



**CITY OF EDGEWATER**

**COMPREHENSIVE PLAN**

**FUTURE LAND USE ELEMENT**

**GOALS, OBJECTIVES AND POLICIES**

**CHAPTER I**

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 FUTURE LAND USE ELEMENT  
 GOALS, OBJECTIVES AND POLICIES**

**A. GOALS, OBJECTIVES AND POLICIES**

**GOAL 1:** Ensure that the character and location of land uses in Edgewater promote the conservation of resources, efficiency and concurrency in the provision of public facilities and services, maximization of economic benefits for existing and future citizens, compliance with adopted minimum levels of service standards, and concurrently minimize detrimental impacts to health, safety and welfare which may be jeopardized by environmental degradation, nuisances and incompatible land uses.

**Objective 1.1:** *Land Use Categories.* To maintain regulations for land use categories within the City and a *Future Land Use Map* (FLUM) to ensure the coordination of future land uses with existing and adjacent land uses.

**Policy 1.1.1:** *Future Land Use Categories.* The adopted *Future Land Use Map* shall contain and identify appropriate locations for the following land use categories, as defined in this *Element*. [9J-5.006 (3)(c)1. and (3)(c)7., F.A.C.]

Land Use Categories	Maximum Density/Intensity
Agriculture	1 dwelling unit/2.5 acres
Low Density Transition	1 dwelling unit/acre
Low Density Residential	4 dwelling units/acre
Medium Density Residential	8 dwelling units/acre
High Density Residential	12 dwelling units/acre
Commercial	0.5 floor area ratio
Mixed Use	12 dwelling units per acre and 0.5 floor area ratio
Industrial	0.5 floor area ratio
Recreation and Open Space	0.25 floor area ratio
Conservation	Not Applicable
Conservation Overlay	Not Applicable
Public/Semi-Public	0.5 floor area ratio
Sustainable Community Development	See SCD Sub-Element

- Policy 1.1.2:** *Density/Intensity.* The City shall adopt maximum densities and intensities for each land use category which encourage economic development while protecting the natural environment as indicated in the above table. [9J-5.006 (3)(c)1., F.A.C.]
- Policy 1.1.3:** *Zoning Districts.* The City shall maintain an adopted zoning matrix which shall establish zoning districts that correspond to specific land use categories. The matrix shall further define allowable densities and intensities in each zoning district. [9J-5.006 (3)(c)7., F.A.C.]
- Policy 1.1.4:** *Innovative Design.* The City shall encourage innovative land use development techniques (including procedures for Mixed-Use planned unit development and cluster development), as further specified in the data and analysis of this *Element*. The City shall encourage Low Impact Development (LID) to promote resource management and protection including water use management.
- Policy 1.1.5:** *Housing.* The *Future Land Use Map* shall contain an adequate diversity of lands for residential uses to meet the future demand for residential densities identified in the *Housing Element*.
- Policy 1.1.6:** *Density Bonus.* The land development regulations may also provide for up to 25% increase in permitted residential densities for Mixed-Use planned unit developments. Specific standards and procedures for allowing such increases shall be included in the land development regulations. [9J-5.006 (3)(c)5., F.A.C.]
- The Land Development Regulations may provide for up to a 25% increase in the maximum permitted intensity of commercial or industrial development where exceptional provisions are made for buffers, landscaping, open space and protection of existing native trees. Provision of such additional amenities shall be in addition to minimum requirements.
- Policy 1.1.7:** *Recreation and Open Space.* Public or private lands may be designated as Recreation and Open Space. If the facility is not resourced-based, a maximum of 25% impervious area shall be allowed in areas designated as Recreation and Open Space to ensure their protection, proper development and future public use and benefit.

Urban infill areas may have development exceptions. Development in this land use category should be in the public interest. [9J-5.006 (3)(c)4., F.A.C.]

**Policy 1.1.8:** *Conservation Overlay.* Properties that are designated as Conservation Overlay areas may potentially contain wildlife habitat areas including habitat for rare, endangered and threatened species, hydric soils/wetlands (as defined in the *Conservation Element*), mangrove swamps, cypress swamp, mixed hardwood swamp, hydric hardwood hammock and sand pine/xeric oak scrub, estuarine marsh ecotone, freshwater marshes, special vegetative communities, areas within a public water well radii of 500-feet, 100-year floodplain areas and other areas subject to environmental or topographic constraints. [9J-5.006 (3)(c)1., F.A.C.]

- A final determination of the suitability for development of any individual parcel, as it relates to a Conservation Overlay area on the FLUM shall be determined prior to issuance of any development approval.
- The Conservation Overlay area on the *Future Land Use Map* is not to be considered the exact boundary of the conservation area, but to act as an indicator of a potential conservation area. The exact boundary shall be determined by a qualified professional on a case-by-case basis at the expense of the Developer.
- The Conservation Overlay area is not all inclusive and other areas that do not fall within the boundaries that meet the definition of conservation areas are also subject to the regulations affecting them.
- Development approval will be subject to an Environmental Impact Study as to the extent of the impact of development or redevelopment for any lands within Conservation Overlay areas.
- If an area within the Conservation Overlay area is determined to be developable and all mitigation requirements have been met, then the underlying land use on the *Future Land Use Map* will apply.
- Any property in a Conservation Overlay area is required to undergo the planned unit development procedure which includes site specific plan approval and the clustering of density to protect these areas.

- Principal permitted structures may not be located in any mangrove swamp, estuarine marsh ecotone or freshwater marsh. Access for recreation will be permitted by the City on a limited basis.
- Efforts should be made to protect wetlands, if feasible. Otherwise, appropriate mitigation is required.
- Natural resources that are discovered as a result of a required environmental study will be protected. The environmental impact study will require that a qualified professional analyze the natural functions of eco-systems and connectivity of resource corridors. A Conservation land use designation or a conservation easement will be required to protect the functions of natural resources. Mitigation may be allowed on a case-by-case basis through the appropriate reviewing agencies.
- Land use categories that have Conservation Overlay areas may be allowed to transfer development densities/intensities (up to 1 unit per 10 acres for residential or the gross floor area density for non-residential development) to other areas of the site that are determined not to have natural resources.
- Sites that are determined to be comprised of more than 30% natural resources will be required to provide additional performance standards to allow the transfer of developments densities/intensities, such as increased landscaping, stormwater design amenities, reclaimed water usage, conservation devices, etc.
- All applicable land development regulations must be met to transfer development rights, including 25% open space and minimum pervious surface requirements.
- Upon completion of an environmental assessment, the area(s) determined to be ecologically sensitive by a professional ecological expert will be placed in a conservation easement to be preserved or mitigated through the appropriate reviewing/regulatory agency. At a minimum, the following areas shall be placed in a conservation easement; habitat for rare, endangered or threatened species; wetlands of ½ acre or more; mangrove swamps; cypress swamp; mixed hardwood swamps; hydric hardwood hammock; sand pine/xeric oak scrub and areas within a public water well radii of 500-feet. If a conservation

easement is more than five (5) acres, the City will designate it as Conservation of the *Future Land Use Map* during the next comprehensive plan amendment cycle. [9J-5.006 (3)(c)1. and (3)(c)6., F.A.C.]

**Policy 1.1.9:** *Mixed Use.* The Mixed-Use land use category permits low, medium and high density residential development; commercial uses (retail and office); light industrial; educational facilities; recreation facilities and compatible public facilities. The following restrictions are applicable to all Mixed-Use developments: [9J-5.006 (3)(c)5., F.A.C.]

- A minimum of fifteen acres is required for the Mixed-Use land use category designation.
- The only zoning districts permitted in the Mixed-Use land use categories are planned developments, including community center and employment center districts.
- The City currently has an abundance of single-family residential land and limited commercial and light industrial uses. To encourage a variety of uses within the mixed use district, the community center and employment center districts will limit the percentage of any one type of use in the district, as follows:

*Community Center* – The maximum amount of residential will be 60% of the site. The maximum amount of commercial uses (office and retail) will be 75% of the site. The maximum amount of light industrial will be 75% of the site. The maximum amount of educational and public facilities will be 60% of the site.

*Employment Center* – The maximum amount of residential will be 30% of the site. The maximum amount of commercial uses (office and retail) will be 80% of the site. The maximum amount of light industrial will be 70% of the site. The maximum amount of educational and public facilities will be 40% of the site.

- Mixed use land use categories that have Conservation Overlay areas may be allowed to transfer development densities/intensities (up to 1 unit per 10 acres for residential or

the gross floor area density for non-residential development) from sensitive natural resource locations to upland areas of the site that are determined not to have natural resources.

- Sites that are determined to be comprised of more than 30% natural resources will require additional performance standards to allow the transfer of development densities/intensities, such as increased landscaping, stormwater design amenities, reclaimed water usage, conservation devices and transition uses for compatibility with adjacent land uses.
- The transference of development rights to upland portions of the site will not negate the City’s Land Development Regulations. All regulations must still be met to transfer development rights, including 25% open space and minimum pervious surface requirements.

**Employment Center Zoning District**

Types of Uses Allowed	Allowable Range of Development
Residential	0% - 30%
Commercial	0% - 80%
Industrial	0% - 70%
Public/Semi-Public	0% - 40%
Recreation/Open Space	25% Minimum

**Community Center Zoning District**

Types of Uses Allowed	Allowable Range of Development
Residential	0% - 60%
Commercial	0% - 75%
Industrial	0% - 75%
Public/Semi-Public	0% - 60%
Recreation/Open Space	25% Minimum

**Policy 1.1.10:** *Residential Density and the Future Land Use Map.* The City shall ensure that residential density on the *Future Land Map* is based on the following considerations:

- Past and anticipated future population and housing trends and characteristics;
- Provision and maintenance of quality residential neighborhoods and preservation of cohesive neighborhoods;
- Protection of environmentally sensitive lands; and
- Transition of density between low, medium and high residential districts. [9J-5.006(3)(c)7, F.A.C.]

**Policy 1.1.11:** *Group Home and Foster Care Facilities.* The City shall continue to allow the location of group homes and foster care facilities in residential areas. These facilities shall serve as alternatives to institutionalization.

**Objective 1.2:** *Natural Resource Protection.* Maintain land development regulations that protect natural resources from the impact of development. Prevent development in areas that have inadequate soils, topography or other constraints to protect public health and welfare. Protect manatees in the Indian River through the continued implementation of the Volusia County *Manatee Protection Plan*. [9J-5.006 (3)(b)1. and (3)(b)4., F.A.C.]

**Policy 1.2.1:** *Septic Tanks and the Central Sewer Service.* Since the year 2000, the City will no longer permit the use of septic tanks within the City to prevent potential soil and groundwater contamination. When financially feasible, the City shall extend central sanitary sewer service to all developed properties within the current City limits. The City will also coordinate with the County to limit septic tank permits.

**Policy 1.2.2:** *Requirement to Connect to the Sewer System.* All previously developed properties must connect to central sanitary sewer when it becomes available within 500-feet of the property and/or structure. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.2.3:** *Retrofitting Development and Septic Tanks.* The City shall continue to pursue funding to retrofit all development that is utilizing septic systems on unsuitable soils.

**Policy 1.2.4:** *Wellhead Protection.* The City shall provide for wellhead protection in accordance with Florida Department of Environmental Protection (FDEP) standards, Rule #62-521, effective as of the date of the initial adoption of the City's *Water Supply Facilities Work Plan*, and the Volusia County Wellhead Protection Ordinance. [9J-5.006 (3)(c)6., F.A.C.]

- Policy 1.2.5:** *Floodplain Management.* The City shall continue to maintain a floodplain management ordinance, which includes the development standards required for participation in the National Flood Insurance Program. Furthermore, the ordinance shall require that new construction or substantial improvement of any structure have the lowest floor elevated to one foot (1') above the established 100-year flood elevation without the use of fill. [9J-5.006 (3)(c)1., F.A.C.]
- Policy 1.2.6:** *Environmental Impact Study and Floodplains.* The City shall use the Conservation Overlay on the *Future Land Use Map* and required Environmental Impact Studies to protect the natural functions of the floodplains in the City and adjacent jurisdictions. [9J-5.006 (3)(c)1., F.A.C.]
- Policy 1.2.7:** *Performance Standards and Environmental Impact Study.* Additional performance standards will be required for development sites that are determined through the Environmental Impact Study to have floodplains, such as vegetative buffers, additional setbacks and clustered development away from the floodplains areas. [9J-5.006 (3)(c)1., F.A.C.]
- Policy 1.2.8:** *Prohibiting Development on Mangrove and Spoil Islands.* The City shall support the prohibition of development on the mangrove and spoil islands located within the Indian River/ Mosquito Lagoon estuary. [9J-5.006 (3)(c)1., F.A.C.]
- Policy 1.2.9:** *Stormwater Management.* The City shall continue to enforce the stormwater management requirements in the Land Development Code, which provide specific standards for the design of on-site stormwater systems, as well as strategies and measures to minimize runoff into the Indian River Lagoon. [9J-5.006 (3)(c)4., F.A.C.]
- Policy 1.2.10:** *Development Orders and the Stormwater Master Plan.* No development orders shall be issued unless the proposed development is determined to be in compliance with the City's *Stormwater Master Plan*. [9J-5.006 (3)(c)3. and (3)(c)4., F.A.C.]
- Policy 1.2.11:** *Identifying Properties with Potential Development Constraints.* The City shall utilize the natural vegetative map, USGS, Soil Conservation Service and the Hydric Soils of Florida Handbook to

identify properties which have potential development constraints based upon hydric soils, wetland vegetation, flood hazard potential or other topographic constraints, and, if necessary, require an Environmental Impact Study. [9]-5.006 (3)(c)1., F.A.C.]

- Policy 1.2.12:** *Regulating Boating Impacts.* The City shall regulate boating impacts on the Indian River pursuant to Phase II, the Boat Facility Siting component, of the *Manatee Protection Plan* for Volusia County as adopted by the City on August 1, 2005.
- Policy 1.2.13:** *Aggregated Number of Boat Slips.* The City shall implement the “slip aggregation” option referenced in the Volusia County *Manatee Protection Plan*. The aggregated number of motorized boat slips to be constructed within the City is 418 and is based upon data and research contained in the *Manatee Protection Plan* for Volusia County.
- Policy 1.2.14:** *Boat Slips and Single-Family Lots.* Single-Family residential lots with Indian River frontage shall not be denied their riparian rights to construct a minimum of two (2) motorized boat slips per lot. [9]-5.006 (3)(c)1., F.A.C.]
- Policy 1.2.15:** *Encouraging Shared, Multi-slip Facilities.* The City shall encourage shared, multi-slip facilities and aggregation of slips during development and redevelopment, including single-family lots of record.
- Policy 1.2.16:** *Marina Development/Redevelopment.* Any marina development/redevelopment shall be consistent with the *Manatee Protection Plan* for Volusia County.
- Policy 1.2.17:** *Manatee Protection.* The City shall monitor the manatee protection policies pursuant to the *Manatee Protection Plan* for Volusia County.
- Policy 1.2.18:** *Floodplain Mitigation.* Development within the 100 Year Floodplain shall provide necessary mitigation to maintain the natural stormwater flow regime. The 100 Year Floodplain Zone shall be delineated within the *Future Land Use Map Series*. The boundary of the 100 Year Floodplain Zone shall be determined by the most recent Flood Insurance Maps prepared by the Federal Emergency Management Agency. Mitigation shall occur through the following activities:

- a. ***Prohibited Land Uses and Activities.*** Storing or processing materials that would, in the event of a 100 Year Storm, be buoyant, flammable, explosive or potentially injurious to human, animal or plant life is prohibited. Material or equipment immune to substantial damage by flooding may be stored if securely anchored to prevent flotation or if readily removable from the area upon receipt of a flood warning. Manufacturing land uses shall be discouraged from encroaching into the 100 Year Floodplain Zone.
- b. ***Minimum Floor Height Elevation.*** All new construction and substantial improvements of existing construction must have the first floor elevation for all enclosed areas at twelve inches above the 100 year flood elevation.
- c. ***Construction Materials and Methods.*** All new construction and substantial improvements of existing construction shall be constructed with materials and utility equipment resistant to flood damage, and using methods and practices that will minimize flood damage and prevent the pollution of surface waters during a 100 year flood event.
- d. ***Service Facilities and Utilities.*** Electrical heating, ventilation, plumbing, air conditioning and other service facilities shall be designed or located to prevent water from entering or accumulating within the components during a base flood. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate both infiltration of flood water into the systems and discharges for the systems into flood waters.
- e. ***Residential Subdivision Plans and Design.*** Plans and designs for subdivisions shall minimize potential flood damage by locating recreation and conservation uses, if included in the plans, to areas within the Flood Zone, reserving as much land as possible outside the flood zone for other land uses. Flood zones shall be identified on all final development plans submitted to the City.

- f. ***Stormwater Facilities.*** The City shall require development to have drainage facilities in place and functioning concurrent with the impacts of development, as stipulated by deadlines established within the Concurrency Management System. Such drainage facilities shall be designed to comply with the City's established level of service standard. Developers shall be required to install all necessary drainage facilities necessary to maintain the natural flow regime of the 100 year floodplain, consistent with level of service standards.

**Objective 1.3:** ***Concurrency.*** Ensure that future development provides essential services and facilities at acceptable standards by incorporating the following policies into the site plan review process and the City's Concurrency Management System. [9J-5.006 (3)(b)9., F.A.C.]

**Policy 1.3.1:** ***Impacts on Current LOS Services and Facilities.*** The City shall review all development and redevelopment proposals to determine their specific impacts on current Levels of Service (LOS) for all services and facilities addressed in this *Comprehensive Plan*. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.3.2:** ***Denial of Development Orders and LOS.*** When a proposed development would result in a degradation of the adopted LOS, then a development order will be denied unless it can be demonstrated that sufficient improvements will be in place concurrent with the impacts of such development to maintain the adopted minimum LOS standard. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.3.3:** ***Seeking Fiscal Resources to Expand Services and Facilities.*** The City will continue to seek fiscal resources to expand water and wastewater collection zones within established service areas, improve City roadways and make other improvements necessary to accommodate growth and maintain services and facilities at adopted standards.

**Policy 1.3.4:** ***Adoption of the City's Water Supply Plan.*** The City hereby adopts by reference the *Water Supply Facilities Work Plan (WSFWP)* dated April 2009 as prepared by the City of Edgewater (see Attachment A of the *Potable Water Element*). The City will maintain the *WSFWP* for a planning period of not less than ten years. The *Water Supply Facilities Work Plan* addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the City's water service area.

The City shall review and update the *WSFWP* at least every five years. Any changes to occur within the first five years of the *WSFWP* shall be included in the annual *Capital Improvements Plan* update to ensure consistency between the *Potable Water Sub-element* and the *Capital Improvements Element*.

**Policy 1.3.5:** *Concurrency Requirement.* In accordance with Section 163.31 80(2)(a), F. S., the City shall, prior to approval of a building permit or its functional equivalent, determine that there will be adequate water supplies and facilities available no later than the date at which the City anticipates issuing a certificate of occupancy, to serve the new development. All development is subject to the City's Concurrency Management system.

**Policy 1.3.6:** *Tracking Water Demand.* The City shall track current water demand and outstanding commitments in order to determine the availability of an adequate water supply for proposed developments.

**Policy 1.3.7:** *Inventory of Water Supply Facilities.* The City shall maintain an ongoing inventory of the water supply facilities and a plan for improvements needed to support existing and future demands. These shall be included in the *WSFWP*.

**Objective 1.4:** *Discourage Urban Sprawl and Encourage Redevelopment.* Maintain regulations and procedures in the Land Development Code to limit the proliferation of urban sprawl and encourage redevelopment and revitalization of blighted areas. [9J-5.006 (3)(b)2. and (3)(b)8., F.A.C.]

