



'VCARD DEVELOPMENTS'

December 1, 2008

Economic Downturn Doesn't Slow Down Government Activity

By VCARD Chair Joel Ivey

It is ironic that this past year's monumental slowdown in construction and development coincided with a surge of activity within Volusia and Flagler local government planning departments to upgrade their development review procedures and manage future growth.

In VCARD's 23 years of existence, this probably was our most active year for committee assignments with Volusia and Flagler government officials – helping them to improve land use and environmental regulations. And these initiatives were in addition to our association's routine monitoring of numerous local government current events – such as **Daytona Beach's** new ordinance to preserve historic properties; land code upgrades in **Deltona** and **Deland**;

Edgewater's three-story residential height limit; or **New Smyrna Beach's** recent down-zoning of coastal tracts. (Call VCARD for details about any of these topics.)

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The next several pages explain **VCARD's many committee assignments during 2008**, some of which still are ongoing. I encourage all members and government representatives to read about these community issues in which VCARD has played an active role during the past year. I believe it will help members appreciate the value of our association to the development community – and the quality of life for Flagler and Volusia counties. I especially thank the many VCARD / FCARD volunteers who have dedicated countless hours to our special projects. And I urge all members to keep informed and get involved with these initiatives that are impacting your business. ... **We wish everyone the best of a holiday season and New Year.** *Joel*

COMMUTER RAIL is scheduled to be moving through central Florida within the next several years – serving as a workforce driving alternative to Interstate 4 between DeLand and the Kissimmee area. VCARD has begun working with the impacted Volusia governments as they prepare land use plans that will steer lucrative future development surrounding rail stations in DeBary and DeLand. **Mark Watts** (Cobb Cole) chairs this West Volusia Committee and **Sans Lassiter** (Lassiter Transportation Group) and **Gary Huttman** (Burgess & Niple) are co-chairs of the commuter rail subcommittees.

... VCARD Chairman's 2008 Overview ... by Joel Ivey ... continued from page 1 ...

I was honored to chair VCARD's **GREEN DEVELOPMENT** Committee that worked extensively earlier this year with Volusia County government staff to draft an ordinance that sets guidelines for future residential and business projects to be energy friendly and conserve natural resources. The document has been sent to the county council, and it hopefully will soon be moving through the adoption process. This document largely follows guidelines of the US Green Building Council and the Florida Green Building Coalition – the lead agencies for certifying developments and buildings as efficient in energy use and conserving natural resources, particularly water. The document also provides incentives for green developments, such as fast-track permitting and priority review of applications, reduced fees for development review and property tax credits.



State environmental officials have drafted a significant **GOPHER TORTOISE** management plan and permitting rules to relocate tortoises to suitable natural areas when they are found on development sites. Overall, the plan is geared to eliminate tortoise mortalities during the development process.

... **Volusia County** officials are going one step further by crafting their own relocation permitting guidelines to supplement the state standards. A VCARD committee (chaired by **Shannon Julien**, Environmental Services, Inc.) is reviewing the current draft that soon could be moving through the adoption process. Members have submitted a summary of comments to Volusia Environmental Management Director Steve Kintner, and are coordinating a workshop with county staff. Call VCARD if you would like to participate.



More than five years ago, a team of VCARD leaders and local government planners initiated a **SMART GROWTH** initiative that still survives today -- with the primary component being an **ECO-map** (Environmental Corridor Overlay) that works to preserve sensitive lands within about 328,000 rural acres of central Volusia. Aside from the efforts of a countywide Smart Growth Implementation Committee, this map has been updated through a task force of the **Volusia Council of Governments** (VCOG).

... With almost 300,000 acres of the ECO-area still unincorporated, county officials are adding those acres of the ECO-map into the comprehensive plan -- with provisions for protection of the environmentally-sensitive tracts and "**conservation development**" guidelines for future growth within the ECO-map's buildable tracts. The guidelines require that future ECO-developments have at least 60 percent open space. As conservation incentives, developers would be entitled to density bonuses (up to 25 percent) for either:

- A.) Conserving all wetlands and 50 percent of the tracts' uplands; or
- B.) Conserving 75 percent of the overall acreage.

These conservation subdivisions would be limited to 600 units; and they also would have to provide school capacity. Guidelines for development within the ECO-area promote innovative design techniques (such as clustering of subdivisions) and limited neighborhood commercial scale development with a rural character.

