

**SECTION 5**  
**CONSERVATION ELEMENT**  
GOALS, OBJECTIVES, and POLICIES

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## **WATER RESOURCES**

### **GOAL CON1**

Ensure the protection and improvement of the natural functions and quality of the City of Deltona's Water Resources.

9J-5.013 (2)(a)

#### **OBJECTIVE CON1-WR1**

To prevent the further degradation of the ambient water quality of the City's surface water resources, to maintain and restore to acceptable levels those surface waters which exceed Federal, State and local pollutant standards.

9J-5.013(2)(b)(2)

##### **Policy CON1-WR1.1**

On-site sewage disposal systems and associated drain fields shall be discouraged within the flood plain of surface water bodies as provided for in land development regulations, to the extent that such systems are designed and located so as to not contribute to the degradation of ambient water quality as consistent with applicable State regulations.

9J-5.013(2)(c)(1, 6)

##### **Policy CON1-WR1.2**

Best management practices which control erosion and limit the amount of sediment reaching surface waters shall be required for construction, agriculture, silviculture, excavation, dredge and fill, and stormwater management activities.

9J-5.013(2)(c)(1, 6)

##### **Policy CON1-WR1.3**

The City shall maintain in conjunction with the SJRWMD and other applicable entities, standards for stormwater which discharge into surface water bodies in order not to degrade the ambient water quality of the receiving water body.

9J-5.013(2)(c)(1, 6)

##### **Policy CON1-WR1.4**

The City will continue to implement and update, from time to time, adopted surface and stormwater management regulations that assure that systems are designed to meet or exceed current standards, and can be practically and easily maintained.

Enforcement of these requirements are intended to increase retention of stormwater, minimize degradation of surface waters and protect wetlands through treatment of stormwater runoff. At a minimum, surface and stormwater treatments may include, but are not limited to:

1. Appropriate on-site retention or detention in accordance with adopted local and state regulations including filtration, exfiltration, water segregation techniques; the establishment of littoral zones in wet detention systems; and the use of wetland areas and grassy areas for filtration.
2. Protection of wetlands and environmentally sensitive areas; and
3. Management and protection of the quantity, timing and quality of water releases and discharges.

#### **Policy CON1-WR1.5**

Retrofitting of substandard public drainage systems shall occur during repair, expansion, or redevelopment activities. This policy is intended to address potential water quality problems resulting from poorly designed, inadequate systems, or those systems constructed previous to a complete understanding of the effects of stormwater runoff on water quality.

#### **GOAL CON2**

Improve Water Quality in all Waters of the State, including Creeks, Rivers, Canals and Shorelines Connected to Waters of the State.

#### **OBJECTIVE CON2-WR1**

The City shall participate with surrounding local governments to improve water quality in drainage basins within the County; and provide assistance to improve water quality in other mutually shared drainage basins.

The City shall coordinate with existing resource protection plans of other government agencies, including; Volusia County; St. Johns River Water Management District; Florida Fish and Wildlife Conservation Commission; Florida Department of Environmental Protection; Army Corp of Engineers; and U.S. Fish & Wildlife Service and others.

#### **Policy CON2-WR1.1**

The City will coordinate with resource protection efforts of the St. Johns River Water Management SWIM Plan by further maintaining and/or enhancing the environmental resources of local lakes to benefit the lake and regional ecosystem.

#### **Policy CON2-WR1.2**

The City will coordinate with the resource protection efforts of the St. Johns River Water Management SWIM Plan by identifying other restoration projects that will provide environmental benefits to areas within the SWIM Planning Area.

**Policy CON2-WR1.3**

Drainage Basin Plans Must Meet Adopted Water Quality Standards. All drainage basin plans shall be designed to meet water quality standards of surface water bodies by assuring that the rate, timing and quality of runoff meet adopted local and state water quality standards.

**Policy CON2-WR1.4**

All drainage outfalls to natural surface water features, including those associated with agricultural uses, shall be designed to maintain, and where possible, improve water quality.

**Policy CON2-WR1.5**

The City shall identify water supply sources through the January 2010 City Water Supply Work Plan that will meet the 2025 planning horizon needs of the Comprehensive Plan, while protecting ecological resources.

**Policy CON2-WR1.6**

The City shall coordinate with the SJRWMD, Volusia County, and other entities, as deemed appropriate to identify and appropriately utilize alternative water resources to ensure the following:

- a. The maintenance of flows and levels of surface water resources consistent with SJRWMD rules;
- b. Groundwater sources are not overly impacted by groundwater withdraws; and
- c. Any by-products associated with the treatment of water are managed in a manner where natural resources are not adversely impacted.

**OBJECTIVE CON2-WR2**

Protect and enhance the natural hydrologic functions and wildlife habitat attributes of surface water resources, wetlands, and the floodplains associated with these waters.

