Planning

Councils, as set forth in Attachment "C" to Resolution No. 85-14 which is made a part hereof by reference.

7. This resolution constitutes the Development Order pursuant to Section 380.06, Florida Statutes, for the Plantation Bay DRI. The ADA and supplemental information filed by the Developer are incorporated herein by reference and the proposed development shall be carried out substantially in conformance with the ADA, except to the extent that the ADA as revised is inconsistent with the other terms and conditions of this Development Order. The ADA is amended by any inconsistent terms of this resolution and the attachments incorporated by reference.
8. The Planning Director is designated as the local official responsible for receiving and monitoring the annual reports and for assuring compliance by the Developer with this Development Order. The procedures for review of Planned Unit Developments under Article III of the Flagler County Land Development Code and incorporated by reference in Section 13 of Attachment "A" to this Development Order shall be followed to facilitate such compliance monitoring by the Planning Director.
9. This Development Order shall take effect upon adoption and shall remain in effect until the buildout date. The effectiveness of this Development Order may be extended by the Board upon a showing by the Applicant of excusable delay and a showing that the completed portions of the development substantially comply with the conditions of this Development Order. The period of effectiveness of this Development Order shall be tolled during any period of time during which there is any building permit moratorium affecting the property within the Plantation Bay DRI boundary imposed by Flagler County or other governmental agency having authority to do so.
10. Unless otherwise specifically provided in Attachment "A", any changes proposed by the Applicant to the ADA, as amended herein, shall not require further review – except for review and approval by the Board of County Commissioners – pursuant to Section 380.06, Florida Statutes.
11. Pursuant to the approved Development Order, the Applicant shall provide a biennial report relating to its activities to the Planning Director, the East Central Florida Regional Planning Council, the Northeast Florida Regional Council, FloridaCommerce, the Florida Department of Environmental Protection, and the St. Johns River Water Management District on February 28 of every other year during the remaining term of this Development Order, commencing on February 28, 2018. During the years in which no biennial report is due, the Developer shall submit to Flagler County and Volusia County a report detailing development rights allocated to grantees, development rights converted, and building permits issued in the prior year. In the event that building permits are issued for more than 500 dwelling units within a non-reporting year, a full report shall be due. The biennial report shall contain the following information:

- a. Total amount of square footage of buildings by land use type constructed during the preceding 24 months and estimated for the ensuing two 12 month periods.
- b. Total amount of square footage of buildings by land use type approved in construction contracts during the preceding 24 months and estimated for the ensuing two 12 month periods.
- c. Summary of Applicant's public facility improvements completed within the project boundaries during the preceding 24 months and estimated for the ensuing two 12 month periods.
- d. Total number of school children from Plantation Bay enrolled in Flagler County schools, by grade, based on School Board records.
- e. The energy conservation measures, as stated in the energy-related conditions to the Development Order, which have been implemented during the preceding 24 months.
- f. Traffic reports shall be submitted to the Florida Department of Transportation (FDOT) district office in DeLand as well as to Flagler County and Volusia County and the East Central Florida Regional Planning Council and the Northeast Florida Regional Council. The first traffic report shall be due two years after the commencement of the development and shall be provided annually for 20 years or until project buildout, whichever is later, unless otherwise specified by the Regional Planning Councils. The timing of recommended traffic improvements will be based on the information contained in the monitoring reports. The following information shall be included:
 1. A description of current development by land use type, location, number of housing units, and commercial square footage, along with the proposed construction schedule for the ensuing 24 month period and appropriate maps.
 2. Traffic counts, turning movements and levels of service, actual for the past two 12 month periods and projected for the ensuing two 12 month periods, for:
 - U.S. Highway 1 between Old Dixie Highway South to I-95
 - All Plantation Bay internal road system intersections with external public roadways
 - Intersection of Old Dixie Highway with I-95

A map displaying the above information shall be provided. Actual traffic counts shall be used where possible. If actual FDOT counts are not available for a particular road segment, the Applicant shall retain, at its expense, an FDOT-approved traffic engineering firm to collect the necessary counts based on FDOT standards.

3. A discussion of actual and projected traffic volume in terms of the percentage relationship of Plantation Bay traffic, non-project traffic

using public roads and intersections of the internal road system with external public roads. The methodology used to project future traffic and to determine traffic percentages shall be described.

4. A description of new and/or improved roadways, traffic control devices or other transportation facility improvements to be constructed or provided by the applicant or governmental entity to adequately accommodate the total existing and anticipated traffic demands.
 5. A schedule for implementing the traffic improvements described in (4) above.
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- g. Measures taken to safeguard the Gopher Tortoise including relocation sites.
 - h. A copy of any notice of the adoption of a Development Order or the subsequent notification of an adopted Development Order that was recorded by the Applicant pursuant to Section 380.06(4)(c), Florida Statutes, and Paragraph 16 herein.
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12. Definitions contained in Chapter 380, Florida Statutes, shall control in the construction of this Development Order. The two owners of the undeveloped land within the Plantation Bay DRI are referred to collectively as the "Applicant" throughout this Development Order.
 13. The obligations of this development Order shall run with the land. Prestwick at Plantation Bay, a Florida general partnership, and WL Residential Land, LLC, a Florida Limited Liability Company, by Hosseini Ventures, LLLP, A Florida Limited Liability Limited Partnership, it's sole member, by West Duval Investments, Inc., a Florida Corporation, it's General Partner, as their interests may appear, are the present owners of the property which is the subject of this Development Order. Each of these entities is bound by the terms of this development Order so long as it owns such property. This Development Order shall be binding upon and inure to the benefit of the Applicant and its assignees or successors in interest. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Development Order.