... The ECO-map and more detailed information about Volusia's smart growth initiative – including the conservation development guidelines -- can be accessed through the www.volusia.org web site under "growth and resource management."

VCARD's 2008 Overview ... working with local governments ... continued from page 2

LAND CODE REVIEWS -- Port Orange utilities officials recently conducted two workshops with VCARD members to explain proposed utility code standards for **reclaimed water service** to new developments – as well as planned changes to **standard construction details** for potable water; sanitary sewer; and roadway and stormwater / drainage. The reclaimed water standards have since been adopted and the revised construction details are moving through the approval process.

... Under Committee Chair **Chris Challis** (Cobb Cole), VCARD has met several times with **Daytona Beach** planners as they attempt to overhaul the land development code. Daytona Beach officials recently decided to hire an outside consultant to coordinate this project.

... After more than two years of review, **Palm Coast's** City Council adopted a new land code several months ago. Our association's Vice Chair for Flagler County, **Charles Faulkner** (Faulkner & Associates), and **Jason Gambone** (Seagate Homes) led FCARD's workshops with staff, consultants and advisory board members as part of this extensive process.

... A new fee schedule and policies for **development-related permit applications** have been adopted by **Ormond Beach** officials, who first worked with another VCARD committee chaired by **Suzanne Konchan** to address concerns and comments from development professionals. Aside from adding some new fees – and increasing rates for existing applications – the revised schedule sets additional fees for projects that require increased review time, the amount based on the number of additional staff hours.

As chair of VCARD's **TRANSPORTATION Committee**, **Sans Lassiter** (Lassiter Transportation Group) has monitored proposed **transportation impact fees** of numerous local governments in Volusia and Flagler governments – to assure that their revised impact fee rates are equitable and based on proper traffic impact analyses. During the past year, Sans particularly focused on adjusted fee rates being considered by **Volusia County, Port Orange, Palm Coast and Bunnell** – some of which still are pending.

... *Note: **Bunnell** has adopted a 4-year impact fee moratorium. See page 7 news item.*

~~ TRANSPORTATION ~~

Representatives with the Florida **DEPARTMENT OF TRANSPORTATION** (FDOT), District 5, are conducting public sessions throughout central Florida (*through mid-December*), explaining updated tentative **five-year work programs for transportation improvement projects** within the district's nine counties: Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter and Volusia.

... The proposed updated district-wide transportation improvement program will be explained during a **December 15** hearing at 6 p.m. in the Cypress A & B conference rooms of the FDOT district 5 office building, 719 S. Woodland Boulevard, DeLand.

... On **December 8**, FDOT officials will explain **Flagler County's** updated work program during a 5:30 p.m. meeting of the Flagler Board of County Commissioners in training rooms A and B, 1769 E. Moody Blvd., Building #3, Bunnell.

... For the dates and locations of other counties' sessions, contact VCARD Director Dave Castagnacci (dave@daytonachamber.com). Copies of each county's tentative work program will be distributed at the respective workshops. Or they can be ordered through FDOT Representative Mary Schoelzel (386-943-5398).

... *Transportation News ... continued from page 4 ...*

The FDOT's District 5 office has launched a new web site: www.cflroads.com to inform the public about current **construction projects** in Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole and Volusia counties. The site includes project descriptions and progress; anticipated lane closures due to construction activities; upcoming project information; individual project contact information; frequently asked questions; and links to other sources of information.

~~ ENVIRONMENTAL UPDATES ~~

A statewide **STORMWATER TREATMENT RULE** Advisory Committee has been meeting regularly since March to draft new **uniform regulations for stormwater management**. The committee is assisting representatives from the Florida Department of Environmental Protection (FDEP) and water management districts. The rule originally was scheduled for adoption within the next six months. However, that date has been set back a year to assure adequate technical review of the rule and its applicant's handbook. The rule then will be the statewide guide for drainage improvements for future development or redevelopment.

... The committee's sessions focus on various aspects of stormwater management – ranging from drainage within redevelopments and low impact developments -- to wet detention, stormwater reuse and the use of wetlands for stormwater management.

... The monthly meetings usually are conducted over a one to two-day period in the Orlando Science Building, 12809 Science Drive. Detailed information about the program's overall objective; past committee discussion topics; and future meeting dates and agendas can be accessed through <http://www.dep.state.fl.us/water/wetlands/erp/rules/stormwater/index.htm> Agency contacts are **Kathleen Harrigan** Kathleen.harrigan@dep-state.fl.us Phone: 703-608-4583; and **Eric Livingston** Eric.Livingstone@dep.state.fl.us Phone: 850-245-8430

... Special thanks to **Charles Faulkner** (Faulkner & Associates) for keeping VCARD / FCARD members updated on this important topic.