**Policy 1.4.1:** *Limiting Development and the Utility Service Area.* The City will limit land development activities outside of the adopted Utility Service Area boundary to encourage infill and ensure the availability of services and facilities to accommodate development. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.4.2:** *Development Outside of the Utility Service Area.* Intensive development proposed for areas outside the established utility service area shall be discouraged unless it can be demonstrated that such development will be adequately served by alternative service delivery systems. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.4.3:** *Reducing Limitations on Infill and Redevelopment.* If necessary, the City may reduce limitations on infill and redevelopment activities consistent with the land uses and densities indicated in this *Plan* in situations that will not jeopardize public health, safety or welfare.

**Policy 1.4.4:** *Revitalizing US Highway 1 and Park Avenue Corridors.* By December 2014, the City shall re-evaluate the U.S. Highway 1 corridor and the Park Avenue corridor to develop a plan for revitalization. The plan shall identify land uses and densities to be permitted, including density bonuses, and will address traffic circulation (both on-site and off-site), landscaping and open spaces, sign controls and buffers for contiguous residential areas.

**Policy 1.4.5:** *Addressing Blighted or Deteriorated Areas.* If blighted or otherwise deteriorated areas develop within the City, the areas shall be targeted for special consideration through the redevelopment plan and/or the community redevelopment plan as contained in Policies 3.1.1 and 3.1.2 of the *Capital Improvements Element* of this *Plan*. In such a case, the City shall pursue available Federal, State, County and Local funds for redevelopment.

**Objective 1.5:** *Future Land Use Compatibility.* Ensure future development must be consistent with the adopted *Future Land Use Map* and existing incompatible uses shall not be allowed to expand and shall be eliminated, when feasible. [9J-5.006 (3)(b)3., F.A.C.]

**Policy 1.5.1:** *Inconsistent Land Uses.* Proposed land use amendments, which are inconsistent with the character of the community or inconsistent with adjacent future land use shall not be approved by the City, unless the adjacent future land use can be shown to be inconsistent with the *Comprehensive Plan*. [9J-5.006 (3)(c)2., F.A.C.]

**Policy 1.5.2:** *Repair or Rehabilitation of Structures.* The City's Land Development Regulations shall contain provisions that prohibit the repair or rehabilitation of an inconsistent structure that is abandoned or damaged beyond 50% of its appraised value and require demolition of the structure. Redevelopment of the property will only be allowed if it is consistent with the *Future Land Use Map*.

- Policy 1.5.3:** *Intensive Commercial Uses and Established Residential Areas.* Intensive commercial land uses over 100,000 gross square feet shall be prohibited within established residential areas. Such uses shall be located at intersections of arterial roads or at intersections of an arterial and a major collector road. Such uses may also be considered as appropriate along U.S. 1 where the use is part of a Mixed Use development appropriately buffered from adjacent older residential areas. Smaller commercial retail uses (including convenience stores) shall be located along arterial or major collector roads, but must be integrated in terms of traffic flow with adjacent development and buffered from single family uses. [9J-5.006 (3)(c)1. and (3)(c)2., F.A.C.]
- Policy 1.5.4:** *Buffer Requirement and Intensive Commercial and Industrial Uses.* Intensive commercial and industrial land uses shall be buffered from low-density residential areas. This will be accomplished by locating less intensive transitional uses in between or by visual buffering with berms, trees or other methods to be included in the Land Development Code as deemed appropriate by the City. [9J-5.006 (3)(c)1. and (3)(c)2., F.A.C.]
- Policy 1.5.5:** *Higher Density Residential Areas.* Higher density residential development shall be designated for areas adjacent to more intensive land uses such as Commercial and Light Industrial. Where feasible, visual buffering shall be utilized to reduce any negative effects on the residents of such development. [9J-5.006 (3)(c)1. and (3)(c)2., F.A.C.]
- Policy 1.5.6:** *Maintaining a Landscape Ordinance.* The City shall maintain a Landscape Ordinance that requires adequate buffering between transitional uses. [9J-5.006 (3)(c)2., F.A.C.]
- Policy 1.5.7:** *Maintaining Site Design Requirements and Subdivision Regulations.* The City shall maintain site design requirements and subdivision regulations in the Land Development Code, which adequately address the impacts of new development on adjacent properties in all land use categories and zoning districts. [9J-5.006 (3)(c)1. and (3)(c)2., F.A.C.]
- Policy 1.5.8:** *Signage Limitation and Location.* The City's Land Development Regulations shall limit signage which can be viewed from residential

property and restrict the location of signs which interfere with traffic flow and sight distance. [9J-5.006 (3)(c)1., F.A.C.]

**Policy 1.5.9:** *Conversion of Residential Structures and SR 442.* Due to the widening of S.R. 442, the City shall permit conversion of existing residential structures to professional office uses only when the following conditions shall apply: [9J-5.006 (3)(c)2., F.A.C.]

- The property is located on S.R. 442, east of Pinedale Road and west of U.S. Highway 1, and has a minimum of 100-foot frontage along S.R. 442;
- A Conditional Use Permit is applied for and granted by the Planning and Zoning Board;
- Adequate access and parking to redeveloped parcels is provided;
- Land Development Code standards for buffers and site visibility triangle can be provided to effectively maintain the viability of adjacent residential uses; and
- A site plan is approved by City staff.

Professional office uses permitted are restrictive and shall be designed to serve primarily the residents of the immediate neighborhood.

The usage of these properties shall not be detrimental to, nor incompatible with, the current nature of the area. Specific guidelines and requirements for conversion of those properties are provided in the City's Land Development Code.

**Policy 1.5.10:** *Ensuring Adequate Water Supplies.* In accordance with Section 163.3180(2)(a), F.S., the City shall determine whether there will be adequate water supplies to serve the new development prior to approval of a building permit or its functional equivalent. All development is subject to the City's Concurrency Management system. The City shall track current water demand and outstanding commitments in order to determine the availability of an adequate water supply for proposed developments. [9J-5.006 (3)(c)3., F.A.C.]

**Objective 1.6:**        *Transportation/Land Use Compatibility.* Ensure that population densities, housing types, employment patterns and land uses in the City are consistent with the City's transportation network. [9J-5.006 (3)(b)1., F.A.C.]

**Policy 1.6.1:**        *Minimizing Curb Cuts and Access Points.* Curb cuts and points of access to the traffic circulation system shall be minimized on major roads. [9J-5.006 (3)(c)4., F.A.C.]

**Policy 1.6.2:**        *Requiring Shared Driveways and Cross Access.* Shared driveways and cross access between adjacent properties shall be required in all new development or redevelopment projects, as determined by the City's Development Services Department, to improve the traffic flow along major roads. [9J-5.006 (3)(c)4., F.A.C.]

**Policy 1.6.3:**        *Proposed Transportation Improvements.* Proposed transportation improvements shall be consistent with the land use patterns on the *Future Land Use Map*. [9J-5.006 (3)(c)2., F.A.C.]

**Policy 1.6.4:**        *Land Uses with High Traffic Counts.* Land uses that may generate high traffic counts shall be encouraged to locate adjacent to arterial roads and mass transit systems.

**Policy 1.6.5:**        *On-site Parking.* The City shall require an adequate quantity of on-site parking to accommodate land uses. [9J-5.006 (3)(c)4., F.A.C.]

**Policy 1.6.6:**        *Guidelines for the SR 442 Corridor.* The City shall continue to use the *S.R. 442 Corridor Plan*, adopted in April 2004, as a guide to implement regulations for specific streetscape, landscape, architectural design standards and all other applicable requirements for properties developed along the S.R 442 corridor.

**Objective 1.7:**        *Adjacent Jurisdictions.* Promote the compatibility of adjacent land uses with Volusia County and the neighboring cities of New Smyrna Beach and Oak Hill. [9J-5.006 (3)(b)3., F.A.C.]

**Policy 1.7.1:**        *Considering Adjacent Existing and Proposed Land Uses.* When reviewing land use amendments, the City shall consider the existing and proposed land uses in any jurisdictions that are adjacent to the proposed amendment. [9J-5.006 (3)(c)2., F.A.C.]

**Policy 1.7.2:** *Joint Planning Agreement with Volusia County.* The City shall continue efforts to enter into a Joint Planning Area agreement with Volusia County to control the timing of urban expansion. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.7.3:** *Intergovernmental Coordination.* Continue intergovernmental coordination through associated technical committees with neighboring jurisdictions, such as the Transportation Planning Organization (TPO), the Volusia Council of Governments (VCOG) and the Volusia Growth Management Commission (VGMC).

**Objective 1.8:** *Annexation.* Pursue a policy of annexation, which will provide for the most efficient use of public facilities and services, eliminate areas of jurisdictional problems and provide for sound growth and development of the City and surrounding area. [9J-5.006 (3)(b)1. and (3)(b)9., F.A.C.]

**Policy 1.8.1:** *Interlocal Agreement with Volusia County.* The City will continue its efforts to enter into an interlocal agreement with Volusia County regarding a future joint planning area, future annexation boundaries, urban service boundaries and a matrix of compatible County and City land uses. [9J-5.006 (3)(c)2. and (3)(c)4., F.A.C.]

**Policy 1.8.2:** *Reducing Land Use Conflicts.* In order to reduce land use conflicts and for efficient public service provision, the City shall investigate and, where feasible, annex all enclaves as soon as possible. [9J-5.006 (3)(c)2., F.A.C.]

**Policy 1.8.3:** *Annexation of New Development.* New development proposed within the County in areas that are contiguous to the City shall be annexed into the City and developed to City standards as a condition for the extension of public utilities. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.8.4:** *Availability of Water Supply and Facilities.* The City will prepare data and analysis to address the availability of the water supply and facilities needed for all lands annexed into the City.

**Policy 1.8.5:** *Establishing Incentives to Annex into the City.* By December 2014, the City shall conduct an analysis demonstrating the benefits of unincorporated areas, including those within existing enclaves, annexing

into the City. At minimum, the analysis shall include: incentives to property owners who annex in the City and compare public safety response times and services that are available to City residents. The City shall present the residents of above mentioned properties with the findings of the analysis through the form of an educational brochure and/or the City's website.

**Objective 1.9:** *Historic and Archeological Sites.* Identify, designate and protect historically significant housing and significant archeological sites. [9J-5.006 (3)(b)4., F.A.C.]

**Policy 1.9.1:** *Protecting and Preserving Historic Sites and Properties.* The City will protect and preserve its historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity, which have scientific or historic value, or are of interest to the public. [9J-5.006 (3)(c)8., F.A.C.]

**Policy 1.9.2:** *Prohibiting Development and Historically Significant Properties.* Development shall be prohibited which alters or damages any site or building determined to be historically significant that is designated on the register of historically significant property maintained by the State of Florida. [9J-5.006 (3)(c)8., F.A.C.]

**Policy 1.9.3:** *Historic Preservation Standards.* By December 2014, the City shall reevaluate the current standards for historic preservation in the Code of Ordinances to ensure the protection of historically significant cultural sites and historic structures from development or redevelopment. The City shall coordinate with Edgewater's Recreation/Cultural Services Board to determine if new historic preservation standards shall be implemented. [9J-5.006 (3)(c)8., F.A.C.]

**Policy 1.9.4:** *Working with the Historical Museum.* By December 2014, the City shall work with the historical museum to identify historic and archeological sites in Edgewater. If any are identified, the City shall maintain a database that identifies the location of potential archeological and historic sites and review all future development and redevelopment to prevent any negative impact to these sites. [9J-5.006 (3)(c)8., F.A.C.]

**Policy 1.9.5:** *Identifying and Protecting of Archeological Resources and Historical Significant Buildings.* The City shall identify and protect buildings and improvements that have historical or architectural

significance. The City shall use the Florida Master Site File as a resource to identify archeological resources and historically significant structures. All historically significant sites or structures listed on the Florida Master File or the National Register of Historic Places shall be identified in the *Future Land Use Map* Series. In addition, the City shall also distinguish buildings as historic if the following criteria are met [9J-5.006(3)(c)(8), F.A.C.]:

- The age of the subject site exceeds fifty years;
- Whether the building, structure or object represents the last remaining example of its kind in the neighborhood or City; or
- Whether documented proof indicates that the site played a significant role in the history of Edgewater, Volusia County or the State of Florida.
- If type, density and intensity of adjacent land use shown on the *Future Land Use Map* is not compatible to the preservation of the historic site, then appropriate buffering and screening techniques shall be requirements imposed on encroaching adjacent new development. Such requirements shall be stipulated within the Land Development Regulations.

**Policy 1.9.6:** *Rehabilitating, Relocating or Demolition of Historic Sites.* Criteria established in the Land Development Regulations pertaining to the rehabilitation or relocation of a designated historic structure shall follow the U.S. Secretary of the Interior’s “Illustrated Guidelines for Rehabilitating Historic Buildings”. Additional criteria for approving the relocation, demolition or rehabilitation of a historic structure shall include the following factors [9J-5.006(3)(c)8, F.A.C.]:

- a. The historic character and aesthetic interest of the building, structure or object and how it contributes to its present setting;
- b. Whether there are definite plans for the area to be vacated and the effect of those plans on the character of the surrounding neighborhood;
- c. Whether the building, structure or object can be moved without significant and irreversible damage to its physical integrity;
- d. Whether the building, structure or object represents the last remaining example of its kind in the neighborhood or City;

- e. Whether definite plans exist to reuse the subject property if a proposed demolition is carried out, and the effect of those plans on the character of the surroundings; and
- f. Whether reasonable measures can be taken to save the building, structure or object to a level safe for occupation.

**Objective 1.10:**     ***Public Utilities.*** Maintain Land Development Regulations and procedures which will require provision of land for utility facilities necessary to support development and will limit land development activities when such land for utility facilities is not available. [9J-5.006 (3)(b)1. and (3)(b)9., F.A.C.]

**Policy 1.10.1:**     ***Proposed Development and Public Utilities.*** Proposed development shall be reviewed in relation to existing and projected utility systems and any land needs of these systems; such as, water and sewer plants; transmission corridors for electric and other utilities; easements for maintenance and other requirements. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.10.2:**     ***Development Orders and Utilities.*** No development orders shall be issued unless it can be demonstrated that the land required by utility systems serving the City will be preserved. [9J-5.006 (3)(c)3., F.A.C.]

**Objective 1.11:**     ***Public Schools.*** Implement standards for the siting of public schools and to increase the quality of life and local educational opportunities for Edgewater’s citizens.

**Policy 1.11.1:**     ***Permitting Public Schools.*** Public schools shall be allowed in all future land use designations except Conservation. In addition, public schools shall continue to be allowed in all zoning districts with the exception of the Conservation (CN), Residential Professional (RP), Mobile Home Park (MH-1) and Heavy Industrial (I-2) zoning districts. [9J-5.006 (3)(c)1. and (3)(c)7., F.A.C.]

**Policy 1.11.2:**     ***New School Site Locations.*** New school sites shall not adjoin an active railroad or airport; and must not be adjacent to any noxious industrial uses or other property from which noise, vibration, odors, dust, toxic materials or other disturbances would have a negative impact. [9J-5.006 (3)(c)1., F.A.C.]

**Policy 1.11.3:**     ***Minimizing Detrimental Impacts and New Schools.*** New schools shall minimize detrimental impacts on residential neighborhoods,

hospitals, nursing homes and similar uses through proper site location, configuration, design layout, access, parking, traffic controls and buffers. [9J-5.006 (3)(c)1. and (3)(c)7., F.A.C.]

- Policy 1.11.4:** *Size of New School facilities and Land Area.* The size of new school facilities and land areas shall satisfy the minimum standards established by the School Board of Volusia County, whenever possible.
- Policy 1.11.5:** *New School Sites Guidelines.* New school sites shall be well drained and education buildings shall be located away from floodplains, wetlands and other environmentally sensitive lands. Education facilities shall not have an adverse impact on historic or archeological resources.
- Policy 1.11.6:** *New School Sites and Concurrency.* Public utilities, as well as police and fire protection, shall be available concurrently with the construction of new school sites. [9J-5.006 (3)(c)3., F.A.C.]
- Policy 1.11.7:** *New School Sites and Road Frontage.* New school sites shall have frontage on or direct access to a collector or arterial road and shall have suitable ingress and egress for pedestrians, bicycles, cars, buses, service vehicles and emergency vehicles. [9J-5.006 (3)(c)4., F.A.C.]
- Policy 1.11.8:** *Collation of Public Facilities.* To the extent possible, during pre-development program planning and school site selection activities, the City shall coordinate with the School Board of Volusia County to collocate public facilities, such as parks, libraries and community centers, with schools. [9J-5.006 (3)(c)4., F.A.C.]
- Policy 1.11.9:** *New Schools and Emergency Shelters.* Portions of new schools, in accordance with the recommendations of the Volusia County Emergency Management Department, should be constructed to serve adequately as emergency shelters in case of natural disasters.
- Policy 1.11.10:** *Public Elementary, Middle, and High Schools.* Public elementary, middle and high schools shall be considered essential infrastructure for the support of residential development.

**Objective 1.12:** *Hurricane Evacuation.* Control future density and intensity in areas subject to coastal flooding to protect the safety, health and welfare of the citizens of Edgewater. In

addition, the City shall continue to coordinate coastal population densities with appropriate hurricane evacuation plans. [9J-5.006 (3)(b)5., F.A.C.]

**Policy 1.12.1:** *Coordinating Land Use Density and Intensity and Coastal Flooding.* Coordinate land use density and intensity in areas subject to coastal flooding with the East Central Florida Regional Planning Council and the Volusia County *Comprehensive Emergency Management Plan (CEMP)*. [9J-5.006 (3)(c)7., F.A.C.]

**Policy 1.12.2:** *Maintaining a Disaster Preparation, Response and Recovery Plan.* The City will continue to maintain a *Disaster Preparation, Response and Recovery Plan* that sets forth the planning and procedures for evacuation and coordinates with County, State and Federal efforts.

**Policy 1.12.3:** *Submit Proof of Acceptable Hurricane Evacuation Time.* Land use amendments and zoning changes that will increase the density or intensity of uses in areas subject to coastal flooding are required to submit proof of acceptable hurricane evacuation time. [9J-5.006 (3)(c)7., F.A.C.]

**Policy 1.12.4:** *Prohibiting Development and Hurricane Evacuation Time.* Increased development will not be allowed in areas that do not meet standards for hurricane evacuation time. [9J-5.006 (3)(c)7., F.A.C.]

**Policy 1.12.5:** *Maintaining Post Disaster Recovery Procedures.* The City will continue to maintain post disaster recovery procedures in the *Disaster Preparation, Response and Recovery Plan*.

**Objective 1.13:** *Dredge Spoil Locations.* Ensure the designation of adequate sites for dredge spoil disposal since Edgewater is located within the coastal area. [9J-5.006 (3)(b)11., F.A.C.]

**Policy 1.13.1:** *Supporting the Florida Inland Navigation District.* The City will continue to support the efforts of the Florida Inland Navigation District to develop a spoil site on a large tract of land north of Park Avenue. [9J-5.006 (3)(c)9., F.A.C.]

**Policy 1.13.2:** *Reserving Adequate Sites for Soil Disposal.* Coordination with the navigation and inlet districts and other applicable agencies will continue to ensure that adequate sites have been reserved for dredge spoil disposal to meet the future needs of the State. [9J-5.006 (3)(c)9., F.A.C.]

