



# CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE 07/15/08

**SUBJECT: SMART GROWTH IMPLEMENTATION UPDATE**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**RECOMMENDED MOTION: No motion required**

**SUMMARY:** On August 7<sup>th</sup>, the Volusia County Council is scheduled to review amendments to the County Comprehensive Plan that will create the regulatory framework for implementation of Map "A"/ECO map. The amendments would add the Map "A"/ECO map to the County's Future Land Use Map series and add new Goals, Objectives, and Policies concerning specific implementation techniques, such as Conservation Development and Transfer of Development Rights.

The attached report provides a brief overview of the Volusia County Smart Growth initiative including and update on the Smart Growth Technical Advisory Committee actions, the proposed County Comprehensive Plan amendments, and upcoming implementation actions.

**ATTACHMENTS:**     Ordinance     Resolution     Budget Resolution  
 Other     Support Documents/Contracts Available for Review in Manager's Office

|                           |   |                                    |                    |
|---------------------------|---|------------------------------------|--------------------|
| <b>DEPARTMENT HEAD</b>    | <i>Wayne Clark</i><br>Wayne Clark<br>Community Development Director | <i>for</i>                         | Date <b>7-3-08</b> |
| <b>FINANCE DEPARTMENT</b> | <i>N/A</i>  | Approved as to Budget Requirements | Date               |
| <b>CITY ATTORNEY</b>      | <i>N/A</i>  | Approved as to Form and Legality   | Date               |
| <b>CITY MANAGER</b>       | <i>[Signature]</i>  | Approved Agenda Item For:          | <b>7/15/08</b>     |

**COUNCIL ACTION:**     Approved as Recommended     Disapproved  
 Tabled Indefinitely     Continued to Date Certain     Approved with Modification

## UPDATE ON VOLUSIA COUNTY SMART GROWTH IMPLEMENTATION

### Background

In 2004, the Volusia Smart Growth Implementation Committee was created, with members drawn from Volusia governments and citizen, business, and environmental organizations. After a series of meetings, the Committee issued *The Volusia Smart Growth Implementation Committee Final Report* (2005 Report), which contains 49 recommendations to address the following issues:

- Protecting the environmental core;
- Directing development to appropriate locations;
- Developing vibrant, livable and sustainable urban communities;
- Ensuring the continued existence of rural lands & agriculture;
- Meeting the infrastructure needs of Smart Growth; and
- Integrating education and Smart Growth.

After the 2005 Report was issued, implementation discussions continued with the VCOG Smart Growth Committee comprised of City and County managers and elected officials. In 2007, the Committee evaluated areas of Volusia County that currently serve as wildlife corridors and habitat buffers. This process resulted in the creation of Map "A," which was subsequently endorsed by Volusia County, Volusia County Schools, and 15 of the 16 municipal governments. The City of Port Orange adopted Resolution 07-89 supporting Map "A" and the Smart Growth process on September 18, 2007.

- Map "A" lands are defined as: Environmental core lands that should receive the greatest degree of protection, and therefore suffer the least impact from development. These lands include the Conservation Corridor, Florida Forever Priority A lands, portions of the Environmental Systems Corridor, additional lands needed to ensure connectivity between large natural areas, and lands already in public ownership or under conservation easement.

### Smart Growth Technical Advisory Committee

In January 2008, VCOG convened the Smart Growth Technical Advisory Committee (VCOG-TAC), composed of local government and private-sector planners within the County. Two sub-committees were also created to focus on implementing conservation subdivisions and transfer of development rights (TDRs).

- Conservation Development (also known as conservation subdivisions) is based on the work by author Randall Arendt in his books, *Conservation Subdivisions*, *Rural by Design*, and *Growing Greener*. Conservation Developments are those in which at least half of the land area is designated as undivided, permanently protected open space and managed for agricultural or conservation purposes. The open space is arranged in such a way as to preserve the function, purpose and integrity of the on-site natural resources and environmental systems to the maximum extent practicable. This result is achieved by designing compact neighborhoods with smaller lots than typically allowed in rural zoning districts.
- Transfer of Development Rights (TDRs) allow development rights (in terms of density) to be moved from areas in the environmental core to those that are more desirable and better suited for development relative to the provision of service delivery, infrastructure, and proximity to urban areas. TDRs may be banked by landowners for the purpose of future transfer.