The Florida Department of Environmental Protection (FDEP) has released an *Annual Status Report on* **REGIONAL WATER SUPPLY PLANNING**. The report provides updates of water supply programs and projects of the state's **water management districts** – as well as data on statewide water use "trends" that is used in planning for future water supplies.

... This year's report also analyzes methods for dealing with water shortage and drought situations through alternative water resources, and water supply planning, management and regulation. In recent years, the water districts particularly have focused on boosting funds for alternative resource projects such as reclaimed water and brackish water demineralization projects. Call VCARD for a copy of the FDEP status report.

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... *F.Y.I. ...* **FLORIDIANS FOR SMARTER GROWTH** ([www.florida2010.org](http://www.florida2010.org)) is continuing efforts to educate business, development, local government representatives and the public about concerns of a potential **Hometown Democracy** (HD) constitutional amendment that a statewide advocacy group has been trying to place on the state ballot for the past several years. HD proponents now are pushing for the 2010 election. If adopted, the HD amendment would require that all local governments' land use plan amendments be approved by their electorates. The amendment is opposed by many business and development interests, as well as some local government planners and elected officials.

**SINGLE-FAMILY FIRE SPRINKLERS** ... A new nationwide residential fire sprinkler mandate is being heavily contested by the National Association of Home Builders (NAHB). The recently-adopted rule will require fire sprinklers to be installed in all single-family, duplex and townhouse structures by January 1, 2011 if they are built under the International Residential Code. States such as Florida that have their own building codes must implement the new rule by October 1, 2012. The NAHB's protests likely will (*at least*) delay the implementation date of the new requirement.

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***Congratulations to these VCARD / FCARD MEMBERS who were elected*** (or re-elected) to federal, state and local government positions in the November 4 election:

**Suzanne Kosmas** (Prestige Properties), US House of Representatives, District 24, covering areas of Brevard, Orange, Seminole and Volusia counties; Incumbent Florida House Representative **Dorothy Hukill**, District 28, covering a major part of east and southwest Volusia County; and **Andy Dance**, Flagler County School Board, District 1.

... Other election winners representing Volusia and / or Flagler counties include:

- *US House of Representatives*, **John Mica**, District 7
- *Florida Senate*: **Tony Hill**, District 1; and **Evelyn Lynn**, District 7
- *Florida House of Representatives*: **William Proctor**, District 20; **Charles Van Zant**, District 21; **Pat Patterson**, District 26; **Dwayne Taylor**, District 27; and **Sandy Adams**, District 33
- *Volusia County Councilman* **Joshua Wagner**, District 2
- *Flagler County Commissioners* **Alan Peterson**, District 1; and **Barbara Revels**, District 3
- *DeBary Mayor* **Bob Garcia** and City Council Member **Van Conoley**, Seat 3
- *Lake Helen Commissioners* **Vernon Burton**, Zone 2; and **Cameron Lane**, Zone 4
- *Oak Hill Mayor* **Darla Lauer** and Commissioner **Linda Hyatt**
- *Ponce Inlet Mayor* **Tony Goudie** and Town Council Members **Kris Derr**, Seat 2; and **Barbara Davis**, Seat 4
- *In Palm Coast*, **Bill Lewis** was appointed to fill the unexpired term of City Council Member Alan Peterson, District 1, who successfully ran for the county commission. Councilman Lewis previously served on Palm Coast's planning and land development review board.

**~~ VOLUSIA UPDATES ~~**

**EXEMPT SUBDIVISIONS** – County leaders are proposing to establish new permitting policies for large-lot rural subdivisions (with lots larger than 2.5 acres). These communities currently are exempt from many (or all) of the county's land development regulations.

... County leaders plan to **eliminate the exemption of such subdivisions** from the land development code. Instead, an "exception" process will be established, enabling such rural communities to gain county approval if they address issues such as stormwater management; wetlands and tree protection; road base; and access to paved roads.

County staff also is working to **rename and renumber the existing zoning code and land development code**. They no longer will be appendices to the county code but will be a new chapter 72 Land Development. There will be no changes to the wording at this time. But Chapter 72 will have an Article I that is an empty general section (for future provisions), Article II will be the current zoning code and Article III will be the current land code. In the future, staff also plans to move forward with one definition section.