If the County is a party in any judicial or administrative proceeding to enforce this Development Order, the Applicant or its successors shall pay the County, if the County prevails, its reasonable attorney fees and costs of such action. Nothing contained herein shall preclude the Applicant from receiving its or the County's attorneys' fees and costs from other parties when authorized by law or contract. Dedications of public lands shall be made as specified in this Development Order.

14. In the event that any portion or section of this Development Order is determined to be invalid by a court of competent jurisdiction, the remaining portions or sections of this Development Order shall remain in full force and effect.
15. Venue: Judicial proceedings regarding this Development Order shall be filed only in the Circuit Court of the Seventh Judicial Circuit of Florida.
16. Notice of the adoption of this resolution and a certified copy of this resolution shall be recorded by the Applicant in accordance with Section 380.06(4)(c), Florida Statutes.
17. The Growth Management Department shall transmit a certified copy of this Development Order by electronic mail to FloridaCommerce, the East Central Florida Regional Planning Council, the Northeast Florida Regional Council, and the Applicant.

E. Notwithstanding the phasing commitments made in the original December, 1984 Application for Development Approval and its related documents, development of the following allowed development rights within the Plantation Bay Development of Regional Impact may occur at any time and in the locations shown and intensities allowed under Map "H-1" within the Plantation Bay DRI:

<i>Use</i>	<i>Development Rights</i>
Residential	5,000 d.u.
Commercial	90,000 s.f.
Golf	45 holes

All development rights that remained unused at the termination of previous project phases shall carry forward until project buildout. All references to phasing Maps "H-2", "H-3", and "H-4" in the Application for Development Approval are hereby deleted. Buildout of the Plantation Bay DRI shall be completed on or prior to January 22, 2048.

F. The Developer has indicated it has formed the Tomoka Community Development District (CDD) within the Plantation Bay DRI pursuant to Chapter 190, Florida Statutes. The boundaries of the Tomoka CDD are shown in Attachment "E" attached hereto and made a part hereof. The County expressly approves and consents to the construction or funding by the CDD of all such projects as authorized under Chapter 190, Florida Statutes. The County further approves of the CDD funding the realignment, reconstruction and expansion of an existing section of Bay Drive within the Plantation Bay DRI as a public project in the best interests of the residents and landowners within the DRI. If the Developer is required by the Development Order as a condition of the Development Order to provide, pay for, or otherwise cause to be provided, infrastructure, projects, systems or facilities, then the CDD independently may satisfy such obligations. To the extent that any such obligation under this Development Order is met or performed by the CDD, then such condition shall be deemed satisfied and the Developer shall no longer be subject to such

obligation. No property shall be assessed outside of the CDD for any project implemented pursuant to this paragraph. No revenues generated within the CDD shall be spent outside of the CDD other than for the direct benefit of the CDD.

- G. Conditions of Flagler County Resolution No. 98-31, relating to construction of a spine road connecting to U.S. Highway 1, have been satisfied.
- H. Attachment "A" to Resolution No. 85-14 is amended and restated as Attachment "A" attached hereto.
- I. Attachment "B" to Resolution No. 85-14 is amended and restated as Attachment "B" attached hereto.
- J. Attachment "C" to Resolution No. 85-14 is amended and restated as Attachment "C" attached hereto.
- K. Attachment "D", a revised Table 32-F and Revised Table 12B-2 setting forth allowed uses, is attached hereto and made a part hereof.
- L. Attachment "E", a map of the Tomoka CDD boundaries, as previously attached to Resolution No. 2004-125, is attached hereto.
- M. Attachment "F", consent and joinder signature pages for Prestwick at Plantation Bay, General Partnership, and WL Residential Land, LLC, are attached hereto and made a part hereof.
- N. The Flagler County Board of County Commissioners has determined that the Plantation Bay DRI is vested for purposes of the Flagler County wetland protection regulations pursuant to a vesting determination approved by the Board at a public hearing on September 2, 2003.
- O. The Board of County Commissioners has reviewed the proposed changes to the Plantation Bay DRI Development Order and has determined that such changes do not constitute substantial changes in the conditions underlying the approval of the development order pursuant to Section 380.06, Florida Statutes.
- P. This Resolution amends and restates the previously approved Plantation Bay DRI Development Order and supersedes any conflicting provisions of the ADA and any amendments, supplements, or interpretations thereof previously issued by or on behalf of Flagler County.