- Policy 1.13.3:** *Environmental Impact Study Requirement.* The City shall require an Environmental Impact Study for all sites proposed for dredge spoil disposal. [9J-5.006 (3)(c)9., F.A.C.]
- Policy 1.13.4:** *Criteria for Sites Selected for Dredge Spoil Disposal.* Sites selected for dredge spoil disposal must be financially feasible, provide adequate access and have adequate utilities and buffers. [9J-5.006 (3)(c)9., F.A.C.]
- Objective 1.14:** *Innovative Land Development Regulations.* Maintain and promote innovative land development regulations. [9J-5.006(3)(b)10., F.A.C.]
- Policy 1.14.1:** *Encouraging Innovative Land Use Development Techniques.* The City shall continue to encourage the use of innovative land use development techniques such as planned development projects, cluster housing techniques and mixed use developments. [9J-5.006(3)(c)5., F.A.C.]
- Policy 1.14.2:** *Identifying and Prioritizing Infill Development Sites.* Utilize existing inventories of land use information to identify and prioritize infill development sites; then coordinate with the Volusia County Office of Economic Development to make this information available to the private sector.
- Policy 1.14.3:** *Economic Development Incentives for Infill and Redevelopment.* By December 2014, the City shall establish initiatives to provide economic development incentives to infill and redevelopment development projects that are currently served by the City's utilities.
- Policy 1.14.4:** *Maintaining the City's Historical Built Environment.* Through the land development and permitting processes, the City shall cooperate with the private sector to recognize and maintain the integrity of the City's historical built environment. [9J-5.006 (3)(c)8., F.A.C.]
- Policy 1.14.5:** *Attracting High Technology and Other Industrial Development.* Ensure that appropriate land, infrastructure and amenities are available to attract high technology and other industrial development that is compatible with the local labor force, raw materials and landform/environmental constraints. [9J-5.006 (3)(c)3., F.A.C.]

**Policy 1.14.6:** *Incentives for Developers and Variety Housing Types.* By December 2014, the City shall amend the Land Development Code to provide incentives for developers providing for a variety of housing types.

**Policy 1.14.7:** *Larger Lots for Rural Homesteads.* The City shall encourage a certain percentage of planned unit developments to include larger lots than currently in the City. Priority shall be given to those lots adjoining conservation areas. Additionally, quasi-commercial ventures, such as selling products that are grown on the land, providing horseback riding lessons, Bed & Breakfast establishments and other suitable uses, shall be an overall component of the rural homestead guidelines.

**Policy 1.14.8:** *Requiring Underground Utilities.* The City shall require all new subdivisions, residential and commercial developments, approved after the adoption of this *Comprehensive Plan*, to have underground telephone, cable and electrical utility lines to provide a more attractive, efficient, and safer development, when feasible.

**Objective 1.15:** *Hazard Mitigation Reports.* Eliminate or reduce future land uses that are inconsistent with the Volusia County Local Hazard Mitigation Strategy and other existing and future interagency hazard mitigation reports. [9J-5.006(3)(b)6., F.A.C.]

**Policy 1.15.1:** *Reviewing Interagency Hazard Mitigation Reports.* The City shall review interagency hazard mitigation reports as they become available to determine if actions are appropriate to eliminate or reduce future land uses that are inconsistent with the report.

**Objective 1.16:** *Electric Infrastructure.* To maintain, encourage and ensure adequate and reliable electric infrastructure is readily available in the City.

**Policy 1.16.1:** *Permitting New Electric Distribution Substations.* The City shall allow new electric distribution substations in all land use categories except Conservation. The City shall, if possible, avoid locating substations where they would be incompatible with adjacent land uses [Chapter 163.3208 (4), F.S.].

**Policy 1.16.2:** *Compatibility of New Electric Distribution Substations.* The City shall require the compatibility of new electric distribution substations

with surrounding land uses (including heightened setback, landscaping, buffering, screening, lighting, etc.) as part of a joint public/private site planning effort. [9J-5.006(3)(c)2, F.A.C.]

**Policy 1.16.3:** ***New Electric Distribution Substation Standards.*** By December 2014, the City shall amend the Land Development Regulations to ensure that the following standards apply to new distribution electric substations (to the extent of State's requirements):

In nonresidential areas, the substation must comply with the setback and landscaped buffer area criteria applicable to other similar uses in that district, if any.

Unless the City Council approves a lesser setback or landscape requirement, in residential areas, a setback of up to 100 feet between the substation property boundary and permanent equipment structures shall be maintained as follows:

1. For setbacks between 100 feet and 50 feet, an open green space shall be formed by installing native landscaping, including trees and shrub material, consistent with the relevant local government's land development regulations. Substation equipment shall be protected by a security fence consistent with the City's Land Development Regulations.
2. For setbacks of less than 50 feet, a buffer wall 8 feet high or a fence 8 feet high with native landscaping consistent with the relevant local government's regulations shall be installed around the substation.

**Policy 1.16.4:** ***New Electric Distribution Substation Compliance.*** All new distribution electric substations in the City shall comply with the guidelines and standards established in Chapter 163.3208, F.S.

**Objective 1.17:** ***Renewable Energy Resources.*** Encourage the development and use of renewable energy resources, efficient land use patterns and reducing greenhouse gas emissions in order to conserve and protect the value of land, buildings and resources, and to promote the good health of the City's residents. [9J-5.006(3)(b)(12), (3)(b)(13), and (3)(b)(14), F.A.C.]

- Policy 1.17.1:** *Energy Efficient Land Use Pattern.* The City shall maintain an energy efficient land use pattern and shall continue to promote the use of transit and alternative methods of transportation that decrease reliance on the automobile. [9J-5.006(3)(c)(11), F.A.C.]
- Policy 1.17.2:** *Promoting Walking and Bicycling.* The City shall continue to encourage and develop the “walk-ability and bike-ability” of the City as a means to promote the physical health of the City’s residents, access to recreational and natural resources, and as a means to reduce greenhouse gas emissions. [9J-5.006(3)(c)(12), F.A.C.]
- Policy 1.17.3:** *Establishing an Energy Management Plan.* By December 2014, the City shall develop and implement an Energy Management Plan to minimize electric, fuel and water resources in City buildings, fleet vehicles and on public properties. [9J-5.006(3)(c)(13), F.A.C.]
- Policy 1.17.4:** *Solar Collectors.* No action of the City shall prohibit or have the effect of prohibiting solar collectors, or other energy devices based on renewable resources from being installed on a building and as further set forth within Section 163.04, Florida Statutes. [9J-5.006(3)(c)(13), F.A.C.]
- Policy 1.17.5:** *Construction of Public Facilities and Buildings.* Public buildings and facilities shall be constructed and adapted where reasonably feasible to incorporate energy efficient designs and appropriate “green” building standards. Green Building standards that should be observed are contained in the Green Commercial Buildings Designation Standard, Version 1.0, published by the Florida Green Building Coalition, Inc. [9J-5.006(3)(c)(11), F.A.C.]
- Policy 1.17.6:** *Energy Efficient Design and Construction Standards.* The City shall continue to promote and enforce energy efficient design and construction standards as these become adopted as part of the State Building Codes. The City shall also promote commercial and residential standards that are promulgated from time to time by the Florida Green Building Coalition, Inc. [9J-5.006(3)(c)(11), F.A.C.]
- Policy 1.17.7:** *Promoting Mixed Use Developments.* The City shall continue to promote mixed use developments in areas planning for urban development or redevelopment as a mean to produce energy efficient

land use patterns and reduce greenhouse gas emissions. [9]-5.006(3)(c)(11) and (3)(c)(12), F.A.C.]

**Policy 1.17.8:** *Development Incentives for Smart Growth Development.* By December 2014, the City shall offer incentives and flexibility for development projects that will make development application, review and approval processes easier, faster and more cost effective for projects that are consistent with the Smart Growth Principles of the *Comprehensive Plan* and that can be demonstrated to reduce infrastructure costs, promote the preservation of open space and habitat lands, provide energy efficient land use patterns and reduce greenhouse gas emissions. Other incentives shall also be evaluated for projects that participate in energy-efficient development programs such as:

- U.S. Environmental Protection Agency's Energy Star Buildings and Green Lights Program to increase energy efficiency through lighting upgrades in buildings;
- Rebuild America;
- Building for the 21st Century;
- Energy Smart Schools;
- National Industrial Competitiveness through Energy;
- U.S. Department of Environmental Protection's Pollution Prevention (P2) Program;
- U.S. Green Building Council (LEED); or
- Florida Green Building Coalition (FGBC), including pursuing certification as a Green Government.

**Objective 1.18:** *Low Impact Development.* Establish guidelines for and promote the use of Low Impact Development (LID) techniques to allow developers more flexibility in the site design and development.

**Policy 1.18.1:** *Defining Low Impact Development.* Low Impact Development is an ecologically friendly approach to site development and storm water management that aims to mitigate development impacts to land, water and air. The approach emphasizes the integration of site design and planning techniques that conserve the natural systems and hydrologic functions of a site.

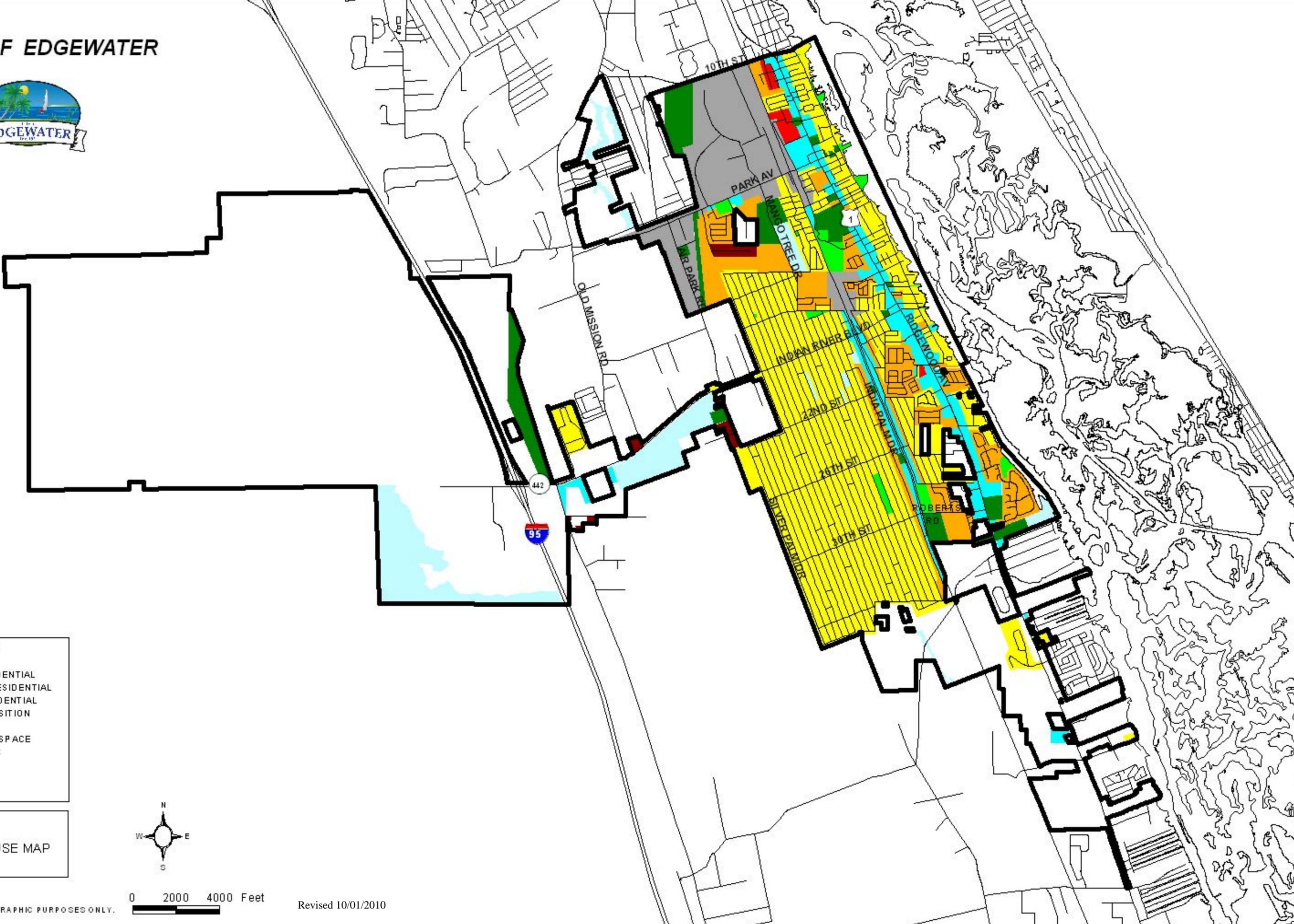
**Policy 1.18.2:** *Low Impact Development and Stormwater Management Techniques.* The City shall encourage all new development and redevelopment projects to implement permeable surfaces, bioretention areas, grassed swales, vegetated roof tops or rain barrels in the development, when feasible, as a Low Impact Development stormwater management technique(s) to:

- Reduce stormwater runoff;
- Minimize pollutant discharges;
- Decrease soil erosion;
- Maintain aquifer recharge; and
- Maintain base flows of receiving streams.

**Policy 1.18.3:** *Incorporating Natural Site Elements in the Design Process.* As a Low Impact Development technique, the City shall ensure that all development and redevelopment projects, when feasible, incorporate natural site elements such as wetlands, river or stream corridors, drainage ways or mature forests as a design element to further protect the City's natural resources.

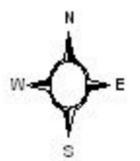
**Policy 1.18.4:** *Promoting the Benefits of Low Impact Development Techniques.* Prior to the approval of a final site plan, the City shall promote the benefits of implementing Low Impact Development techniques to all applicants of developments.

# CITY OF EDGEWATER



- LEGEND**
- CITY LIMITS
  - LOW DENSITY RESIDENTIAL
  - MEDIUM DENSITY RESIDENTIAL
  - HIGH DENSITY RESIDENTIAL
  - LOW DENSITY TRANSITION
  - INDUSTRIAL
  - RECREATION/OPEN SPACE
  - PUBLIC/SEMI-PUBLIC
  - COMMERCIAL
  - CONSERVATION
  - VACANT

MAP I-1  
EXISTING LAND USE MAP

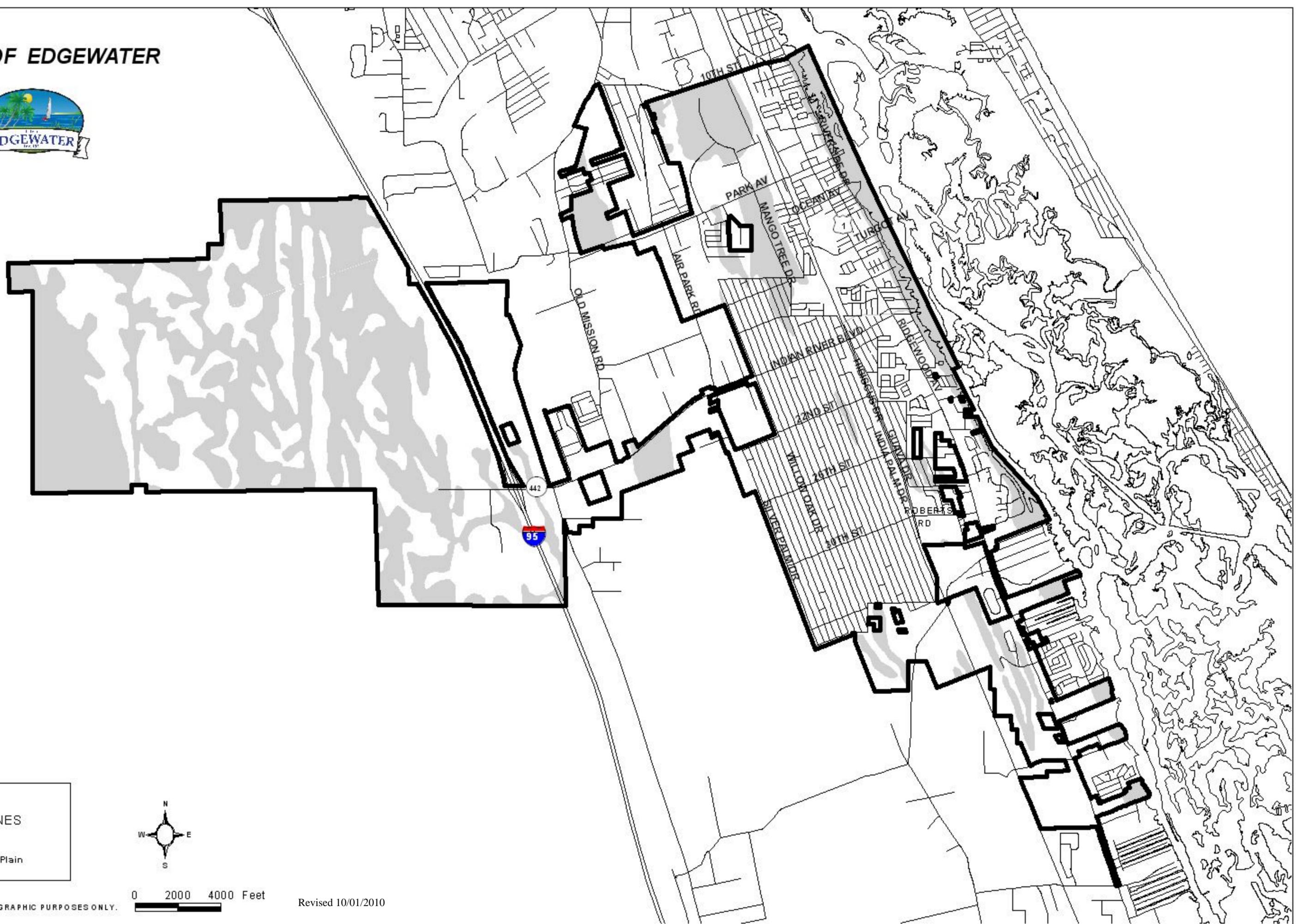


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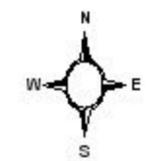
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# CITY OF EDGEWATER



MAP I-2  
FLOOD ZONES

- City Limits
- 100 Year Flood Plain

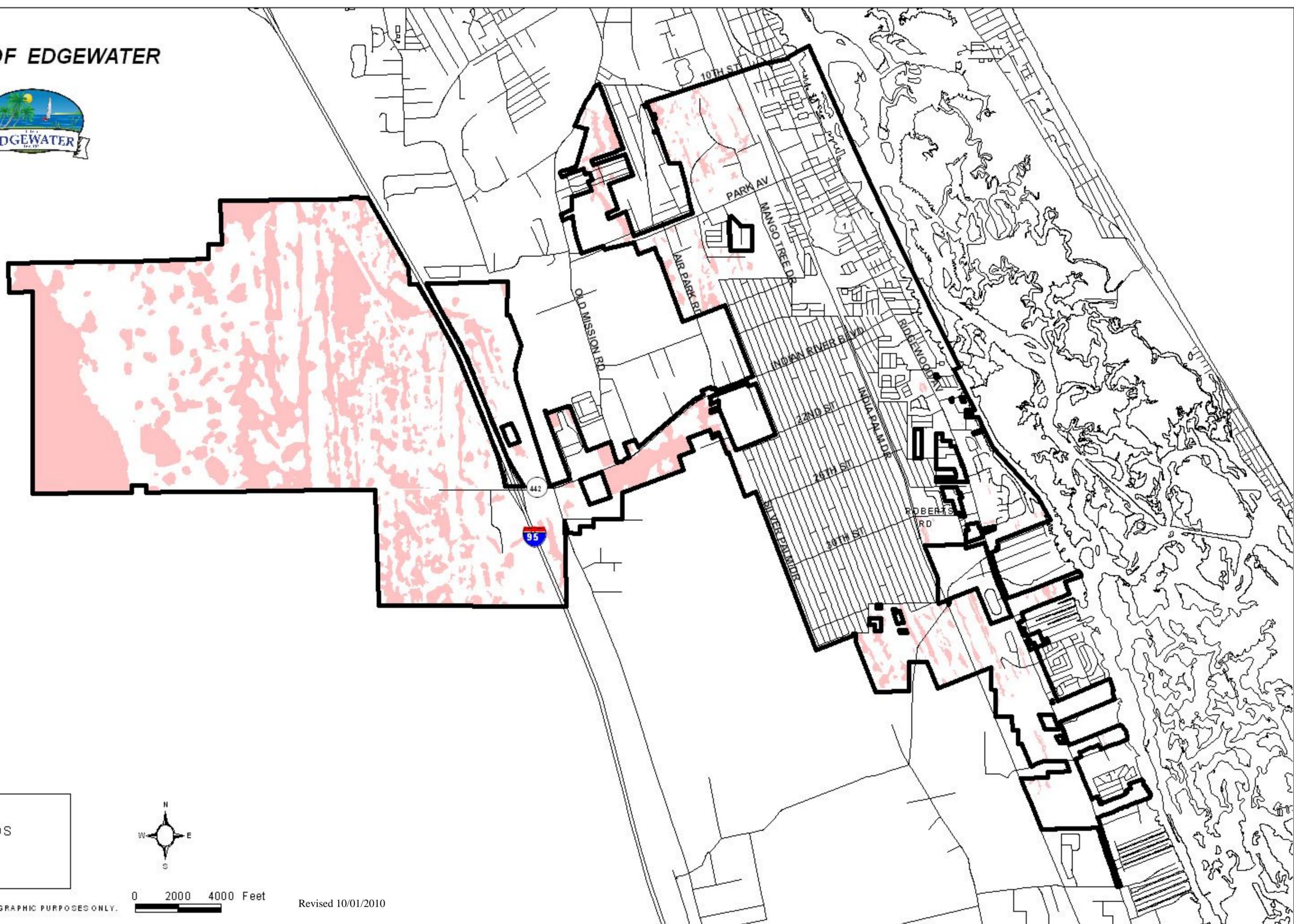


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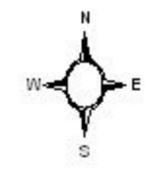
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# CITY OF EDGEWATER



