



Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 380.0937(3), F.S.

LAW IMPLEMENTED: 380.0937, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 19, 2022, 1:30 p.m. EDT

PLACE: Marjory Stoneman Douglas Building, Room 137A, 3900 Commonwealth Blvd., Tallahassee, Florida 32399. The public may attend this hearing, if requested, in person or via webinar. Information on how to attend the hearing via webinar will be available on the Department's website prior to the hearing date, at: <https://floridadep.gov/rcp/resilient-florida-program/content/resilient-florida-program-rulemaking>. Due to technical limitations, virtual participation is limited to 500 participants.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephanie Link, Environmental Manager, Resilient Florida Program, (850) 245-2096, [Stephanie.Link@FloridaDEP.gov](mailto:Stephanie.Link@FloridaDEP.gov), Department of Environmental Protection, 3900 Commonwealth Blvd., MS #230, Tallahassee, Florida 32399. Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact Stacie Taylor at 850-245-2118 or [LEP@FloridaDEP.gov](mailto:LEP@FloridaDEP.gov) at least ten (10) days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stephanie Link, Environmental Manager, Resilient Florida Program, (850)245-2096, [Stephanie.Link@FloridaDEP.gov](mailto:Stephanie.Link@FloridaDEP.gov), Department of Environmental Protection, 3900 Commonwealth Blvd., MS #230, Tallahassee, Florida 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

**62S-7.010 Definitions.**

(1) "Area at risk due to sea level rise" is as defined in Section 380.0937(1)(a), F.S. "Coastal building zone" means

(a) The land area from the seasonal high water line landward to a line 1,500 feet landward from the coastal

construction control line as established pursuant to Section 161.053, F.S., and, for those coastal areas fronting on the Gulf of Mexico, Atlantic Ocean, Florida Bay, or Straits of Florida and not included under Section 161.053, F.S., the land area seaward of the most landward velocity zone (V zone) line as established by the Federal Emergency Management Agency (FEMA) and shown on flood insurance rate maps;

(b) On coastal barrier islands, it shall be the land area from the seasonal high water line to a line 5,000 feet landward from the coastal construction control line established pursuant to Section 161.053, F.S. or the entire island, whichever is less; and

(c) All land area in the Florida Keys located within Monroe County shall be included in the coastal building zone.

(2) "Department" means the Department of Environmental Protection.

(3)(2) "Expected life" means the time when an element is supposed to function within its specified parameters; in other words, the life expectancy of the potentially at-risk structure or infrastructure structure or project.

(4)(3) "Flood depth" is the water level measured in feet above the ground at the project location.

(4) "Horizontal construction" means new construction of surface parking lots, highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction.

(5) "New coastal structure" means a major or nonhabitable major structure for which construction has not yet commenced beginning July 1, 2022 (one year after effective date of this rule). Projects that are rehabilitation or maintenance of existing structures, including related minor improvements shall not be considered new.

(a) "Major Structures" are defined in Section 161.54(6)(a), F.S.

(b) "Nonhabitable Major Structures" are defined in Section 161.54(6)(c), F.S.

(5) "Inundation" is defined as the complete submergence of the ground, a structure, or infrastructure, to water.

(6) "Level of service" means an indicator of the extent or degree of service provided by, or proposed to be provided by, a potentially at-risk structure or infrastructure based on and related to the operational characteristics of the asset such as the functional capacity per unit of demand.

(7) "Potentially at-risk structure or infrastructure" is as defined in Section 380.0937(1)(c), F.S.

(8) "Public entity" is as defined in Section 380.0937(1)(d), F.S.

(9) "Significant flood damage" is as defined in Section 380.0937(1)(e), F.S. For potentially at-risk structures or

infrastructure for which replacement cost is not an appropriate metric, this term includes:

(a) Damage that affects functionality of the potentially at-risk structure or infrastructure due to a flood event or successive flooding events resulting in perpetual inundation occurring over a two-month period. For the purposes of determining an estimated probability of significant flood damage, this means inundation of two feet above the lowest point of a perpendicular transect of the potentially at-risk structure or infrastructure; or

(b) Damage that causes a reduction in the level of service below the minimum level of service identified in a local government’s concurrency standards required by Section 163.3180(1), F.S.

(10) “SLIP study” is as defined in Section 380.0937(1)(f), F.S.

(11) “State-financed constructor” is as defined in Section 380.0937(1)(g), F.S.

(12)(6) “Vertical construction” means the new construction of any building, structure or other improvement that is predominantly vertical, including, without limitation, a building, structure or improvement for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, and any improvement appurtenant thereto.

PROPOSED EFFECTIVE DATE: July 1, 2024  
*Rulemaking Authority 380.0937(6) 161.551(6) FS. Law Implemented 380.0937, 161.3180(1) 161.551 FS. History– New 7-1-21, Amended \_\_\_\_\_.*

**62S-7.011 Requirements of The State-Financed Constructor.**

(1) ~~Beginning July 1, 2022 (one year after effective date of this rule) A~~ state-financed constructor, as defined in Section 161.551, F.S., must conduct a SLIP study that meets the standards and criteria in Rule 62S-7.012, F.A.C., prior to construction of a potentially at-risk structure or infrastructure new coastal structure. A state-financed constructor may comply with this requirement by using the Department’s web-based tool, which was designed to meet the criteria in Rule 62S-7.012, F.A.C., for performing and submitting a SLIP study or conduct and submit a SLIP study by their own method that otherwise meets the standards and criteria established in Rule 62S-7.012, F.A.C.

(2) The state-financed constructor may not commence construction of a potentially at-risk structure or infrastructure new coastal structure until a SLIP study meeting the criteria in Rule 62S-7.012, F.A.C., has been submitted to the Department and has received notification from the Department via the web-based tool or email that the SLIP study has been published on the Department’s website for 30 days. The ~~D~~epartment encourages submission of the SLIP study during planning and design phases of the project.

(3) All SLIP studies will be maintained on the Department’s website for a minimum of 10 years.