Section 3. TRANSMITTAL

Within ten (10) days of the date of adoption of this Resolution, Flagler County will send certified copies of this Resolution and all related exhibits by certified mail, return receipt requested, to:

FLORIDACOMMERCE
BUREAU OF COMPREHENSIVE PLANNING
Caldwell Building
107 East Madison Street – MSC 160
Tallahassee, Florida 32399-4120

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
455 N. Garland Ave.
Orlando, FL 32801

NORTHEAST FLORIDA REGIONAL COUNCIL
100 Festival Park Ave.
Jacksonville, Florida 32202

Section 4. RECORDATION

This Resolution shall be recorded pursuant to Sec. 380.06(4)(c), Florida Statutes, in the Public Records of Flagler County, Florida.

Section 5. EFFECTIVE DATE

This Resolution shall become effective upon adoption.

SIGNATURE PAGE TO FOLLOW

ADOPTED THIS 20TH DAY OF OCTOBER, 2025.

**FLAGLER COUNTY BOARD OF
COUNTY COMMISSIONERS**

ATTEST:

Tom Bexley, Clerk of the Circuit
Court and Comptroller

Andrew S. Dance, Chair

APPROVED AS TO FORM:

Michael Rodriguez, County Attorney

NOTICE OF PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT

PLANTATION BAY

Submitted by:
PRESTWICK AT PLANTATION BAY, GENERAL PARTNERSHIP
AND WL RESIDENTIAL LAND, LLC

July 18, 2025

1. **THE PROPERTY:**
Plantation Bay Development of Regional Impact

2. **APPLICANTS:**

WL Residential Land, LLC, a Florida Limited Liability Company
By: Hosseini Ventures, LLLP, A Florida Limited Liability Limited
Partnership, it's sole Member
By: West Duval Investments, Inc., a Florida Corporation, it's General Partner
Niloufar Hosseini Lupoli, Vice President
2379 Beville Rd.
Daytona Beach, FL 32119
(386) 788-0820
e-mail: dsmith@icihomes.com

and

Prestwick at Plantation Bay, General Partnership
Niloufar Hosseini Lupoli, Vice President of
MHK of Volusia County, Inc., its Managing Partner
2379 Beville Rd.
Daytona Beach, FL 32119
(386) 788-0820
e-mail: dsmith@icihomes.com

3. **AUTHORIZED AGENT:**

James A. Stowers, Esquire
ICI Homes
2379 Beville Rd.
Daytona Beach, FL 32119
(386) 756-8676
e-mail: jstowers@icihomes.com

4. **LOCATION:**

Flagler and Volusia Counties, Sections 2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 16, 21, 22, and
23, Township 13 South, Range 31 East

5. PROPOSED CHANGES:

(A) INTRODUCTION - HISTORY

This Application for Notice of Proposed Change ("NOPC Application") to the Plantation Bay Development of Regional Impact ("DRI") is submitted on behalf of the owners of the undeveloped land within the DRI, more particularly described below. Plantation Bay was originally approved in 1985 and is located in the southeast quadrant of Flagler County and the northeast quadrant of Volusia County. (A location map is attached as **Exhibit 1.**) The original 1985 Development Orders called for the construction of 6,000 residential units on 3,211 acres.

The **1st NOPC** was approved via Resolution No. 98-31 on April 6th, 1998.

The **2nd NOPC** was approved via Resolution No. 2004-125 on September 20th, 2004.

The **3rd NOPC** was approved via Resolution No. 2018-23 on March 6th, 2018.

The **4th NOPC** was approved via Resolution No. 2023-10 on February 6, 2023.

(B). THE APPLICATION

This NOPC Application includes the following requests:

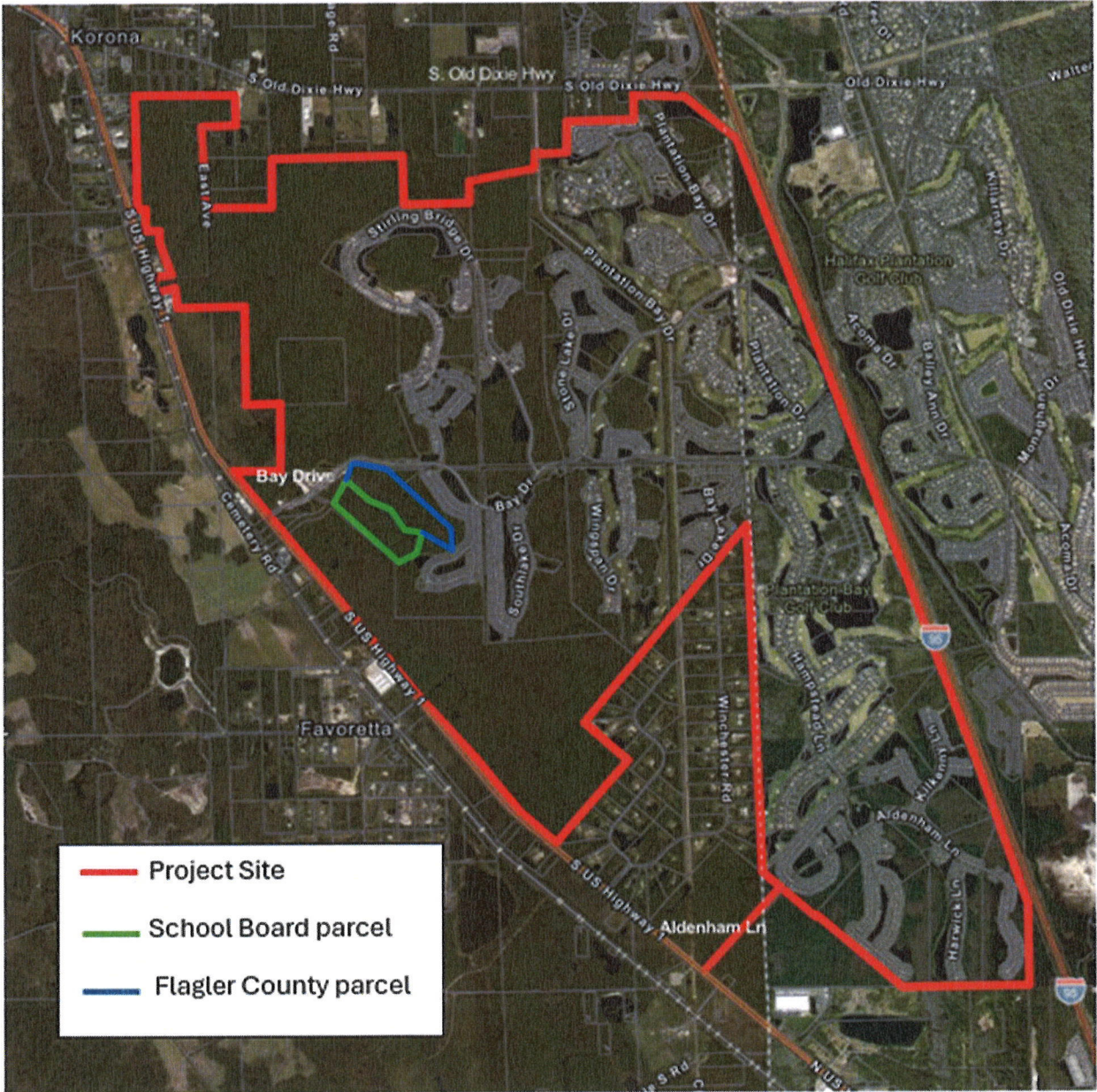
1. The buildout date for Flagler County is requested to be extended to January 22, 2048.
2. Acceptance of the update of Map H-1, dated March 10th, 2025, attached as Exhibit 2.
3. Confirmation the established tree protection and landscape requirements of the Plantation Bay DRI and PUD shall continue until final buildout, Flagler County Tree Ordinance 2.06.09 "Tree and Vegetation removal; tree protection" shall not apply.

Exhibit List

- Exhibit 1 LOCATION MAP
- Exhibit 2 PROPOSED REVISED MAP H-1, MASTER DEVELOPMENT PLAN
- Exhibit 3 AUTHORIZATION LETTER
- Exhibit 4 CONSENT AND JOINDER LETTERS

Exhibit 1

LOCATION MAP



PLANTATION BAY

Exhibit 2

PROPOSED REVISED MAP H-1, MASTER DEVELOPMENT PLAN

MAP H 1
MASTER
DEVELOPMENT PLAN

PLANTATION BAY
REVISED
MARCH 10, 2025

LEGEND:

- Plantation Bay Property Line
- - - Flagler/Yolusia County Line
- - - Florida Power & Light Electrical Easement
- ▨ Single Family Residential (1-4du/ac)
- ▨ Low Density Residential (4-6du/ac)
- ▨ Medium Density Residential (6-8du/ac)
- ▨ Commercial
- ▨ Golf Course / Recreation
- ▨ Water
- ▨ Environmentally Significant Area
- ▨ Open Space
- C Clubs (Golf, Tennis)
- PS Public Safety (Police, Fire)
- DOT Land Taken by FDOT for I 95 Widening
- ⊙ Collector Road Access Point
- ⊙ Collector Road
- ⋯ Subdivision Street



Exhibit 3

AUTHORIZATION LETTER

July 18, 2025

TO WHOM IT MAY CONCERN:

The undersigned, Niloufar Hosseini Lupoli, as Vice President of West Duval Investments, Inc., a Florida Corporation, General Partner of Hosseini Ventures, LLLP, a Florida Limited Liability Limited Partnership, the sole Member of WL Residential Land, LLC, a Florida Limited Liability Company (The "Owner"), hereby appoints James A Stowers, Esq. and Richard D Smith, ICI Homes, to act on behalf of the Owner as its Agent to submit such applications, papers, documents, requests and other matters necessary to modify the zoning affecting the property described on Exhibit A attached (the "Property") and to act on it's behalf in amending the Plantation Bay Development of Regional Impact affecting the Property.

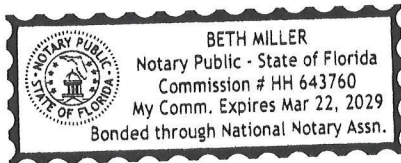
WL Residential Land, LLC, a Florida Limited Liability Company By: Hosseini Ventures, LLLP, A Florida Limited Liability Limited Partnership, it's sole Member
By: West Duval Investments, Inc., a Florida Corporation, it's General Partner

By: 
Niloufar Hosseini Lupoli, Vice President

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 21ST day of July, 2025, by Niloufar Hosseini Lupoli.