MAP I-3  
WETLANDS

- City Limits
- Wetlands

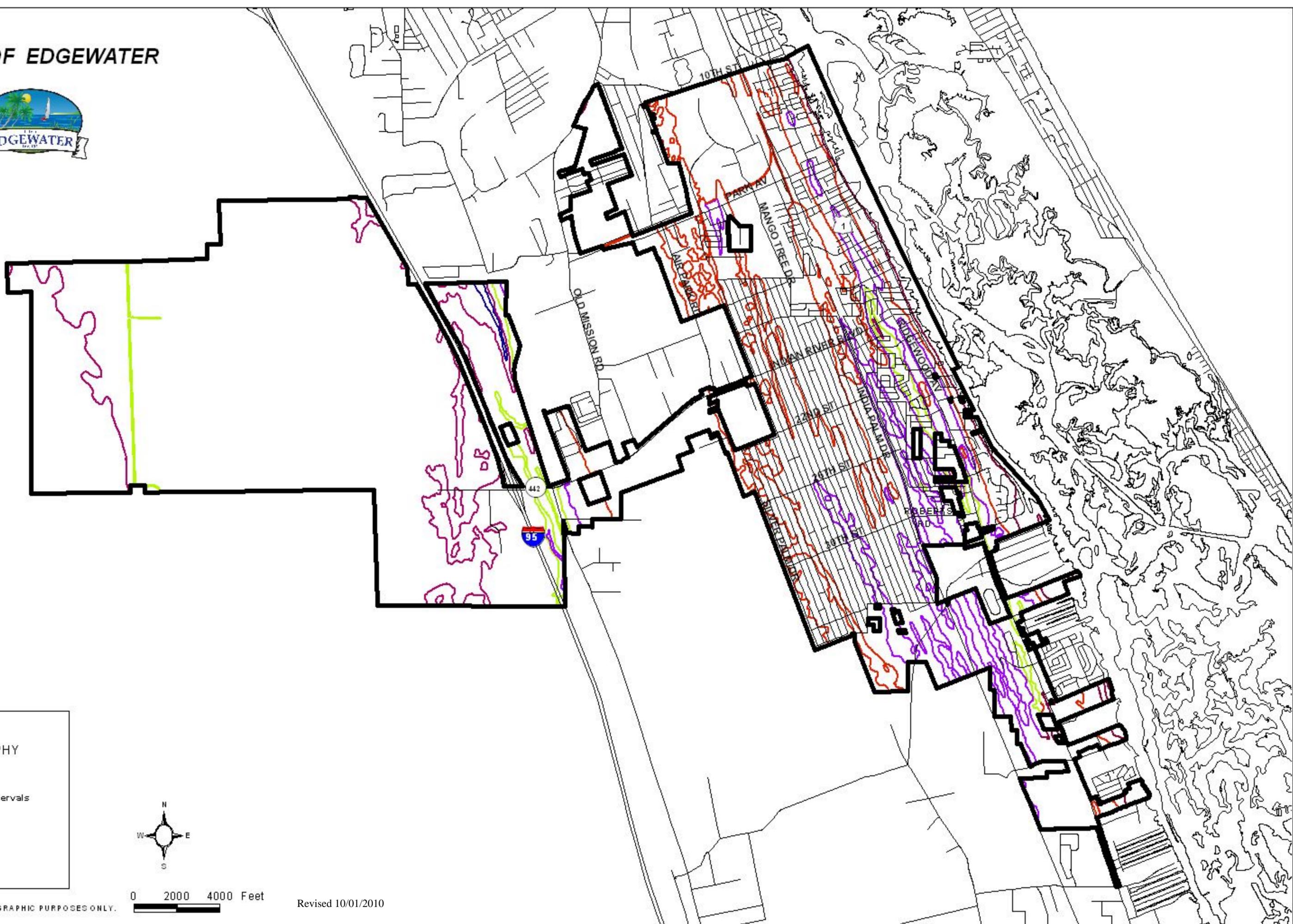


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# CITY OF EDGEWATER

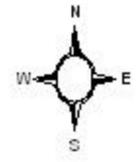


MAP I-4  
TOPOGRAPHY

City Limits

Five Foot Elevation Intervals

- 5
- 10
- 15
- 20
- 25
- 30



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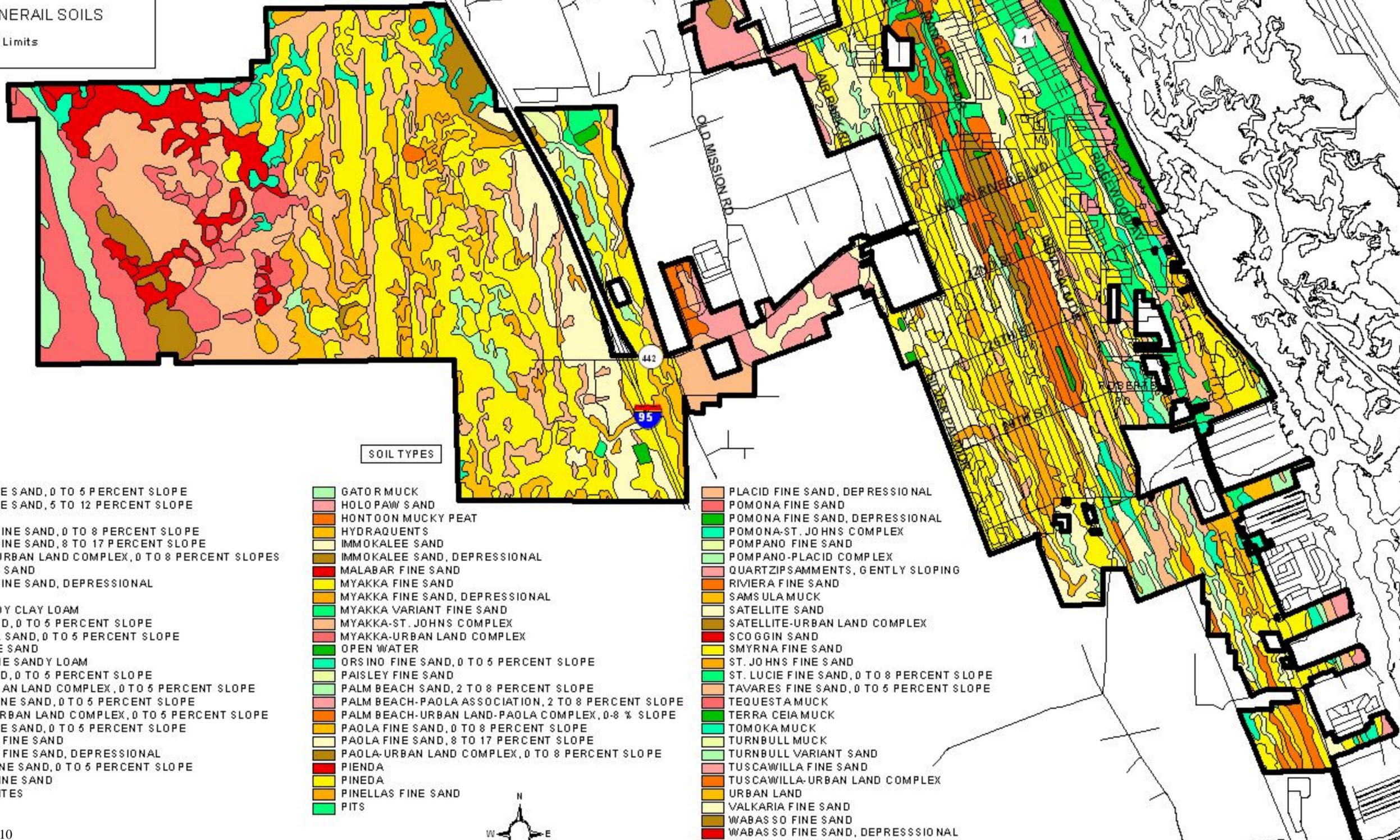
# CITY OF EDGEWATER



MAP 1-5

## GENERAL SOILS

City Limits



### SOIL TYPES

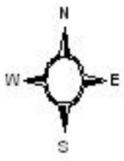
- APOPKA FINE SAND, 0 TO 5 PERCENT SLOPE
- APOPKA FINE SAND, 5 TO 12 PERCENT SLOPE
- ARENTS
- ASTATULA FINE SAND, 0 TO 8 PERCENT SLOPE
- ASTATULA FINE SAND, 8 TO 17 PERCENT SLOPE
- ASTATULA-URBAN LAND COMPLEX, 0 TO 8 PERCENT SLOPES
- ASTOR FINE SAND
- BASINGER FINE SAND, DEPRESSIONAL
- BEACHES
- BLUFF SANDY CLAY LOAM
- BULOW SAND, 0 TO 5 PERCENT SLOPE
- CANAVERAL SAND, 0 TO 5 PERCENT SLOPE
- CASSIA FINE SAND
- CHOBEE FINE SANDY LOAM
- COCOA SAND, 0 TO 5 PERCENT SLOPE
- COCOA-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPE
- DAYTONA FINE SAND, 0 TO 5 PERCENT SLOPE
- DAYTONA-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPE
- DELAND FINE SAND, 0 TO 5 PERCENT SLOPE
- EAU GALLIE FINE SAND
- EAU GALLIE FINE SAND, DEPRESSIONAL
- ELECTRA FINE SAND, 0 TO 5 PERCENT SLOPE
- FARMTON FINE SAND
- FLUVAQUENTES

- GATOR MUCK
- HOLOPAW SAND
- HONTOON MUCKY PEAT
- HYDRAQUENTS
- IMMOKALEE SAND
- IMMOKALEE SAND, DEPRESSIONAL
- MALABAR FINE SAND
- MYAKKA FINE SAND
- MYAKKA FINE SAND, DEPRESSIONAL
- MYAKKA VARIANT FINE SAND
- MYAKKA-ST. JOHNS COMPLEX
- MYAKKA-URBAN LAND COMPLEX
- OPEN WATER
- ORSINO FINE SAND, 0 TO 5 PERCENT SLOPE
- PAISLEY FINE SAND
- PALM BEACH SAND, 2 TO 8 PERCENT SLOPE
- PALM BEACH-PAOLA ASSOCIATION, 2 TO 8 PERCENT SLOPE
- PALM BEACH-URBAN LAND-PAOLA COMPLEX, 0-8 % SLOPE
- PAOLA FINE SAND, 0 TO 8 PERCENT SLOPE
- PAOLA FINE SAND, 8 TO 17 PERCENT SLOPE
- PAOLA-URBAN LAND COMPLEX, 0 TO 8 PERCENT SLOPE
- PIENDA
- PINEDA
- PINELLAS FINE SAND
- PITS

- PLACID FINE SAND, DEPRESSIONAL
- POMONA FINE SAND
- POMONA FINE SAND, DEPRESSIONAL
- POMONA-ST. JOHNS COMPLEX
- POMPANO FINE SAND
- POMPANO-PLACID COMPLEX
- QUARTZIPSAMMENTS, GENTLY SLOPING
- RIVIERA FINE SAND
- SAMS ULA MUCK
- SATELLITE SAND
- SATELLITE-URBAN LAND COMPLEX
- SCOGGIN SAND
- SMYRNA FINE SAND
- ST. JOHNS FINE SAND
- ST. LUCIE FINE SAND, 0 TO 8 PERCENT SLOPE
- TAVARES FINE SAND, 0 TO 5 PERCENT SLOPE
- TEQUESTAMUCK
- TERRA CEIA MUCK
- TOMOKA MUCK
- TURNBULL MUCK
- TURNBULL VARIANT SAND
- TUSCAWILLA FINE SAND
- TUSCAWILLA-URBAN LAND COMPLEX
- URBAN LAND
- VALKARIA FINE SAND
- WABASSO FINE SAND
- WABASSO FINE SAND, DEPRESSIONAL
- WAUCHULA FINE SAND
- WAUCHULA FINE SAND, DEPRESSIONAL
- WINDER FINE SAND

Revised 10/01/2010

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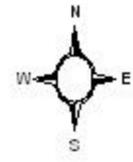
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# CITY OF EDGEWATER



**MAP I-6**  
SOIL SUITABILITY  
FOR DEVELOPMENT

- City Limits
- Water
- High
- Moderate
- Low

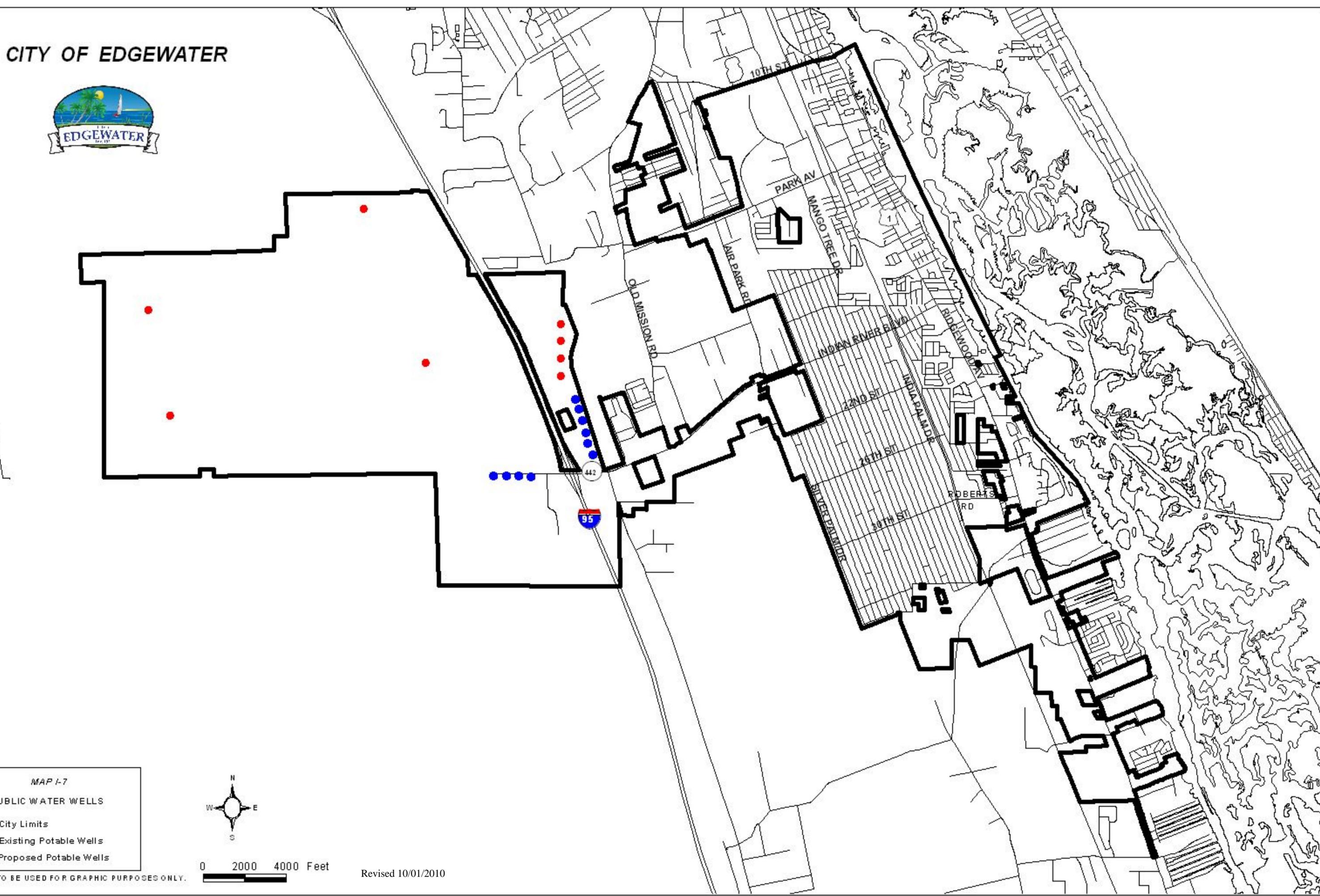


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Revised 10/01/2010

# CITY OF EDGEWATER



MAP I-7  
PUBLIC WATER WELLS

- City Limits
- Existing Potable Wells
- Proposed Potable Wells

0 2000 4000 Feet

Revised 10/01/2010

\* MAP IS TO BE USED FOR GRAPHIC PURPOSES ONLY.

