# **ORDINANCE NO. 2024-O-27**

AN ORDINANCE OF THE CITY OF EDGEWATER AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT PROVIDING FOR PUBLICATION, HOLDING PUBLIC HEARINGS, TRANSMITTING THIS ADOPTED COMPREHENSIVE PLAN AMENDMENT TO ANY OTHER UNIT OF LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY THAT HAS REQUESTED A COPY OF THE PLAN AMENDMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Edgewater has adopted a Comprehensive Plan in accordance with Chapter 163, Part II, Florida Statutes governing the use, growth and development of property within the City's jurisdiction; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Chapter 2023-17, Laws of Florida, known as the "Live Local Act" was approved by the Governor and took effect on July 1, 2023, includes the obligation which requires a municipality to authorize multifamily and mixed-use residential development as an allowable use in any area zoned for commercial, industrial, or mixed-use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of not less than 30 years, affordable as defined in Section 420.0004, Florida Statues, and

WHEREAS, the City Edgewater supports affordable housing and finds it necessary to amend the Future Land Use through the creation of the Urban Connectivity future land use to encourage multi-family development in close proximity to goods and services resulting in less vehicle miles traveled, and

Struck through passages are deleted. Underlined passages are added. #2024-O-27

WHEREAS, the Planning and Zoning Board, sitting as the City's Local Planning Agency, held an advertised Public Hearing pursuant to 163.3184(11) & 163.3174(4) (a), Fla. Stat. (2011), on Wednesday, June 12, 2024 on the proposed Plan Amendment and following that Public Hearing voted and recommended that the City Council **approve** the aforesaid Amendment to the City's 2012 Comprehensive Plan; and

WHEREAS, the City Council hereby declares that the purpose and intent of the proposed amendment to the Comprehensive Plan is to guide future growth and development; encourage the best use of land, water and other resources to promote and protect the general welfare of the public.

# NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, FLORIDA:

## PART A. AMENDMENT.

Amending the Future Land Use Element hereby described in Exhibit "A".

# PART B. PUBLICATION.

Notice of this proposed change of the Edgewater Comprehensive Plan shall be published in the manner prescribed by 163.3184(11), Fla. Stat. (2011).

# PART C. PUBLIC HEARINGS.

As a condition precedent to the adoption of this ordinance amending the City's Comprehensive Plan, the City Council shall hold at least one advertised public hearing on the proposed comprehensive plan or plan amendment pursuant to F.S. §163.3184 for the purpose of transmitting the amendment to the Volusia Growth Management Commission and Florida Department of Economic Opportunity.

# PART D. CONFLICTING PROVISIONS.

All ordinances and resolutions, or parts thereof that are in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.

# PART E. EFFECTIVE DATE.

This ordinance shall become effective upon its final adoption and as provided by general law.

# PART F. SEVERABILITY AND APPLICABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART G. ADOPTION

PASSED AND DULY ADOPTED this	day of	, 2024.
ATTEST:	Diezel DePew	v, Mayor
Bonnie Zlotnik, CMC, City Clerk		
Passed on first reading on the day of	_, 2024	
REVIEWED AND APPROVED:	fe. City Attorney	

# Exhibit "A"

Strike through passages are deleted. <u>Underlined</u> passages are added. Comprehensive Plan

# Chapter 1 Future Land Use Element

Goals, Objectives, and Polices

City of Edgewater Ordinance No. 2019-O-06

## 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.

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
<u>Urban Connectivity</u>	24 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	See SCD Sub-Element
Development	

- **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.
- **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.
- 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.

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.

#### 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.

- 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 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.

#### 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:

 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.
- 2. 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.
- 3. 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.

#### 4. Employment Center Zoning District

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

#### 5. Community Center Zoning District

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

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Policy 1.1.10:

Urban Connectivity. The City shall increase density in urban areas of the City of Edgewater in an effort to promote accessibility to goods and services. This future land use will serve as an opportunity to create infill development that reduces the dependence on vehicles and reduces overall vehicle miles traveled. The Urban Connectivity future land use will enable the viability of multi-family apartments to increase the diversity of housing products and affordability to the residents of Edgewater. To ensure new multi-family housing is located in areas of the City that will promote connectivity for goods and services, the following restrictions shall be met to be considered for a future land use map amendment to the Urban Connectivity future land use:

- The development must be located within 3,000 feet of a grocery store;
- The development must be located within 3,000 feet of one of the following: a public park, East Coast Regional Rail Trail, a public or private elementary, middle, or high school.
- The development must be located on an arterial or collector roadway.
- Density shall be calculated as gross density across the entire site acreage.
- 2. The minimum open space requirement is 30%. Open space is inclusive of active recreation including amenities, landscape buffers, and water retention and or detention ponds. Natural undisturbed landscape buffers are required adjacent to any existing residential development and shall be required on a minimum of two property boundaries. A minimum of one (1) water retention

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- and/or water detention pond shall be placed to provide additional buffering from existing residential development.
- All future land use map amendments to the Urban Connectivity future land use must be accompanied by a Residential Planned Unit Development rezoning.
- 4. Architectural renderings of facades and a three dimensional rendering of the proposed development must be included with the submittal of the Residential Planned Unit Development application.