PROPOSED EFFECTIVE DATE: July 1, 2024  
*Rulemaking Authority 380.0937(6) 161.551(6) FS. Law Implemented 380.0937 161.551 FS. History– New 7-1-21, Amended \_\_\_\_\_.*

**62S-7.012 SLIP Study Standards.**

A SLIP study required under Section 380.0937 161.551, F.S., shall meet the following standards and criteria, and the Department’s web-based tool has been designed to meet these standards and criteria:

(1) Show the amount of sea level rise expected over 50 years or the expected life of the potentially at-risk structure or infrastructure structure, whichever is less. When there are multiple project features that function as one combined project, as contemplated by Section 380.0937(3) 161.551(3), F.S., one SLIP study may be submitted, but the expected life shall be that of the highest Risk Category for all project features contemplated. The amount of sea level rise expected must be calculated using the following criteria:

(a) The sea level rise scenarios used for analysis must, at a minimum, include the highest of the sea level rise projections required by Section 380.093(3)(d)3.b., F.S. NOAA Intermediate High sea level rise scenario from the National Oceanic and Atmospheric Administration (NOAA) report, “2017 NOAA Technical Report National Ocean Service Center for Operational Oceanographic Products and Services (NOS CO OPS) 083, Global and Regional Sea Level Rise Scenarios for the United States,” hereby incorporated by reference http://www.flrules.org/Gateway/reference.asp?No=Ref 13153. Copies of these documents may be obtained by writing to the National Oceanic and Atmospheric Administration, National Ocean Service, Center for Operational Oceanographic Products and Services, Silver Spring, Maryland 20910.

(b) The local sea level rise at the project’s location must be interpolated (using the project’s distance away from the gauges as the independent variable) between the two closest coastal tide gauges that do not have data warnings associated with them with NOAA sea level rise projections listed below.

1. 8670870 Fort Pulaski, Georgia GA
2. 8720030 Fernandina Beach, Florida
3. 8720218 Mayport, Florida
4. 8721604 Trident Pier, Florida
5. 8722670 Lake Worth Pier, Florida
- ~~6.~~ 8723214 Virginia Key, Florida
- ~~7.~~ 8723970 Vaca Key, Florida
- ~~8.~~ 8724580 Key West, Florida
- ~~9.~~ 8725110 Naples, Florida
- ~~10.~~ 8725520 Fort Myers, Florida
- ~~11.~~ 8726384 Port Manatee, Florida

12. 8726674 East Bay, Florida  
 13. ~~10.~~ 8726520 St. Petersburg, Florida  
 14. ~~11.~~ 8726724 Clearwater Beach, Florida  
 15. ~~12.~~ 8727520 Cedar Key, Florida  
 16. ~~13.~~ 8728690 Apalachicola, Florida  
 17. ~~14.~~ 8729108 Panama City, Florida  
 18. 8729210 Panama City Beach, Florida  
 19. ~~15.~~ 8729840 Pensacola, Florida  
 20. ~~16.~~ 8735180 Dauphin Island, ~~Alabama~~ AL

(c) Flood depth must be calculated in North American Vertical Datum of 1988 (NAVD88) over the entirety of the project location out 50 years or the potentially at-risk structure or infrastructure's structure's expected life, whichever is less, for the highest of the sea level rise projections required by Section 380.093(3)(d)3.b., F.S. NOAA Intermediate high sea level rise scenario, at a minimum.

(d) The contribution of land subsidence to relative local sea level rise must be included. The land subsidence contribution is calculated by NOAA for each local tide gauge and is included in each of the NOAA sea level projections. This data (labeled VLM for Vertical Land Movement) is presented in the U.S. Army Corps of Engineers (USACE) sea level change calculator (Version 2022.72 2019.21) found at [https://cwbi-app.sec.usace.army.mil/rccslc/slcc\\_calc.html](https://cwbi-app.sec.usace.army.mil/rccslc/slcc_calc.html), hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16441> <http://www.flrules.org/Gateway/reference.asp?No=Ref-13154>.

(2) Show the estimated probability amount of significant flood damage flooding, inundation, and wave action damage risk expected over 50 years or the expected life of the potentially at-risk structure or infrastructure structure, whichever is less. Use the following metrics to calculate the amount of flooding and wave damage for use in determining the probability of significant flood damage The amount of flooding and wave damage expected must be calculated using the following criteria:

(a) FEMA storm surge water surface elevation for the 1% annual chance (100 year) flood event must be approximated in NAVD88 for the entire project location. Location-specific water surface elevations can be found within the SLIP tool or at the FEMA Flood Map Service Center <https://msc.fema.gov/portal/home>, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13156>. Copies of these documents may be obtained by writing to the Office of Resilience and Coastal Protection, Mail Station 235, Department of Environmental Protection, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000.

(b) The FEMA 1% annual chance water surface elevation must be added to the highest of the sea level rise projections

required by Section 380.093(3)(d)3.b., F.S. NOAA 2017 Intermediate High and any other chosen sea level rise scenario, and then compared to the project's critical elevations to assess flood risk. Critical elevations must be Finished First Floor Elevation (FFE), the Lowest Adjacent Grade (LAG) of the potentially at-risk structure or infrastructure structure, or another critical design element which may be substantially damaged if flooded. Refer to the 2023 2020 Florida Building Code, Section 1603.1.7, Flood Design Data, for assistance in defining the critical elevation at [https://codes.iccsafe.org/content/FLBC2023P1/chapter-16-structural-design#FLBC2023P1\\_Ch16\\_Sec1603.1.7](https://codes.iccsafe.org/content/FLBC2023P1/chapter-16-structural-design#FLBC2023P1_Ch16_Sec1603.1.7) [https://codes.iccsafe.org/content/FLBC2020P1/chapter-16-structural-design#FLBC2020P1\\_Ch16\\_Sec1603.1.7](https://codes.iccsafe.org/content/FLBC2020P1/chapter-16-structural-design#FLBC2020P1_Ch16_Sec1603.1.7), hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16442> <http://www.flrules.org/Gateway/reference.asp?No=Ref-13157>. Copies of these documents may be obtained by writing to the Office of Resilience and Coastal Protection, Mail Station 235, Department of Environmental Protection, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000.