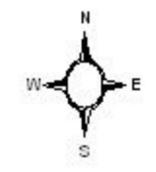
# CITY OF EDGEWATER



**LEGEND**

- City Limits
- Agriculture
- Recreation
- Conservation
- Public/Semi-Public
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Low Density Transition
- Mixed Use
- Industrial
- Commercial
- Conservation Overlay
- Sustainable Community Development

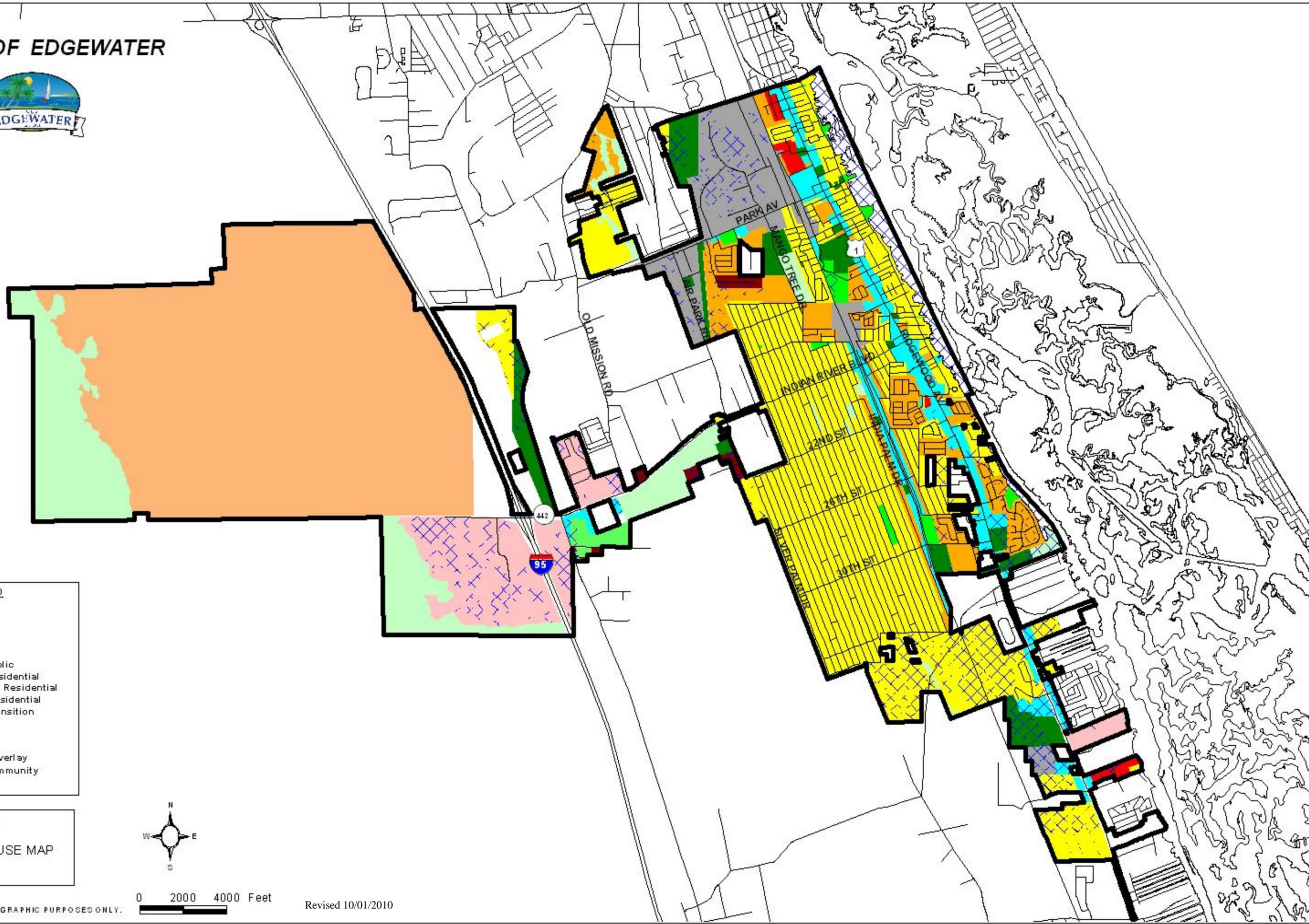
MAP I-8  
FUTURE LAND USE MAP



0 2000 4000 Feet

Revised 10/01/2010

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COMPREHENSIVE PLAN

**FUTURE LAND USE**

RESTORATION SUSTAINABLE COMMUNITY  
DEVELOPMENT DISTRICT SUB-ELEMENT

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# SUSTAINABLE COMMUNITY DEVELOPMENT DISTRICT

## A. INTRODUCTION

The City of Edgewater ("City") desires to create a new land use category that will require new and enhanced transportation and land use planning strategies, including planning for alternative modes of travel, more compact mixed-use development, greater attention to jobs-housing balance, and higher densities of residential housing containing a mix of housing types and price points in order to address changing dynamics in the relationship between land development, transportation, energy and the environment. This new category of land use is called Restoration Sustainable Community Development ("SCD"). It has been crafted from the data, inventory and analysis generated by the City and is described below with Goals, Objectives and Policies. It shall apply only to and is prepared specifically for a development within the City known as Restoration. Restoration is located in the City on the west side of Interstate 95 and contains 5,187.1 +/- acres. The Restoration SCD land-use category has been designed to meet and exceed the design and sustainability criteria found within the principles of Smart Growth, Traditional Neighborhood Design, New Urbanism and Transit Ready Development and Design.

The Restoration SCD designation is designed to facilitate the expansion of the urban area of the City through the integration of a number of different land uses, including office, commercial, residential, recreational, governmental and housing components so that all work seamlessly in a New Urbanist framework. The residential portion of the Restoration SCD development must include housing units of various densities and types, at various price points and sizes. The housing inventory shall include, but not be limited to, single-family, multi-family and townhouse homes as well as some residential inventory to be located above retail or commercial uses where appropriate in the context of the overall planning for the Restoration SCD.

The Restoration SCD shall require the innovative use of land planning that is consistent with and implements the keystone principles of Smart Growth as set forth by Volusia County's Smart Growth Implementation Committee and transect based planning as supported by the Congress of New Urbanism and set forth in Smart Code, Version 9.0 ©. These are to be the cornerstones of the Restoration SCD development in the City of Edgewater. The principles of Smart Growth that are to be employed are as follows:

*Environment.* Smart Growth emphasizes the early identification and preservation of environmentally important areas and open space areas. These are conceived of as a connected network of multi-purpose lands that form the community's "green infrastructure."

*Communities.* Smart Growth emphasizes compact, walkable, mixed-use communities that provide alternative modes of travel together with greater jobs/housing balance and higher densities. It seeks to use land and infrastructure efficiently to reduce the costs of servicing new development and shall provide for a range of housing choices and lifestyles. Such development emphasizes innovation in sustainable design in both the conservation of water resources and energy.

*Economy.* Smart Growth communities place an emphasis on a mix of land uses including residential, office, commercial, recreational, and governmental that all work seamlessly in a New

Urbanist framework with public investments that support the needs of sustainable economic development.

*Transect Based Planning.* Transect based planning has its roots in the environmental transect, which is based on an analysis of the natural sequence of environments and their relationship to each other. Because “New Urbanist” planning recognizes that “one size does not fit all” and because humans desire to live in different kinds of places, transect based planning attempts to mirror the environmental transect and allow for an urban to rural pattern or “Transect Zones” which shall place a premium on a continuum of different market offerings. These are to be arranged harmoniously and appropriately in the natural landscape. Accordingly, the Restoration SCD shall have a variety of places and corresponding appropriate building typologies, including lower density residential, so that the over-all mixed-use characteristics of the Restoration SCD are maximized.

The Restoration SCD is the result of a conscientious planning approach based on the most current New Urbanist research and advanced practices. The compact development pattern is designed to and shall provide for a diverse community with distinct place types and multiple experiences that are appealing to residents, employees, and visitors. It shall provide for walkability, a broad range of inclusive household demographics, the ability to connect the community directly to a natural experience, transit ready design, and a high level of environmental stewardship and planning.

In order to facilitate the outcome described herein and to further demonstrate the City’s support of the development represented by Restoration, the City makes the following representations and commitments. The City of Edgewater will process its next Evaluation and Appraisal Report (EAR) amendments in 2010/2011. Incident to that effort, the planning horizon EAR-based amendment to the comprehensive plan will be extended through 2030. Notwithstanding that the content of this plan amendment is intended to and does authorize the development of 8,500 residential units, until the City adopts the EAR-based amendments extending the planning horizon through 2030, no more than 5,000 residential units are authorized for the Restoration SCD. Once the EAR-based amendments are in effect and the planning horizon has been extended through 2030, then the total number of residential units (8,500) as set forth in this comprehensive plan amendment shall be authorized as set forth herein.

As further indicia of the City’s commitment to this undertaking, until the following EAR-based amendment cycle (anticipated in 2017), the City will not process:

1. any annexations increasing residential density and increasing the City’s boundaries (with the exception of small scale enclaves);
2. any large scale comprehensive plan amendments increasing residential density not associated with a redevelopment project located in the City’s proposed redevelopment area as set forth in the City’s adopted 2008 Evaluation and Appraisal Report and graphically depicted on Exhibit “A”.

To ensure that the Restoration project is commenced in a timely fashion, the Master Developer (which is the developer identified in and a party to the DRI Development Order of even date) shall commence development within four years from the effective date of this plan amendment

(the “Commencement Date”). For purposes of this provision, the commencement of development means to begin performing on-site modification, fabrication, erection or installation of a treatment facility or a conveyance system for the discharge of wastes and on-site modification, fabrication, erection or installation of a treatment facility or a transmission system for the conveyance of potable water. Land clearing and site preparation activities alone do not constitute commencement of development. The City Council may grant an extension of the Commencement Date if a request demonstrating good cause is filed in writing with the Clerk of the City Council at least sixty (60) days prior to the expiration of the Commencement Date; however, if the Commencement Date as set forth herein expires with no extension being requested or having been requested is not granted, then the City Council may, at its discretion, undertake an amendment to its comprehensive plan to remove the Restoration SCD designation from the property. Failure of the City Council to initiate a comprehensive plan amendment as herein provided shall leave the Restoration SCD land use designation in place but in no way shall serve as a waiver of the City’s right to later undertake a comprehensive plan amendment to remove the Restoration SCD designation from the Restoration property if development as described herein has not yet commenced.

Given the nature of the Restoration SCD, it is designed to be a collaborative planning process between the developer, public agencies, non-governmental organizations and citizens that collectively seek to holistically address varying community needs in a flexible, yet systematic manner consistent with the Goals, Objectives and Policies hereinafter set forth. Because this process is site specific and certain of the Objectives and Policies reflect the same, this Restoration SCD text amendment shall apply only to the Restoration development. All other projects seeking similar outcomes are subject to the creation of an applicable project specific land use category through the comprehensive plan text/map amendment process and shall comply with all other applicable regulatory processes.

## **B. GOALS, OBJECTIVES, AND POLICIES**

### **GOAL 1: DEFINING THE RESTORATION SUSTAINABLE COMMUNITY DEVELOPMENT.**

The City of Edgewater shall utilize innovative land use planning techniques, creative urban design, environmental protection, and the judicious use of sustainable development principles and practices in order to meet the spirit and intent of the Restoration SCD. In order to facilitate this vision, the City shall recognize that density is important to the Restoration SCD outcome, but no more important than the mixing of uses, the development of a diverse population through the provision of housing choice and employment centers, the connection of streets and the design of structures and spaces on a human scale. These attributes are to be coupled with context sensitive solutions in planning for thoroughfares so as to make for a walkable community. All of this is accomplished within an overall framework of environmental protection and sustainable design within the built environment of the Restoration SCD.

**Objective 1.1:** *Develop SCD Effective Fiscal and Land Use Planning Technique.*

Edgewater shall use the Restoration SCD as an effective fiscal and land -use planning technique for managing growth, controlling sprawl, and ensuring that the built environment does not compromise the workings of the natural environment within the Restoration SCD. The Restoration SCD shall demonstrate its consistency with the policies set forth below.

**Policy 1.1.1:**

Protection and Management of Lands within Volusia County Natural Resource Management Area (“NRMA”) and Environmental Systems Corridor (“ESC”). The Restoration SCD is located within an area currently designated by Volusia County as NRMA and includes both Environmental Core Overlay Lands (“ECO” a.k.a Map “A”) and Environmental System Corridor (“ESC”). As a result, development will necessarily impact portions of the NRMA, but such development will not materially or adversely impact the natural resources or systems of the NRMA as a whole. Appropriate environmental studies have been performed to guide development to the approximate eastern one-third of the Restoration SCD so that development within NRMA is clustered in the most suitable location within the Restoration SCD thereby protecting the majority of the NRMA and the important natural resources lying within it (See Policy 4.1.1 below). Further, the environmental development and compliance standards within the Restoration SCD are equal to or exceed NRMA standards. Portions of the Restoration SCD are within an area designated as Environmental Core Overlay and are designated by Volusia County as Map “A” lands (See Policy 4.1.5 below). These lands shall be designated as Conservation lands on the Restoration SCD Conservation/Development Areas Map described below. In addition, portions of the Restoration SCD are within an area formerly designated on the Volusia County FLU Map as Environmental System Corridor (“ESC”). The majority of the ESC lands are interconnected wetland strands within the Restoration SCD and substantially all ESC lands outside of the SCD Community Development Lands as described below shall be protected so as not to degrade their natural functions. Where impacts are authorized to these wetland strands, the Restoration SCD shall provide for all required mitigation as contemplated under both state and Federal law (See Policy 4.1.2 below). The restoration, enhancement and management of these lands shall be the responsibility of the developer or its successors and assigns, (See Policy 11.1.5 below).

The ecological integrity and eco-diversity of the NRMA lands not otherwise impacted by the development contemplated herein shall be restored and maintained by the developer, its successors and assigns so that they contribute to an interconnected system of

integrated habitat in a post-development setting (See Policy 11.1.5 below).

The Restoration SCD shall be developed consistent with the Restoration SCD Conservation/Development Areas Map (“**CDA Map**”) which delineates three regions of the Restoration SCD as (1) Conservation, (2) SCD Conservation/Restoration, and (3) SCD Community Development lands. The lands designated as Conservation on the CDA Map are also lands designated by Volusia County as Environmental Core Overlay (Map “A”). The SCD Community Development Lands are also further described as the “Build Envelope.” The CDA Map is incorporated by reference into and made a part of this Comprehensive Plan Amendment. The City recognizes that the exact configuration and territorial limits of the areas designated on the CDA Map shall be subject to final engineering, regulatory review and adjustment by one or the other or both of the State of Florida and the Federal government through the review and approval of the ERP permit administered by the St. Johns River Water Management District and the Section 404 Permit administered by the U.S. Army Corps of Engineers. The submission of applications for the referenced permits and the processing of the same by the developer shall be consistent with the designated regions shown on the CDA Map.

**Policy 1.1.2:**                    **Restoration SCD Implementation Specifics.** The specific requirements for implementing the Restoration SCD shall be memorialized through (1) the processing and obtaining of a Chapter 380.06, Florida Statutes, DRI Development Order, (2) a Planned Unit Development (“PUD”) approval including a Master Development Plan and a Regulating Book/Design Guidelines, and (3) a Site Mitigation and Management Plan (“SMMP”) each of which are more particularly described below. Each of these instruments shall be crafted so that they individually and cumulatively implement the Goals, Objectives and Policies set forth herein.

**Policy 1.1.3:**                    **Timing of Restoration SCD Implementation Specifics.** The DRI Development Order shall be processed and approved concurrently with the approval of the Restoration SCD land use amendment as contemplated by Subsection 380.06(6), Florida Statutes. A Planned Unit Development (“PUD”) approval including a Master Development Plan and a Regulating Book/Design Guidelines shall be initiated and processed to completion and adoption by the City within eighteen (18) months following the effective date of this Restoration SCD land use amendment. For this purpose, the effective date shall be the date upon which this amendment is finally approved and not subject to further appeal or review. Policy 11.1.1 below details the content of

the Regulating Book/Design Guidelines. The SMMP shall be prepared for processing and review consistent with the time constraints set forth herein and as set forth in the DRI Development Order adopted concurrently herewith. The SMMP shall contain minimally the information, protocols and procedures set forth in Policy 4.1.11 below. The PUD approval together with the Master Development Plan, Regulating Book/Design Guidelines and the SMMP shall be processed in accordance with the ordinary procedures of the City.

In no event shall the City of Edgewater issue permits or development approvals, including the execution of any PUD Agreement or allow construction/work to commence on the Restoration project prior to the completion and adoption of each of the above-described documents.

**GOAL 2: DEFINING THE COMPONENTS OF SUSTAINABILITY IN RESTORATION SCD:** The Restoration SCD is designed to and shall be developed with a mix of uses including, residential, commercial, recreational and governmental uses to be accompanied by both “active” and “passive” open space as those terms are hereinafter defined.

**Objective 2.1: *Sustainability.*** To ensure that the Restoration SCD is sustainable, the following principles shall be implemented as comprehensive plan policies:

- Policy 2.1.1:** Contain a mixture of uses within the Restoration SCD land use that provides for a balance of commercial, residential, recreational, open space (active and passive), resource protection, educational and other supporting uses.
- Policy 2.1.2:** Preservation of open space and the management, restoration and preservation of important environmental systems.
- Policy 2.1.3:** A design that is based on the principles of Smart Growth, Traditional Neighborhood Design (“TND”), New Urbanism, Transit Oriented Design (“TOD”) and the urban to rural transect as accepted by the Congress of New Urbanism and defined in the Smart Code, Version 9.0 ©. As such the Restoration SCD shall include walkability, compact development patterns, quality architecture and urban design, and a hierarchy of streets or street systems to foster connectivity and pedestrian mobility as well as alternate modes of travel, including transit. All are to be appropriately located in a transect-based community that includes a range of transects from T5 Urban Center to T1 Natural Zone as the same are described in the Congress of New Urbanism and Smart Code, Version 9.0 ©.

- Policy 2.1.4:** A diversity and choice of housing types, settings and price points ranging from lower density more sub-urban type development to higher density, compact development patterns and variety will be required in order to limit sprawl. Housing types will include mid-rise stacked flat product both as stand-alone residential and residential above commercial. Single-family detached residential on varying lot sizes, Carriage homes, Village homes, Garden homes and Townhouses will be provided. Multifamily products will also include for rent product. Some for sale product may be offered as a condominium. The mix of product types will vary depending on the section of the community in which the housing is developed, but overall the Restoration SCD will have approximately forty-five percent (45%) single family and fifty-five percent (55%) multifamily.
- Policy 2.1.5:** The provision of opportunities throughout all phases of the development for residents to work in the Restoration SCD, thereby reducing automobile dependence.
- Policy 2.1.6:** The utilization of selected sustainable development techniques that promote the reduction of greenhouse gases, energy efficiency, water conservation and alternative transportation options.
- Policy 2.1.7:** Promote the efficient and effective use of utility and transportation infrastructure.

**GOAL 3: MIXED-USE FACILITIES.** The Restoration SCD development shall be required to provide a balanced mix of uses in order to facilitate meeting the goal of sustainable community development.

**Objective 3.1: *Provide for Land Use Designations which Promote a Mix of Uses.*** In order to accomplish the Goal, the City of Edgewater shall require and facilitate the development of a transect-based urban mixed-use community that relates to and is an extension of the existing city, through the adoption of land use designations described herein through the Restoration SCD.

- Policy 3.1.1:** The following land use designations shall be required within the Restoration SCD. These designations are not separate future land use categories, but are intended to further guide the form and design of the development that is permitted in the Restoration SCD. Specific uses, square footages and number of dwelling units shall be memorialized in the DRI Development Order. However, the total number of dwelling units within Restoration shall not exceed 8,500 and the total number of non-residential square feet shall not exceed 3,300,000 square feet.

The acreage calculations set forth in the land use designations set forth below are net of and exclude acreage used for Williamson Boulevard, Indian River Boulevard, manmade lakes and storm

water detention areas, overhead utility lines, and schools. Subject to the foregoing, the Land Use Designations within Restoration are as follows:

a. **Residential (“SCD-R”).** This designation supports a variety of housing types including single family, townhomes, coach homes, condominiums, multifamily rental apartments, together with appropriate civic, institutional and recreational uses along with accessory dwelling units associated with single-family residential units. The Residential designation is primarily characteristic of a T-4 and T-5 transect, with some outer portion being a T-3 transect.

- **Size:** Approximately 598 Acres (+ or -)
- **Residential Units:** 4,043 Maximum; 2,000 Minimum

b. **Mixed-Use Town Center (“MUTC”).** The Mixed-Use Town Center is designed to be the commercial core of the Restoration SCD. This designation shall require a vertically integrated mixture of higher density and intensity uses and development, providing multi-family housing, hospitality and lodging, commercial retail and service, office uses and civic, government, institutional, and recreational uses.

“Big Box” retail development, defined as retail establishments in which one or more of the stand-alone facilities are equal to or larger than 75,000 square feet, shall only be permitted in the Mixed-Use Town Center, but the design of the same shall be consistent with the integration of the other uses required for this part of the Restoration development.

- **Size:** Approximately 88 Acres (+ or -)
- **Residential Units:** 1000 Maximum, 450 Minimum
- **Maximum Residential Density:** 36 du/acre
- **Maximum Non-residential Intensity:** 1,200,000 SF
- **Minimum Non-residential Intensity:** 550,000 SF

c. **Work Place (“WP”).** The Work Place designation is designed to be the primary employment center for the Restoration SCD. Importantly, it is not the exclusive employment center as a significant number of jobs are anticipated within both the MUTC and TRC described elsewhere herein.

Permitted Uses within the Work Place include office, institutional, light industrial, civic, lodging, multi-family residential, and convenience commercial uses serving the needs of businesses and workers employed within the Work Place.

- **Size:** Approximately 79 Acres (+ or -)
- **Maximum Residential Density:** 36 du/acre
- **Minimum Residential Density:** 15 du/acre
- **Maximum Nonresidential Intensity:** 1,003,547 SF
- **Minimum Non-residential Intensity:** 500,000 SF
- **Residential Units:** The number and placement of residential product in this area shall be market driven but to the extent used shall be developed as multi-family and deducted from allowable residential density in any other Land Use Designation herein so that the total of residential units does not exceed 8,500.