To date the VCOG-TAC has endorsed conservation subdivisions as replacement for the exempt subdivisions currently allowed under the County Land Development Code; recommended renaming Map "A" with a more intuitive title that explains what it is; reviewed and commented on proposed County Comprehensive Plan amendments that will

create the regulatory framework for implementation of the Map "A"; prepared a draft model conservation subdivision ordinance; and prepared a draft TDR concept paper.

### **Upcoming County Comprehensive Plan Amendments**

On April 24, 2008 the Volusia County Council recommended renaming Map "A" as the Environmental Core Overlay (ECO) and gave County staff direction to include it into the Comprehensive Plan. The ECO map, by its very nature, crosses boundaries between the cities and the County making integrated Smart Growth implementation necessary. Currently, there are 328,000 total acres within the ECO boundaries with 296,000 acres in the unincorporated area and the remaining 32,000 acres inside the incorporated cities of Volusia County.

An incremental approach will be required to fully implement the Smart Growth initiative. The starting point for the County will be to "protect the environmental core" which represents the first recommendation contained in the 2005 Report. On August 7<sup>th</sup>, the Volusia County Council is scheduled to review amendments to the County Comprehensive Plan that will create the regulatory framework for implementation. The amendments would add the ECO Map to the Future Land Use Map series and add new Goals, Objectives, and Policies concerning specific implementation techniques, such as Conservation Development and Transfer of Development Rights (See Attachment 1).

The City of Port Orange has reviewed the proposed Volusia County amendments and has provided comments. The City's comments are geared toward ensuring that existing Interlocal Agreements with local governments that allow for certain uses of property owned by a public entity inside the ECO Map remain valid, ensuring that existing private property rights and entitlements are respected, and toward general implementation/ management of the density neutrality concept described in proposed Smart Growth Policy 1.2.1(g).

### **Next Steps**

The intent of this collaborative approach to Smart Growth implementation is that each jurisdiction will also adopt similar policies relating to the ECO map, conservation subdivisions, and TDRs.

The VCOG-TAC will continue to refine the model conservation subdivision ordinance so that it may be adopted by participating local governments. The VCOG-TAC will also continue to develop a TDR program that will be feasible for Volusia County.

Volusia County has also created an Environmental Green Ribbon Committee to review and update the County minimum environmental standards. The County plans on adopting heightened environmental standards to protect the ECO lands.

Over the course of implementing Smart Growth, additional techniques contained in the Smart Growth toolbox will be examined in depth by local elected and appointed officials, the public and private stakeholders. These implementation techniques will be modified, if necessary, to fit the particular circumstances for Volusia County. The effective utilization of many of the implementation tools, including conservation development and the transfer of development rights, will require unprecedented coordination and cooperation among all local governments within Volusia County, as well as, other public and private stakeholders and interest groups.

# ATTACHMENT 1

Volusia County Comprehensive Plan 08-2 Amendment Cycle

1 **CHAPTER 1: FUTURE LAND USE ELEMENT**

2  
3 **SECTION E: SMART GROWTH SUB-ELEMENT**

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6 *[Editor Note: The entire sub-element including the Introduction, Data & Analysis,*  
7 *and the Goals, Objectives & Policies will be placed after Future Land Use*  
8 *Element's (FLUE) Goals, Objectives & Policies and before Section E. Local*  
9 *Plans in the FLUE. The only adopted portion of the Smart Growth Sub-Element*  
10 *is the 3. Goals, Objectives and Policies; the 1. Introduction and 2. Data and*  
11 *Analysis are not adopted.]*