Print Name: _____
Notary Public
State of Florida at large
Commission#: _____
My Commission Expires: _____
Personally Known
Or
Produced ID _____
Type of Identification Produced:

Exhibit 4

CONSENT AND JOINDER LETTERS

July 18, 2025

TO WHOM IT MAY CONCERN:

Plantation Bay Country Club, LLC is a landowner within the Plantation Bay Development of Regional Impact (DRI). Plantation Bay Country Club, LLC joins in the application for Notice of Proposed Change (NOPC) filed by Prestwick at Plantation Bay Partnership and WL Residential Land, LLC, and consents to all of the changes to the Plantation Bay DRI requested in the NOPC

Sincerely,

PLANTATION BAY COUNTRY CLUB, LLC,
A Florida Limited Liability Company

By: PRESTWICK MANAGEMENT, LLC,
A Florida Limited Liability Company, It's
Manager

By: PRESTWICK AT PLANTATION BAY
A Florida General Partnership, the
Managing Member of Prestwick Management, LLC

By: MHK. OF VOLUSIA COUNTY, INC.
A Florida Limited Corporation and Managing
Partner of Prestwick at Plantation Bay

By: 
Niloufar Hosseini Lupoli, Vice President


July 18, 2025

TO WHOM IT MAY CONCERN:

TOMOKA COMMUNITY DEVELOPMENT DISTRICT is a landowner within the Plantation Bay Development of Regional Impact (DRI). TOMOKA COMMUNITY DEVELOPMENT DISTRICT joins in the application for Notice of Proposed Change (NOPC) filed by Prestwick at Plantation Bay Partnership and WL Residential Land, LLC, and consents to all of the changes to the Plantation Bay DRI requested in the NOPC

Sincerely,

TOMOKA COMMUNITY DEVELOPMENT
DISTRICT

By:  Kelly White
Kelly White
Chairperson, Board of Supervisors

THIS DOCUMENT PREPARED
BY AND RETURN TO:

J. Andrew Hagan, Esquire
2379 Beville Road
Daytona Beach, Florida 32119

NOTE TO RECORDING OFFICER: THE DEED EVIDENCES A CONVEYANCE OF UNENCUMBERED REAL PROPERTY, WITHOUT MONETARY CONSIDERATION, FROM GRANTOR TO A LIMITED LIABILITY COMPANY IN WHICH GRANTOR IS THE SOLE MEMBER, PURSUANT TO THE FLORIDA SUPREME COURT DECISION OF CRESCENT MIAMI CENTER, LLC V. FLORIDA DEPT. OF REVENUE, 903 SO. 2D 913 (FLA 2005), THIS CONVEYANCE IS NOT SUBJECT TO DOCUMENTARY STAMP TAXES PURSUANT TO CHAPTER 201, FLOIRDA STATUES.

SPECIAL WARRANTY DEED

THIS INDENTURE, is made effective June 25, 2009, by and between INTERVEST AT PLANTATION BAY, a Florida general partnership (the "Grantor"), whose mailing address is 2379 Beville Road, Daytona Beach, Florida 32119 and WL RESIDENTIAL LAND, LLC, a Florida limited liability company (the "Grantee"), whose mailing address is 2379 Beville Road, Daytona Beach, Florida 32119.

WITNESSETH THAT:

GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns, forever, the real property located in Flagler County, Florida, more particularly described on **Exhibit "A"** attached hereto and made a part hereof (the "Property"), together with all tenements, hereditaments, and appurtenances thereto belonging or in anyway appertaining to the Property.

SUBJECT, HOWEVER, to all covenants, restrictions, easements, liens and other matters of record and ad valorem taxes accruing after December 31, 2008;

AND Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all parties, claiming by, through or under Grantor but against none other.

EXHIBIT A
 ("Property")