- d. **Transit-Ready Corridor (“TRC”).** The TRC is specifically designed to accommodate residential densities and commercial intensities in a mixture of uses that shall support public transit. This designation is to be located along the major arterial corridor of the Restoration SCD which is to be designed as a multiway boulevard that can eventually support streetcars, buses, pedestrians, bicyclists and autos, while creating a walkable urban environment.

Permitted uses within the TRC include commercial, office, institutional, civic, residential and lodging.

- **Size:** Approximately 85 Acres (+ or -)
- **Residential Units:** Maximum 3,457; Minimum 2,000. A minimum of 35% of the residential product in this portion of the Restoration SCD shall be developed as mixed use (i.e., residential above commercial.)
- **Maximum Residential Density:** 36 du/acre
- **Minimum Residential Density:** 15 du/acre
- **Minimum Non-residential Intensity:** 200,000 SF
- **Maximum Non-residential Intensity:** 1,305,000 SF.

- e. **Utility Infrastructure Site.** The area designated on Map “H” attached to the DRI Development Order and on the CDA Map attached hereto and labeled as Utility Infrastructure Site is to be developed with appropriate utility infrastructure to expand the city’s capacity to deliver water, sewer and wastewater facilities.

- f. **Schools.** In order to provide residents within the Restoration SCD access to schools, two school sites totaling 85 acres have been identified and shall be dedicated to the Volusia County School Board (“School Board”) in accordance with the terms and conditions of a Capacity Enhancement Agreement (“CEA”) entered into between the School Board, the City and the developer, the same being recorded in the Public Records of Volusia County, Florida at O.R. Book 6313, Page 219, Public Records of Volusia County, Florida. See Policy 9.1.1 for administration of CEA.
  
- g. **Open Space.** The Open Space designation is designed to and shall protect and permanently preserve Activity and Resource Based Open Space areas throughout the Restoration SCD. Additionally, Resource Based Open Space may, subject to the terms of permits to be obtained from either or both of the St. Johns River Water Management District or the U. S. Army Corps of Engineers, provide for mitigation for impacts to wetlands that shall result from development activities within the SCD/Community Development area of the Restoration SCD as depicted on the CDA Map. These areas and the administration of them are further defined below.

**Policy 3.1.2:** Within each of the land use designations identified above, it is recognized that to achieve the overall objective of the Restoration SCD, some or all of the following additional uses are authorized in all of the land uses described above, to-wit: conservation or mitigation areas and stormwater management areas. Within the built environment, ancillary uses that are supportive of the identified land use designations shall also be allowed on a case-by-case basis, and shall be reviewed as part of the building review process of the City.

**Policy 3.1.3:** Development may only be permitted within the Restoration SCD if consistent with the land use designations set forth above. In order to maximize the attributes of the urban form, the City shall require that the Restoration SCD utilize density in concert with the mixing of uses, the development of population and employment centers, the interconnection of streets and the design of structures and spaces within the Restoration SCD so as to support a variety of lifestyles and needs. All uses may be mixed horizontally on a site or may be contained within multiple use buildings such that differing uses exist vertically in one building or structure. Where residential product is located above commercial, retail, office or institutional uses and located in the MUTC, the WP or the TRC

land use designations, such product shall be considered as mixed-use and treated as “commercial” development under the Land Development Regulations of the City.

**GOAL 4: OPEN SPACE/NATURAL RESOURCE MANAGEMENT AND PROTECTION STANDARDS:** The City shall require that development under the Restoration SCD designation does not adversely impact the function and value of natural resources located in either the “Conservation” or the “SCD/Conservation/Restoration” areas as noted on the CDA Map attached hereto. Development standards for land use activities in these areas will be more restrictive than other areas and will be limited as provided hereinafter in Objective 4.1. Because high-density and intensity development are a recognized part of the Restoration SCD planning protocol, impacts to natural resources and systems will occur but the vast majority of those are limited to the areas labeled as SCD/Community Development on the CDA Map. Impacts that do occur will be allowed only with appropriate mitigation for the loss of the function and value of those natural resources as provided for within the regulatory framework of the local, state and Federal government programs and consistent with the Objectives and Policies discussed below. Conformance to the Objectives and policies associated with this Goal shall be deemed to establish consistency with Policy FLUE 1.2.6.

**Objective 4.1: *Minimization of the Impacts of Development on the Natural Environment.*** Within the Restoration SCD, development shall be directed only to those locations on the CDA Map labeled as SCD/Community Development, except that minimal intrusions into the Conservation and SCD Conservation/Restoration areas noted on the CDA Map shall be authorized for maintenance of utility infrastructure such as roads, stormwater management systems and to service and maintain the ecological restoration contemplated as part of this development and as authorized by the state and Federal government in permits issued by the same, limited recreational access shall be allowed and appropriate trails and bike paths constructed. Development within the Restoration SCD is to be designed so as to minimize the impact on natural resources and systems with the ultimate goal at build out to be that the built environment and the natural environment can coexist to the fullest extent practicable as a seamless undertaking.

**Policy 4.1.1: Requirement of Appropriate Environmental Studies.** Because the Restoration SCD is located within NRMA, the developer and other stakeholders have completed appropriate environmental studies to guide development so that it is clustered in the most suitable locations on the site consistent with Objective 4.1 above.

**Policy 4.1.2: Protection of Environmental System Corridor Lands.** A portion of the Restoration SCD is within an area formerly designated on the Volusia County FLU Map as Environmental System Corridor (“ESC”). The portion of the ESC lands lying within the area designated as SCD Community Development Land on the CDA Map will be impacted by the proposed development. Notwithstanding those impacts, the City of Edgewater shall require that substantially all of the remaining ESC lands be protected so as not to degrade natural functions and values, and to maintain ecological integrity and eco-diversity within such lands. The goal is

that the remaining ESC lands shall contribute to an interconnected system of integrated habitat. Minimal impacts to these remaining ESC lands will occur, but only at the edge of the SCD Community Development Lands and for road or bridge crossings connecting portions of the build envelope and for other uses authorized for Resource Based Open Space. Accordingly, the remaining ESC lands are to be placed in either the Conservation area or the SCD Conservation/Restoration areas of CDA Map and designated as Resource Based Open Space. Impacts to and the management of the ESC lands shall be accommodated through Policy 4.1.3 and 4.1.10 below.

**Policy 4.1.3: Designation of Land as Resource Based Open Space.** The Restoration SCD shall designate lands to be set aside as Resource Based Open Space. In doing so, the Restoration SCD shall be guided by the Natural Resources of Regional Significance decision support model of the East Central Florida Regional Planning Council ("ECFRPC"). Utilization of this model shall result in the protection of the majority of wetlands on site, and all wetlands within the areas to be designated as Resource Based Open Space shall be preserved and restored consistent with the protocols described below. Impacts to wetlands shall occur in the areas labeled SCD Community Development on the CDA Map and when they occur, appropriate mitigation through preservation and restoration within the areas labeled Conservation and SCD Conservation/Restoration on the CDA Map shall be provided to ensure that there is no overall net loss of wetland function and value. The determination of net loss of wetland function and value shall be undertaken using the approved methodology and protocols in use by the St. Johns River Water Management District and the U.S. Army Corps of Engineers.

**Policy 4.1.4: Minimum Open Space Requirements.** Because the Restoration SCD is to be developed within an overall plan of natural resource management that minimizes adverse impact to existing natural resources, the plan of development shall conserve large areas of uninterrupted environmentally sensitive areas which shall need to be restored and managed as part of a system for habitat, wetlands, surface water protection and to provide recreational opportunities (both active and passive).

Accordingly, not less than fifty percent (50%) of the Restoration SCD shall be in permanent, protected open space consisting of a mix of Activity and Resource Based Open Space. The location of the Resource Based Open Space within the Restoration SCD has been determined and is shown on the CDA Map as Conservation and SCD Conservation/Restoration areas. Activity Based Open

Space shall be located within the areas shown on the CDA Map as SCD Community Development.

**Policy 4.1.5:** **Volusia County Environmental Core Overlay.** All lands designated by Volusia County as Environmental Core Overlay or ECO Lands (Map “A”) and located within the boundary of the Restoration SCD development shall be protected as integrated habitat and managed to protect its ecological function. Such lands are shown on the CDA Map as Conservation and shall additionally be designated as Resource Based Open Space lands and protected as such.

**Policy 4.1.6** **Location of Development within Restoration SCD.** Urban development within the Restoration SCD shall be clustered on the eastern one-third of the Restoration SCD towards the right-of-way of Interstate 95 and within the area labeled on the CDA Map as SCD Community Development. The built environment within this area shall encompass innovative land development practices which promote sustainability, as well as, conservation and conservation management. It is recognized that the clustering of development in this portion of the Restoration site and the development of the same in an urban form shall result in the loss of some wetlands, but the developer shall impact only those wetlands which have been determined through applicable regulatory review to be of less ecological significance to the overall integrity of the larger wetland regime that encompasses the Resource Based Open Space.

**Policy 4.1.7** **Resource Based Open Space/Environmental Resource Permit.** Where land development proposals of the Restoration SCD are subject to the St. Johns River Water Management District Environmental Resource Permit process, the secondary impact requirement (pursuant to Section 12.2.7 of the Management and Storage of Surface Waters Handbook) shall satisfy the intent of this goal. The protected Resource Based Open Space shall be designed as integrated habitat so to as enhance habitat protection and protect its ecological function as set forth below.

**Policy 4.1.8:** **Minimization of Wetland Impacts.** As noted in Policy 4.1.6 above, the clustering of development in the urban form will result in the loss of wetlands. Which wetlands are to be lost to development is to be determined through applicable Federal and state regulatory review, but the goal is to avoid wetland impacts to the fullest extent practicable. Wetland impacts that cannot be avoided after regulatory review under applicable law shall be compensated for through appropriate mitigation so as to ensure that there is no overall net loss in wetland function and value.

**Policy 4.1.9:**

**Defining Open Space.** Open Space shall include (1) Activity Based Open Space and (2) Resource Based Open Space areas within the Restoration SCD. The Restoration SCD shall contain approximately 3,872 acres (+ or -) of Resource Based Open Space.

- a. **Activity Based Open Space** is open space that has generally been developed by the developer in order to provide areas for active recreation in a post-development setting. As such, it includes areas such as walkways, bikeways, trails, lakes, picnic areas, playgrounds, tot-lots, neighborhood parks, plazas and sports and active parks (baseball, tennis, swimming, soccer facilities, boardwalks, etc.).
- b. **Resource Based Open Space** is open space intended to protect and enhance environmental systems. Consistent with Policies 4.1.3, 4.1.4 and 4.1.7 above and 4.1.10 below, it may include in addition to areas set aside for ecological preservation, enhancement and restoration, nature trails, conservation education programs, observation decks and similar facilities including lakes used for detention or retention of surface water.

**Policy 4.1.10:**

**Protection Standards for Resource Based Open Space.** Resource protection standards for Resource Based Open Space is to be provided for in the Restoration SCD by the preparation and adoption of a Site Mitigation and Management Plan (“SMMP”) as provided in Policy 1.1.3 above and the DRI Development Order. The purpose of the SMMP is to provide for the imposition of a set of site mitigation and management protocols designed to ensure the long-term maintenance by the developer, its successors and assigns, (See Policy 11.1.5 below) of the ecologic value of the Resource Based Open Space within the Restoration SCD and the effective integration of the same into the built environment. The following principles shall form the basis of the SMMP.

- a. Resource Based Open Space in the Restoration SCD shall, to the greatest extent practicable, be aligned and connected so that free and unencumbered movement from one section of the Resource Based Open Space to another is achieved within the boundaries of the Restoration project. To the extent practicable and in order to promote habitat connectivity external to the Restoration SCD, the Resource Based Open Space shall be aligned with and connected to like natural systems outside the boundaries of the Restoration project.

Areas set aside for Resource Based Open Space may be

accessed by walkways, boardwalks, trails and bikeways where such access is consistent with the maintenance of the ecological resource and its habitat values. Resource Based Open Space may include facilities for environmental education and research.

- b. Resource Based Open Space areas shall be designated, permanently protected, and maintained as undeveloped and/or restored or enhanced conservation areas that are accessible for passive recreational uses consistent with the protocols of the SMMP and permits issued by either the state or Federal government. Resource Based Open Space shall be selected and designed according to the following principles:
  - (i) ECO Lands, Environmental System Corridors, wetlands, natural and historic resources shall receive top priority for and be a part of the designated Resource Based Open Space area.
  - (ii) Resource Based Open Space shall be designed as a contiguous area to eliminate or minimize fragmentation and promote the formation of linked networks with existing or potential Resource Based Open Space areas on adjacent properties, or other developments.
  - (iii) Resource Based Open Space areas may include storm water management facilities.
  - (iv) To the extent that roads are necessary for access to the Conservation and SCD Conservation/Restoration areas as shown on the CDA Map, they shall, to the fullest extent practicable, avoid wetlands and other ecological resources that comprise the environmental integrity of these areas.
  - (v) Resource Based Open Space, all of which is located within the areas shown on the CDA Map as either Conservation or SCD Conservation/Restoration shall be permanently protected by conservation easement so that such areas are and remain undeveloped in perpetuity by recording the Conservation Easement in the Public Records of Volusia County, no later than the date of the

issuance by the City of the first building permit authorizing the construction of horizontal improvements or land clearing on the Restoration site or such earlier time as might be required by either the state or Federal government in their respective permits authorizing impacts to wetlands within the Restoration site. The Conservation Easement(s) providing for such protection shall run with the land and shall be written in such a manner so as to provide for enforcement rights by the Grantees, the City of Edgewater, the St. Johns River Water Management District and to the extent required, third party enforcement rights by the U.S. Army Corps of Engineers and any other party or person that the permits authorizing the wetland impacts might require. The Conservation Easement(s) shall be set forth in the Covenants, Conditions and Restrictions (“CCRs”) of the Restoration SCD and recorded in the Public Records of Volusia County. The CCRs shall be provided to each subsequent land owner within the Restoration SCD.

- (vi) Resource Based Open Space shall be managed according to the SMMP and/or the terms and conditions set forth in any Conservation Easement encumbering the same or by any other entity or format authorized under Policy 4.1.12 below.

**Policy 4.1.11: SMMP Requirements and Minimum Standards.** Resource Based Open Space protection standards are to be provided for in the Restoration SCD by the preparation and adoption of a Site Mitigation and Management Plan (“SMMP”) which by its terms will incorporate by reference all terms and conditions imposed by both the SJRWMD and the ACOE in the issuance of their respective permits. The purpose of the SMMP is to provide for the imposition of a set of site mitigation and management protocols which shall ensure the long-term maintenance of the ecological values of the Resource Based Open Space and the effective integration of the same into the built environment. In addition, the SMMP will detail the protocols to be followed in the design, planning and implementation for the restoration of wetlands and uplands within the Resource Based Open Space.

With respect to the wetlands restoration, the goal is to restore the landscape back to a “native Florida ecosystem” by reversing the effects of the silviculture operation that has characterized the use

of the project site for the past fifty plus years. This will be accomplished by the developer of the Restoration SCD, its successors and assigns, by among other things (1) selectively timbering the existing pine plantation so as to return upland pine forest to native pine flatwoods; (2) creating a herbaceous layer understory; (3) removing planted pines from wetlands; (4) restoring natural hydroperiods in a manner that is consistent with the various wetland types found in the Resource Based Open Space; (5) removing and managing exotic infestation; (6) managing hydrology by plugging selected ditches and canals; (7) managing hydrologic conditions through its integration into the master stormwater system; and (8) restoring natural sheet flow through the Spruce Creek Swamp.

Further, with respect to the wetlands restoration as described above, the restoration will be commenced prior to any impacts to wetlands unless an earlier start date is required by the terms of the ERP Permit to be obtained from the SJRWMD or the Section 404 Permit to be obtained from the U.S. Army Corps of Engineers and once started shall continue until completion of the wetlands restoration project, but in no event shall the completion of the wetlands restoration project exceed five (5) years after commencement. See Policy 11.1.5 relative to administration of cost for the wetland restoration.

In addition to the foregoing, the SMMP shall set standards and management protocols for the following matters: (1) trees and tree removal, (2) habitat of protected species, (3) flood hazard management, (4) performance standards for development, (5) potable water and well field protection, (6) erosion control, (7) post-development land management protocols to include water conservation and landscape standards incorporating drought tolerant and native vegetation, (8) identification of ownership and management responsibilities and (9) fire management.

The matters noted above are the minimum to be included in the SMMP, and are not necessarily exhaustive, it being the intention of the City and the developer of the Restoration SCD to prepare a SMMP that is site specific and addresses all issues essential to the maintenance of the ecological systems within the Resource Based Open Space.

Notwithstanding the foregoing, the SMMP will defer to and incorporate by reference the terms and conditions of the Federal and/or state permits to be obtained and the same shall be controlling of the undertakings of the developer, its successors and assigns, as the same pertain to the restoration, enhancement and management of the Resource Based Open Space; (i.e., the St.

Johns River Water Management District ERP Permit pursuant to Chapter 403, Florida Statutes, and the implementing regulation and rules of the District found at 40C-4001 and 40C-42.011 et. seq. F.A.C., and the U.S. Army Corps of Engineers Section 404 Permit pursuant to 33 U.S.C. Section 1344 et. seq. and 16 U.S.C. Sections 1536 and 1539 et. seq.). Accordingly, the City shall defer to the requirements of the same, but the City shall reserve the right to review such regulatory outcomes and determine whether or not such outcomes are substantially consistent with the guidelines enumerated here. The SMMP must be reviewed and approved by the City and other stakeholder agencies with particular competency in the subject under review consistent with the requirements of the DRI Development Order and the SMMP shall be incorporated into the DRI Development Order by reference and made a part thereof through a Notice of Proposed Change (NOPC).

**Policy 4.1.12:**

**Ownership of Activity or Resource Based Open Space.**

Ownership of either Activity or Resource Based Open Space shall be by one or a combination of the following: (1) a homeowner's association, (2) a land trust, (3) a qualified conservation organization, (4) a Chapter 190, Florida Statutes, Community Development District or (5) another public agency deemed acceptable to the City and the developer. Where Resource Based Open Space is subject to a conservation easement held by the city, county, state or Federal government or a qualified conservation organization, then the developer, or its assignee, may continue to hold underlying fee title to the identified Resource Based Open Space.

**GOAL 5: COMMUNITY DESIGN: PRINCIPLES OF TRADITIONAL NEIGHBORHOOD DESIGN AND NEW URBANISM:** The City shall establish Restoration SCD Design Policies to ensure walkability and connectivity using design principles that are consistent with Traditional Neighborhood Design, Transit-Oriented Development and New Urbanism as these terms are understood in the literature of the Congress of New Urbanism, the Urban Land Institute and other like-kind organizations. These Policies shall control the design of the built environment within the Restoration SCD. They are set forth below and shall be further memorialized and detailed in a Regulating Book/Design Guidelines to be adopted by the City consistent with this Restoration SCD land use and in conjunction with the PUD zoning of the Restoration site.

**Objective 5.1:** *Design Attributes.* The City shall define the essential design attributes that must be a part of the development within the Restoration SCD. They are listed here with the expectation that they shall be further refined and implemented through both the DRI Development Order and the Regulating Book/Design Guidelines. In all events the DRI Development Order and the Regulating Book/Design Guidelines must be consistent with the essential design attributes listed here.