12  
13 *[Further Note: The Local Plan section will be re-lettered to "F" and all polices*  
14 *within the local plans renumbered to start with the number one since it is related*  
15 *to the specific local plan by prefix, as an example from "HR 1.5" to "HR 1."]*  
16 \*\*\*\*\*

17 **1. INTRODUCTION**

18  
19 **Brief History**

20  
21 On May 8, 2003, the Volusia County Council adopted "smart growth" as one of  
22 its leadership priorities. In response to this commitment, the Volusia County  
23 Association for Responsible Development (VCARD) formed a steering  
24 committee that sponsored a series of five summits to explore the feasibility of  
25 bringing smart growth to Volusia County. At the end of this two year process in  
26 June 2004, the steering committee issued a report indicating that smart growth  
27 was both feasible and desirable in the County, and recommended an  
28 implementation committee be formed for further exploration.

29  
30 Shortly after the initial report was issued, the County Council, in conjunction with Volusia  
31 County Schools, the Volusia Council of Governments (VCOG), and several private  
32 community interests appointed the Volusia Smart Growth Implementation Committee.  
33 The Committee met from August 2004 to August 2005. Its members represented a  
34 broad range of Volusia governments, and citizen, business, and environmental  
35 organizations. Other interested residents of Volusia County served with members as  
36 volunteers on workgroups established by the Committee.

37  
38 As stated in the "Volusia Smart Growth Implementation Committee Final Report:  
39 August 2005" (2005 Report), the Committee members worked "[t]o seek  
40 agreement among the County, cities, and stakeholders to further define, adopt  
41 and implement 'smart growth' principles within Volusia County". (2005 Report,  
42 page 7.)

43  
44 After a year of meetings to study and discuss smart growth issues, the  
45 Committee formulated the 2005 Report (this Report is a "supporting document"  
46 for this sub-element) containing 49 recommendations to address issues in the  
47 following sub-areas:

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- Protecting the environmental core;
- Directing development to appropriate locations;
- Developing vibrant, livable and sustainable urban communities;
- Ensuring the continued existence of rural lands & agriculture;
- Meeting the infrastructure needs of Smart Growth; and
- Integrating education and Smart Growth.

The Committee also issued 15 keystone recommendations that included ten sub-area recommendations and five implementation recommendations. In addition to these recommendations, the 2005 Report contained an extensive implementation “toolbox” for smart growth (for additional information on the “toolbox”, see Appendix A of the 2005 Report.) After the 2005 Report was issued, implementation discussions continued with the VCOG Smart Growth Committee with the full involvement of the City and County elected and appointed officials. These discussions were highlighted by the VCOG-sponsored “How Shall We Live” Summit on June 16, 2007 that was well-attended by Volusia County citizens. Summit speakers included representatives from the Department of Community Affairs, MyRegion.org (“How Shall We Grow?”), and other local experts and officials.

During the balance of 2007, the VCOG Smart Growth Committee utilized a GIS based decision support model to evaluate areas of Volusia County that serve as wildlife corridors and habitat buffers. This mapping process resulted in the creation of Map “A” dated October 19, 2007. As a result of this process, Volusia County, Volusia County Schools, and 15 of the 16 municipal governments within the County adopted resolutions in support of the Smart Growth process.

In January 2008, the VCOG convened the VCOG Smart Growth Technical Advisory Committee (VCOG-TAC) composed of local government, as well as, private sector planners within the County. VCOG, VCARD, the County, and other non-profit organizations continue to sponsor smart growth seminars and public discussions. The VCOG-TAC has formed the following work groups geared to implementation: Transfer of Development Rights (TDR) Work Group and the Conservation Subdivision Work Group. VCARD initiated a Green (Building) Committee and Green Code Drafting Sub-Committee.

