

**VOLUSIA SMART GROWTH IMPLEMENTATION COMMITTEE  
RECOMMENDATIONS  
For Map A**

**Protect Core Environmental Areas**

The Committee recommends the following tiered approach to protecting the lands within Map A.

- a) The county should seek full-fee or less-than-fee acquisition of these lands. Lands within the Map A boundary should be priorities for acquisition whenever acquisition dollars are available. Lands that support undisturbed or largely undisturbed natural communities should be priorities within Map A.
- b) Lands within the Map A boundaries should be identified as donor sites for transfer of development rights or rural land stewardship programs that transfer development outside the boundary of Map A. (These programs are described and recommended in Section D of this report.) This approach will protect the rights of landowners inside the boundary while avoiding development of Map A lands.
- c) Whenever possible, upland acquisition or wetland acquisition or restoration undertaken as mitigation for development elsewhere in the county should be undertaken within Map A lands.
- d) The county should adopt heightened environmental standards for any development within Map A. These standards should at a minimum address protection of substantially all wetlands and fifty percent of natural uplands, including significant habitat. The standards should also freeze underlying densities within Map A at levels currently allowed by the county comprehensive plan. (This would not preclude the 25% density bonus for clustered development describe in Recommendation A1e below.) These standards should apply in incorporated as well as unincorporated areas of Map A.
- e) Clustering should be allowed as-of-right within privately held Map A lands, through approval of a “binding development agreement.” Clustered development in Map A lands should receive an as-of-right density bonus of 25% for in return placing at least 50% of the project under a conservation easement held by Volusia County, as long as it meets the heightened environmental standards applicable to Map A lands. The development should be sited on that portion of the land identified as most suitable/least inappropriate for development, based on the study outlined in Recommendation A3 below. The easement should be placed so as to ensure that the lands it protects form part of the connected network of environmental lands outlined in Map A. [For a definition of clustering as the term is used in this report, please see Appendix B.]
- f) Densities for as-of-right development that do not use clustering should remain as currently indicated on the county’s future land use map, and should be adopted as part of the heightened environmental regulations described in d above.
- g) Map A lands should be recognized in county and city future land use maps.
- h) Within privately held Map A lands, existing agricultural or silvacultural operations that use recognized best management practices should be allowed to continue.

## **Further Study of Map A Lands**

The Committee recommends that the county, in cooperation with Volusia cities, conduct a study of privately held Map A lands to identify areas where cluster development might be considered, if necessary, and areas that should be protected. This study is intended to provide the detailed information necessary to implement Recommendation A1. The study should take into consideration the following criteria:

- The heightened environmental protections applicable to Map A lands pursuant to Recommendation (d ) above.
- Natural systems or habitat value
- Suitability for development.
- Proximity to, or contiguity with, existing urban areas.
- Proximity to existing infrastructure and school capacity.

## **Process to Pay Market Values for Some Environmentally Important Lands**

The county should work with the St. Johns River Water Management District and other acquisition partners to develop an agreed-upon process that allows the county to pay the difference between market value and appraised value for selected environmentally important lands while allowing the acquisition partners to participate in the acquisition based on appraised values. Any such process must incorporate safeguards, including identification of criteria for when the process should be used, and review and endorsement of the proposed acquisition by an independent third party institution. This mechanism is intended for use only in extraordinary circumstances, where the conservation objectives outlined in this report cannot be achieved through other means.

## **Evaluation of Need for Additional Funding**

Recent escalation of land values in Volusia County has made acquisition of environmentally important lands with available funds more difficult. In addition, some of the mechanisms (such as Transfer of Development Rights programs) recommended in this report for protection of environmentally important lands can more easily be implemented with start-up funding.