9J-5.013(2)(b)(2)

**Policy CON2-WR2.1**

Natural shoreline buffers or setbacks shall continue to be required for surface water bodies, the extent of which will depend on, at minimum: existing soils; cover and type of vegetation; topography; wildlife habitat; ambient water quality; and the protective status of the water body.

9J-5.013(2)(c)(1,3,6,8&9)

**Policy CON2-WR2.2**

Permitted periodic, removal or control of nuisance submerged, emergent, or floating vegetation shall be limited to that necessary to provide reasonable access, and aquatic weed control as defined by the appropriate agencies. Any use of chemical herbicides for such purposes shall ensure that water quality and ecological integrity are not degraded.

9J-5.013(2)(c)(6)

**Policy CON2-WR2.3**

The City shall ensure that proposed withdrawals from or discharges to natural surface water bodies which alter hydroperiods or water stage levels do not adversely impact water dependent ecosystems. 9J-5.013(2)(c)(8)

**Policy CON2-WR2.4**

Undisturbed segments of flood plains shall be protected through public acquisition, land use controls, conservation easements, or other methods as appropriate.  
9J-5.013(2)(c)(9)

**Policy CON2-WR2.5**

Proposed structures located within the flood plain of surface water bodies and within flood prone areas, shall be required to utilize building methods as provided in land development regulations, to the extent that fill material required for construction or other impervious surfaces will not reduce the ability of the floodplains to store and convey floodwaters, or degrade the natural physical and biological functions of protected habitat without approved mitigation. Impacts of fill in the floodplains and flood prone areas shall be considered both sites specifically and cumulatively. 9J-5.013(2)(c)(9)

**Policy CON2-WR2.6**

Dwelling unit densities shall not be increased within the flood plains of surface water bodies and in other flood prone areas as provided for in land development regulations, and per Florida Statute in that allowable densities do not create potential flood hazards, or degrade the natural functions of the flood plain. Dwelling unit density determinations in the floodplain shall consider both site specific and cumulative impacts.  
9J-5.013(2)(c)(9)

**OBJECTIVE CON2-WR3**

Protect and appropriately utilize the physical and ecological functions of natural drainage ways and related drainage patterns.  
9J-5.013(2)(b)(4)

**Policy CON2-WR3.1**

Land planning and development proposals shall identify areas where soils, vegetation, hydrogeology, topography, and other factors indicate where water flows or ponds. These areas shall be utilized to the maximum extent feasible, without significant structural and natural habitat alteration, for on-site and off-site (or area-wide) stormwater management systems.  
9J-5.013(2)(c)(1)

**Policy CON2-WR3.2**

Isolated wetlands may be considered for integration into a stormwater management system. In such cases, natural hydroperiods and stage elevations shall be designed to maintain or improve the existing wetland community. No direct discharge will occur in the wetland community without appropriate water quality treatment.

9J-5.013(2)(c)(1)

**Policy CON2-WR3.3**

The City shall maintain criteria and standards for the mitigation of environmentally sensitive lands and critical habitats which are destroyed or altered. The standards shall provide for, at minimum, collection of a mitigation fee to be used specifically for the acquisition and management of environmentally sensitive lands, and/or preservation or replacement of like kind habitat.

9J-5.013(2)(c)(3,5,8&9)

**Policy CON2-WR3.4**

Land use activities adjacent to environmentally sensitive lands, including conservation areas designated in the Future Land Use and Recreation/Open Space Elements, shall be limited to non-intensive uses such as low density residential. Otherwise, proposed land use activities must ensure that such activities will not degrade the natural physical, biological, aesthetic, or recreational functions of such lands through the use of buffers, environmental swales, and other acceptable practices.

9J-5.013(2)(c)(5,7,8&9)

**OBJECTIVE CON2-WR4**

To minimize, and eliminate where reasonably achievable, impacts to ecological communities which degrade their natural physical and biological function as a result of land development activities.

9J-5.013(2)(b)(3)

**Policy CON2-WR4.1**

The City shall utilize various mapping inventories of ecological communities by type (as indicated by vegetative composition), generated by various sources (FNAI, Volusia County, etc.) to monitor the following communities:

|                           |                        |
|---------------------------|------------------------|
| Wetland Communities       | Upland Communities     |
| Freshwater marsh          | Pine flatwood          |
| Wet prairie               | Mixed hardwood hammock |
| Bottomland hardwood swamp | Oak hammock            |
| Cypress swamp             | Cabbage palm hammock   |

|                      |                        |
|----------------------|------------------------|
| Bay head swamp       | Pine/xeric oak thicket |
| Mixed hardwood swamp | Scrub oak thicket      |
| Sand pine forest     | Grassland and shrub    |