(c) Depth-Damage Curves ~~from the 2015 North Atlantic Coast Comprehensive Study, titled "Resilient Adaptation to Increasing Risk: Physical Depth Damage Function Summary Report", hereby incorporated by reference~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13158>. Copies of these documents may be obtained by writing to the Office of Resilience and Coastal Protection, Mail Station 235, Department of Environmental Protection, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, must be used to estimate the cost of future flood damage, for vertical construction only, by assessing the approximate flood depth within the structure, using the comparison of the critical elevations to the previously calculated 1% annual chance water surface elevation added to the highest of the sea level rise projections required by Section 380.093(3)(d)3.b., F.S. The estimated damage cost based on flood depth relative to critical elevations varies based on building characteristics and can be found in the 2015 North Atlantic Coast Comprehensive Study, titled "Resilient Adaptation to Increased Risk: Physical Depth Damage Function Summary Report," hereby incorporated by reference

<https://www.flrules.org/Gateway/reference.asp?No=Ref-16443>. Tallahassee, Florida 32399-3000, must be used to estimate the cost of future flood damage, for vertical construction only, by assessing the approximate flood depth within the structure, using the comparison of the critical elevations to the previously calculated 1% annual chance water surface elevation added to the highest of the sea level rise projections required by Section 380.093(3)(d)3.b., F.S. The

estimated damage cost based on flood depth relative to critical elevations varies based on building characteristics and can be found in the U.S. Army Corps of Engineers 2015 North Atlantic Coast Comprehensive Study, titled “Resilient Adaptation to Increased Risk: Physical Depth Damage Function Summary Report.” hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16443>. Copies of these documents may be obtained by writing to the Office of Resilience and Coastal Protection, Mail Station 235, Department of Environmental Protection, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000 NOAA 2017 Intermediate High and any other chosen local sea level rise scenarios.

(3) The state-financed constructor must show the risk to public safety and environmental impacts expected over 50 years or the expected life of the potentially at-risk structure or infrastructure structure, whichever is less using the following criteria.

(a) Each potentially at-risk structure or infrastructure structure must be assigned a Risk Category using the 2023 ~~2020~~ Florida Building Code Table 1604.5, Risk Category of Buildings and Other Structures. The table can be found at [https://codes.iccsafe.org/content/FLBC2023P1/chapter-16-structural-design#FLBC2023P1\\_Ch16\\_Sec1604.5](https://codes.iccsafe.org/content/FLBC2023P1/chapter-16-structural-design#FLBC2023P1_Ch16_Sec1604.5) [https://codes.iccsafe.org/content/FLBC2020P1/chapter-16-structural-design#FLBC2020P1\\_Ch16\\_Sec1604.5](https://codes.iccsafe.org/content/FLBC2020P1/chapter-16-structural-design#FLBC2020P1_Ch16_Sec1604.5), hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16444> <http://www.flrules.org/Gateway/reference.asp?No=Ref-13159>. Copies of these documents may be obtained by writing to the Office of Resilience and Coastal Protection, Mail Station 235, Department of Environmental Protection, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000.

(b) The ultimate design windspeed for the project location must be provided to define the risk of flying debris. This windspeed varies based on the Risk Category of the building and can be found in Figures 1609.3(1), 1609.3(2), 1609.3(3), and 1609.3(4) in the 2023 ~~2020~~ Florida Building Code at: [https://codes.iccsafe.org/content/FLBC2023P1/chapter-16-structural-design#FLBC2023P1\\_Ch16\\_Sec1609.3](https://codes.iccsafe.org/content/FLBC2023P1/chapter-16-structural-design#FLBC2023P1_Ch16_Sec1609.3) [https://codes.iccsafe.org/content/FLBC2020P1/chapter-16-structural-design#FLBC2020P1\\_Ch16\\_Sec1609.3](https://codes.iccsafe.org/content/FLBC2020P1/chapter-16-structural-design#FLBC2020P1_Ch16_Sec1609.3), hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16445> <http://www.flrules.org/Gateway/reference.asp?No=Ref-13160>. Copies of these documents may be obtained by writing to the Office of Resilience and Coastal Protection, Mail Station 235, Department of Environmental Protection, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000.

(4) Alternatives must be provided for the project’s design and siting, and the SLIP study must state how such alternatives would address public safety and environmental impacts resulting from damage to the potentially at-risk structure or infrastructure, including but not limited to, leakage of pollutants, electrocution and explosion hazards, and hazards resulting from floating or flying structural debris as well as the risks and costs associated with construction, maintenance and repair of the potentially at-risk structure or infrastructure structure.

(5) The state-financed constructor must provide a list of flood mitigation strategies evaluated as part of the design of the potentially at-risk structure or infrastructure and identify appropriate flood mitigation strategies for consideration as part of the potentially at-risk structure or infrastructure design.

~~(6)(5)~~ If a state-financed constructor chooses to conduct its own SLIP study and not use the Department’s web-based tool, the SLIP study shall be submitted to the Department for publication via secure sign-in on the DEP-provided website. The SLIP study report shall be in an Americans with Disabilities Act (ADA) Section 508 compliant portable document format. The report contents shall include, but not be limited to, a description of the approach used in conducting the study, numbered references to the information used in the study, a narrative with graphic illustrations to demonstrate the application of the study approach to the information used, and a discussion of the assessments and alternatives.

PROPOSED EFFECTIVE DATE: July 1, 2024

*Rulemaking Authority 380.0937(6) ~~161.551(6)~~ FS. Law Implemented 380.0937, 380.093(3) ~~161.551~~ FS. History– New 7-1-21, Amended \_\_\_\_\_.*

#### **62S-7.014 Implementation of SLIP Study findings.**

The Department’s intent in this rule is to inform and raise awareness with the state-financed constructor of the potential impacts of sea level rise and increased storm risk on potentially at-risk structures or infrastructure coastal infrastructure. Implementation of the findings of the SLIP studies is at the discretion of the state-financed constructor.