To start the implementation process, on April 24, 2008 the Volusia County Council recommended renaming Map “A” as the Environmental Core Overlay (ECO) and gave staff direction to include it into the Comprehensive Plan. The ECO map, by its very nature, crosses boundaries between the cities and the County making integrated smart growth implementation necessity. Currently, there are 328,000 total acres within the ECO boundaries with 296,000 acres in the unincorporated area and the remaining 32,000 acres are inside the incorporated cities of Volusia County. Furthermore, the effective utilization of many of the implementation tools including conservation

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1 development, and particularly, the transfer of development rights will require  
2 unprecedented coordination and cooperation among all local governments within Volusia  
3 County, as well as, other public and private stakeholders and interest groups.

## 4 5 6 **2. DATA & ANALYSIS**

### 7 8 **Initial Implementation**

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10 With these interrelated components in mind, Volusia County has determined that an  
11 incremental approach to smart growth is the only viable option. The starting point for the  
12 County will be to “protect the environmental core” which represents the first  
13 recommendation contained the “Table of Contents” of the 2005 Report. This  
14 recommendation will be implemented by the adoption of the following map and text  
15 amendments into Future Land Use Element of the Plan:

- 17 • The Environmental Core Overlay (formally known as Map “A” lands) maps the  
18 land to be afforded the greatest degree of protection; and
- 19  
20 • Specific implementation techniques from the “toolbox” that include, but are not  
21 limited to:
  - 22  
23 ○ Conservation Development (also known as conservation subdivisions)  
24 based on the work by author Randall Arendt in his books, *Conservation*  
25 *Subdivisions*, *Rural by Design*, and *Growing Greener*; and
  - 26  
27 ○ Transfer of Development Rights (TDRs) that will allow development rights  
28 in terms of density to be moved from areas in the environmental core  
29 known as “sending or donor areas” to “receiving areas” that are more  
30 desirable and better suited for development relative to the provision of  
31 service delivery, infrastructure, and proximity to urban areas.

32  
33 Over the course of implementing Smart Growth, numerous techniques contained in the  
34 toolbox will be examined in depth by local elected and appointed officials, the public and  
35 private stakeholders. These implementation techniques will be modified, if necessary, to  
36 fit the particular circumstances for Volusia County.

37  
38 As additional Smart Growth tools are required for implementation, additional  
39 amendments to the Comprehensive Plan (Plan) may be necessary. Of course, any  
40 amendments to the Goals, Objectives, and Policies in the Plan, will require them be  
41 translated into implementing zoning and land development regulations.

### 42 43 **The Evolution of Map “A” to the “Environmental Core Overlay” Map**

44  
45 The decision to protect the environmental core was greatly influenced by the unique  
46 environmental features within Volusia County. Volusia County is fortunate to have a  
47 relatively uninterrupted expanse of environmentally sensitive lands between the beaches  
48 on the east and the St. John’s River on the west. These unique lands are not only  
49 important to the Volusia County, but are also important to east central Florida region as

1 well. The major part of the area is the Volusia Conservation Corridor Florida Forever  
2 Project which was identified by MyRegion.org as one of the region's seven  
3 environmental jewels to be preserved into the future.

4  
5 The Smart Growth Implementation Committee contracted with Pandion Systems, Inc.  
6 (Pandion) to identify the most important ecologically sensitive areas and wildlife corridors  
7 within the County. Pandion then modified the Landscape Evaluation Geographical  
8 Information Systems Toolbox (LEGIST) to assist in identifying these areas (For specific  
9 information on the modeling methodology, see Appendix D of the 2005 Report). Initially,  
10 the maps based on the Pandion modeling were simply described as Map "A" and Map  
11 "B" lands. The 2005 definitions for Maps "A" and "B" lands were as follows:

- 12  
13 • Map "A" lands: Environmental core lands that should receive the greatest degree  
14 of protection, and therefore suffer the least impact from development. These  
15 lands include the Conservation Corridor, Florida Forever Priority A lands,  
16 portions of the Environmental Systems Corridor, additional lands needed to  
17 ensure connectivity between large natural areas, and lands already in public  
18 ownership or under conservation easement (paraphrased from page 13, 2005  
19 Report).
- 20  
21 • Map "B" lands: Lands outside the environmental core lands, but have significant  
22 environmental value or are in a natural or semi-natural state including high  
23 wetland or upland habitat value, as well as most of the Natural Resources  
24 Management Area and portions of the Environmental Systems Corridor. These  
25 lands contain some areas appropriate for some development, but with measures  
26 to maximize protection of its natural values (paraphrased from page 13, 2005  
27 Report).

