



**'VCARD DEVELOPMENTS'**

**May 26, 2011**



***A Message From VCARD's Chair ... 'Reflections' On The Past Two Years***  
**R. Sans Lassiter, P.E.**

I realized in writing this column that it will be my last as chair of VCARD / FCARD. I'll have to admit that I've enjoyed the last two years immensely. No organization has ever offered me the opportunities to learn and grow professionally like this one.

*I've learned how much we can do together rather than alone.* Our collective efforts of concern for the negative impacts of Amendment 4 helped in spreading the message locally about how this seemingly reasonable concept wasn't really in the best interest of the state as was proven in St. Petersburg Beach.

**The Inside News**

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**VCARD / FCARD Welcomes**  
**3 New Members**

*I've grown professionally* through meeting so many hard-working people and in having to learn at least a little bit about so many diverse issues and subject matters such as water quality, water supply, economic impacts, land development codes, environmental issues, legal impacts, legislative agendas, comprehensive plans ... *and the list goes on and on.*

But what I'm most impressed about is how **our organization has earned the respect of the development community**, giving us a seat at the table with public agencies to help make development viable, productive and sustainable.

***The operative word here is respect*** – and it *is* mutual. We have effective and strong leadership in our public agencies which invite our involvement, listen to our comments and address our concerns. And we are blessed with a membership that consists of well-recognized experts who give willingly of their valuable time in researching the myriad of issues we face. This interaction between the public and private sectors continues to pay dividends through seeking cooperative solutions to development-related topics.

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I had hoped that when I served as Chair, I would do half as good a job as **Joel Ivey**, our Immediate Past Chair, did. I shouldn't have worried with the strong support of this wonderful organization at my side. As I pass the gavel to the next Chair, **Mark Watts**, I tell him not to be concerned, that you are in good hands and that you only need to look around you to see the strong support that VCARD/FCARD has to offer. *Thank you for your involvement.*

~ ~ ~ ~ ~

*Now that the speech is over ...* let's get ready to place our bets on an evening of fun at the upcoming **June 16 Annual Awards and Installation Banquet** where each of you will be the entertainment during this ***inaugural Casino Night!*** *Sans*

~~ GROWTH MANAGEMENT and ENVIRONMENTAL NEWS ~~

New state policies adopted during the recent **SPRING LEGISLATIVE SESSION** are considered by many to be a landmark swing in the way that Florida deals with growth management and certain aspects of environmental protection.

... Generally, new legislation that was adopted is geared to delegate greater authority for development review, concurrency and growth management to local governments – revamping the Florida Department of Community Affairs (DCA) and thus **lessening state government oversight**. Aside from cutting state spending, the significant changes are intended to **spur statewide economic development**, a primary campaign platform of new Gov. Rick Scott.

... Impacts for much of the adopted legislation still are being analyzed. A number of VCARD members have been helpful in forwarding **summaries of the most important bills**. Call VCARD if you have not received these reports that are very helpful in understanding these new policies that will be affecting your business.

... **Numeric Nutrient Pollution Standards** ...Controversy continues to grow over the federal Environmental Protection Agency's (EPA) pending restrictions on the discharge of nutrients into Florida's waterways.

... Governor Rick Scott, state environmental and agricultural agencies, and state and local governments are joining many private corporations and trade associations **urging EPA to rescind the strict water pollution rules** that are scheduled to go into effect for inland waterways in March, 2012 – and then later for coastal waters.

... The federal standards are geared to prevent an overload of nutrient discharges, particularly nitrogen and phosphorous, into Florida waters. The discharges primarily stem from agricultural and mining activities, fertilizers, animal wastes and sewage systems.

... But state officials maintain that Florida already has established a mechanism to enforce nutrient standards in impaired waters. Opponents charge the restrictions are not based on scientific evidence and fail to consider regional differences within Florida as well as the runoff from natural causes.

... A recent independent private study determined the **annual compliance costs could run into billions of dollars** for local governments, businesses and landowners. So now EPA's administrator is requesting the National Academy of Sciences to examine the economic impact of the inland waters rule to the State of Florida.



... VCARD Leaders **Cathy Vogel** (The Catalina Group) and **Shannon Julien** (Environmental Services, Inc.) continually keep our association updated on these nutrient runoff regulations and other environmental guidelines that are discussed in the following news items. Please call VCARD for any additional details or information.