PROPOSED EFFECTIVE DATE: July 1, 2024

*Rulemaking Authority 380.0937(6) ~~161.551(6)~~ FS. Law Implemented 380.0937 ~~161.551~~ FS. History– New 7-1-21, Amended \_\_\_\_\_.*

#### **62S-7.020 Effective Date.**

This rule chapter applies only to projects that have not yet commenced construction as of July 1, 2024 (i.e., the date the rule takes effect). This rule chapter does not apply retroactively to projects that commenced construction prior to the date the rule is effective. Any enforcement shall not proceed until 1 year after the rule takes effect.

PROPOSED EFFECTIVE DATE: July 1, 2024  
 Rulemaking Authority 380.0937(6) ~~161.551(6)~~ FS. Law Implemented 380.0937 ~~161.551~~ FS. History— New 7-1-21, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stephanie Link, Environmental Manager, Resilient Florida Program  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shawn Hamilton, DEP Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2023

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF FINANCIAL SERVICES  
 Division of Funeral, Cemetery, and Consumer Services**

RULE NO.:       RULE TITLE:  
 69K-25.001:     Licensure by Endorsement; Embalmers.  
 69K-25.002:     Licensure by Endorsement; Funeral Directors.

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 49 No. 63, March 31, 2023 issue of the Florida Administrative Register.

**69K-25.001 Licensure by Endorsement; Embalmers.**

(1) through (3) No change.

*Rulemaking Authority 497.103, 497.369 FS. Law Implemented 497.140, 497.141, 497.142, 497.146, 497.369 FS. History—New 6-4-80, Amended 12-24-81, 8-10-83, 10-16-85, Formerly 21J-25.01, 21J-25.001, Amended 8-8-00, Formerly 61G8-25.001, Amended \_\_\_\_\_.*

The language on the Application for Embalmer License by Endorsement, Form DFS-N1-1707, is amended as follows:

Section 1. through Section 7. No change.  
 Section 8. EDUCATIONAL REQUIREMENTS  
 (A1) through (A4) No change.  
 (A5) Non-ABFSE Courses. If you checked (b) ~~(d)~~ in response to (A1) above, you must complete the Mortuary Science Course Information Form, DFS-N1-1719, incorporated by reference in 69K-1.001, F.A.C., and attach it to this application when submitting same.  
 (A6) No change.

Section 9. through Section 15. No change.

**69K-25.002 Licensure by Endorsement; Funeral Directors.**

(1) through (4) No change.

*Rulemaking Authority 497.103, 497.374 FS. Law Implemented 497.140, 497.141, 497.142, 497.146, 497.374 FS. History—New 6-4-80, Amended 12-24-81, 8-10-83, 10-16-85, Formerly 21J-25.02, Amended 7-30-86, Formerly 21J-25.002, Amended 8-8-00, Formerly 61G8-25.002, Amended \_\_\_\_\_.*

The language on the Application For Funeral Director License By Endorsement, Form DFS-N1-1721, is amended as follows:

Section 1. through Section 7. No change.  
 Section 8. EDUCATION REQUIREMENT  
 (A1) through (A3) No change.  
 (A4) If you completed a course in mortuary science, ~~If your answer to (A2) was (a) or (b), also provide the following:~~  
 No change.  
 (A5) Attach proof of graduation and course completion.  
 a. No change.  
 b. If you completed a course in mortuary science, ~~If you checked (a) or (b) in response to (A2), then regarding the mortuary science course you completed,~~ attach a certificate of course completion or similar document, issued by the school that conducted the course and on that school’s letterhead or form.  
 (A6) Non-ABFSE Courses. If your answer to (A2) was (d) ~~(e)~~, you must complete the Mortuary Science Course Information Form, DFS-N1-1719, incorporated by reference in Rule 69K-1.001, F.A.C., and attach it to this application when submitting same.  
 Section 9. through Section 16. No change.

### Section IV Emergency Rules

NONE

### Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION  
 RULE NO.:   RULE TITLE:  
 14-73.001   Public Transportation  
 The Florida Department of Transportation hereby gives notice: that on March 20, 2024 DOT entered an Order Granting Petition

For Variance from Rule 14-73.001, F.A.C. to the South Florida Regional Transportation Authority (SFRTA). On January 10, 2024, SFRTA requested a variance to extend the submission date of SFRTA's Transit Development Plan (TDP) five-year update. Notice of the Petition for Variance was published in the January 23, 2024, edition of the Florida Administrative Register. DOT granted the variance, because SFRTA demonstrated the strict application of Rule 14-73.001, F.A.C., would create substantial hardship on Petitioner, and DOT determined that a one-year extension of the TDP deadline promoted the effective use of transportation resources in developing a regional TDP. No comments were received on the request for variance.

A copy of the Order or additional information may be obtained by contacting: the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on March 18, 2024, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: Village on the Green Homeowners Association, Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 24-4392.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Camille Mourant, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (M2024013)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On February 28, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code, and Section 6-40.11. 2017 FDA Food Code from Kaiya Club Concierge LLC located in Inlet Beach. The above referenced

F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 50/42 on February 29, 2024. The Order for this Petition was signed and approved March 19, 2024, after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located on the first floor level are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On March 8, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Artigiani USA Inc. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 50/49 on March 11, 2024. The Order for this Petition was signed and approved on March 19, 2024. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and 3-compartment sinks are emptied at a frequency as to not create a

sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On March 7, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from David Box Lunch located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 50/48 on March 8, 2024. The Order for this Petition was signed and approved on March 19, 2024. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On February 27, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Sea Grill LLC located in Tarpon Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash.