9J-5.013(2)(c)(3)

**Policy CON2-WR4.2**

Utilizing data from the Florida Natural Areas Inventory, East Central Florida Regional Planning Council (ECFRPC), and the FFWCC, the City shall evaluate those ecological communities which are rare, endangered, or of special concern either by type and/or geographic location. Such communities shall be considered environmentally sensitive, and receive appropriate protections as outlined elsewhere in this Element. 9J-5.013(2)(c)(3)

**Policy CON2-WR4.3**

Based on the ecological data inventory, including site specific information, the City shall consider potential site specific, off-site, and cumulative impacts to ecological communities for land development projects. 9J-5.013(2)(c)(3)

**Policy CON2-WR4.4**

The City shall require clustering of dwelling units and/or open space for land development projects which contain environmentally sensitive lands and critical habitats within its project boundaries, in order to preserve these resources. 9J-5.013(2)(c)(3)

**Policy CON2-WR4.5**

The City shall consider the status of endangered ecosystems and other environmentally sensitive lands when reviewing land use proposals and acquisitions. 9J-5.013(2)(c)(3)

**Policy CON2-WR4.6**

The City shall coordinate with appropriate governmental entities to protect environmentally sensitive lands which extend into adjacent counties and municipalities. 9J-5.013(2)(c)(8)

**Policy CON2-WR4.7**

At a minimum, Environmentally Sensitive Areas shall contain one or more of the following natural resources:

- a) Rare, Threatened or endangered wildlife and/or vegetation, e.g., wildlife; vegetation. A complete list is defined by the U.S. Fish and Wildlife Service, FFWCC, the East Central Florida Regional Planning Council and other applicable regulatory agencies;
- b) Rare and unique upland habitat that support endangered or threatened species;
- c) Wetlands;
- d) Special geologic formations;
- e) Artifacts of archaeological or historic significance;
- f) Within public water supply system wellfield cone(s) of influence;

- g) Within floodways and areas subject to flooding.

### **OBJECTIVE CON2-WR5**

To eliminate any net loss of wetlands and prevent the functional values of such wetlands to be degraded as a result of land development decisions.

9J-5.013(2)(b)(3, 4)

#### **Policy CON2-WR5.1**

Wetlands shall be preserved wherever possible. In cases where adverse impacts to such wetlands are found by the City to be the necessary to the overriding public interest, appropriate mitigation shall be required by appropriate permitting agency prior to land use or development approvals.

9J-5.013(2)(c)(1,3,5,6,8 &9)

#### **Policy CON2-WR5.2**

Isolated wetlands which are shown to be significantly degraded, or cover small areas (less 1/3 an acre), may be modified while allowing no net loss of wetlands.

#### **Policy CON2-WR5.3**

Wetland buffers and setbacks shall be required landward of all protected wetlands.

- a. Buffers for the protection of wetlands shall be determined on an individual basis with standards and formulas derived for the following criteria, at minimum: existing soil erodibility; cover and type of vegetation; slope; water table depths; water quality; wildlife; and the protective status of the receiving waters. Buffers shall consist of intact natural communities comprised predominantly of appropriate native vegetative species in the overstory, shrub, and understory layers. Activities within wetland buffers shall be limited to those which are shown to be consistent with the intended use of this zone while providing for reasonable access to water bodies.
- b. Proposed activities adjacent to wetlands shall afford setbacks and natural buffers measured from the upland/wetland interface, as determined by utilizing appropriate State wetland determination methodology. Upland buffers shall be no less than 25 feet.
- c. In cases where the alteration of the wetland buffers is determined to be unavoidable, appropriate mitigation shall be required. 9J-5.013(2)(c)(1,3,6,8&9)

#### **Policy CON2-WR5.4**

If, by restriction of attainment of reasonable use through the City's land development regulations, it is determined by the City that wetland alteration is unavoidable, mitigation proposals shall be considered, which should include restoration of existing degraded or converted wetlands, or creation of new wetland habitat. Such mitigation activities shall replace like land habitat and

function, and shall not result in a net loss of wetlands. Preservation of upland habitat may be considered in certain instances if deemed appropriate but shall not result in a net loss of wetlands. In no case shall mitigation activities degrade environmentally sensitive upland habitat. 9J-5.013(2)(c)(5,6)

**Policy CON2-WR5.5**

The City shall consider the purchase of mitigation credits from various basin appropriate wetland mitigation banks as a suitable method of mitigating unavoidable wetland impacts. 9J-5.013(2)(c)(8)

**OBJECTIVE CON2-WR6**

To protect habitats of wildlife species occurring in the City, particularly those which are threatened, endangered, or of special concern, to maintain, and enhance where necessary, existing species population numbers and distributions, and consistent with State and Federal law.