... **Imperiled Species** ... Officials with the Florida Fish & Wildlife Conservation Commission (FWC) soon will be reviewing a study from a team of biologists, recommending what (if any) changes should be made in the protective status of Florida's approximate 60 "threatened" species.

... This scientific review is a major part of a new system adopted by FWC last year to streamline the process for listing imperiled species.

... The new system designated all state-listed protected species as "threatened." Any of these species that also have a federal listing automatically have been placed on the federal endangered and threatened species lists. The new program required all of the remaining state "threatened" species to be reviewed by a team of biologists to decide if they should remain or be deleted from the state listing. The team's recommendations are being reviewed by FWC commissioners and likely will be addressed at their June meeting.

... Regardless of whether a threatened species keeps or loses its status, a management plan must be developed for its protection – similar to the plan crafted for gopher tortoises (*see next news item.*)

... *Protected Species Update ... continued from page 2 ...*

... **Gopher Tortoise Relocation Rules** ... The Florida Fish & Wildlife Conservation Commission (FWC) is working on **amendments to the state's gopher tortoise relocation guidelines** to make it easier and more practical for development applicants to relocate tortoises "on site" instead of being transferred to an off-site tortoise habitat.

... FWC planners have drafted a series of on-site relocation options that are being reviewed by a gopher tortoise technical advisory group (GTTAG). They are expected to begin moving through the adoption process this summer.

... These relocation guidelines are **part of the state's gopher tortoise management plan** implemented two years ago. The plan's overall goal is to eliminate gopher tortoise mortalities on development sites by setting guidelines for the threatened species to be relocated (either on or off-site) and require natural buffers surrounding their burrows.

... Environmental planners concur that it is better to keep the tortoises on or near their current locations. They are working on the amendments as the current guidelines often make this on-site relocation unfeasible or cost prohibitive.

The **U.S. Fish and Wildlife Service** has revised its protocol for surveying the presence of **sand skinks and bluetail mole skinks** on development sites. The known range of the sand skink includes Highlands, Lake, Marion, Orange, Osceola, Polk, and Putnam counties with principal populations along the Lake Wales, Winter Haven and Mount Dora ridges.

... The habitat of the sand skink and bluetail mole skinks, threatened species under the Endangered Species Act, is affected by the conversion of citrus groves to pastures and / or residential land uses. The new protocol assumes that all contiguous sandy soils within 780 feet of a skink sign are occupied by the species. (A circle with a radius of 780 feet includes approximately 44 acres.)

... Mitigation for impact through use of conservation banks that offer sand skink credits may be obtained from VCARD-member environmental firms. Contact information is available through [www.responsibledevelopment.com](http://www.responsibledevelopment.com)

... **Wetlands Jurisdiction** ... New guidelines governing **federal jurisdiction over wetlands** and other "isolated waters" by EPA and the U.S. Army Corps of Engineers have been sent to the federal Office of Management and Budget (OMB) for review -- and are moving through the public review process. These guidelines, if adopted, would significantly expand federal jurisdiction under the Clean Water Act ("CWA") over millions of acres of property.

... The new draft guidelines are intended to supersede earlier guidance the agencies issued several years ago. More information about these changes and opportunities to provide comments can be accessed through <http://water.epa.gov/lawsregs/guidance/wetlands/CWAwaters.cfm>

### ... WATER RESOURCE ISSUES ...

**Water District Permit Streamlining** ... Officials with the **St. Johns River Water Management District** are promoting their ongoing efforts during the past several years to streamline the development permitting process. The agency is working to enhance procedures for online permitting and gaining access to permitting information by way of the water district's web site: [www.floridaswater.com](http://www.floridaswater.com)

... The district also has **merged several divisions** associated with the environmental permitting program – environmental resource compliance, environmental resource management, surface water management and regulatory information management – into a new **Department of Environmental Resource Permitting**. "This new department is focused solely on environmental resource permitting and improving the way we approach permitting," says Mike Register, director of the new department, adding that district staff is looking for input from consultants and applicants.



~~ VOLUSIA / FLAGLER REPORT ~~

Volusia transportation planners have conducted public workshops to explain the **annual update for improvements to roads under county jurisdiction**. The program is largely funded through transportation impact fees which have decreased significantly during the past several years, due to a drop in development activity. Thus, many anticipated projects must be postponed or cancelled. The county is divided into four geographic zones and impact fee collections from each zone are used for projects within that district. Call VCARD for a copy of the road program update.



The ongoing economic downturn is prompting local governments throughout Central Florida to **re-examine their IMPACT FEE programs** – either adjusting or temporarily eliminating the fees to help spark development, especially business growth.