28  
29 After the publication of the map in the 2005 Report, Map "A" lands were thoroughly  
30 discussed by local stakeholders through the 2007 VCOG Smart Growth Committee  
31 process. Although Map "B" was a component of these discussions, it was determined by  
32 the stakeholders that additional discussions were needed before producing a consensus  
33 map and the necessary regulation to govern land uses within the "B" lands.

34  
35 In 2007, the primary focus was on the Map "A". The stakeholder discussions and  
36 negotiations produced a "consensus map" for these lands that removed 3,608 acres  
37 from Map "A", but added 41,060 acres for a net gain of 37,452 acres. At the  
38 recommendation of the Volusia County Council, the VCOG Smart Growth Committee  
39 renamed this consensus map the "Environmental Core Overlay" (ECO) on May 5, 2008.  
40 This map will be adopted into the County's Future Land Use Element as a component of  
41 the Future Land Use Map.

42  
43 The Volusia County ECO Map only applies to the unincorporated areas in the County;  
44 not those ECO lands located within municipal boundaries. The subsequent Goal,  
45 Objectives and Policies will likewise only apply to land within the County's jurisdiction.

46  
47 For additional information concerning Smart Growth, see the "*Volusia Smart Growth*  
48 *Implementation Committee Final Report: August 2005*" attached as a support  
49 document.



1 **3. GOALS, OBJECTIVES & POLICIES**

2  
3 [Note: The prefix "SG" stands for "Smart Growth"]

4  
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6 *[Editor Note: The numbering of the GOPs will change to insure there correct*  
7 *insertion into the plan; additionally there may be slight changes in the*  
8 *language/grammar for the same reasoning.]*

9 \*\*\*\*\*

10  
11 **SG GOAL 1:** To ensure that Volusia County retains an interconnected core network of  
12 environmentally important lands to help preserve the County's ecosystems into the  
13 future.

14  
15 **SG OBJECTIVE 1.2:** To protect and enhance environmentally sensitive corridors,  
16 wildlife habitat, connected wetlands, and natural hydrologic functions throughout Volusia  
17 County, the County adopts the Environmental Core Overlay or "ECO" Map as a  
18 component of the Future Land Use Map series.

19  
20 **SG POLICY 1.2.1:** Lands within the ECO Map shall be managed based on the following  
21 criteria:

22  
23 (a) Public lands within ECO shall be managed to protect functioning ecological systems  
24 **while respecting existing land management or use agreements.**

25  
26 (b) Where a tract of land is partially or fully within ECO, proposed development activities  
27 shall be encouraged to utilize innovative and flexible land development and planning  
28 techniques such as conservation development and/or transfer of development rights to  
29 shift development from ECO to other more suitable areas. In such cases, lands within  
30 ECO shall be protected by ~~conservation an~~ easement **that permanently severs**  
31 **development rights.**

32  
33 (c) Where a tract of land is partially or fully within ECO, the owner(s) shall be  
34 encouraged to utilize innovative land planning and development techniques such as  
35 conservation subdivisions, rural clusters, rural lands stewardship, Low Impact  
36 Development, Waterwise Development, Firewise Development, United States Green  
37 Building Council LEED Certified development, Florida Green Building Coalition  
38 designations, or other similar development certifications, which promote sustainability.

39  
40 (d) The County shall encourage ~~multiple~~ landowners who own property within ECO to  
41 coordinate development activity and utilize innovative and flexible land development  
42 techniques to protect the integrity of the Environmental Core Overlay as an ecological  
43 unit.

44  
45 (e) The County shall adopt heightened environmental standards to protect the  
46 Environmental Core Overlay as a functional ecological unit and for environmental  
47 protection pursuant to Sec. 202.4 of the Volusia County Charter.