The Petition for this variance was published in Vol. 50/41 on February 28, 2024. The Order for this Petition was signed and approved on March 19, 2024, after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On February 26, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code,



subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code, and Section 6-40.11. 2017 FDA Food Code from Agave Bandido Lakewood Ranch LLC located in Sarasota. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 50/40 on February 27, 2024. The Order for this Petition was signed and approved March, 19, 2024, after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located on the first floor level are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 20, 2024, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Cabot Citrus OPCO LLC located in Brooksville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink at the beverage bar.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of

Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

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#### DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

The Board of Nursing hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on November 3, 2023, by Angela Colbert. The Notice of Petition for Waiver or Variance was published in Volume 49, Number 158, of the November 15, 2023, Florida Administrative Register. Petitioner requested a variance or waiver from subsection 64B9-3.002(3), F.A.C., entitled, "Qualifications for Examination," which states in part, for an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter or an official certified transcript which sets forth graduation from an approved professional program is required.

The Board considered the instant Petition at a duly-noticed public meeting held December 6-8, 2023, in Bonita Springs, Florida. The Board's Order, filed on January 19, 2024, granted the petition for a variance or waiver to subsection 64B9-3.002(3), F.A.C., that mandates a Practical Nurse Equivalence Application Letter, on the condition that the academic transcripts show that the petitioner meets the requirements of the rule. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

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#### DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on March 19, 2024, the Office of Financial Regulation, received a petition for Waiver of subsection 69W-600.0024(6), Florida Administrative Code from Henry Charles Katz. The petition seeks a Waiver of subsection 69W-600.0024(6) which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law Examination (Series 65); or
2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for

registration, the Securities Industry Essentials (SIE) Examination. Comments on this petition should be filed with the Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

## Section VI Notice of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

Division of Arts and Culture

The Florida Division on Arts and Culture and the Florida Folklife Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 9, 2024, 11:00 a.m., EST

PLACE: This meeting will take place via zoom. Join Zoom Meeting

<https://dos-myflorida.zoom.us/j/81869872307?pwd=700bAxyIPr0obGRA D6hmjDt8bzeN3f.1>

Meeting ID: 818 6987 2307

Passcode: 865038

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on recommendations for the Florida Folklife Award and any other items that come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: Dominic Tartaglia at [dominic.tartaglia@dos.myflorida.com](mailto:dominic.tartaglia@dos.myflorida.com).

For more information, you may contact: the Division of Arts and Culture at (850)245-6470 or visit their website

<https://dos.myflorida.com/cultural/>.

### DEPARTMENT OF EDUCATION

The Commissioner of Education's Task Force on Holocaust Education announces a public meeting to which all persons are invited.

DATE AND TIME: April 11, 2024, 10:00 a.m. - 11:00 a.m.

PLACE: Virtual

Microsoft Teams meeting

Join on your computer, mobile app or room device

Click here to join the meeting

Meeting ID: 225 059 723 557

Passcode: rfjdVZ

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting

A copy of the agenda may be obtained by contacting: [miller.maddox@tcc.fl.edu](mailto:miller.maddox@tcc.fl.edu)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: [miller.maddox@tcc.fl.edu](mailto:miller.maddox@tcc.fl.edu). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [miller.maddox@tcc.fl.edu](mailto:miller.maddox@tcc.fl.edu)

### DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways

The DEPARTMENT OF TRANSPORTATION announces a public meeting to which all persons are invited.

DATES AND TIMES: April 17, 2024, 1:00 p.m. - 5:00 p.m.; April 18, 2024, 8:00 a.m. – 12:00 Noon

PLACE: Florida Department of Transportation, SunTrax - 100 Transformation Way, Auburndale, Florida 33823, Meeting Room: Auditorium

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways (Florida Greenbook) Advisory Committee to develop guidance for future editions of the Florida Greenbook.

Revision-tracking database:

This website is the revision-tracking database for the Florida Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways (the "Florida Greenbook"). The website allows public access to the draft, working files of the Florida Greenbook as they are being reviewed and edited by the Florida Greenbook Committee Members. The proposed changes and related comments are visible to the public as they are being made. These are dynamic, evolving, working documents that may look quite different from the final versions are ultimately proposed for adoption.

PLACE:

<https://app.powerbigov.us/view?r=eyJrIjojY2E1NWRiZGYtNWExNy00ZjBjLTk0MjItNTQ1OGZhYjY4NTZjIiwidCI6ImRiMjFkZTVkLWJjOWMtNDIwYy04ZjNmLTNmMDhmODViNWFKYSJ9>

Florida Greenbook Committee Members propose and review potential future revisions to the Florida Greenbook using the revision-tracking database. The proposed revisions are published to the revision-tracking database within 24-48 hours of posting, allowing unprecedented public access to potential Florida Greenbook updates in nearly real time.

A copy of the agenda may be obtained by contacting: Jacqui Morris, Criteria Publications Coordinator, Florida Department of Transportation, at jacqueline.morris@dot.state.fl.us or (850)414-4352.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jacqui Morris, jacqueline.morris@dot.state.fl.us or (850)414-4352. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jacqui Morris, jacqueline.morris@dot.state.fl.us or (850)414-4352.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 29, 2024, 2:00 p.m., ET

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: All responses to be publicly opened in regard to the Request for Quote, RFQ 24-01, Cybersecurity Services for the Florida Prepaid College Board, the Stanley G. Tate Florida Prepaid College Foundation, and ABLE United.

A copy of the agenda may be obtained by contacting: The Florida Prepaid College Board, RFQ Administrator by email at ITNinfo.PrePaid@MyFloridaPrepaid.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: The Florida Prepaid College Board, RFQ Administrator by email at ITNinfo.PrePaid@MyFloridaPrepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2024, 10:00 a.m. Executive Committee Meeting. Visit [www.nefrc.org](http://www.nefrc.org) for updates.

PLACE: 100 Festival Park Ave., Jacksonville, FL 32202.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting

A copy of the agenda may be obtained by contacting: (904)279-0880

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: CANCELLATION Tuesday, March 26, 2024, 10:30 a.m.

PLACE: Tampa Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: NOTICE OF CANCELLATION – This is to announce that the Surplus Lands Committee Meeting on March 26, 2024 has been cancelled. Note: Meeting Cancellation.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211; or email [ADACoordinator@WaterMatters.org](mailto:ADACoordinator@WaterMatters.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.



