

ORDINANCE 2015 - 02

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA, BY PROVIDING FOR CONSERVATION SUBDIVISIONS; AMENDING CHAPTER 72, LAND PLANNING, ARTICLE I, DEFINITIONS AND INTERPRETATION, BY PROVIDING FOR DEFINITIONS FOR COUNTY DEVELOPMENT ENGINEER, ENVIRONMENTAL CORE OVERLAY AND SUBSTANDARD LOTS; AMENDING CHAPTER 72, LAND PLANNING, ARTICLE II, ZONING, DIVISION 5, SCOPE, BY PROVIDING FOR REDUCTIONS OF LOT AREA AND YARDS; AMENDING CHAPTER 72, LAND PLANNING, ARTICLE II, ZONING, DIVISION 8, SUPPLEMENTARY REGULATIONS, BY PROVIDING FOR EXCEPTIONS TO MINIMUM YARD OR LOT COVERAGE REQUIREMENTS, ERECTION OF MORE THAN ONE PRINCIPAL STRUCTURE ON A LOT, ADDITIONAL PERMITTED PRINCIPAL USES, AND NONRESIDENTIAL USES ON FINAL SITE PLANS; AMENDING CHAPTER 72, LAND PLANNING, ARTICLE III, LAND DEVELOPMENT REGULATIONS, DIVISION 2, SUBDIVISION REGULATIONS, BY PROVIDING FOR PLAT APPROVAL BY THE COUNTY COUNCIL AND DELETION OF SKETCH PLAN REVIEW; AMENDING CHAPTER 72, LAND PLANNING, ARTICLE III, LAND DEVELOPMENT REGULATIONS, DIVISION 2, SUBDIVISION REGULATIONS, BY PROVIDING FOR REQUIRED SUBMITTALS FOR PLAN REVIEW; AMENDING CHAPTER 72, LAND PLANNING, ARTICLE III, LAND DEVELOPMENT REGULATIONS, DIVISION 2, SUBDIVISION REGULATIONS, BY PROVIDING FOR CRITERIA AND STANDARDS FOR CONSERVATION SUBDIVISIONS, PRIVATE UNPAVED ROADS WITH MANDATORY CONNECTION TO A PUBLICLY MAINTAINED RIGHT-OF-WAY, MINIMUM OPEN SPACE REQUIREMENTS, MANDATORY CONSERVATION EASEMENTS, NONRESIDENTIAL STANDARDS, AND SUBMITTAL REQUIREMENTS; BY PROVIDING FOR INCLUSION IN CODE; BY PROVIDING FOR SEVERABILITY; BY PROVIDING FOR CONFLICTING ORDINANCES; AND BY PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA AS FOLLOWS:

(Words in ~~strike-through~~ type are deletions; words in underscore type are additions.)

1 **SECTION I. DEFINITIONS.** Chapter 72, *Land Planning*, Article I,
2 *Definitions and Interpretation*, of the Code of Ordinances, County of Volusia is hereby
3 amended to read as follows:

4 ...

5 **Sec. 72-2. Definitions.**

6 ...

7 CDE: County development engineer.

8 ...

9 ECO: Environmental Core Overlay.

10 ...

11 *Lot, substandard:* Any lot with less than 5,000 square feet of area, or
12 less than 50 feet of width at the front building line; provided, however,
13 that approved cluster subdivision lots, approved conservation subdivision
14 lots, or platted single-family residential lots located in the B-8 Tourist
15 Zoning Classification shall not be considered substandard.

16 ...

17 **SECTION II. SCOPE.** Chapter 72, *Land Planning*, Article II,
18 *Zoning*, Division 5, *Scope*, of the Code of Ordinances, County of Volusia is hereby
19 amended to read as follows:

20 ...

21 **Sec. 72-175. Reduction of lot area and width prohibited.**

22 No lot existing on the effective date of the ordinance from which this section
23 derives, shall be reduced in area and width below the minimum requirements of its

1 classification, except lots made up of combinations of nonconforming lots (refer to
2 subsection 72-206(1)), approved conservation subdivision lots (refer to section 72-547),
3 or cluster subdivision lots (refer to the definition of cluster subdivision).