A PORTION OF SECTIONS 3, 4, 5, 8, 9, 10, 15, 16, 21, AND 22, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA AND A PORTION OF BUNNELL DEVELOPMENT COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 1 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE PROCEEDING N01°46'36"W ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 986.85 FEET; THENCE DEPARTING SAID WESTERLY LINE OF SECTION 3, N89°27'53"E, 150.00 FEET THENCE N01°46'33"W, 1287.05 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD DIXIE HIGHWAY, A 66 FOOT WIDE RIGHT-OF-WAY; THENCE N89°28'05"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1181.54 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN S01°48'15"E ALONG THE EAST LINE OF LOT 4, BLOCK C, SECTION 3, OF SAID BUNNELL DEVELOPMENT COMPANY SUBDIVISION, 1287.00 FEET; THENCE N89°28'22"E, 110.00 FEET TO A POINT ON THE EASTERLY LINE OF THE 236 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN O.R. BOOK 11, PAGE 493 AND O.R. BOOK 34, PAGE 124 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE S01°48'15"E, ALONG THE EASTERLY LINE OF SAID FLORIDA POWER AND LIGHT EASEMENT, 876.42 FEET TO THE NORTH LINE OF PLANTATION BAY SECTION 2A-F, UNIT 1, AS RECORDED IN MAP BOOK 34, PAGES 1 THROUGH 4, SAID PUBLIC RECORDS; THENCE ALONG THE BOUNDARY OF SAID PLANTATION BAY SECTION 2A-F, UNIT 1 THE FOLLOWING 4 COURSES: S88°11'45"W, 236.00 FEET; THENCE S01°48'15"E, 1,022.65 FEET; THENCE S89°20'38"W, 98.17 FEET; THENCE S07°22'24"W, 202.62 FEET; THENCE DEPART SAID BOUNDARY N90°00'00"W, 997.48 FEET; THENCE S45°22'10"W, 162.00 FEET; THENCE S00°00'00"E, 36.40 FEET; THENCE S04°40'29"E, 315.19 FEET; THENCE S02°03'21"E, 685.84 FEET; THENCE S02°18'01"E, 1,284.75 FEET; THENCE S02°58'39"E, 417.93 FEET; THENCE S01°14'51"E, 214.10 FEET; THENCE S03°46'59"E, 210.98 FEET; THENCE S01°33'29"E, 456.77 FEET; THENCE S02°45'47"E, 416.79 FEET TO THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 5, AS RECORDED IN MAP BOOK 37, PAGES 1 THROUGH 3, SAID PUBLIC RECORDS; THENCE S86°03'25"W, 127.67 FEET; THENCE S89°23'04"W, 504.63 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTH, HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 28°53'07" AND A CHORD BEARING OF N76°08'46"W; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, 317.61 FEET; THENCE S89°24'40"W, 18.74 FEET; THENCE S54°08'48"W, 766.62 FEET; THENCE S48°23'22"E, 1,313.11 FEET; THENCE S04°17'50"E, 450.94 FEET; THENCE N60°56'09"W, 704.81 FEET; THENCE S15°25'46"W, 406.25 FEET; THENCE S63°16'56"W, 473.64 FEET; THENCE S00°17'02"W, 1,093.51 FEET; THENCE N89°54'39"E, 1,783.75 FEET TO THE EAST BOUNDARY OF SAID PLANTATION BAY SECTION 2A-F, UNIT 5; THENCE ALONG THE BOUNDARY OF SAID PLANTATION BAY SECTION 2A-F, UNIT 5 S01°18'01"E, 535.26 FEET; THENCE CONTINUE ALONG SAID BOUNDARY N85°15'31"E, 2,488.07 FEET TO THE BOUNDARY OF PLANTATION BAY SECTION 2A-F, UNIT 4, AS RECORDED IN MAP BOOK 35, PAGES 5 THROUGH 9, SAID PUBLIC RECORDS; THENCE ALONG THE BOUNDARY OF SAID PLANTATION BAY SECTION 2A-F, UNIT 4 S49°42'09"E, 744.99 FEET TO THE BOUNDARY OF EAGLE ROCK RANCH SUBDIVISION, AS RECORDED IN PLAT BOOK 26, PAGES 51 THROUGH 52, SAID PUBLIC RECORDS; THENCE ALONG THE BOUNDARY OF SAID EAGLE ROCK RANCH SUBDIVISION S40°11'55"W, 1,694.25 FEET; THENCE CONTINUE ALONG THE BOUNDARY OF SAID EAGLE ROCK RANCH SUBDIVISION S49°47'54"E, 1171.20 FEET; THENCE CONTINUE ALONG SAID BOUNDARY S40°14'04"W, 2222.60 FEET TO A POINT ON THE EASTERLY LINE OF U.S. HIGHWAY 1, A 160 FOOT WIDE RIGHT-OF-WAY; THENCE DEPARTING SAID NORTHERLY LINE OF EAGLE ROCK RANCH SUBDIVISION, PROCEED NORTHERLY ALONG SAID U.S. HIGHWAY 1 RIGHT-OF-WAY N49°47'21"W, 637.20 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5819.59 FEET AND A CENTRAL ANGLE OF 08°42'33"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 854.17 FEET; THENCE N48°55'11"E, 35.00 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5584.59 FEET, A CENTRAL ANGLE OF 01°40'40" AND A CHORD BEARING OF N40°14'28"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 163.53 FEET; THENCE N39°24'09"W, 276.47 FEET; THENCE S50°35'51"W, 35.00 FEET; THENCE N39°24'09"W, 7995.87 FEET TO A POINT ON THE NORTH LINE OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE DEPARTING SAID U.S. HIGHWAY 1 RIGHT-OF-WAY, PROCEED, N89°11'58"E, ALONG THE NORTH LINE OF SAID SECTION 16, 999.49 FEET; THENCE DEPARTING SAID NORTH LINE OF SECTION 16, N02°00'32"W ALONG THE EAST LINE OF LOT 9, BLOCK C, SECTION 9, SAID BUNNELL DEVELOPMENT COMPANY SUBDIVISION, 1320.83 FEET; THENCE N89°12'05"E ALONG THE NORTH LINE OF LOTS 10 AND 12, BLOCK C, SAID SECTION 9, A DISTANCE OF 1325.60 FEET; THENCE N02°04'45"W ALONG THE WEST LINE OF LOTS 5 AND 6, BLOCK D, SAID SECTION 9, A DISTANCE OF 1320.83 FEET; THENCE S89°12'11"W ALONG THE SOUTH LINE OF LOTS 10 AND 11, BLOCK B, SAID SECTION 9, A DISTANCE OF 1323.99 FEET; THENCE S02°00'32.5"E ALONG THE EAST LINE OF LOT 4, BLOCK C, SAID SECTION 9, A DISTANCE OF 1320.83 FEET; THENCE S89°12'05"W ALONG THE SOUTH LINE OF LOT 4, BLOCK C, SAID SECTION 9, A DISTANCE OF 662.80 FEET; THENCE N01°58'26"W ALONG THE WEST LINE OF LOT 4, BLOCK C AND LOT 9, BLOCK D, SAID SECTION 9, A DISTANCE OF 1981.25 FEET; THENCE S89°12'14"W ALONG THE SOUTH LINE OF LOT 7, BLOCK B, SAID SECTION 9 AND THE SOUTH LINE OF LOT 12, BLOCK A, SAID SECTION 8 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 1396.16 FEET; THENCE N07°21'09.5"W, 442.07 FEET; THENCE S72°34'37"W, 267.61 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 1; THENCE N17°23'09"W ALONG SAID RIGHT OF WAY LINE, 311.39 FEET; THENCE DEPART SAID RIGHT OF WAY LINE N89°14'31"E ALONG THE NORTHERLY LINE OF LOT 12, BLOCK A, SAID SECTION 8, AND THE WESTERLY EXTENSION THEREOF, 310.90 FEET; THENCE N17°18'16"W, 690.36 FEET; THENCE N01°07'55"W, 235.10 FEET; THENCE S89°19'05"W, 280.00 FEET; THENCE N01°07'55"W, 425.00 FEET TO THE NORTH LINE OF SAID SECTION 8; THENCE S89°19'05"W ALONG SAID NORTH LINE, 152.45 FEET; THENCE N01°02'20"W ALONG THE WEST LINE OF LOTS 3 AND 10, BLOCK D, SAID SECTION 5, A DISTANCE OF 2338.83 FEET; THENCE N89°18'57"E ALONG THE NORTH LINE OF LOTS 2 AND 3, BLOCK D, SAID SECTION 5, A DISTANCE OF 1328.19 FEET; THENCE N89°33'19"E ALONG THE NORTH LINE OF LOT 5, BLOCK C, SAID SECTION 4, A DISTANCE OF 668.21 FEET; THENCE S02°54'51"E ALONG THE EAST LINE OF LOT 5, BLOCK C, SAID SECTION 4, A DISTANCE OF 660.00 FEET; THENCE S89°33'49"W ALONG THE SOUTH LINE OF LOT 5, BLOCK C, SAID SECTION 4, A DISTANCE OF 666.05 FEET; THENCE S03°06'06"E ALONG THE EAST LINE OF

