

## **H. SMART GROWTH INITIATIVE:**

### **GOAL:**

SG 1: To ensure that Volusia County retains an interconnected core network of environmentally important lands to help preserve the County's ecosystems into the future.

### **OBJECTIVE:**

SG 1.2: To protect and enhance environmentally sensitive corridors, wildlife habitat, connected wetlands, and natural hydrologic functions throughout Volusia County, the County adopts the Environmental Core Overlay or "ECO" Map as a component of the Future Land Use Map series.

### **POLICIES:**

SG 1.2.1: Lands within the ECO Map shall be managed based on the following criteria:

- (a) Public lands within ECO shall be managed to protect functioning ecological systems while respecting existing land management or use agreements.
- (b) Where a tract of land is partially or fully within ECO, proposed development activities shall be encouraged to utilize innovative and flexible land development and planning techniques such as conservation development and/or transfer of development rights to shift development from ECO to other more suitable areas. In such cases, lands within ECO shall be protected by an easement that permanently severs development rights.
- (c) Where a tract of land is partially or fully within ECO, the owner(s) shall be encouraged to utilize innovative land planning and development techniques such as conservation subdivisions, rural clusters, rural lands stewardship, Low Impact Development, Waterwise Development, Firewise Development, United States Green Building Council LEED Certified development, Florida Green Building Coalition designations, or other similar development certifications which promote sustainability.
- (d) The County shall encourage landowners who own property within ECO to coordinate development activity and utilize innovative and flexible land development techniques to protect the integrity of the Environmental Core Overlay as an ecological unit.
- (e) By 2010, the County shall adopt regulations, standards, and procedures pursuant to Sec. 202.04 of the Volusia County Charter to apply specific minimum environmental standards to the Environmental Core Overlay to protect it as a functional ecological unit. Specific regulations shall be adopted within ECO for wetlands protection, watershed protection, aquifer protection, and for conservation of trees and native habitat.
- (f) By 2009, the County shall adopt land development regulations which set forth

procedures and standards for implementing this section, which shall respect underlying property rights while promoting protection of existing functioning ecological systems. The land development regulations shall provide procedures for subdivision of land that recognize the existing densities and intensities and provide incentives for conservation development as set forth in Policy 1.2.2 and which includes the following:

- (1) Private land owners within ECO shall be encouraged to utilize Best Management Practices to conserve lands within the overlay so as to protect functioning ecological systems.
  - (2) The County may consider privately owned lands within ECO for fee and less than fee acquisition.
  - (3) Lands identified as ECO shall also be encouraged for private conservation programs such as conservation easements, wetland mitigation banks, conservation banks, wetlands reserve program, and other recognized conservation programs.
  - (4) Lands within ECO will be identified as sending areas in any transfer of development right program that may subsequently be developed.
- (g) The zoning densities, as a whole, for all land within the ECO boundaries shall remain density neutral. Incentives may be provided for innovative planning and/or preservation.

SG 1.2.2: The County shall develop procedures, standards, and incentives for Conservation Developments (CDs). CDs shall be the preferred method for subdivisions on all parcels or tracts that include or are directly adjacent to lands identified on the Environmental Core Overlay (ECO).

- (a) Conservation Developments are residential and open space developments where at least sixty-percent (60%) of the gross land area is designated as permanently protected open space and managed for agricultural or conservation purposes. Open space shall be arranged to preserve the function, purpose and integrity of the on-site natural resources to the maximum extent practicable. The underlying development rights of the open space shall be severed through a permanent conservation easement. Development shall not exceed forty-percent (40%) of the land area and shall be located on the area most suitable for development. Lots shall be arranged in a compact fashion and are authorized and encouraged to be smaller than typically allowed in the zoning classification. Conservation Developments shall be designed to protect the important characteristics and features of land through the following goals, as applicable:
- (1) Protect natural and historic resources.
  - (2) Preserve the rural character of the county.
  - (3) Retain functional open space for passive recreational purposes.

- (4) Maintain significant areas for silviculture and agriculture production.
  - (5) Provide habitat corridors through linked open space networks.
  - (6) Protect scenic vistas.
  - (7) Allow development on smaller lots and a compact footprint in order to protect more open space.
- (b) The land development regulations shall set forth a flexible process for authorizing conservation developments with innovative designs and provide for standards and locational criteria to site lots in an area suitable for development. The regulations shall also establish procedures for permanent conservation management of the designated open space.
- (c) Conservation Developments shall be encouraged by the following policies:
- (1) Base Yield for a Conservation Development means the gross acreage of a tract divided by the density of the underlying land use designation. In cases where tracts contain multiple land use designations, the base yield will be calculated separately for each area and added together to determine the total site's base yield. The resultant number is the allowed number of residential dwelling units, prior to any potential bonuses.
  - (2) A CD which preserves substantially all wetlands and fifty percent of the uplands as open space or at least seventy-five percent of the gross acreage may receive up to twenty-five percent density bonus above the base yield.
  - (3) The following innovative design techniques shall be encouraged: Low Impact Development, Dark Skies, WaterStar; Firewise, US Green Building Council LEED Certified Development, Florida Green Building Coalition designation or other county approved certifications which promote sustainability, water neutrality, or environmental restoration of degraded wetlands or habitat. Provisions of the land development regulations may be waived for a CD to the extent they are in conflict with an approved certification. If allowed, the facilities based on these programs must be privately maintained.
  - (4) In no event shall the yield bonus exceed capacity for existing public infrastructure as measured by concurrency management systems in the land development regulations or § 206 School Planning, Volusia County Charter.
  - (5) A CD may include agri-tourism and eco-tourism activities such as: sales of agricultural products, equestrian boarding facilities, ecotourism facilities, agri-tourism facilities, environmental interpretive or learning centers, boardwalks and trails.

- (6) A CD may incorporate limited neighborhood scale commercial development designed to serve area residents, so long as it is compatible with the overall CD and consistent with the rural character of the area.
  - (7) The number of residential units in a conservation development shall not exceed 600 units.
- (d) Open Space areas in Conservation Developments shall be designated, permanently protected, and maintained as undeveloped conservation, agriculture or passive recreational uses. Open Space shall be selected and designed according to the following principles:
- (1) ECO Lands, Environmental System Corridors, substantially all wetlands, natural and historic resources shall receive top priority for inclusion as part of the designated open space area and shall be managed for conservation purposes. Agricultural areas may be set aside within areas designated as Open Space area so long as agricultural uses comply with Best Management Practices approved by the Florida Commissioner of Agriculture.
  - (2) When a parcel contains lands designated as ECO and other lands, the CD should as much as possible protect the ECO lands and shift development to lands outside of ECO.
  - (3) Taken as a whole, Open Space should contain as much of the lands designated as ECO as possible and shall generally be contiguous to minimize fragmentation and promote the creation of an interconnected, environmentally significant corridor.
  - (4) Open Space shall be permanently protected by a recorded conservation easement and held by one or more of the following: Volusia County, other public agency, or a land trust or conservation organization approved by the County.
  - (5) Open Space shall be subject to an appropriate management plan. The management plan shall establish management objectives, outline procedures, and define the roles and responsibilities for managing the open space. The plan shall also provide for the protection of species listed by FWC and USFWS.