4 **Sec. 72-176. Reduction of yards below certain minimum dimensional**
5 **requirements prohibited.**

6 No yard existing on the effective date of the ordinance from which this section
7 derives, shall be reduced below the minimum dimensional requirements of its
8 classification except zero lot line lots (refer to section 72-304) or approved conservation
9 subdivision lots (refer to section 72-547).

10 ...

11 **SECTION III. SUPPLEMENTARY REGULATIONS.** Chapter 72,
12 *Land Planning, Article II, Zoning, Division 8, Supplementary Regulations,* of the Code of
13 Ordinances, County of Volusia is hereby amended to read as follows:

14 **Sec. 72-277. Exceptions to minimum yard or lot coverage requirements.**

15 ...

16 (15) Notwithstanding the dimensional requirements set forth in section 72-241,

17 conservation subdivisions may be developed in any zoning classification

18 pursuant to section 72-547 and the following:

19 a. No minimum acreage for subdivision.

20 b. Maximum 600 lots.

21 c. No minimum lot size.

22 d. No minimum lot width.

23 e. No minimum setbacks.

1 ...

2 **Sec. 72-280. Erection of more than one principal structure on a lot.**

3 ...

4 (e) More than one principal structure may be erected on a lot or parcel in a
5 conservation subdivision if the lot or parcel is designated for agri-business, eco-tourism,
6 or other non-residential development as approved through the conservation subdivision
7 pursuant to section 72-547.

8 ...

9 **Sec. 72-290. Additional regulations for certain permitted principal uses.**

10 The following additional regulations shall apply to specific permitted principal
11 uses in all classifications where so permitted:

12 ...

13 (13) Conservation subdivisions. Additional principal uses and structures may
14 be permitted in conservation subdivisions to support agriculture,
15 silviculture, sales of agricultural products, equestrian boarding facilities,
16 eco-tourism and agri-tourism facilities including guesthouse, bed and
17 breakfast, boardinghouse, boardwalks and trails, environmental
18 interpretive or learning centers, and other non-residential development
19 pursuant to section 72-547.

20 **Sec. 72-291. Final site plan.**

21 ...

22 (b) *Modification of development standards for site plan approval.* This
23 subsection is established to provide standards and procedures for the granting of

1 administrative modifications of development standards. The modification of standards is
2 specifically intended to promote high standards for final site plan reviews under division
3 3 of the county Land Development Code [article III], provide flexibility in the
4 administration of standards in recognition of site specific conditions, and to establish
5 conditions to ensure compatibility where standards are modified.

6 (1) The zoning enforcement official may approve a maximum
7 reduction of up to ~~ten~~ twenty percent of the required minimum
8 yard setbacks for principal and accessory buildings and/or the
9 number of required parking spaces upon making a finding that the
10 adjustment

11 a. will protect and encourage the preservation of large
12 canopy, specimen or historic trees,

13 b. is to permit non-residential uses within a conservation
14 subdivision, or

15 c. is to permit a principal non-residential structure that is less
16 than 3,000 square feet gross floor area.

17 ~~(2) The zoning enforcement official shall be authorized to approve the~~
18 ~~modification of the request based upon the requirements of this~~
19 ~~resolution.~~ Such modifications shall be deemed to have no effect
20 on adjacent properties.

21 (3) Applications for modification of standards may be reviewed prior
22 to application for final site plan review or may be made in
23 conjunction with final site plan review. Application shall be made

1 to the growth management ~~services—group~~ department in
2 conformance with the submittal requirements of this section.

3 ...

4 **SECTION IV. SUBDIVISION REGULATIONS - PLATS;**

5 **EXEMPTIONS.** Chapter 72, *Land Planning*, Article III, *Land Development*
6 *Regulations*, Division 2, *Subdivision Regulations*, of the Code of Ordinances, County of
7 Volusia is hereby amended to read as follows:

8 **Sec. 72-536. Purpose.**

9 ...