... **Volusia County update ... continued from page 7 ...**

A new **hospitality land use category** is being added to **NEW SMYRNA BEACH's** comprehensive plan, facilitating the future development of larger hotels (up to 75 rooms per acre) along select business and tourist-oriented streets.

**EDGEWATER** is moving forward with comprehensive plan amendments to facilitate development of the extensive mixed-use *Restoration* community within rural areas on the city's west side. *Restoration* is a planned community of VCARD Member Firm **GS Florida**.

**Port Orange** Vice Mayor **Mary Martin** has been elected to the **Association of Metropolitan Planning Organizations** (AMPO). This nine-member panel helps to coordinate nationwide transportation planning efforts; and lobbies for transportation funding and issues.

VCARD Member **Frank Severino** (Severino Enterprises) is the new chairman of Volusia's Planning and Land Development Regulation Commission (PLDRC); and **Gary Huttman** (Burgess & Niple) serves as vice chairman. VCARD Member **Jim Russell** (Glencoe Land Company) also is a member of this county planning panel.

~~ **FLAGLER NEWS** ~~

Flagler County commissioners have elected **Milissa Holland** as **commission chair** for the upcoming year. Ms. Holland is Flagler's first female commissioner. Commissioner **George Hanns** has been selected as vice chair.

**Sally Sherman** is **Flagler's new deputy county administrator**. Ms. Sherman has 30 years of public management experience in Florida government, including service as former assistant county manager in Seminole and assistant city manager of Leesburg and Deltona. She has a dual master's degree in public administration and management; and a master of science in human resource management. She also is an international credentialed city / county manager and has served as an adjunct faculty, teaching public policy and government budgeting at Barry University's central Florida campus.

... In Flagler County, Ms. Sherman replaces Jim Jarrell who has retired.

**PALM COAST's city hall has been relocated** to 160 Cypress Point Parkway, Suite B106, Palm Coast, FL 32164. Phone and FAX numbers remain the same with the city's main switchboard number being 386-986-3700 and FAX: 386-986-3737.

In an effort to promote business development, **BUNNELL** leaders have placed a four-year **moratorium on the collection of impact fees** (effective Nov. 18, 2008) for transportation; police and fire protection; and parks and recreation. At the same time, **refunds are being offered** to anyone who has paid these fees since they went into effect last year.

... Thanks to Member **Art Barr** (DEVNET Services) for keeping VCARD / FCARD members updated on business development initiatives in Bunnell – Florida's second largest city in size.

**Bunnell's** land code regulations are being updated for the subdividing of land into three or more parcels. The amendments transfer application processing responsibilities from the city clerk to community development staff; add performance and maintenance bond requirements; and revise site plan review procedures.

~~ VCARD / FCARD NEWS ~~

... VCARD / FCARD Welcomes New Member ...

● **Chandler / Goldberg, LLC**, builder and developer, P.O. Box 25, Deland, FL 32721  
Phone: 386-736-2460 FAX: 386-736-7055 VCARD Representatives are **William Chandler**  
([wchandler@chandlergoldberg.com](mailto:wchandler@chandlergoldberg.com)) and **Ken Goldberg** ([kgoldberg@chandlergoldberg.com](mailto:kgoldberg@chandlergoldberg.com))  
Web site: [www.chandlergoldberg.com](http://www.chandlergoldberg.com)

● **Stetson University, Inc.**, 421 N. Woodland Blvd., Unit 8279, DeLand, FL 32723 Phone:  
386-822-7585 Web site: [www.stetson.edu](http://www.stetson.edu) VCARD Representatives are **Elizabeth Bhimjee**  
([ebhimjee@stetson.edu](mailto:ebhimjee@stetson.edu)) and **Kathy Burley** ([kburley@stetson.edu](mailto:kburley@stetson.edu)). Special thanks to **Steve Burley** (Daytona State College) for helping to recruit Stetson University as a VCARD member.



**EMS scientist, engineers, planners** has joined the **Greenhorne and O'Mara (G&O)** team. The move supports expansion of G&O's water and environmental services; and broadens the firm's environmental, transportation and civil engineering presence throughout the southeast. ... Founded in 1950, G&O is an employee-owned firm with ranking by *Engineering News Record* among the top 500 architectural / engineering design firms in the United States. ... **Ginger Sinn** ([gsinn@g-and-o.com](mailto:gsinn@g-and-o.com)) is the contact person for the EMS division of G&O.