1 (f) The County shall set forth procedures, standards, and incentives for implementing  
2 this section, which shall respect underlying property rights while promoting protection of  
3 existing functioning ecological systems.  
4

5 (g) The zoning densities, as a whole, for all land within the ECO boundaries shall  
6 remain density neutral. Incentives may be provided for innovative planning and/or  
7 preservation.  
8

9 **SG POLICY 1. 2. 2:** The County shall develop procedures, standards, and incentives  
10 for Conservation Developments (CDs). CDs shall be encouraged as an alternative to  
11 exempt large lot subdivisions on all parcels or tracts that include lands identified on the  
12 Environmental Core Overlay (ECO), and shall be a permitted use in all zoning districts  
13 included in the ECO.  
14

15 **SG POLICY 1. 2. 3:** The County shall develop a Transfer of Development Rights (TDR)  
16 program. The TDR program will provide a mechanism for relocating existing  
17 development rights on lands that are within the ECO, based on its current zoning, and  
18 moving those development rights to other lands more suitable for development that are  
19 located outside of the ECO. The lands within the ECO are known as "sending/donor  
20 areas" while the lands outside the ECO will be identified as "receiving areas". The  
21 program will be designed to protect underlying property rights of private landowners  
22 within the ECO while providing a tools and incentives for perpetual conservation of those  
23 lands.

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**CHAPTER 20: DEFINITIONS**

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*Editor's Note: The following definitions will be included in "Chapter 20: Definitions" of the Volusia County Comprehensive Plan. They will be inserted and each subsequent definition will be renumbered to reflect these additional definitions.*

\*\*\*\*\*

**Environmental Core Overlay (ECO) Map:** (formally known as Map "A") The County Council has approved Map "A" as recommended by the Volusia Smart Growth Implementation Committee Final Report (August 2005) and as modified by the Volusia Council of Governments Smart Growth Committee on October 19, 2007. "Map A" was formally changed to the "Environmental Core Overlay Map" by the County Council on April 24, 2008. This map depicts an area of interconnected natural systems of environmentally sensitive lands, including public and private conservation areas and lands linking these areas (including but not limited to agricultural/rural lands, scenic vistas, habitat buffers, and other open space connections) where possible to achieve wildlife and habitat connectivity. These lands include the Conservation Corridor, Florida Forever Priority "A" lands, portions of the Environmental Systems Corridor, additional lands needed to ensure connectivity between large natural areas, and lands already in public ownership or under conservation easement. This map represents land areas that should receive the greatest degree of protection, and suffer the least impacts from development.

1 **ECO Map**

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*Editor Note: The Environmental Core Overlay Map will be placed in the new "Appendix 1: Maps & Figures" (formally this was Section F. Future Land Use Map that was moved with the EAR-Based Amendments in the 08-1 Amendment Cycle), after the Figure 1-11 "Generalized Future Land Use Plan" and before Figure 1-12 "Highridge Neighborhood Map". All subsequent figures/maps from the Highridge map (Figure 1-12) through the Jacksonville Bombing Range (Figure 1-23) will be renumbered.*