10 (b) *Prohibitions on transfer of lots and issuance of development or building*
11 *permits for lots not in compliance with this division.* It shall be a violation of this
12 division for anyone who is the owner or agent of the owner of any land to transfer, sell,
13 agree to sell, or negotiate to sell such land by reference to, exhibition of, or other use of a
14 plat of a subdivision of such land without having the plat approved as required by this
15 division. A subdivision plat is required to be approved by the county council for any
16 division of land into three (3) or more lots and recorded in the official record of Volusia
17 County, except as provided herein. ~~In addition, a~~ No development permit or building
18 permit shall be issued on any lot unless that lot is in compliance with this division.

19 ...

20 **SECTION V. SUBDIVISION REGULATIONS – SKETCH PLAN**

21 **REVIEW DELETED.** Chapter 72, *Land Planning*, Article III, *Land Development*
22 *Regulations*, Division 2, *Subdivision Regulations*, of the Code of Ordinances, County of

Volusia is hereby amended by deleting Section 72-538, Sketch plan review, in its entirety, and replacing it with Section 72-538, Submission requirement, as follows:

Sec 72-538. Submission requirement.

All submissions shall track changes made to the document between submittals, designating which changes have been accepted by a previous submittal and distinguishing which changes are new. All submissions shall include a cover letter from the engineer or surveyor addressing all previous comments and identifying all revisions to the plans from previous submissions. Any revisions not noted in the letter and clearly marked and highlighted on the plans shall not be reviewed until the applicant resubmits plans and documents in compliance with this section.

SECTION VI. SUBDIVISION REGULATIONS – PLAN REVIEW.

Chapter 72, *Land Planning*, Article III, *Land Development Regulations*, Division 2, *Subdivision Regulations*, of the Code of Ordinances, County of Volusia is hereby amended to read as follows:

...

Sec. 72-539. Overall development plan review.

(a) *Procedures.* ~~After a sketch plan review has been completed or omitted pursuant to section 72-538, an ODP application shall be filed, processed and reviewed pursuant to sections 72-503 and 72-504 of this article. The application and exhibits shall be consistent with the recommendations developed by the DRC during the sketch plan review, if applicable.~~ The information required below shall be submitted on sheet sizes of 24 inches by 36 inches (unless otherwise approved in advanced by the LDM), and shall be signed and sealed by a Florida registered professional engineer except when

1 required to be signed and sealed by a registered surveyor and mapper licensed to practice
2 in the State of Florida.

3 (b) *Required Submittals.* The application shall include the following
4 supporting information:

5 ~~(1) [Information submitted for sketch plan review.] All items required~~
6 ~~for sketch plan review under subsection 72-538(e).~~

7 (21) General Information.

8 a. Name of subdivision; name, address, telephone number of
9 the subdivider, subdivision designer, professional engineer
10 and registered surveyor; all applicable tax parcel
11 identification numbers according to Volusia County
12 Property Appraiser's Office;

13 ...

14 c. Vicinity map at a scale no smaller than one (1) inch equals
15 two thousand (2,000) feet with sufficient information to
16 locate the property in the field;

17 ed. Total acreage in tract, acreage in public or other land usage,
18 total number of lots, and linear feet in streets;

19 de. Names and location of adjoining subdivisions and streets;

20 f. Legal description of the property proposed for platting;

21 eg. Other supplemental materials or any deed restrictions or
22 protective covenants for the subdivision and any other

1 information considered by either the applicant or the DRC
2 to be pertinent to the review of the ODP;

3 h. A management plan for conservation subdivisions
4 approved pursuant to section 72-547.

5 (32) Existing site data.

6 a. Current boundary survey, performed within the last two (2)
7 years, of the property prepared by a registered professional
8 surveyor and mapper licensed to practice in the State of
9 Florida, to include all above-ground improvements,
10 easements of record and the limits of all adjacent rights-of-
11 way;

12 ab. City limits lines (if any), property lines, rights-of-way,
13 pavement widths, easements, streets, driveways, railroads,
14 utility transmission lines, storm sewers, ditches and
15 culverts, sanitary sewers, water mains, bridges, buildings,
16 bulkhead and bulkhead lines; for the subject property and
17 for the surrounding area within three hundred (300) feet of
18 the proposed development;