**Policy 5.1.1:** **Walkability.** To ensure that the Restoration SCD is pedestrian friendly the following design principles shall be incorporated into and made a part of the Regulating Book/Design Guidelines:

- a. At build out, all homes shall be within a half (0.5) mile of transit, a mixed-use activity center or facility or an institutional or civic use such as a school, government office.
- b. Streets are to be pedestrian friendly. Homes are to be built close to streets; with the majority of the homes having street-facing facades and/or porches, windows and doors. Other homes may be constructed in a manner that does not front on the street so long as the home is designed in a manner that is consistent with the principles of Traditional Neighborhood Design or New Urbanism. Mixed-use and commercial structures in the TRC shall in like manner be built close to streets with street facing facades and entrances. Streets are to be tree-lined and provide for on-street parking where appropriate. Parking lots and parking structures are to be hidden to the fullest extent practicable.
- c. Street and pedestrian-way lighting are to be designed to enhance safety and be consistent with “dark sky” objectives to the maximum extent practicable.
- d. Brick pavers, roundabouts, traffic circles and other traffic calming techniques are to be employed in key locations to enhance aesthetics, improve pedestrian access, reduce vehicle speeds and promote safety within all travel modes.

- e. Signs identifying streets, speed limits, and neighborhoods shall be designed to reflect neighborhood character.
- f. All streets having vertical development or units on one or both sides shall have sidewalks adjacent to the vertical development or units and such sidewalks shall be a minimum of five (5) feet in width to accommodate pedestrian activity. Sidewalks will be designed and constructed so that there is no break in a linear run of the same, except for street crossings.
- g. The City will require that the developer submit to the City both a bicycle routing and mobility plan, including a trail plan as a part of the Regulating Book/Design Guidelines to be reviewed and approved by the City.

**Policy 5.1.2:**

**Connectivity.** To ensure the efficient movement of people through the Restoration SCD, the following design principles shall be incorporated into and made a part of the Regulating Book/Design Guidelines.

- a. The street system shall be a well-connected grid based system that is fully integrated. Because the Restoration SCD shall develop over a period of years, the street system shall be designed to facilitate the expansion of the same as the community grows.
- b. The street system shall be designed in a hierarchy that provides for alternative cross sections to facilitate the development of narrow neighborhood streets, boulevards, and alleys. Streets are to be shaded by trees and interconnected both internally and externally to both move traffic efficiently through the Restoration SCD and to disperse traffic off site efficiently. Streets shall allow for on-street parking where appropriate and the location and configuration of the same shall be set forth in the Regulating Book/Design Guidelines.
- c. The arrangement and design of streets shall promote a pleasant, pedestrian and bicycle-friendly environment with an emphasis on convenient access to surrounding neighborhoods and community amenities. Restoration SCD road design standards may apply to County- or State-owned and maintained roads and as such be subject to County or State approval.

**GOAL 6: AFFORDABLE HOUSING/HOUSING CHOICE:** In addition to the housing choices identified in Policy 3.1.1 above, the City shall require that the housing offered within the Restoration SCD shall be offered at a variety of price points, including affordable housing.

**Objective 6.1:** *Promote Diversity and Choice in Housing Options.* The objective is a robust mix of different types and kinds of housing, and particularly housing targeted to those who have an Average Median Income (“AMI”) that limits their housing choices. To ensure, to the fullest extent possible, that the Restoration SCD is developed as a socially and economically diverse community with a wide range of housing types, various price points shall be made available.

**Policy 6.1.1:** **Provide Affordable Housing.** Within the Restoration SCD, ten percent (10%) of all residential units shall qualify as “affordable housing” which for this purpose shall mean housing for which persons whose incomes fall between eighty percent (80%) and one hundred forty percent (140%) of Volusia County’s AMI shall qualify to purchase.

**Policy 6.1.2** **Housing Choice.** Within the Restoration SCD, the developer will provide a diversity of housing products as described in Policy 2.1.4 above.

**GOAL 7: JOBS/HOUSING BALANCE:** The City desires to reduce dependence on automobile travel and, therefore, vehicle miles traveled (“VMT”). Accordingly, the Restoration SCD shall be required to develop and implement a program designed to ensure an adequate number of jobs per residential dwelling unit exists in the Restoration SCD at build out.

**Objective 7.1:** *The Reduction of VMT through a Jobs -to -Housing Balance.* The objective is to (1) reduce VMT and (2) establish and measure over time the jobs/housing balance so as to provide a framework for determining the number of jobs created and to measure the internal capture of trips within Restoration and to ensure a built community that, to the fullest extent possible, provides for alternative modes of transportation to and from the work and recreation places within the Restoration SCD.

**Policy 7.1.1** **Community Mixed-Use Thresholds.** To ensure a mixture of and balance between land uses and promote the creation of employment opportunities on the project site, the following mixed-use thresholds are established for the Restoration SCD:

1. Prior to the issuance of residential building permits for more than 1,500 dwelling units, there shall have been constructed a minimum of 180,000 square feet of nonresidential development;
2. Prior to the issuance of residential building permits for more than 2,500 dwelling units, there shall have been constructed a minimum of 300,000 square feet of nonresidential development;

3. Prior to the issuance of residential building permits for more than 5,000 dwelling units, there shall have been constructed a minimum of 600,000 square feet of nonresidential development;

4. Prior to the issuance of residential building permits for more than 7,500 dwelling units, there shall have been constructed a minimum of 900,000 square feet of nonresidential development; and

5. Prior to the issuance of residential building permits for the 8,500<sup>th</sup> dwelling unit, there shall have been constructed a minimum of 1,200,000 square feet of nonresidential development.

**Policy 7.1.2:**

**Interim Measuring of Jobs/Housing Ratios.** The Master Developer ("Master Developer") shall measure the jobs/housing ratio after the issuance of the final plats and/or commercial site plan approval as set forth below. The designated ratios are goals, but if there has been insufficient employment created pursuant to this Policy, the Master Developer shall confer with the City and the East Central Florida Regional Planning Council (ECFRPC) for the purpose of determining whether and to what extent the Master Developer has initiated and maintained a program designed to attract jobs and employment to the Project and the prospects for making up any shortfall in achieving the goals described below as the development progresses. If at check point (ii) or (iii) below, it is determined that the shortfall is material, that the efforts of the Master Developer to meet the jobs/housing ratio have not been at a level and with a consistency that evidences a good faith effort to meet the jobs/housing ratio, then the City may require appropriate mitigation to offset the failure to meet the established goal or, in its discretion, the City may suspend the issuance of residential building permits until the targeted thresholds agreed to by the City, the ECFRPC and the Master Developer as set forth here are met. This Policy is in addition to and not in limitation of Policy 7.1.1 above, it being the intention of the City that a series of different checks are to be made and evaluated as the development proceeds forward. The goals are, to-wit:

(i) After the issuance of final CO's for the occupancy of the 3,400<sup>th</sup> residential unit

0.1 jobs per residential unit

(ii) After the issuance of final CO's for the occupancy of the 6000<sup>th</sup> residential unit

0.5 jobs per residential unit

(iii) After the issuance of final CO's for the occupancy of the 8000<sup>th</sup> residential unit

0.6 jobs per residential unit

**Policy 7.1.3**

**Build Out Jobs/Housing Balance.** At build out of the Restoration SCD, a jobs-to-housing balance of 0.65 jobs per residential unit shall be achieved. During development of the Restoration SCD, the jobs/housing balance shall be measured at various intervals in accordance with the standards set forth above and in the DRI Development Order and the results shall be reported to the City, the ECFRPC and the Department of Community Affairs as often as the reports are generated so that progress toward the goal set forth here can be assessed and remedial action taken as determined to be appropriate under the procedures set forth here and in the accompanying DRI Development Order.

**Policy 7.1.4**

**The Jobs Calculation.** For purposes of making the jobs calculation, the Master Developer may consider all jobs created within the boundary of the Restoration SCD and count them as one full job. Additionally, the Master Developer may consider such additional jobs as are created after the commencement of work on the Restoration site that are within a three mile radius of the boundary of Restoration and within the municipal boundary of the City. This latter category shall be counted as one-half job. To document the jobs calculation, the Master Developer must submit information which is specific to the type of industry or business; i.e. retail/office/industrial, and provide a map showing the location of each nonresidential development that is included. For this purpose, jobs created in the public sector, i.e. Federal, state or local government including school jobs whether private or public shall be included. Development which is under construction may be included, provided that vertical construction will be completed within eighteen (18) months of the date of the submittal of the documentation. The Master Developer may demonstrate compliance with these Policies by surveying the expansion of existing businesses and/or the creation of new businesses by utilizing the following employment ratios, to-wit:

350 square feet of office = 1 job

600 square feet of retail/commercial = 1 job

If any actual survey of existing nonresidential development is utilized, the documentation must include information on the nature of the business including the name of the business, the date

the information was generated and the name, address and telephone number of the individual supplying the information.

**GOAL 8: REDUCTION IN GREENHOUSE GASES:** By utilizing the principles of Smart Growth, Traditional Neighborhood Design, Transit-Oriented Design and New Urbanism, the City seeks to reduce reliance on the automobile; and, therefore, reduce the production of greenhouse gases. Additionally, the City desires to moderate the demand for energy utilized to heat and cool houses and commercial structures built in Restoration, not only to reduce the production of greenhouse gases, but to conserve available energy resources. In the furtherance of this goal, the Restoration SCD development shall adhere to the following Objective and Policies.

**Objective 8.1:** *Reduce VMT through the Utilization of Sound Planning Paradigms.* The objective of using the planning paradigms noted in the Goal is to create a framework that gives the City the best possible opportunity to reduce VMT and by doing so reduce the production of greenhouse gases. Further, the objective is to create a place where persons can live, work and play without undue reliance on the automobile while also enjoying a living environment that is “green.” In order to implement this Goal and Objective, the Restoration SCD shall implement the following Policies:

**Policy 8.1.1:** **Compact Development Pattern.** Compact development patterns shall be required so that land is used efficiently and at a density and intensity that assures that the planning paradigms noted herein are adhered to. Streets are to be narrow, buildings are clustered together and yard space is to be concentrated where it is most usable. These requirements shall be implemented through the adoption of the DRI Development Order and further refined and developed through the Restoration Regulating Book/Design Guidelines to be implemented as herein provided.

**Policy 8.1.2:** **Avoid Large Single Uses of Land and Provide for a Mixture of Land Uses.** Except as otherwise provided at Policy 3.1.1(d), the Restoration SCD shall avoid large single uses of land and defer to a mixture of land uses. The Regulating Book/Design Guidelines shall provide for and require a mixture of uses to include residential, commercial, office, public/civic, recreation and Activity Based Open Space, and Resource Based Open Space all in a mixed-use configuration. This mix of uses shall occur both vertically and horizontally. On a vertical plane, commercial and retail uses may be augmented by residential uses above. With regard to horizontal mixing, the developer shall create a mixture of residential uses in close proximity to commercial, including retail and service uses and public/civic uses. The developer shall also incorporate appropriate cost stratification of housing products to ensure housing at various price points is developed throughout and to comply with the policies noted above at Policy 2.1.4 and Policy 6.1.2. The overall policy requires a fully-integrated community with a variety and mix of housing products at various price points and serving a variety of markets.

The SCD Total Land Area is 5,187.1 acres. Of that amount, approximately 3,872 (+ or -) acres have been designated as either Activity Based Open Space or Resource Based Open Space.

The following maximum and minimum calculations are based on the portion of the Restoration SCD labeled as SCD Community Development on the CDA Map. This area is also referred to as the “build envelope” of the Restoration SCD. The build envelope consists of approximately 1,315.1 acres (+ or -). To ensure a variety of uses within the build envelope, the Restoration development shall be limited to the following:

- a. **Residential** -- The minimum amount of residential shall be forty-eight percent (48%) of the build envelope.
- b. **Commercial** – The minimum amount of commercial use (retail, service) shall be five percent (5%) of the build envelope.
- c. **Office** – The minimum amount of office use shall be five percent (5%) of the build envelope.
- d. **Civic/Institutional** – The minimum amount of Civic/Institutional use shall be six percent (6%) of the build envelope. For this purpose, Civic/Institutional shall include schools, utility sites, and other like kind government facilities.
- e. **Recreation and Open Space** – The minimum amount of Activity and Resource Based Open Space shall be fifteen percent (15%) of the build envelope. The minimum amount of Resource Based Open Space shall be fifty percent (50%) of the SCD Conservation/Restoration and the SCD Community Development area noted on the SCD Conservation/Development Areas Map.
- f. **Work Place** – The minimum amount of work place to include office/light industrial use shall be two and one-half percent (2.5%) of the build envelope.
- g. **Mixed-Use** – The minimum amount of mixed use which shall include a mix of at least two of either office, retail, institutional, service, public/civic and residential shall be five percent (5%) of the build envelope.

Importantly, when measured against the total land area of Restoration, approximately seventy-four point six percent (74.6%) of the total land area of the Restoration SCD shall be lands outside of the build envelope.

The “build envelope” of the Restoration SCD consists of approximately 1,315.1 acres calculated as the total land area of Restoration SCD (5,187.1 acres) less all Resource Based Open Space (3,872 acres). The Resource Based Open Space includes the Conservation Area and SCD Conservation/Restoration areas as shown on the CDA Map.

The build envelope of the Restoration SCD is to be comprised of the use groups identified above. No single-use group may exceed fifty-three percent (53%) of the build envelope.

**Policy 8.1.3: Walkable, Bikeable Community Design.** The Restoration SCD shall incorporate a pedestrian and bike mobility system to provide for the efficient and pleasurable movement of pedestrian and cyclists throughout the development. This system shall include a hierarchy of pedestrian and bicycling facilities including sidewalks (at least five (5) feet wide), Bike Lanes (four (4) feet wide and limited to major arterials), multi-purpose recreational trails (at least ten (10) feet wide) and unimproved nature trails and boardwalks connecting residential areas with work, shopping, entertainment and open space/recreational opportunities. Pursuant to Policy 5.1.1(g) the developer will prepare and submit with the Regulating Book/Design Guidelines the details of the bike mobility plan and trail plan.

**Policy 8.1.4: Transit-Oriented Development.** The Restoration SCD shall provide for the development of a Transit Corridor Plan. The Transit Corridor Plan shall lay out the strategy for the design, development and operation of a fixed-rail, electric transit system within the TRC to be built and operated by the developer and at no expense to the City. The transit system will operate in the TRC and be designed, permitted and constructed so that it is operational by 2021 or the end of Transportation Phase 2a as that term is defined in the DRI Development Order. In order to maximize the economic viability of the TRC, densities and intensities of development within both the MUTC and TRC shall, as set forth in Policy 3.1.1, be sufficiently high so as to support the utilization and economic viability of the transit system. To further assist in the economic viability of the transit system, the Regulating Book/Design Guidelines shall require that development at the site plan level be transit friendly to include reduced setbacks, pedestrian connections between buildings, parking in the rear of buildings, and the provision for transit shelters, provided, however, on-street parking shall be allowed in the multi-way boulevard described in Policy 8.1.5 below. In addition, the developer shall work with the City of Edgewater and Volusia County Public Transit System to ensure external connections are provided

between the Restoration SCD, the City of Edgewater and other incorporated and unincorporated portions of Volusia County. The design of the TRC shall support and facilitate the optimum and safe operation of the transit system.

**Policy 8.1.5: Williamson Boulevard as a Multi-Way, Transit Ready Boulevard.** Williamson Boulevard is to be the primary north-south transportation corridor within the Restoration SCD and shall be designed, permitted and constructed so as to support the operation of a fixed-rail, electric transit system that shall, upon completion, run along Williamson Boulevard through the Restoration SCD. As a multi-way, transit-ready boulevard, Williamson Boulevard shall have a design profile that accommodates the operation of the automobile, the electric transit cars, bicycles and pedestrians. The design, dimensions and alignment of Williamson Boulevard shall be driven by the requirement that it support the overall need for continuous, direct and efficient vehicular movement from surrounding areas of the City and County through the Restoration SCD, coupled with the requirement that it further the concept of a pedestrian-oriented and transit-ready, operational roadway.

**GOAL 9: SCHOOLS:** The City and the Volusia County School Board seek to ensure that opportunities for residents of the City and Restoration shall have adequate school facilities to serve the City and Restoration.

**Objective 9.1: School Concurrency.** Residential development within the Restoration SCD shall be planned to ensure sufficient capacity within the public school system to meet the population needs consistent with and subject to “school concurrency” requirements imposed by Volusia County School Board from time to time.

**Policy 9.1.1 Capacity Enhancement Agreement.** The applications for the construction of residential housing product within the Restoration SCD shall be coordinated with the Volusia County School Board to determine if there shall be sufficient student capacity to meet the requirements of the new development pursuant to standards and procedures as more fully set forth in the Interlocal Agreement for School Planning, Public School Facilities Element, and Section 206 of the Volusia County Charter. To accommodate the management of school capacity within the Restoration SCD, the Volusia County School Board, the City and the developer have entered into a Capacity Enhancement Agreement (“CEA”) which has been designed to ensure that public schools can be timely planned and constructed to serve the student population. The CEA has been recorded in the Public Records of Volusia County, Florida at O.R. Book 6313, Page 219, Public Records of Volusia County Florida. The conveyance of the school sites shall occur on the earlier of (a) approval by the City of a final site plat or a final

plat for the 2,000<sup>th</sup> residential dwelling unit or issuance of a Certificate of Occupancy for the same; or (b) upon approval by the City of all or a portion of the property wherein the portion of the property to be platted is to include one or the other of the parcels designated as school sites pursuant to the CEA. Consistent with the foregoing and the CEA, the developer shall convey to the School Board one or the other or both of the designated school sites upon completion of the School Board's inspection period and due diligence review.

**GOAL 10: RESOURCE EFFICIENT DESIGN AND OPERATION:** The City requires that the Restoration SCD development include adherence to a suite of “green” building and design initiatives to the end that the structures (both residential and commercial) shall be designed, constructed and occupied using a variety of applicable green design and building protocols as hereinafter set forth.

**Objective 10.1:** *The Utilization of Defined Benchmarks and Metrics to Measure Success.* Sustainable development practices are understood to include a variety of practices and protocols that are designed to allow development that promotes “resource efficiency” across a broad spectrum of resources. The primary objective of the City in promoting the Restoration SCD is to develop a rational and robust set of green infrastructure protocols that assure that development within the Restoration SCD uses a whole systems approach to the design, development, construction and operation of the Restoration SCD and to do so with defined benchmarks and metrics that can be used to measure success.

**Policy 10.1.1:** **Utilization of Innovative Sustainable Programs.** The Restoration SCD shall utilize a number of innovative sustainable development techniques and measure the success of each to determine their individual and collective impact on conserving energy and water resources, internalizing trip capture and providing appropriate landscapes and biodiversity. The protocols to be used shall include the following:

- a. **Site Design and Land Use.** Calculate the density of residential units and intensity of non-residential units within the Restoration SCD in order to measure jobs per unit. Focus site design on creating required synergies to enhance and improve prospects for a walkable, transit-ready and transit-using community.
- b. **Landscape and Biodiversity.** Create balanced, multispecies living environments within the context of East Central Florida using native and other appropriate vegetation in the landscape palette with the goal of reducing water usage and treating groundwater so as to remove identifiable pollutants. Landscaping within the

built environment shall be substantially designed and installed using the University of Florida's Florida Friendly Plant List and managed in accordance with the University of Florida Yards and Neighborhoods Recognition Checklist (January 2007 Version).

- c. **Transportation.** Create multi-modal synergies that facilitate a reduction in the use of the automobile, promote pedestrian and bicycle utilization and the use of transit.
- d. **Energy.** Design the built environment so it reduces the use of energy by incorporating green development practices in building design, construction and operation. Certification programs certifying compliance with this protocol that would satisfy the same are the United States Green Building Coalition Commercial Standard certification for commercial structures and for residential structures, USGBC LEED for Homes or FGBC Green Home Designation Standard. All buildings constructed within the Restoration SCD shall meet one of these criteria.
- e. **Water.** Design the water management system so that as nearly as possible it incorporates total water balance into the design, construction and operation of the development.