LOTS 1, 11 AND 12, BLOCK D, SAID SECTION 5, BEING THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 1680.93 FEET TO THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 31 EAST; THENCE N89°09'34"E ALONG THE NORTH LINE LOTS 4 AND 5, BLOCK B, SAID SECTION 9, BEING THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1320.73 FEET; THENCE DEPARTING SAID NORTHERLY LINE OF SAID SECTION 9, N02°43'34"W ALONG THE WEST LINE OF LOT 10, BLOCK C, SAID SECTION 4, A DISTANCE OF 1011.14 FEET; THENCE N89°33'56"E ALONG THE NORTH LINE OF LOTS 10 AND 12, BLOCK C AND LOTS 7 AND 9, BLOCK D, SAID SECTION 4, A DISTANCE OF 2657.49 FEET; THENCE S02°04'00"E ALONG THE EAST LINE OF LOT 9, BLOCK D, SAID SECTION 4, A DISTANCE OF 994.19 FEET; THENCE N89°15'13"E ALONG THE NORTH LINE OF LOTS 2 AND 3, BLOCK A, SAID SECTION 9, BEING THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1324.71 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE PLANTATION BAY SCHOOL SITE RECORDED IN PLAT BOOK 29, PAGE 49 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA AND EXCEPTING THE FOLLOWING PARK SITE:

A PORTION OF SECTIONS 9 AND 16 TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, COMMENCING AS A POINT OF REFERENCE BEING THE NORTHEAST CORNER OF SAID SECTION 16, RUN S89°11'58"W ALONG THE NORTH LINE OF SAID SECTION 16, A DISTANCE OF 4981.16 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, A 160 FOOT WIDE RIGHT-OF-WAY; THENCE S39°24'09"E, ALONG SAID RIGHT-OF-WAY, 1525.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN EASTERLY ALONG THE ARC OF SAID CURVE, 39.27 FEET; THENCE N50°35'51"E, 353.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.24 FEET AND A CENTRAL ANGLE OF 37°57'36" AND A CHORD BEARING OF N69°34'39"E; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE, 281.73 FEET TO THE POINT OF REVERSE CURVE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 390.67 FEET AND A CENTRAL ANGLE OF 54°14'32" AND A CHORD BEARING OF N61°26'12"E; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE, 369.85 FEET TO THE POINT OF COMPOUND CURVE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2818.85 FEET AND A CENTRAL ANGLE OF 02°04'29" AND A CHORD BEARING OF N33°16'41"E; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE, 102.08 FEET; THENCE S59°28'19"E, 120.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2938.85 FEET AND A CENTRAL ANGLE OF 08°19'23"; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, 426.91 FEET; THENCE N23°50'51"E, 125.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N23°50'51"E, 350.00 FEET; THENCE S76°52'06"E, 679.42 FEET; THENCE S48°20'31"E, 1737.34 FEET; THENCE S04°12'29"E, 450.94 FEET; THENCE N60°12'29"W, 698.75 FEET; THENCE N79°12'29"W, 393.78 FEET; THENCE N31°58'16"W, 463.90 FEET; THENCE N64°20'47"W, 474.24 FEET; THENCE N48°09'28"W, 628.10 FEET TO THE POINT OF BEGINNING.