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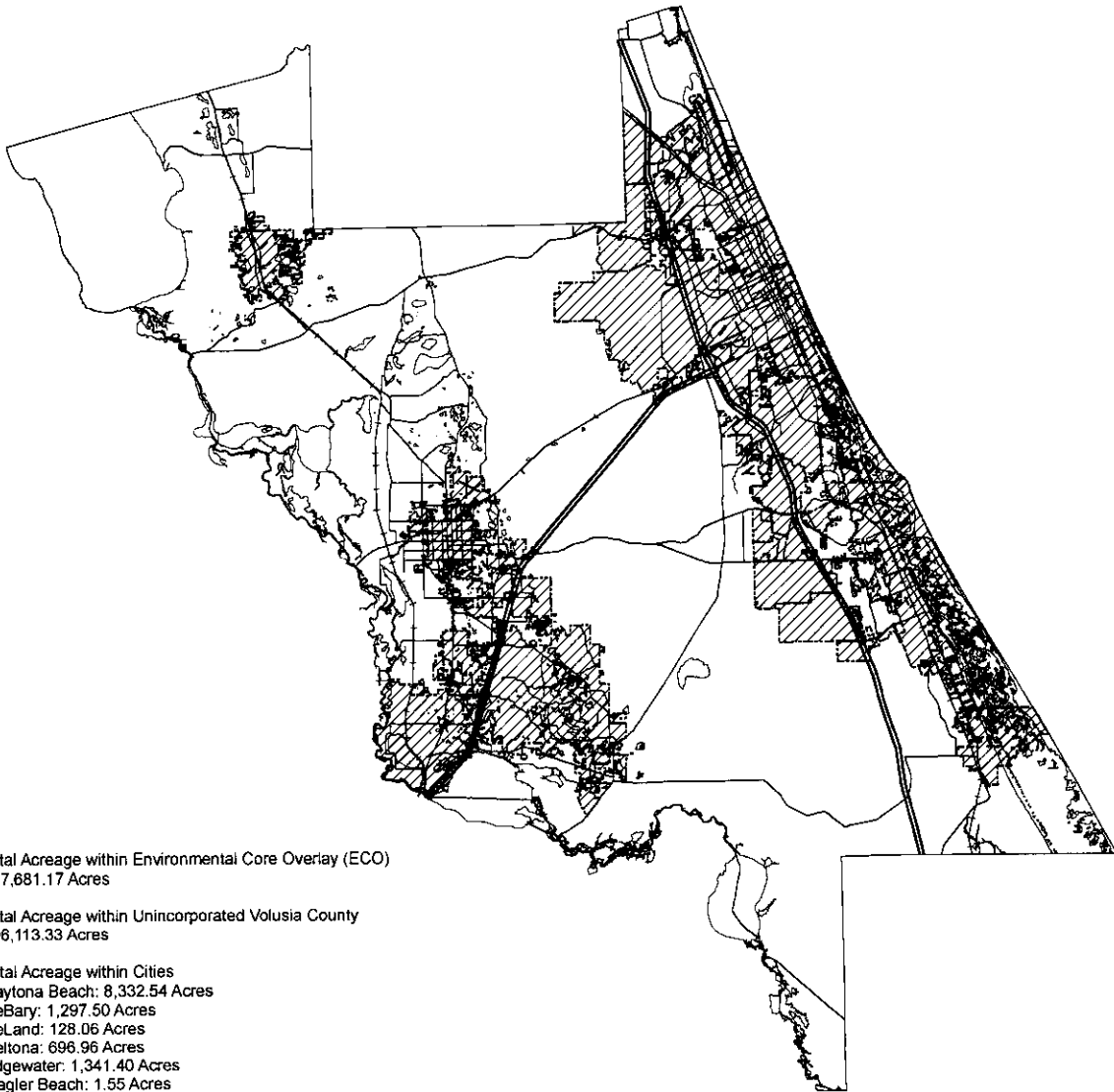
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# Environmental Core Overlay



Total Acreage within Environmental Core Overlay (ECO)  
327,881.17 Acres

Total Acreage within Unincorporated Volusia County  
296,113.33 Acres

**Total Acreage within Cities**

Daytona Beach: 8,332.54 Acres  
DeBary: 1,297.50 Acres  
DeLand: 128.06 Acres  
Deltona: 696.96 Acres  
Edgewater: 1,341.40 Acres  
Flagler Beach: 1.55 Acres  
Lake Helen: 0.20 Acres  
New Smyrna Beach: 6,649.26 Acres  
Oak Hill: 5,070.13 Acres  
Ormond Beach: 3,856.08 Acres  
Pierson: 0.45 Acres  
Ponce Inlet: 2,040.59 Acres  
Port Orange: 2,137.86 Acres  
South Daytona: 15.28 Acres

## Legend



Cities

Environmental Core Overlay