19 bc. Wooded, wetland, and 100-year floodplain areas, marshes,
20 water bodies or watercourses, ponds, and other similar
21 conditions affecting the site;

1 ed. Topography of the site at not more than two-foot vertical
2 contour intervals based on mean sea level data furnished by
3 a professional engineer or surveyor;

4 ~~d. Soil borings if required.~~

5 e. Specific soil types and their limitations for planned use.
6 Soil information is to be taken from the most recent soil
7 survey of Volusia County, Florida. The soil types and
8 boundaries shall be delineated on the plan. Soil borings if
9 required;

10 f. Predominant plant communities identified by common
11 name and location, graphically depicted on the plans;

12 g. Current zoning and existing uses of subject property and of
13 adjacent and surrounding properties within three hundred
14 (300) feet;

15 h. Known wildlife corridors for federal and state endangered
16 species, threatened species, or species of special concern;

17 i. Known plants and animals which inhabit the site that are
18 listed as federal and state endangered species, threatened
19 species, or species of special concern;

20 j. Known historic and archaeological sites;

21 k. Location (if any) of ECO designated lands on the subject
22 property and surrounding property within three hundred
23 (300) feet.

1 (43) Proposed site data.

2 ...

3 h. Areas that may be reserved for parks or recreation sites,
4 conservation easements, or open space areas;

5 h.i. Designation of areas to be used for purposes other than
6 residential and public, if any;

7 i.j. Surface drainage patterns with direction of flow and
8 method if disposal on site and off site;

9 j.k. Approximate spot elevations sufficient to indicate proposed
10 grading of the streets and landscapes;

11 k.l. Plans and information required pursuant to all other
12 applicable ~~articles~~ sections of this article;

13 l.m. Tentative construction schedule for the proposed
14 development, including, if applicable, a tentative schedule
15 for phasing construction, the date potable water facilities
16 are needed to serve the proposed development and a
17 commitment from the appropriate potable water provider, if
18 other than the County of Volusia, demonstrating that
19 adequate capacity shall be available to service the proposed
20 development at the time of impact as provided in division
21 14; provided, however, the level of service standards
22 described in division 14 shall be adhered to by any potable
23 water facility provider;

1 ~~m n.~~ The date sanitary sewer facilities are needed to service the
2 proposed development and a commitment from the
3 appropriate sanitary sewer system provider, if other than
4 the County of Volusia, that adequate capacity shall be
5 available to service the proposed development at the time
6 of impact as provided in division 14; provided, however,
7 the level of service standards described in division 14 shall
8 be adhered to by any sanitary sewer provider.

9 **Sec. 72-540. Preliminary plat and construction plan review.**

10 ...

11 (b) *Procedure and required submittals.* An application for preliminary plat
12 and construction plan review, the proper fee, and sufficient copies of the exhibits, as
13 determined by the LDM, shall be filed with the LDD. Exhibits shall include:

14 (1) *General information.*

15 a. All plans shall be submitted on 24-inch x 36-inch sheet
16 sizes, unless otherwise approved in advance by the LDM,
17 and shall be signed and sealed by a Florida registered
18 professional engineer.

19 ...

20 b. A survey of the subject property prepared by a registered
21 surveyor containing the legal description of the subject
22 property and the surveyor's certificate of accuracy is

1 required to be signed and sealed by a Florida registered
2 professional surveyor and mapper.

3 ...

4 **SECTION VII. SUBDIVISION REGULATIONS – CONSERVATION**
5 **SUBDIVISIONS.** Chapter 72, *Land Planning*, Article III, *Land Development*
6 *Regulations*, Division 2, *Subdivision Regulations*, of the Code of Ordinances, County of
7 Volusia is hereby amended to create a new Section 72-547 as follows:

8 **Secs. 72-542 – 72-546. Reserved.**

9 **Sec. 72-547. Conservation Subdivisions.** Notwithstanding any other
10 provisions of this article, applications for conservation subdivisions meeting the criteria
11 in this section may be processed as provided in this section.

12 (a) Standards.

13 (1) No minimum acreage for subdivision.

14 (2) Maximum 600 lots.

15 (3) No minimum lot size.

16 (4) No minimum lot width.