... **Volusia's County Council** likely will discuss impact fee adjustments when reviewing the road program update within the next six weeks (*see above news item*).

... **Deltona** officials recently imposed a one-year moratorium on law enforcement and emergency / rescue impact fees for future commercial projects.

... And a variety of impact fee incentives are being considered by **Palm Coast**. They include a more simplified fee structure for various land uses; extended impact fee payment plans; discounts; group averaging rates for businesses within mixed-use centers; and a waiver of fee changes when uses change in older structures (i.e. those built prior to the city's incorporation in 1999.) City council members are weighing the feasibility of these various proposals – before moving forward with any potential changes.



A team of VCARD members led by Chair-Elect **Mark Watts** (Cobb Cole) has combined efforts with staff from Volusia County government in reviewing and editing proposed land code changes affecting certain **developments in rural areas**.

... The provisions set standards and incentives for "**CONSERVATION SUBDIVISIONS**," developments that incorporate land preservation; efficient use of land, resources and utilities; and innovation in planning (clustering of homes, trails, bike paths, open space and 'green' development.)

... These pending rural subdivision amendments also set **standards for subdivisions with unpaved roads and family homesteads** on large-lot tracts.

... The final draft of these changes soon will begin moving through the adoption process.

... **In East Volusia** ...

**HOLLY HILL's** new city manager is **Jim McCroskey**, former assistant city manager for Daytona Beach Shores and South Daytona. Mr. McCroskey also has served in economic development positions with the Daytona Beach / Halifax Area Chamber of Commerce and the City of DeLand.



A Phase I & 2 draft report has been issued for a **corridor transportation plan** along **INTERNATIONAL SPEEDWAY BOULEVARD** (ISB), from the Interstate 95 interchange, eastward through the heart of Daytona Beach's mainland and beachside to the Atlantic Ocean.

... The study's Phase 1 collected data and developed **alternatives for future land uses** within the corridor's three segments: (Entry Area) I-95 to Nova Road; (Nova Road) Nova Road to the ISB bridge over the Halifax River; and (Beachside) from the ISB bridge to the ocean.

... The study's Phase II estimates future travel demand and evaluates **transportation system alternatives** (TSAs) to accommodate the demand.

... This study, being coordinated by VCARD Member Firm **Ghyabi & Associates**, coincides and complements the ongoing efforts of an **ISB Coalition**, comprised of leaders from local governments, business, education and institutions. The coalition – chaired by VCARD Member **Karen Jans** (University of Central Florida) meets monthly to address and collaborate on growth and planning issues for the ISB corridor. Call VCARD for additional information about the transportation study or coalition.



*... New Smyrna Beach News ... continued from page 6 ...*

A series of public workshops have been conducted on alternatives for new zoning and **development standards within NEW SMYRNA BEACH'S mainland downtown** and surrounding areas – between Riverside Drive and US1, and Washington and First streets.

... Planners anticipate creating a “**form-based**” **code** for future development and redevelopment within the large study area. Such codes have been gaining in popularity for urban areas, placing less emphasis on land use distinctions and instead focusing on form, scale and character of development to achieve a specific urban intent.

... New Smyrna Beach planners particularly are promoting the form-based guidelines for properties along and surrounding Canal Street -- as they strive to revitalize the downtown business district with more mixed-use development that conforms to a master plan for future growth within the community redevelopment area (CRA). Design, architecture and density standards also are part of the review.

... Planners and city leaders are encouraging residents, and business and development professionals to become involved. Based on public input, the consultants are scheduled to present a report and proposed guidelines by mid-summer.

**Corridor design standards** are being adopted for future development along U.S. 1 in **EDGEWATER**. The proposed standards are similar to those already in effect for the city's S.R. 442.

*... In West Volusia ...*

**DELTONA** planning staff has a campaign underway to make the city's development review and **permitting process more user-friendly**. A culmination of efforts has been in effect since last year and the city continues to refine the process to allow for businesses to develop in a timely manner. These efforts include land code amendments to **expedite site plan review**; reorganization of the code to **eliminate redundancy or outdated regulations**; the addition of a mixed-use future land use designation with accompanying policies already approved by DCA; and creation of business target zones as receiving areas for development for synergy.

... Deltona Planning & Development Services Director Chris Bowley reports that the effort has resulted in an increase in development review applications, issuance of building permits, and certificates of occupancy. Inquiries for new development are also on the increase. He said that the goal is to provide developers with a greater range of options for development types and to support the city's approximate 85,000 residents.