AND FURTHER EXCEPTING THE FOLLOWING PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 277, PAGE 854:

A PORTION OF SECTION 3 AND 10, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF SAID SECTION 3, RUN N01°46'36"W ALONG THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 451.12 FEET; THENCE DEPARTING SAID LINE, RUN N82°12'14"E A DISTANCE OF 1212.70 FEET TO THE WEST LINE OF A FLORIDA POWER & LIGHT COMPANY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 34, PAGE 124, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE S01°48'15"E ALONG SAID WEST LINE A DISTANCE OF 601.89 FEET TO THE NORTH LINE OF SAID SECTION 10; THENCE CONTINUE S01°48'15"E ALONG SAID WEST LINE AND THE SOUTHERLY PROJECTION THEREOF A DISTANCE OF 919.99 FEET; THENCE S89°20'38"W A DISTANCE OF 1201.23 FEET TO THE WEST LINE OF SAID SECTION 10; THENCE N02°08'04"W ALONG SAID WEST LINE A DISTANCE OF 920.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 1175.95 ACRES, MORE OR LESS.

Serial Number
25-00360F

Observer

You. Your Neighbors. Your Neighborhood.
PalmCoastObserver.com

Palm Coast Observer
Published Weekly
Palm Coast, Flagler County, Florida

COUNTY OF FLAGLER

STATE OF FLORIDA

Before the undersigned authority personally appeared Nancy Kay Raymond who on oath says that he/she is Publisher's Representative of the Palm Coast Observer a weekly newspaper published at Palm Coast, Flagler County, Florida; that the attached copy of advertisement,

being a Public Announcement

in the matter of Notice of Proposed Change to DRI

in the Court, was published in said newspaper by print in the

issues of 9/25/2025

Affiant further says that the Palm Coast Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

Nancy Kay Raymond
Nancy Kay Raymond

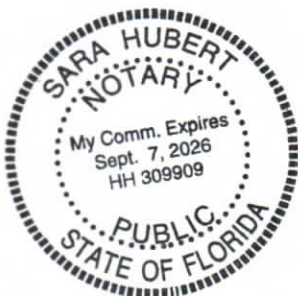
Sworn to and subscribed, and personally appeared by physical presence before me,

25th day of September, 2025 A.D.

by Nancy Kay Raymond who is personally known to me.

Sara Hubert

Notary Public, State of Florida
(SEAL)



NOTICE OF PROPOSED CHANGE TO A PREVIOUSLY APPROVED DRI - PLANTATION BAY DRI

The Flagler County Board of County Commissioners proposes to adopt the Notice of Proposed Change (N.O.P.C.) to the Plantation Bay Development of Regional Impact (DRI) Development Order. The proposed change seeks to:

1. Extend the DRI buildout date to January 22, 2048.
2. Adopt an updated Map H-1 dated March 10, 2025.
3. Vest the Plantation Bay DRI and its Development Order to the tree protection and landscape requirements as stated in the Flagler County Land Development Code prior to its update through the adoption of Ordinance No. 2024-06.

The Plantation Bay DRI is located in the southeast quadrant of Flagler County and the northeast quadrant of Volusia County.

The Flagler County Board of County Commissioners will hold a Public Hearing for determination of substantial deviation and/or final approval on Monday, October 20, 2025 beginning at 5:30 p.m. or as soon thereafter as possible. The Public Hearing will be held in the Board Chambers, Flagler County Government Services Building, 1769 E. Moody Boulevard, Building 2, Bunnell, Florida 32110. Copies of the Notice of Proposed Change, its supporting data and analysis, staff reports and other pertinent information are available for review at:

Flagler County Planning and Zoning Department
Flagler County Government Services Building
1769 E. Moody Boulevard, Building 2
Bunnell, Florida 32110
Telephone: 386-313-4009

All interested persons are urged to attend the public hearing. Anyone wishing to express their opinion may attend, telephone 386-313-4009 or write to: Flagler County Planning Department, 1769 E. Moody Blvd, Building 2, Bunnell, FL 32110 or email to planningdept@flaglercounty.gov. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Planning and Zoning Department at 386-313-4009 at least 48 hours prior to the meeting.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF COUNTY COMMISSIONERS WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING, A RECORD OF THE PROCEEDINGS MAY BE NEEDED AND, FOR SUCH PURPOSES, THE PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH APPEAL IS TO BE BASED.

Sep. 25 25-00360F