17 (5) No minimum setbacks.

18 (6) Permitted in any zoning classification.

19 (7) Minimum 10,000 square feet outside of special flood hazard area
20 for each lot or parcel.

21 (8) If permitted by division 4 of this article, new unpaved roads shall
22 be private and shall comply with the design and construction

1 standards in division 4 of this article. New unpaved private roads
2 shall connect to a publicly maintained right-of-way.

3 (9) All private roads, whether paved or unpaved, shall have permanent
4 maintenance by the managing entity or homeowner's association
5 as approved in the development plan. The private roads shall be
6 set aside for common ownership and maintenance, which shall be
7 borne by the lot owners using the private road for access. A
8 "Notice to Future Land Owners" declaring that the roadway is a
9 private road which is neither dedicated to nor accepted by Volusia
10 County and that the maintenance of the road is not the
11 responsibility of the county, regardless of use by public service
12 vehicles shall be recorded with the clerk of the circuit court for
13 Volusia County. Said "Notice to Future Land Owners" shall be on
14 a form approved by the LDM office prior to final approval, and
15 shall include, at a minimum, the overall legal description, tax
16 parcel number, and property owner, and state the following:

17 a. "No governmental agency, including the
18 government of Volusia County, shall ever be
19 responsible for the maintenance, repair, upkeep, or
20 improvements of any drives, roads, streets,
21 easements, or rights-of-way providing ingress and
22 egress to the property herein conveyed."; and

1 b. “It is the responsibility of any future landowner to
2 determine the maintenance responsibility for any
3 access or roadway serving the property, whether or
4 not a property owner’s association has been created,
5 and the status of any required association
6 payments.”; and

7 c. “The approval of the subdivision is not a finding by
8 the county as to the quality, function, and legal right
9 of access to the properties herein, and the county is
10 not responsible to ensure acceptable access for the
11 residents’ access and for accessory access
12 including, but not limited to, emergency services,
13 trash pickup, mail delivery, delivery/service
14 vehicles, guests or other invitees.”

15 (10) At least sixty percent (60%) of the gross land area of the proposed
16 subdivision shall be designated as undivided, permanently
17 protected open space, managed for either agriculture or
18 conservation purposes, and on which the underlying development
19 rights of the open space have been severed through a permanent
20 conservation easement. Open space shall be arranged to preserve
21 the function, purpose and integrity of the on-site natural resources
22 to the maximum extent practicable. Lands within the ECO overlay
23 shall be designated as open space as set forth in the Smart Growth

1 Initiative provisions of the Future Land Use Element of the
2 Volusia County Comprehensive Plan. Open space shall be
3 identified as a separate tract on the final plat. Open space shall
4 consist of Conservation Areas, Common Open Space, and/or
5 Active Agricultural Areas.

6 a. Conservation Areas - wetlands, watercourses, water
7 bodies and associated buffers, land within 660 feet
8 of an active bald eagle nest, lands conserved for
9 protection of native or endangered flora, fauna, and
10 habitat, and other selected areas which contain
11 attractive spaces that are unique to the rural
12 character of the site, as determined by the on-site
13 review of the property and agreed to as part of the
14 conceptual development plan. Such lands shall be
15 managed as natural open space and maintained in a
16 natural or restored condition as set forth in the
17 Conservation Management Plan required herein.
18 Boardwalks, walking trails and interpretative
19 signage may be allowed.

20 b. Common Open Space - open space set aside for
21 passive recreational purposes. These areas may
22 contain accessory buildings and improvements
23 necessary and appropriate for recreational uses and

1 public uses as shown on the development plan
2 including areas required for stormwater
3 management and septic drainage systems designed
4 to ensure compatibility with the environment.

5 c. Active Agricultural Areas – improved land used for
6 bona fide agriculture uses subject to Best
7 Management Practices of the Florida Department of
8 Agriculture and Consumer Services including
9 structures and facilities to support bona-fide
10 agricultural uses.