To address these concerns, the Committee recommends the following:

- a) The county should evaluate whether additional funding is needed, through Volusia Forever or other sources for protection of environmentally important lands. Possible needs include, but are not limited to, increased funding for acquisition or management of environmentally important lands, and creation of a TDR credits bank.
- b) The county should consider whether to raise its bonding ceiling for Volusia Forever revenues, in order to increase its ability to respond to acquisition opportunities.

## **Minimize Adverse Impacts of Roads on Natural Systems**

Roads can have negative impacts on natural areas in a variety of ways. They can create barriers to the movement of wildlife effectively fragmenting natural area into smaller blocks that are less valuable as habitat; they can contribute directly to increased wildlife mortality through road-kill; and they can promote development that further reduces or damages habitat.

To address these concerns, the Committee recommends the following:

- a) The county should review and revise the Future Thoroughfares map to identify areas that are inappropriate for new roads by virtue of their high environmental sensitivity.
- b) In or through the environmental core, the county should meet transportation demand whenever possible by improving existing roads rather than constructing new ones.
- c) Improvements to existing roads across environmentally sensitive lands should only be considered in conjunction with effective measures for preventing development of lands in Map A or other environmentally sensitive lands not consistent with the recommendations of this report. These measures should include maximum land-use protections or acquisition of access rights along the right-of-way.
- d) If new roads across environmentally sensitive lands are unavoidable, they should only be considered in conjunction with effective measures for preventing development of lands in Map A or other environmentally sensitive lands not consistent with the recommendations in this report. These measures should include maximum land-use protections or acquisition of access rights along the right-of-way.
- e) Improvements to existing roads or construction of new roads through environmentally sensitive areas should include measures to minimize habitat fragmentation and wildlife mortality. These measures should include wildlife underpasses or overpasses, and may include traffic calming or other measures to reduce speed.
- f) The county should work with FDOT to ensure that improvements to SR 415, which crosses the Conservation Corridor and a critical wildlife corridor, include wildlife underpasses or overpasses, and other measures to minimize habitat fragmentation.
- g) The county should work with FDOT to retrofit SR 44, which crosses the Conservation Corridor and critical wildlife corridors, with wildlife underpasses or overpasses and other measures to minimize habitat fragmentation.
- h) The county should ensure that any future roads through environmentally important lands not allow for additional interchanges or access that opens environmentally important lands to development.
- i) Roads should only be built to support development that is consistent with the recommendations of this report.

### **Protection of Recharge Areas**

Volusia County and Volusia municipalities should protect the capacity of high recharge areas to continue to replenish the aquifer.

### **Clustering [SB 360]**

Clustering of development in the secondary water and sewer service area should be encouraged in Volusia County as a tool for protection of open space, scenic vistas, historic sites, rural landscapes, agricultural lands, and environmentally sensitive lands as described below:

- a) Cluster developments should be allowed “as a matter of right” in the Map B secondary water and sewer service area through approval of a “binding development agreement.” These developments should receive an as-of-right density bonus of

25% for protecting substantially all wetlands and placing 50% of the project under a conservation easement held by Volusia County.

- b) Density bonuses in excess of 25% should be available in Map B lands to cluster developments that place more than 50% of the project under a conservation easement, protect environmentally sensitive lands, wetlands, water features, or recharge areas, scenic vistas, or contribute to an integrated system of protected natural areas. Such bonuses should be negotiated between the county or other jurisdictions and the developer, on a sliding scale that considers the degree to which the proposed development exceeds the minimum criteria for as-of-right cluster developments. The bonus should only be granted if the area to be developed meets the criteria of the study outlined in Recommendation A4 for land suitable for development.
- c) Cluster developments could also be allowed that protect working landscapes, agricultural practices, or continued forestry operations.
- d) Land protected by easement as a result of clustering should have natural resource or agricultural value and should, wherever possible, connect to networks of protected lands. Land protected by conservation easements should not be available for use as golf courses.
- e) Filing fees for cluster developments should be adjusted so as to not penalize clusters.
- f) Procedures should be adopted which treat cluster developments differently and less onerously than Planned Unit Developments [PUDs.]
- g) Design standards should be adopted which could be incorporated into cluster development agreements to encourage conservation results.