The workshop will also be available via webinar. The webinar registration and access information for the workshop are posted to the following website:

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2024/2024-215>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This workshop will discuss Request for Applications (RFA) 2024-215 Live Local SAIL Financing for Developments Near Military Installations with the opportunity for the public to provide comments and suggestions.

A copy of the agenda may be obtained by contacting: Bryan Barber, (850)488-4197

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Bryan Barber, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

#### DEPARTMENT OF COMMERCE

Division of Economic Development

The Florida Department of Commerce (FloridaCommerce) announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 18, 2024, 9:00 a.m.

**PLACE:** Zoom Webinar

<https://us02web.zoom.us/j/85310305502?pwd=UVlXcmtraHlJeXlRVWhMbDh1RUlYxUT09>

Meeting ID: 853 1030 5502

Passcode: 785540

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** At this meeting the Florida Defense Support Task Force will discuss proposed actions that will assist in preserving, protecting, and enhancing Florida's military installations and missions.

A copy of the agenda may be obtained by contacting: Ray Collins, (850)717-8994, Ray.Collins@commerce.fl.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Collins, (850)717-8994, Ray.Collins@commerce.fl.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tim MacGregor at (850)717-8976 or Timothy.MacGregor@commerce.fl.gov.

#### MRGMiami

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, March 28, 2024, 6:00 p.m. The public meeting will be held both in person and virtually simultaneously.

**PLACE:** The public meeting will take place at the West Boca Branch Library located at 18685 State Road 7, Boca Raton, Florida 33498.

To participate virtually from your computer, tablet or smartphone please register using the following link: <https://bit.ly/SR7-GladesRd-BridgebrookDr-PM>. Participants can also use their phone by dialing +1(415)655-0052; Access Code: 116-934-472.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT), will hold a public meeting for the roadway improvements project along State Road (SR) 7/US 441 from north of Glades Road to north of Bridgebrook Drive, in Palm Beach County. The project identification number is 447670-1-52-01.

The meeting will consist of a formal presentation followed by an open discussion. Staff will be available to answer questions and provide assistance. Comments and questions will be answered in the order received. If your question is not answered during the event, a response will be provided in writing following the meeting. Questions and comments may also be submitted prior to the meeting by e-mailing the Project Manager.

A copy of the agenda may be obtained by contacting: FDOT Project Manager, July C. Jimenez, P.E., at (954)777-4415 or via email at: [july.jimenez@dot.state.fl.us](mailto:july.jimenez@dot.state.fl.us).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT Project Manager, Ms. July C. Jimenez, P.E., at (954)777-4415 or in writing at FDOT, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309 or by email at: [july.jimenez@dot.state.fl.us](mailto:july.jimenez@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager, Ms. July C. Jimenez, P.E., at (954)777-4415 or via email at: [july.jimenez@dot.state.fl.us](mailto:july.jimenez@dot.state.fl.us).

## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF HEALTH

##### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Saba Jazmin Kazravan, DNP, RNFA, CNOR, C-SSGB, MBA, RN, on December 18, 2023. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 49, No. 245, of the December 20, 2023, Florida Administrative Register. The petition seeks the agency's opinion as to the applicability of Section 464.003, F.S., as it applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for a Florida Registered Nurse to be delegated the task of medication administration of cosmetic injectables of fillers and Botox®, including the PDO thread, a non-surgical lift, under the supervision of a licensed physician/practitioner. At the duly-noticed public meeting held on February 8, 2024, in Altamonte Springs, Florida, the Board discussed the Petition for Declaratory Statement and found that the petition filed in this matter is not in substantial compliance with the provisions of Section 120.565, Florida Statutes and Rule 28-105, Florida Administrative Code. The Board also found that based on the failure of Petitioner to sufficiently describe the practice setting, the specifics of the supervision and delegation of the procedures from the physician to Petitioner, and a lack of specification of Petitioner's training and experience, the Board voted to deny the Petitioner's request to expand the registered nurse scope of practice. A Motion to Intervene was filed on January 8, 2024, by the Florida Medical Association, Inc., Florida Academy of Dermatology, Inc., The Florida Society of Plastic Surgeons, Inc., and the Florida Osteopathic Medical Association, Inc. The Board reviewed the Motion to Intervene and granted the Motion. The Board's Final Order was filed on February 27, 2024.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

#### DEPARTMENT OF HEALTH

##### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Darrell Linders, RN, on December 15, 2023. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 50, No. 9, of the January 12, 2024, Florida Administrative Register. The petition seeks the agency's opinion as to the applicability of Section 464.003(2), F.S., as it applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for a Florida Registered Nurse to be delegated the task of medication administration of neurotoxins (botox) and dermal fillers from a licensed physician who performed a patient exam, wrote the order for the medication treatment with a description of the muscles to be injected and the number of units per injection site. At the duly-noticed public meeting held on February 8, 2024, in Altamonte Springs, Florida, the Board discussed the Petition for Declaratory Statement and found that the petition filed in this matter is not in substantial compliance with the provisions of Section 120.565, Florida Statutes and Rule 28-105, Florida Administrative Code. The Board also found that the petition failed to sufficiently describe Petitioner's particular set of circumstances in specific detail to allow the Board to determine whether Petitioner's proposed activities would be within the scope of practice. Therefore, based on this failure, the Board voted to deny Petitioner's request to perform the procedures outlined in the petition. The Board's Final Order was filed on February 27, 2024.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

#### DEPARTMENT OF HEALTH

##### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Maria Schafer, RN, on November 27, 2023. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 49, No. 231, of the November 30, 2023, Florida Administrative Register. The petition seeks the agency's opinion as to the applicability of Section 464.003(2), F.S., as it

applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for her as a Florida Registered Nurse to be delegated the task of medication administration of Botox® injections from a licensed physician who performed a patient exam, wrote the order for the Botox® Cosmetic medication treatment with a description of the muscles to be injected and the number of units per injection site and that the injections will be administered under the direct supervision of the delegating physician. At the duly-noticed public meeting held on February 8, 2024, in Altamonte Springs, Florida, the Board found that under the specific facts of the petition and the presentation of Petitioner's experience and supervision parameters to the Board, it is within the scope of Petitioner's specific and particular education, training, and experience that she can be delegated the task of administering Botox and dermal fillers under the direction of a physician licensed pursuant to Chapter 458 or 459, Florida Statutes, and the physician is physically present during the administration, and in the manner set forth in the petition, that the answer to her request would be "yes". The Board's Final Order was filed on February 27, 2024.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