11 (11) The buildable area to support the residential and neighborhood
12 convenience development shall not exceed forty percent (40%) of
13 the gross land area, be confined to areas most suitable for
14 development and designed to define a compact developable
15 footprint. Density shall be calculated based on the underlying
16 zoning. Lots shall be arranged in a compact fashion and are
17 authorized and encouraged to be smaller than typically allowed in
18 the zoning classification. There shall be no minimum or maximum
19 lot size except those that are approved with the overall
20 development plan. The buildable area shall provide a buffer from
21 adjacent property and external roads which averages 100 feet.

22 (12) Development that preserves all wetlands and at least fifty percent
23 (50%) of the uplands or at least seventy-five percent (75%) of the

1 gross acreage shall be granted a density bonus yield of twenty-five
2 percent (25%) of base yield. In no event shall the bonus yield
3 exceed capacity for existing public infrastructure as measured by
4 concurrency management systems in the land development
5 regulations or §206 School Planning, Volusia County Charter
6 unless the school district enters into a capacity enhancement
7 agreement.

8 (13) Innovative development practices that are consistent with the
9 purposes of conservation development are strongly recommended.
10 These include, but are not limited to, Low Impact Development,
11 Dark Skies, Water Star, Firewise, US Green Building Council
12 LEED Certified Development, Florida Green Building Coalition
13 designation or other county approved certifications which promote
14 sustainability, or water neutrality, or for environmental restoration
15 of degraded wetlands or habitat. Provisions of the land
16 development regulations, excluding the provisions of section 72-
17 547, may be waived by DRC to the extent they are in conflict with
18 the above innovated development practices.

19 (14) Centralized water and/or sewer may be necessary to meet county
20 public health requirements if individual lots sizes are smaller than
21 required for onsite well and wastewater disposal systems. Buried
22 wastewater disposal systems may be located in improved common

1 open space areas subject to a permanent maintenance easement as
2 approved on the development plan and by the health department.

3 (15) Existing vegetation and Florida friendly vegetation are encouraged
4 to reduce water consumption for irrigation.

5 (16) Open Space requirements:

6 a. Within ECO, all of the wetlands and at least fifty percent
7 (50%) of the uplands shall be open space.

8 b. Outside of ECO, at least sixty percent (60%) of the gross
9 land area shall be open space.

10 c. Open space should include conservation areas, selected
11 areas which contain attractive spaces, historical or
12 archaeological sites, scenic vistas or other areas that are
13 unique to the rural character of the site.

14 (17) Open space shall be protected by recording a conservation
15 easement with the clerk of the circuit court describing the lands
16 subject to the easement in substantially the form set forth in
17 Section 704.06, Florida Statutes. The easement shall be held by a
18 state or local jurisdiction, a public conservation agency, or tax
19 exempt conservation organization, qualified under Sec. 170(h) (3)
20 Internal Revenue Code, or combination of the above described
21 entities. A letter shall be submitted with the application for the
22 conservation subdivision from a qualified entity stating its intent to
23 accept the conservation easement. The easement shall be perpetual,

1 run with the land, and be binding against subsequent purchases or
2 transferees. The underlying fee interest may be held by the
3 applicant, a homeowners' association, the county, or a responsible
4 managing entity, or a third party. The underlying fee interest shall
5 be subject to the easement and the conservation management plan.

6 (18) The applicant, the recipient of the conservation easement, or the
7 party retaining the underlying fee interest shall provide a
8 conservation management plan that outlines the uses and long-term
9 management objectives of the land designated as open space and
10 conservation areas and subject to a conservation easement. The
11 management plan shall describe how the natural open space shall
12 be maintained in perpetuity so as to meet the conservation
13 objectives, how adjustments to the management plan may be made
14 to meet changing conditions, and how the cost of maintenance
15 shall be paid. The management plan shall be approved as part of
16 the overall development plan and enforceable within the
17 conservation easement. The management plan shall designate a
18 managing entity, which shall be responsible for raising all monies
19 required for operations, maintenance, or physical improvements to
20 the open space.

21 (19) Non-residential Development:

22 a. Will be located in the buildable area and designed to serve
23 the population of the conservation subdivision.

1 b. Shall be no greater than 3 acres.

2 c. Shall be limited to 8,500 square feet.