... VCARD Member **Tadd Kasbeer** (Bowyer-Singleton & Associates) has been working with city planners and providing input on drafts of the land code update. Other VCARD members who work in Deltona are encouraged to become involved.

**ORANGE CITY** officials are working on a master plan for **redevelopment of the downtown area**, including US 17-92. As part of this process, they also have been conducting community workshops and seeking input from residents, business owners and development professionals.

*... In Flagler County ...*

**BUNNELL** officials are reviewing a draft of proposed new **minimum standard construction details** that have been prepared by Engineer **Greg Peugh** with VCARD / FCARD Member firm Qk4. An FCARD committee has reviewed the draft and provided input as part of the process.

**Congratulations** to **Bunnell** Vice Mayor **Jenny Crain-Brady** who was recently re-elected to her position along with new Commissioner **John Rogers**.

... **Flagler Beach** voters have elected new city commissioners **Kim Carney** and **Marshall Shupe**.

A comprehensive update is underway to **FLAGLER BEACH'S tree removal and land clearing / grading regulations**. The update could include a variety of new policies for tree and vegetation preservation, tree removal permits, and the grading and filling of properties.



... **VCARD Member News ... continued from page 8 ...**

**Congratulations** to VCARD Treasurer **Ron Nowvskie** on his retirement from **The Root Organization** after 41 years of service.

The three **Staed Family sisters** – Blaine Staed Lansberry, Leslie Staed Bush and Whitney Staed Bjonness – have been selected for the **‘Neighbor to Family’s Siblings of the Year’** Award. The sisters were honored for their many contributions to the community through the family business (**Staed Family Associates**) and involvement in civic organizations.

... **Blaine Staed Lansberry** is president of Staed Family Associates and vice president of sales and marketing for the firm’s oceanfront hotels, Bahama House and Best Western Aku Tiki Inn.

**Thanks to everyone** ... and all of the companies ... who helped support **VCARD’s May 13<sup>th</sup> golf tournament** at Plantation Bay, Ormond Beach.

... All of the numerous **sponsors and prize contributors are listed on the attached flier** – along with the Golf Committee members who worked hard to make this another successful event and fundraiser for VCARD. We also congratulate the following teams and players:

First Place Team: **Gateway Bank**; Second Place: **Parker Mynchenberg & Associates**; Third Place: **Jersey Mike’s Subs**; and Fourth Place: **CPH Engineers**

... **‘Most Likely To Improve’** Team: **S & ME**. Closest-To-The-Pin Winners: **Ross Corliss** and **Patrick Opalewski** Longest Drive: **Tony Bazile** Winner of Pre-Tournament ‘Putting Contest’ (organized by **Chris Walsh** and **Mike Disher**): **J.R. Van Kleeck** Closest To The Pin Winners: **Ross Corliss** and **Patrick Opalewski**; and Longest Drive: **Tony Bazile**

... **And don’t forget these other upcoming VCARD events! ...**

- **June 3 – ‘Florida Real Estate Values ... from booming and busting to adjusting,’** 10 a.m. to noon (registration begins at 9:30 a.m.) Halifax Plantation Clubhouse, 3400 Clubhouse Drive, Ormond Beach. Featuring presentations by Volusia Property Appraiser **Morgan Gilreath**; and a statewide real estate values update by **Charles J. Lentz**, Orlando managing director for Integra Realty Resources. Cost: \$30 which includes lunch afterward.

... **Special thanks to TD Bank** for serving as a corporate sponsor of this forum ... and to **Ron Nowvskie** for coordinating the program presenters and agenda.

- **June 16 – VCARD’s Annual Awards and Installation Banquet ... combined with a ‘Roaring Twenties’ themed casino night!** Cocktails and awards announcements at 6 – 7 p.m. and casino opens at 7. Location: Sunset Harbor Yacht Club, 861 Ballough Road, Daytona Beach. Cost: \$60 which includes *many valuable prizes and a scrumptious buffet*.

... **Special thanks to Kim Barnick** (Dickens & Associates) for designing the special invitations for this inaugural VCARD event.

- **September 28 – VCARD’s 25<sup>th</sup> Annual ‘Icebreaker’ Reception** – 5 – 8 p.m. in The Clubhouse at LPGA International, 1000 Champions Drive, Ormond Beach.

Thanks to [Consolidated-Tomoka Land Co. / LPGA International](http://www.consolidatedtomoka.com)  
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