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#### DEPARTMENT OF HEALTH

##### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Jaime R. Conti, RN, on December 18, 2023. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 49, No. 245, of the December 20, 2023, Florida Administrative Register. The petition seeks the agency's opinion as to the applicability of Section 464.003, F.S., as it applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for a Florida Registered Nurse to be delegated the task of medication administration of Xeomin®, Dysport®, and Daxxify® injections from a licensed physician/practitioner who performed a patient exam, wrote the order for the medication treatment with a description of the muscles to be injected and the number of units per injection site. At the duly-noticed public meeting held on February 8, 2024, in Altamonte Springs, Florida, the Board discussed the Petition for Declaratory Statement and found that the petition filed in this matter is not

in substantial compliance with the provisions of Section 120.565, Florida Statutes and Rule 28-105, Florida Administrative Code. The Board found that based on the failure to sufficiently describe her particular circumstances, the Board voted to decline to answer the petition due to insufficient information and the petition's lack of conformance with Rule 28-105, Florida Administrative Code. The Board's Final Order was filed on February 27, 2024.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

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#### DEPARTMENT OF HEALTH

##### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Christy Fehrmann, RN, on November 13, 2023. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 49, No. 222 of the November 15, 2023, Florida Administrative Register. The petition seeks the agency's opinion as to the applicability of Section 464.003(2), F.S., as it applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for a Florida Registered Nurse to be delegated the task of medication administration of Botox® injections from a licensed physician/practitioner who performed a patient exam, wrote the order for the Botox® Cosmetic medication treatment with a description of the muscles to be injected and the number of units per injection site. At the duly-noticed public meeting held on February 8, 2024, in Altamonte Springs, Florida, the Board discussed the Petition for Declaratory Statement with Petitioner. During the discussion of the office practices, Petitioner stated that the physician was not on site when Petitioner would be injecting the product. For the delegation of these services, direct supervision requires that the physician be on site. Based on the failure to have direct supervision by the physician, the question is answered "no." This task may not be delegated to Petitioner. The Board's Final Order was filed on February 27, 2024.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

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DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Shaina Lindsay, RN, on December 18, 2023. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 49, No. 245, of the December 20, 2023, Florida Administrative Register. The petition seeks the agency's opinion as to the applicability of Section 464.003, F.S., as it applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for a Florida Registered Nurse to be delegated the task of medication administration of Botox® and dermal fillers from a licensed physician/practitioner who performed a patient exam, wrote the order for the medication treatment with a description of the muscles to be injected and the number of units per injection site. At the duly-noticed public meeting held on February 8, 2024, in Altamonte Springs, Florida, the Board discussed the Petition for Declaratory Statement and found that under the specific facts of the petition and the presentation of Petitioner's experience and supervision parameters to the Board, it is within the scope of Petitioner's specific and particular education, training, and experience that she can be delegated the task of administering Botox® and dermal fillers under the direction of a duly licensed physician, and in the manner set forth in the petition, and the answer to her request would be "yes." The Board's Final Order was filed on February 27, 2024.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

Invitation to Bid BDC32-23-24 Stump Pass Beach State Park - Road and Parking Repairs

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction, is soliciting formal, competitive, sealed bids from contractors for bid number BDC32-23-24 Stump Pass Beach State Park - Road and Parking Repairs. More info @ <https://tinyurl.com/2ufbs36x>.

DCPS Dupont MS Glass Block Repair

Auld & White Constructors, LLC, in conjunction with the Duval County Public Schools, will be accepting SEALED proposals, which will be received until 2:00 p.m., April 10, 2024, at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216.

Project includes approximately 175 square feet of glass block to be removed and new curtainwall to be installed.

Trades needed include demolition and aluminum curtainwall with insulated glazing.

Project includes a participation GOAL of 10% SBE & 10% MBE (African American or Hispanic American). Subcontractors who intend to perform work as a registered SBE or MBE must include the attached OEO Form 2 with their proposals.

Interested Bidders are required to notify Auld & White Constructors, LLC, of their Intent to Bid, in writing, no later than 2:00 p.m., April 3, 2024. Interested Bidders who fail to notify Auld & White Constructors, LLC, of their intent to bid by the date referenced above MAY NOT be permitted to bid.



Bid drawings and specifications will be available on Auld & White Constructors, LLC’s website (www.auld-white.com), on March 19, 2024. All interested bidders shall submit their Notice of Intent to awcestimating@auld-white.com.

Duval County Public Schools and Auld & White Constructors, LLC are committed to provide equal opportunity and strongly encourage all interested M/WBE and small business firms and suppliers to submit bids.

Auld & White Constructors, LLC reserves the right to reject any and all bids, waive formalities and irregularities in bidding and to accept bids which are considered by Auld & White Constructors, LLC to be in the best interest of the project.

**Volusia County Schools**

Construction – Notice of Upcoming Invitation to Negotiate (ITN) Public Private Partnership (P3) to Build a K-8 School Facility

The School Board of Volusia County, Florida has received an unsolicited proposal under the provisions of Section 255.065, Florida Statutes, Public-Private Partnerships, to build a K-8 school facility in the DeBary area of Volusia County. The proposed project location is at the intersection of South Shell Road and Spring Vista Drive, DeBary, Florida.

Pursuant to Section 255.065, Florida Statutes, the School Board is required to publish notice of receipt of the unsolicited proposal and will accept additional proposals for the same type of project. Any interested party is invited to submit a proposal consistent with the requirements identified below and in compliance with Section 255.065, Florida Statutes.