3 d. Consist of neighborhood convenience as defined in chapter
4 20, or otherwise similar classification in accordance with
5 the most recent edition of the North American Industry
6 Classification System (NAICS).

7 (20) Additional non-residential development may be allowed if the sole
8 purpose is to support an eco-tourism or agri-tourism business
9 proposed as part of the conservation subdivision.

10 (b) Submittal requirements.

11 (1) Applications for conservation subdivisions shall comply with
12 sections 72-539, 72-540 and 72-541, except as provided in this
13 section.

14 (2) Separate maintenance covenants shall be submitted with the
15 preliminary plat.

16 (3) The applicant may submit to the Land Development Office,
17 without fee, a site analysis map that depicts the following:

18 a. Property boundaries and existing parcels;

19 b. Topography, using a minimum two foot contour interval;

20 c. Wetlands, as delineated by SJRWMD or Volusia County
21 Environmental Management;

22 d. Watercourses and existing water bodies;

23 e. 100-year FEMA mapped floodplains, Zone A;

1 f. Existing rights-of-way and easements;

2 g. The location of any active bald eagle nests and other known
3 nesting or burrow sites of species listed for protection by
4 the USFWS or FFWCC;

5 h. Approximate location of Environmental Corridor Overlay
6 areas;

7 i. Soil boundaries as shown on USDA Natural Resources
8 Conservation Service medium-intensity maps;

9 j. The location of significant attractive features such as scenic
10 views into or out from the property, watershed divides and
11 drainage ways, fences, existing structures, roads, tracks and
12 trails;

13 k. Historic Sites listed on the State Master Site Files.

14 (4) After submission of the site analysis map, the applicant and county
15 planning staff may schedule an agreeable time to perform an on-site
16 review of the property, at which time the conservation areas shall be
17 identified.

18 (5) At the completion of the on-site visit, the applicant may submit a
19 conceptual development plan, prior to submittal of an overall
20 development plan for preliminary review.

21 **Sec. 72-548 – 72-575 Reserved.**

22 **SECTION VIII. AUTHORIZING INCLUSION IN CODE. The**

23 provisions of this ordinance shall be included and incorporated into the Code of

1 Ordinances of the County of Volusia, as additions or amendments thereto, and shall be
2 appropriately renumbered to conform to the uniform numbering system of the code.

3 **SECTION IX. SEVERABILITY.** Should any word, phrase, sentence,
4 subsection or section be held by a court of competent jurisdiction to be illegal, void,
5 unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section
6 so held shall be severed from this ordinance and all other words, phrases, sentences,
7 subsections, or sections shall remain in full force and effect.

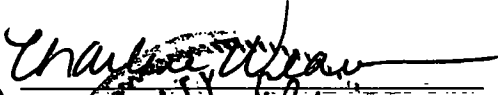
8 **SECTION X. CONFLICTING ORDINANCES.** All ordinances, or
9 parts thereof, in conflict herewith are, to the extent of such conflict, repealed.

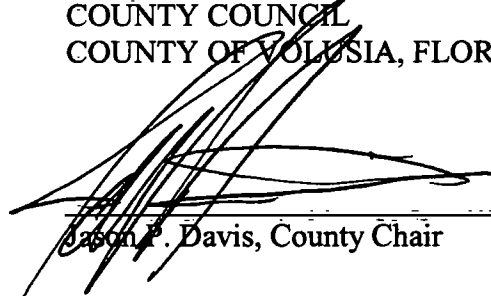
10 **SECTION XI. EFFECTIVE DATE.** A certified copy of this
11 Ordinance shall be filed with the Department of State by the County Manager within ten
12 (10) days after enactment by the County Council and this Ordinance shall take effect
13 upon filing with the Department of State.

14 **ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA,**
15 **IN OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL**
16 **CHAMBERS AT THE THOMAS C. KELLY ADMINISTRATION CENTER, 123**
17 **WEST INDIANA AVENUE, DELAND, FLORIDA THIS 5th DAY OF MARCH,**
18 **A.D. 2015.**

19
20
21
22 ATTEST:

COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA

23
24
25
26 
(for) James T. Dinneen, County Manager


Jason P. Davis, County Chair