**Mitigation Marketing, LLC** announces the opening of the **Hammock Lake Mitigation Bank**, permitted through the St. Johns River Water Management District and the US Army Corps of Engineers. The bank is now available to service forested and herbaceous wetland mitigation needs in the St. Johns River Water District's southern Ocklawaha River Basin and Palatlahaha River Nested Basin; and the South West Florida Water Management District's Ocklawaha River Basin. The service area includes portions of Lake, Orange and Polk counties. **Megan McNeil** is Mitigation Marketing's contact: 407-481-0677.

**Michael O. Sznajstajler** has joined the Cobb Cole law firm as an associate in the environmental and land use department. His environmental practice focuses on permitting, brownfields redevelopment, water pollution, wetlands, protected species and remediation. His land use practice concentrates on comprehensive plan amendments, rezonings, development approvals and code enforcement. ... Mr. Sznajstajler received his juris doctor from Stetson University College of Law. He received an honorable mention award for best oral advocate when competing earlier this year in the Willem C. Vic International Commercial Arbitration Moot in Vienna, Austria.

**Dave Schmitt**, P.E., manager of Dave Schmitt Engineering; and **Judy Stewart**, the firm's manager of planning, were honored recently by the Kiwanis of East Orange County. Mr. Schmitt was awarded for his duties as the *Service Leadership Chairman for 2006-2008*; and Ms. Stewart was awarded as *Outstanding New Member for 2007-2008*.

**MSCW**, a collaborative design firm, has been selected by Seminole County as a general consultant for planning and development -- including assistance with implementing the comprehensive plan and a variety of in-house planning services relating to urban design, transportation, landscape architecture, environment, and geographic information systems.

*... VCARD member news ... continued from page 8 ...*

**CPH Engineers, Inc.**, has been awarded the City of Palm Coast's three-year continuing services contract for landscape architectural and park design services.

**Nodarse & Associates, Inc.** (N&A), a specialty engineering and environmental consulting firm, has been selected for the Orange County continuing professional engineering design services contract. N&A will provide geotechnical engineering and environmental consulting.

**PBS&J's** recent \$50,000 donation to the Florida Disaster Recovery Fund will be divided equally between agencies in Brevard and Volusia counties to benefit persons impacted by last summer's Tropical Storm Fay.

*... UPCOMING VCARD PROGRAMS ...*

**IMPROVING COMMUNITY INTERACTION** in the development-review process will be the focus of a **January 30<sup>th</sup> VCARD educational lunch program** in The Clubhouse at LPGA International, 1000 Champions Drive, Daytona Beach (11 a.m. to 1 p.m.)

... Consultant **Patrick Slevin** will be the guest presenter – providing insights for development professionals and local government officials on improving cooperative interaction throughout the development review process – as well as methods to improve communications and better educate the public about pending residential and commercial developments.

... Headquartered in Tallahassee, Mr. Slevin is a well-known motivational speaker and consultant. He also is the former mayor of Safety Harbor, FL.

... Formal notices of this lunch event will be forwarded soon, but advance reservations can be e-mailed to VCARD Director Dave Castagnacci ([dave@daytonachamber.com](mailto:dave@daytonachamber.com))

Another upcoming VCARD forum will focus on issues associated with **MARINA AND WATERFRONT DEVELOPMENT**. This event is being coordinated by a committee chaired by **Shailesh Patel** (Dredging & Marine Consultants). The program's date and location will be announced soon. Call VCARD if you would like to assist with this forum's organization.

The **CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA** is a great educational resource about Florida's numerous growth management issues and trends. The commission was established by the Florida Legislature in 2005 with designated responsibilities:

- Annually **envision the future of Florida**
- Continually **consider laws and regulations** and make recommendations as to how Florida can best accommodate population growth while maintaining our "quality of life"
- Serve as a repository for "community-building" ideas and as a **resource for all Floridians**
- Provide a **written report to the legislature** and governor addressing specific growth management issues.

The commission is comprised of 15 members, with five each appointed by the governor, speaker of the Florida House, and president of the Florida Senate.

... **Anyone who is interested in the planning of Florida's future** can be added to the commission's e-mail distribution list by accessing [www.centurycommission.org](http://www.centurycommission.org) Executive Director is Tim Center ([tcenter@collinscenter.org](mailto:tcenter@collinscenter.org)).

*We wish everyone a happy, safe holiday season...  
And a healthy, prosperous 2009!*