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#### Employment Center Zoning District

Types of Uses Allowed	Allowable Range of Development
Residential	<del>0% 30%</del>
Commercial	<del>0% 80%</del>
Industrial	0% 70%
Publie/Semi Publie	0% 40%
Recreation/Open Space	25% Minimum

#### Community Center Zoning District

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

Policy 1.1.10: Policy 1.1.11: 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;
- 3. Protection of environmentally sensitive lands; and
- 4. Transition of density between low, medium and high residential districts

Policy 1.1.11: Policy 1.1.12: 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*.
  - Policy 1.2.1: Septic Tanks and the Central Sewer Service. Since the year 2000, the City will only permit the use of septic tanks on a very limited basis 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.
  - **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.
  - 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.
  - 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.
  - 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.

- 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.
- **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.
- 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.
- 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.
- **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.
- 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.
- 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.
  - 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.
  - 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.
  - 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 Florida Statutes, 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.
  - 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.
  - 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.
  - 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. In March of 2015, the City adopted a Community Redevelopment Area (CRA) for the majority of U.S. 1 and a significant portion of Park Avenue. The City shall continue to promote redevelopment in these areas and encourage innovative planning within the CRA.
  - 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.
  - **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 uses shall not be approved by the City, unless the adjacent future land use can be shown to be inconsistent with the *Comprehensive Plan.*
  - 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.

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.

- 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.
- Policy 1.5.6: *Maintaining a Landscape Ordinance.* The City shall maintain a Landscape Ordinance that requires adequate buffering between transitional uses.
- 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.
- **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.
- **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:

- 1. The property is located on S.R. 442, east of Pinedale Road and west of U.S. Highway 1;
- A Conditional Use Permit is applied for and granted by the Planning and Zoning Board;
- 3. 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
- 5. 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 Florida Statutes, 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.

**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.

- **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.
- 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.
- **Policy 1.6.3: Proposed Transportation Improvements.** Proposed transportation improvements shall be consistent with the land use patterns on the *Future Land Use Map*.
- 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.

- **Policy 1.6.6:**
- Guidelines for the SR 442 and U.S. 1 Corridors. The City shall continue to use the Indian River Boulevard-S.R. 442 Corridor Design Regulations (adopted in April 2004) and the Ridgewood Avenue Corridor Design Regulations (adopted in 2012) 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 and U.S. 1 corridors.
- **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.
  - 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.
  - Policy 1.7.2: Interlocal Service Boundary Agreement (ISBA). The City and Volusia County mutually adopted an ISBA in October 2015 for better provision of local services for this area of the County.
  - Policy 1.7.3: Intergovernmental Coordination. Continue intergovernmental coordination through associated technical committees with neighboring jurisdictions, such as the Transportation Planning Organization (TPO), 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.
  - Policy 1.8.1: Interlocal Agreement with Volusia County. The City will maintain the interlocal agreement (ISBA) with Volusia County regarding a joint planning area, annexation boundaries, urban service boundaries through compatible County and City land uses.
  - **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.
  - **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.
  - **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.* The City shall continue to provide an analysis demonstrating the benefits of unincorporated areas,

including those within existing enclaves, annexing into the City for prospective applicants. 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 comparison table and/or the City's website.

- **Objective 1.9:** *Historic and Archeological Sites.* Identify, designate and protect historically significant housing and significant archeological sites.
  - 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.
  - 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.
  - Policy 1.9.3: Historic Preservation Standards. 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.
  - **Policy 1.9.4: Working with the Historical Museum.** 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.
  - 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:
    - 1. The age of the subject site exceeds fifty years;

- 2. 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.
- 4. 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:

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

#### 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.

- **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.
- **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.
  - **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.
  - 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.
  - 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.
  - 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.
  - Policy 1.11.8: Collocation of Public Facilities. To the extent possible, during predevelopment 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.
  - **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.
  - 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).
  - 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.
  - 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.
  - 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.
  - 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.
  - 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.

- **Policy 1.13.3:** Environmental Impact Study Requirement. The City shall require an Environmental Impact Study for all sites proposed for dredge spoil disposal.
- **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.
- Objective 1.14: Innovative Land Development Regulations. Maintain and promote innovative land development regulations.
  - 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.
  - 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.

    The City shall continue to establish initiatives to provide economic development incentives, i.e. monitoring opportunities within the CRA, 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.
  - 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.
  - Policy 1.14.6: Incentives for Developers and Variety Housing Types. The City shall continue to provide incentives for developers providing for a variety of housing types in the Land Development Code.
  - 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.

#### Policy 1.14.8:

**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.

#### 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.

#### 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.

#### Policy 1.16.3:

**New Electric Distribution Substation Standards.** 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:

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- 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.
- 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 Florida Statutes.
- **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.
  - 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.
  - 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.
  - Policy 1.17.3: Establishing an Energy Management Plan. 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.
  - **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.
  - 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.

#### 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.

#### 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.

#### Policy 1.17.8:

**Development Incentives for Smart Growth Development.** The City shall continue to 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;
- 2. Rebuild America;
- 3. Building for the 21st Century;
- 4. Energy Smart Schools;
- 5. National Industrial Competitiveness through Energy;
- 6. U.S. Department of Environmental Protection's Pollution Prevention (P2) Program;
- 7. U.S. Green Building Council (LEED); or
- 8. 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:

- 1. Reduce stormwater runoff;
- 2. Minimize pollutant discharges;
- 3. Decrease soil erosion;
- 4. Maintain aquifer recharge; and
- 5. 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.

**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.