The benchmarks and metrics by which the City and the developer shall measure "sustainability" shall be set forth and detailed in the DRI Development Order that is to accompany the adoption of this text amendment. It is recognized that the standards and protocols which define sustainability are constantly evolving such that what is determined to be acceptable today may be unacceptable tomorrow. As new programs or technologies emerge that may be more supportive of the goals that are both explicit and implicit in the development of the Restoration SCD, the City and/or developer shall seek to incorporate them into the DRI Development Order by using adaptive management over the life of the Restoration SCD. The goal is to ensure that the most current programs, policies and protocols are used throughout the life of the Restoration SCD.

**GOAL 11: CONFORMANCE WITH THE GOALS, OBJECTIVES, POLICIES:** The City shall ensure that development within the Restoration SCD area is in conformance with the goals, objectives and policies, contained herein, through the execution of the DRI Development Order, the adoption of Restoration Regulating Book/Design Guidelines, the adoption of the Restoration PUD Zoning Overlay and such further and other agreements as may be necessary to ensure the outcomes contemplated by this land use text amendment.

**Objective 11.1: *Maintaining Conformity with Goals, Objectives and Policies.*** The objective of the City is to make sure that the broadly-stated goals, objectives and policies described in this Restoration SCD text amendment are refined and set forth in more detail in the DRI Development Order and accompanying documents and agreements so as to ensure to the fullest

extent practicable that the Restoration SCD shall be developed and managed consistent with this text amendment.

**Policy 11.1.1: Creation of the Restoration Planned Unit Development.** The City shall allow development of the Restoration SCD or any portion of the same to proceed upon the adoption of the Restoration Sustainable Community Development/Planned Unit Development (“SCD/PUD”) zoning category and the accompanying Regulating Book/Design Guidelines in a form that is consistent with the Restoration DRI Development Order and the Restoration SCD Future Land Use Category together with the SMMP as previously provided in Policy 1.1.3 above. This shall require the preparation, submission and approval of a SMMP, a Zoning/Land Use Plan and a Restoration SCD/PUD prior to the initiation of construction within the Restoration SCD, or any sub-districts, or portion thereof. Map “H,” as approved and appended to a DRI Development Order, shall serve as the basis for a Zoning/Land Use Plan. The Restoration SCD/PUD Regulating Book/Design Guidelines shall contain planning and urban design standards that govern development within the Restoration SCD/PUD and where the Restoration SCD/PUD Regulating Book/Design Guidelines conflict with existing City Land Development Regulations, the Restoration SCD/PUD Regulating Book/Design Guidelines shall control.

All properties to be developed shall undergo the Restoration SCD/PUD Rezoning process, which involves two steps:

**Step 1:** Zoning/Land Use Plan approval provides zoning approval on the overall Restoration site.

**Step 2:** Development Plan approval may occur in a staged process and as increments of the overall Land Use Plan are submitted for approval. A Development Plan may be approved by the City Council after review by the Planning and Zoning Board. Nothing herein shall preclude the developer from making application to the City to amend or modify a previously adopted Zoning/Land Use Plan as and when the developer determines such an application is appropriate.

The Regulating Book/Design Guidelines shall address and describe in appropriate detail the following areas:

- Principles of the Plan
- Environmental/Open Space Development Standards
- Streets, Roadway and Utility Standards
- Mixed-Use Town Center Development Standards

- Work Place Development Standards
- Residential Development Standards,
- Infrastructure and Engineering Development Standards
- Transit Development Standards
- General Landscaping Standards
- Lighting Standards
- Signage Standards
- Definitions

**Policy 11.1.2:**

**Processing of Development Approvals.** Because the Restoration SCD requires for its implementation the integration of a number of different land uses including office, commercial, retail, residential, recreational, institutional (including governmental) all of which are to be arranged within the built environment with a vigorous effort to utilize sustainable principles, it is recognized that modifications to the existing Land Development Regulations of the City are necessary and desirable to accommodate and allow for the implementation of the Restoration SCD.

It is contemplated that the Restoration SCD shall accomplish the required modifications to the City Land Development Code through the review and approval by the City of the Regulating Book/Design Guidelines using the PUD zoning process to accomplish the same. The property within the Restoration SCD/PUD district shall be rezoned to PUD prior to commencement of development. The rezoning shall include a Zoning/Land Use Plan with a description of how the overall site plan meets the Goals, Objectives and Policies set forth herein. The Zoning/Land Use Plan and the accompanying Regulating Book/Design Guidelines shall define with particularity how each of the development components of the Restoration SCD/PUD development shall be implemented. The Zoning/Land Use Plan shall set forth the capacity for development inside the areas designated as Restoration SCD/PUD on a site -specific basis and in conformity with the limitations described herein. In addition to the maximum base amount of any specific land use category described herein, development capacity may be altered but may not exceed that which is set forth herein.

**Policy 11.1.3:**

**Coordination on Transportation Improvements.** Where road improvements required by the adoption of the Restoration SCD designation are provided for in the DRI Development Order contemplated by this designation, then the City of Edgewater will amend its Comprehensive Land Use Plan and its Transportation and Capital Improvement Elements to incorporate the road improvements provided for in the DRI Development Order. Where the road improvements are provided for in the DRI

Development Order, but are outside the jurisdiction of the City, Interlocal Agreements with the affected jurisdiction shall be required and identify the source of capital and the timing of construction for those specific road improvements such that the road improvements are provided prior to development in the affected area of the Restoration SCD. The road improvements to be undertaken within the first five years of the development of Restoration are, or shall be, included in the City's CIE.

**Policy 11.1.4: Maximum Daily Trips at Build Out.** The land use and resulting trip generation for the Restoration SCD land use shall not exceed 114,828 daily two-way trips at build out as calculated by the then current Institute of Transportation Engineers (“ITE”) Trip Generation Manual.

**Policy 11.1.5: Funding of Public Facilities and Infrastructure.** To ensure the provision of adequate public facilities that are fiscally neutral and avoid inequitable burdens on parties outside the Restoration SCD, public facilities and infrastructure for development within the Restoration SCD shall be funded and maintained by the developer, its successors and assigns, including, without limitation, a Community Development District (“CDD”) formed in accordance with Chapter 190, Florida Statutes, or such other financial mechanisms that are not dependent upon a budgetary allocation of the City of Edgewater. For the purpose of this Policy, the term “public facilities and infrastructure” includes the following: (1) water and water supply systems, (2) stormwater management systems, (3) roads, (4) transit system, (5) sewer and wastewater systems, (6) fire, emergency operations, EMS and Police, and (7) restoration of wetlands, uplands and ecological features of the Resource Based Open Space. To the extent a new city hall is to be built, the provisions of the DRI Development Order shall be controlling for purposes of allocating the financial responsibility for the same.

**GOAL 12: FLOOD PLAIN MANAGEMENT:** The City, in the furtherance of the Restoration SCD, recognizes that modifications and adjustments to its Land Development Regulations are necessary to accommodate the Restoration SCD. Those adjustments shall be undertaken consistent with the Policies set forth below.

**Objective 12.1: *Revised Flood Plain Management Policies and Protocols.*** The objective is to create a series of Policies that are consistent with established state and Federal law and protocols to ensure the proper administration of floodplain development and management in a post-development setting within the Restoration SCD.

**Policy 12.1.1:** **Floodplain Management.** The City shall maintain a floodplain management ordinance, which includes the development standards required for participation in the Federal Emergency Management Agency (“FEMA”) National Flood Insurance Program. The ordinance shall require that any new construction or substantial improvement of any existing structure have the lowest finished floor elevated to at least one (1) foot above the established 100-year flood elevation.

**Policy 12.1.2:** In areas that are designated by FEMA as Zone “A” (no elevation established), a flood study of the Restoration SCD site, as prepared by a qualified State of Florida Licensed Professional Engineer, subject to technical review by the City, shall be required to establish the existing base flood elevation(s). Such flood studies shall be submitted to FEMA as a Letter of Map Revision (“LOMR”) to establish the existing conditions base flood elevation(s). Elevations shall be established prior to approval for construction of any portion of the project lying within the existing FEMA flood zone.

**Policy 12.1.3:** After establishment of the FEMA Base Flood elevation(s), all new projects must protect the natural functions of the floodplains in the City and adjacent jurisdictions, with the understanding that new major projects occurring within the Restoration SCD Future Land Use Designation area may provide for innovative floodplain protections and provision of compensating storage (based on the open space set-aside), and may be used to redefine the floodplain limits subject to the Restoration SCD/PUD Regulating Book/Design Guidelines described above. The Restoration SCD/PUD Regulating Book/Design Guidelines shall include requirements that the proposed design demonstrates that there are no adverse flood impacts to any offsite properties. The floodplain management procedures and regulations established in the SCD/PUD Regulating Book/Design Guidelines as approved by the City shall supersede the current floodplain management standards contained in the City’s Land Development Code and be controlling for purposes of the Restoration SCD.

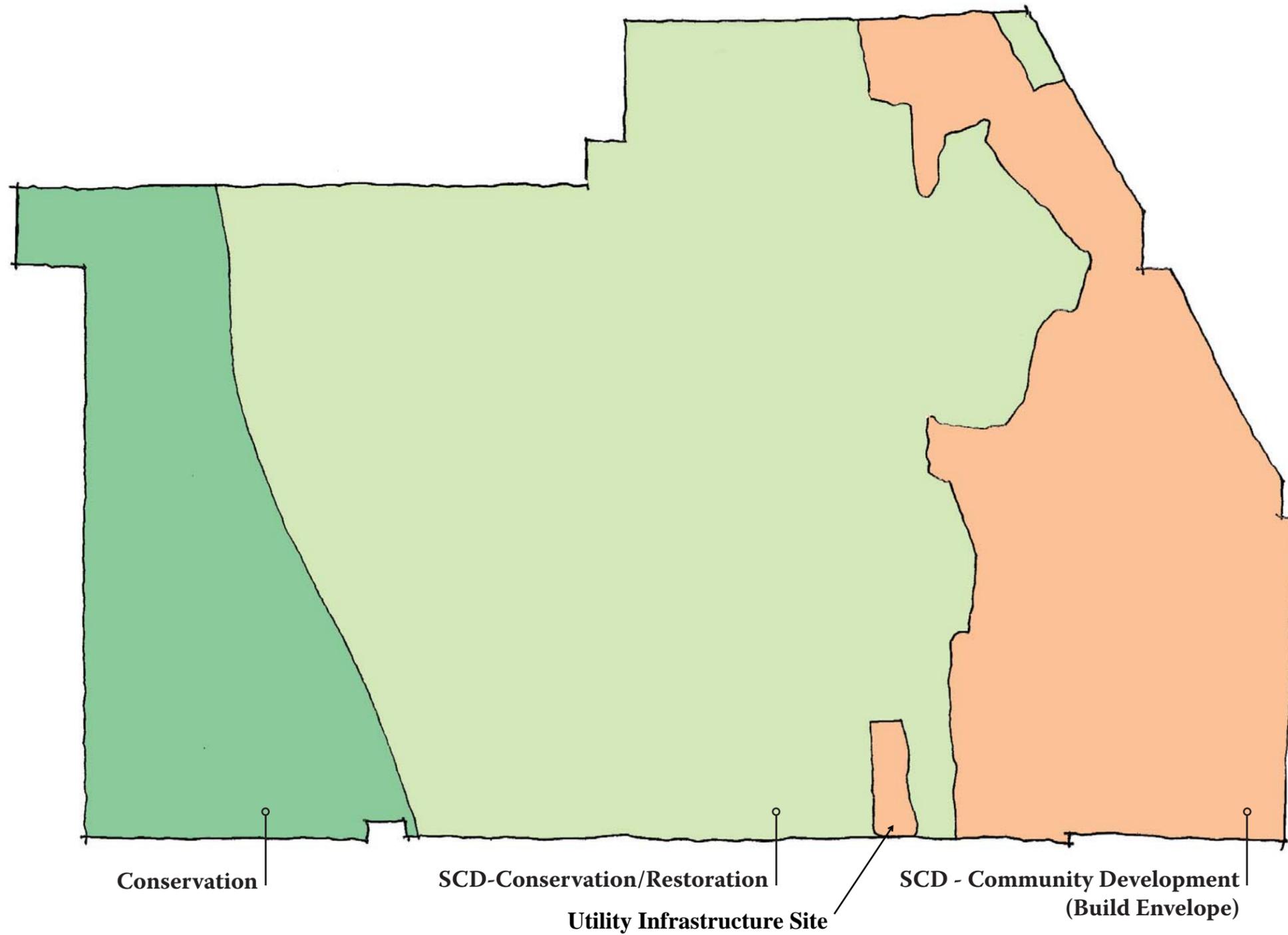
**Policy 12.1.4** Following approval of the conceptual master plan as required for site PUD zoning, a site-wide FEMA Conditional Letter of Map Revision (“CLOMR”) establishing the proposed site-wide floodplain management program, floodplain extents and elevations shall be submitted to FEMA. The developer must submit the CLOMR prior to the commencement of any construction project that impacts areas within the existing FEMA flood zone limits.

**Policy 12.1.5** All construction projects to be undertaken with the Restoration SCD shall submit engineering calculations to the City for review to the extent required by the City to demonstrate that the project to be undertaken is consistent with the floodplain impacts and mitigation as approved in the CLOMR floodplain management program.

**Policy 12.1.6** The floodplain management program to be included in the CLOMR shall comply with Section 804.01(3) of the Volusia County Land Development Code.

**Objective 13: *Restoration Sustainable Community Development District (“SCD”).*** The Restoration SCD is hereby established as shown on the Map I-8 Future Land Use Map (“FLUM”).

**Objective 14: *Maximum Density and Intensity for Restoration SCD.*** The density and intensity of the Restoration SCD District shall be limited to 8,500 residential units and 3,300,000 square feet of non-residential square feet. The density and intensity of the approved project shall be indicated on the FLUM.



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Restoration SCD - Conservation/Development Areas Map

Edgewater, Florida



**CANIN ASSOCIATES**

urban planning • landscape architecture • architectural design

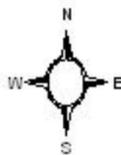
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October 20, 2009

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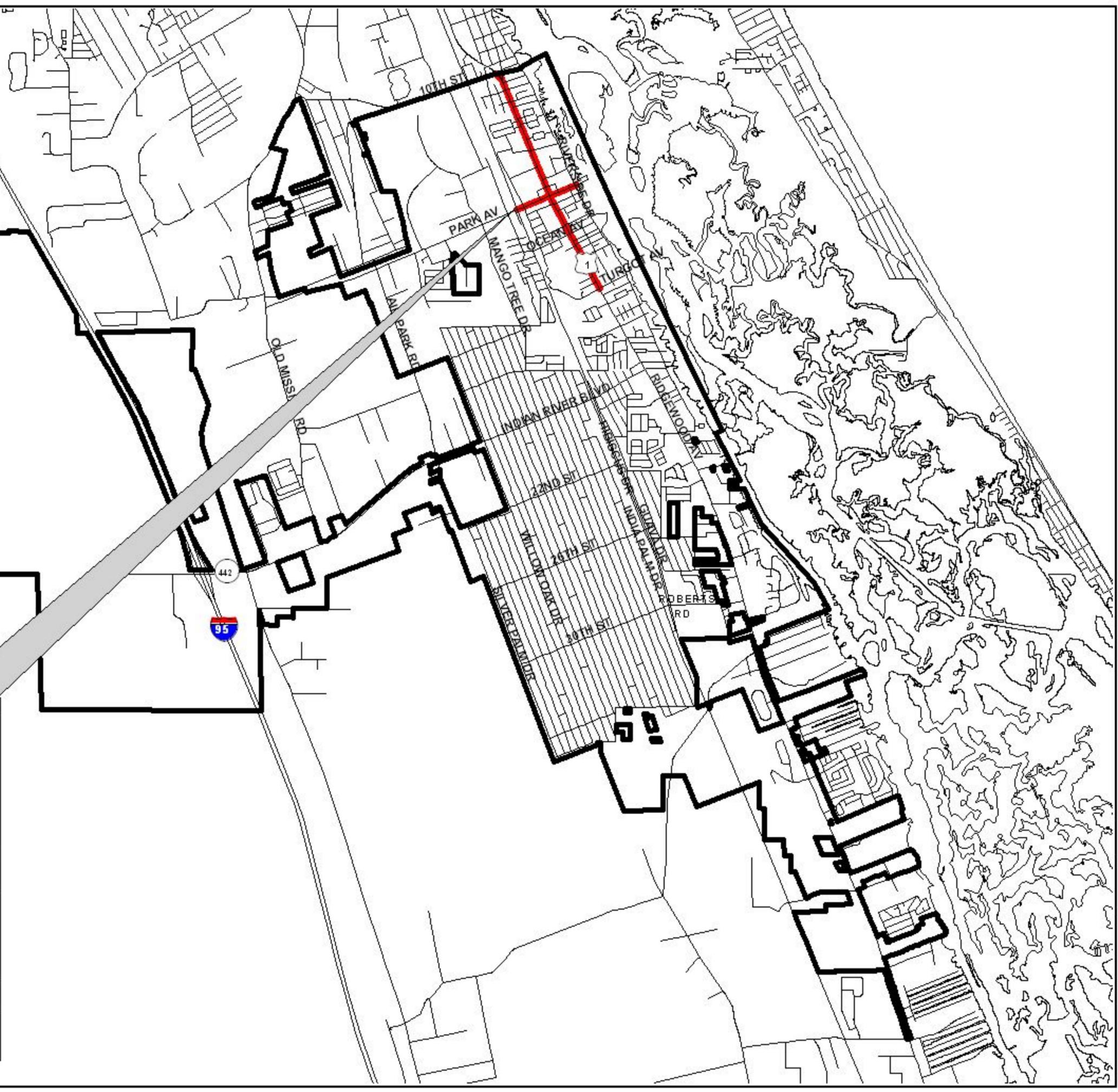
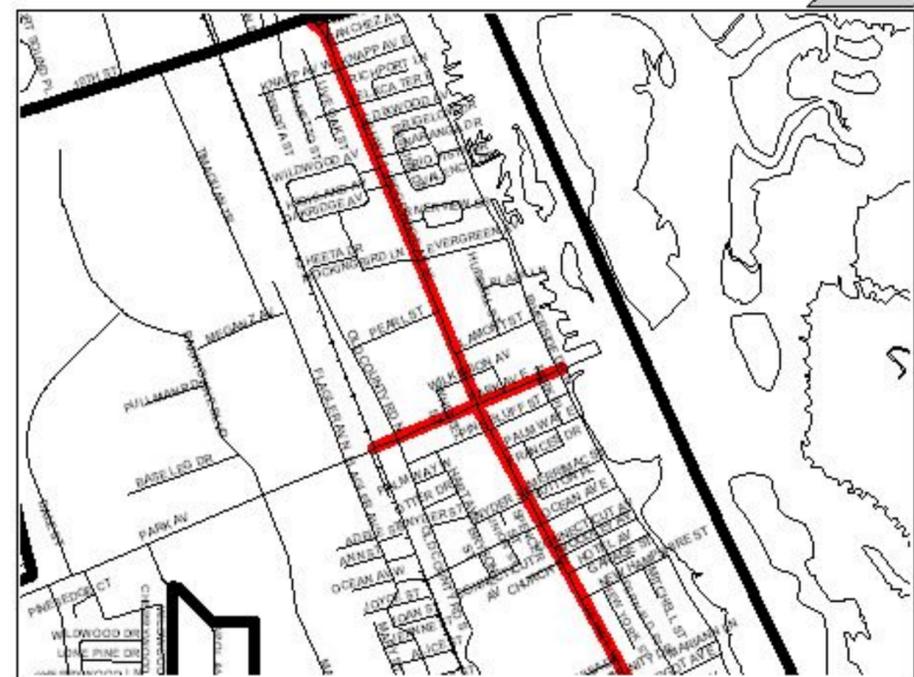
# *Exhibit A*

# CITY OF EDGEWATER



PROPOSED REDEVELOPMENT AREA

0 2000 4000 Feet



\* MAP IS TO BE USED FOR GRAPHIC PURPOSES ONLY.