The bidder(s) shall pay an application fee to the School Board of Volusia County, Florida of \$25,000 to cover the costs of processing, reviewing, and evaluating individual proposals. The proposal application fee is non-refundable and shall be delivered to the School Board via certified check with the proposal. Submissions must have the accompanying fee or will be returned immediately without review or consideration. If extraordinary expenses associated with the School Board’s preliminary evaluation are encountered, the School Board may require additional fees from the proposer. The School Board reserves the right to reject any or all proposals and the School Board’s Board of Directors must authorize any final agreement for the proposed P3 project.

The School Board anticipates posting the Invitation to Negotiate (ITN) on April 1, 2024. ELECTRONIC SUBMITTALS must be submitted to the School Board of Volusia County, Florida, Purchasing Department, via VendorLink. The ITN will be posted on the VendorLink Platform <https://www.myvendorlink.com/>.

For questions or information, please contact: Enid Kunce, Director of Purchasing and Warehousing, School Board of

Volusia County, Email: etkunce@volusia.k12.fl.us, Phone: (386)734-7190 Ext. 20371.

Early Learning Coalition of Northwest Florida, Inc.

**REQUEST FOR PROPOSALS (RFP)-2024-02 EDUCATIONAL TECHNOLOGY, SUPPLIES AND MATERIALS MA**

The Early Learning Coalition of Northwest Florida, Inc. (“Coalition”), is announcing its interest in procuring educational technology, supplies and materials. The Request for Proposals (RFP) package will be available by March 20, 2024, on the Coalition’s website, www.elcnwf.org. Submissions are due by April 22, 2024, 1:00 p.m., CT. This RFP Sponsored by the Early Learning Coalition of Northwest Florida and the State of Florida, Division of Early Learning.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, March 14, 2024, and 3:00 p.m., Wednesday, March 20, 2024.

Rule No.	File Date	Effective Date
5J-27.001	3/15/2024	4/4/2024
5J-27.002	3/15/2024	4/4/2024
5J-27.003	3/15/2024	4/4/2024
5J-27.004	3/15/2024	4/4/2024
5J-27.005	3/15/2024	4/4/2024
5J-27.006	3/15/2024	4/4/2024
59G-4.150	3/14/2024	4/3/2024
59G-4.190	3/14/2024	4/3/2024
61G6-10.002	3/20/2024	4/9/2024
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
40B-400.091	2/8/2024	**/**/****
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****

62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Advanced Scooter Repair Inc., dba Seminole Scooters, line-make ZHNG

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Hammer Brand, LLC, intends to allow the establishment of Advanced Scooter Repair Inc., dba Seminole Scooters, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd (line-make ZHNG) at 6401 49th Street North Unit A, Pinellas Park, (Pinellas County), Florida 33781, on or after April 20, 2024.

The name and address of the dealer operator(s) and principal investor(s) of Advanced Scooter Repair Inc are dealer operator(s): Sara Nicole Romeo, 6401 49th Street North Unit A, Pinellas Park, Florida 33781, Advanced Scooter Repair Inc, 6401 49th Street North Unit A, Pinellas Park, Florida 33781; principal investor(s): Sara Nicole Romeo, 6401 49th Street North Unit A, Pinellas Park, Florida 33781.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Justin Marmolejo, Hammer Brand, LLC, 13000 Automobile Boulevard Suite 501, Clearwater, Florida 33762.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF COMMERCE

Division of Community Development

Commerce Final Order No. COM-24-009

FINAL ORDER APPROVING ISLAMORADA, VILLAGE OF ISLANDS

ORDINANCE NO. 24-04

The Department of Commerce (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida (“Village”), by Ordinance No. 24-04 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the Village on January 11, 2024, and rendered to the Department on January 18, 2024.
3. The Ordinance amends Section 30-431 of the Village’s Code, Plat Approval and Recording Required, to more clearly prohibit the division of land through a lot-line modification from being recorded without first obtaining village approval.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Goal 1-3, Goal 1-4, Policy 1-3.1.2, Policy 1-4.10.1. and Policy 1-4.10.4.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Village are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following Principles:

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 24-04 is consistent with the Village’s Comprehensive Plan and the Principles for Guiding Development for the Village and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ Kate Doyle, Kate Doyle, Assistant Deputy Secretary, Division of Community Development, Florida Department of Commerce

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS FINAL ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE FLORIDA DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, FLORIDA DEPARTMENT OF COMMERCE, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, AGENCY.CLERK@COMMERCE.FL.GOV, FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF

THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 20th day of March, 2024.

/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Joseph “Buddy” Pinder, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Marne McGrath, Village Clerk, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Jennifer DeBoisbriand, Planning Director, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036

**DEPARTMENT OF COMMERCE**

Division of Community Development

Commerce Final Order No. COM-24-010

FINAL ORDER APPROVING ISLAMORADA, VILLAGE OF ISLANDS

ORDINANCE NO. 24-05

The Department of Commerce (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida (“Village”), by Ordinance No. 24-05 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the Village on January 11, 2024, and rendered to the Department on January 18, 2024.
3. The Ordinance amends Section 30-212 of the Village’s Code to establish a ‘zoning in progress’ process for certain development applications.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Policy 1-4.6.1, Policy 1-4.10.6, and Policy 1-4.10.7.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Village are set forth in Section 380.0552(7), Florida Statutes.
8. The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following Principles:
  - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
  - (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
  - (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
  - (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
  - (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 24-05 is consistent with the Village’s Comprehensive Plan and the Principles for Guiding Development for the Village and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ Kate Doyle, Kate Doyle, Assistant Deputy Secretary, Division of Community Development, Florida Department of Commerce

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS FINAL ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE

CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE FLORIDA DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, FLORIDA DEPARTMENT OF COMMERCE, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, AGENCY.CLERK@COMMERCE.FL.GOV, FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 20th day of March, 2024.

/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Joseph “Buddy” Pinder, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Marne McGrath, Village Clerk, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Jennifer DeBoisbriand, Planning Director, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036

**Section XIII**

**Index to Rules Filed During Preceding Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.