### **Transfer of Development Rights [SB 360]**

In order to protect the rights of property owners while protecting lands that may not be appropriate for any development, Volusia County and Volusia municipalities should establish a transfer of development rights program. The donor and receiving areas within the secondary water and sewer service area should be identified based on the study outlined above this report. Additional receiving areas within already urbanized areas should be identified jointly the cities and the county.

### **Rural Lands Stewardship [SB 360]**

In order to protect the rights of property owners while protecting lands that may not be appropriate for any development, Volusia County and Volusia municipalities should fully explore the possibility of establishing a Rural Lands Stewardship Program as authorized in Florida Statutes. The donor and receiving areas should be identified based on the study outlined above in this report.

### **Rural Vista Setbacks**

In order to protect the rural appearance of rural areas, the county should adopt “rural vista management plans for all development along designated rural transportation corridors. These plans should identify the factors that contribute to the rural character of the vista for each road, and provide development guidelines (including, among others, minimum setbacks, design standards, tree protection standards, and native plant buffers with opacity standards) that will

ensure the preservation of that rural character. These guidelines should not result in lower net densities on the parcels affected.

### **Additional Sources of Revenue**

Agriculture is a market based activity that must remain profitable to remain viable. Current county zoning and land-use regulations relating to agriculture limit the activities allowable on agricultural land, and therefore limit potential revenue sources that could contribute to keeping agricultural lands in production or rural in character. The Committee therefore recommends the following:

- a) Volusia County should expand uses permitted (see Appendix A “Tool Box”) in agriculturally zoned land to allow for additional income producing activities. The Agri-Business Inter-relation Committee and county staff should review what is currently permitted, based on size of acreage and make provision for additional uses.
- b) To encourage broader utilization of the expanded range of uses resulting from Recommendation D5a, the county should explore mechanisms to limit the liability of landowners for public use of private lands.
- c) Support the River of Lakes Heritage Corridor initiative by the West Volusia Tourism and Advertising Authority and encourage similar activities to promote eco-tourism and agriculture throughout the county.
- d) The county and municipal economic development departments should target agricultural product processing as viable economic activities that can contribute to keeping agricultural lands in production or rural in character.

### **Bluebelt Ordinance**

State law provides that counties may adopt “bluebelt” ordinances providing tax relief for properties that meet criteria for contributing to aquifer recharge. Volusia County should explore adoption of a Bluebelt ordinance for properties that meet the requirements under state law.

### **Vesting Easements**

Explore the use of vesting easements as a non-monetary way to compensate landowners for maintaining land in agricultural production.

### **Agricultural Use of Public Lands**

Explore the leasing of appropriate government-owned land for agricultural uses, either for a flat fee or a percentage of the return on the continuing agricultural operation. The revenues generated from such leasing should be used to purchase additional environmentally sensitive lands.

### **Funding for Rural and Family Lands Protection Act**

Direct the Volusia County Legislative Delegation to implement and fund the Rural and Family Land Protection Act

## **Definition of Rural Communities**

The county should define what is meant by rural communities in terms of density and levels of service.

## **Planning for Rural Communities [SB 360]**

The county should conduct additional small area studies of rural communities to develop appropriate plans for their future.

## **Short Term Protection of Rural Communities [SB 360]**

To provide protection to rural communities in the short-term, the cities and the county should develop joint planning agreements and adopt compatible zoning and land use regulations in and around the communities that will protect these communities from encroaching urban development. There is a need for longer-term assurance of protection.

## **Long-Term Protection of Rural Communities [SB 360]**

The Charter Review Commission should consider a charter amendment that will protect appropriate rural communities and villages from encroaching urban development.

## **New Rural Communities [SB 360]**

The county should allow for the development of new rural communities