9J-5.013(2)(b)(4)

**Policy CON2-WR6.1**

The City shall monitor and inventory wildlife species, including state and federally listed species utilizing information from various sources, which utilize habitat within the City. This information shall be used in concert with ecological community data to help determine type and occurrence of environmentally sensitive wildlife habitat. This information shall be updated periodically and used to review projects which may impact environmentally sensitive habitat. The City will comply with state and Federal regulations for the protection of endangered species.

9J-5.013(2)(c)(9)

**Policy CON2-WR6.2**

Land development proposals shall be required to protect ecologically viable habitats and prepare a suitable alternative management plan when state or federally listed vegetative and wildlife species occur within project boundaries.

9J-5.013(2)(c)(6)

**Policy CON2-WR6.3**

Where financially feasible, the City shall protect critical habitat through acquisition, establishment of public or private conservation easements, purchase of development rights, or through other available means as deemed appropriate.

9J-5.013(2)(c)(7)

**Policy CON2-WR6.4**

The City shall utilize federal and state management guidelines for particular endangered species in reviewing land development proposals. 9J-5.013(2)(c)(6)

**Policy CON2-WR6.5**

Concurrent with the revision of the City's Land Development Regulations, the City will adopt an ordinance to manage development, to, if appropriate, require on-site protection of habitat, or require the ~~and~~ managed relocation of species, which are listed and identified as Endangered,

Threatened, or Species of Special Concern. Protection and relocation measures will be based on guidelines/requirements from appropriate State and Federal agencies and on local conditions.

## **AIR QUALITY**

### **GOAL CON3**

To ensure the highest quality of life, maintain and improve air quality and facilitate carbon/green house gas sequestration, for the protection of the natural environment and the health, safety, and welfare of the citizens of the City of Deltona. 9J-5.013(2)(b)(1)

#### **OBJECTIVE CON3-AQ1**

To maintain or exceed current levels of air quality exceeding minimum acceptable air quality standards as established by EPA and FDEP.

9J-5.013(2)(b)(1)

##### **Policy CON3-AQ1.1**

As specified in the Transportation, and Capital Improvements Elements, the City of Deltona shall encourage alternative modes of transportation by, at minimum: encourage mass transit system, establish a City-wide car pooling information network, promoting the use of bicycles by requiring bike facilities, requiring improved pedestrian sidewalks on and off site, building and/or constructing vehicle parking bays and passenger shelters to accommodate buses and ride-shares. 9J-5.013(2)(c)(8)

##### **Policy CON3-AQ1.2**

The City of Deltona should work with the Department of Environmental Protection and Volusia County so that if deemed appropriate, the Department of Environmental Protection/Volusia County can develop an air quality database, monitoring, and assessment system with information regarding primary air pollutants as well as volatile organic compounds to determine ambient air quality. 9J-5.013(2)(c)(8)

##### **Policy CON3-AQ1.3**

Businesses which request development orders shall be required to install all appropriate pollution control devices and practices, and demonstrate that all necessary air quality permits have been approved prior to occupancy. 9J-5.013(2)(c)(8)

##### **Policy CON3-AQ1.4**

Industrial or other facilities which emit air pollutants shall be sited to avoid detrimental impacts to schools (grades K-12), nursing homes, residential neighborhoods and highly urbanized centers. 9J-5.013(2)(c)(8)

##### **Policy CON3-AQ1.5**

Newly developed industrial parks, industrial subdivisions, public and private utilities, and arterial roads shall, where appropriate, have a vegetation buffer between them and other land use types. This buffer shall include a mix of both taller overstory trees and shrubs (scrub, bushes, etc.).

9J-5.013(2)(c)(8)

**OBJECTIVE CON3 –AQ2**

To reduce energy consumption and reduce green house gas emissions, by encouraging efficient building construction and community design.

**Policy CON3-AQ2.1**

As illustrated by the Future Land Use Element, the City shall encourage compact urban land use patterns through the allowance of mixed use development formats, or other methods as deemed appropriate, with the intent of minimizing VMT.

**Policy CON3-AQ2.2**

The City shall maintain land development regulations that require energy efficient standards that at a minimum, comply with applicable LEED standards:

- a. Provide incentives for energy efficient building projects and development;
- b. Establish educational oriented activities regarding energy efficient design and development techniques;
- c. Take precedence over conflicting covenants and other instruments, and;
- d. Require City projects to comply with applicable green building standards such as LEED certification.

**MINERAL EXTRACTION/SOIL**

**GOAL CON4**

Ensure that mineral and soil resources are protected and utilized in a sustainable manner.

**OBJECTIVE CON4- ME1**

To minimize the impacts of mineral extraction activities on natural systems, while allowing appropriate utilization of the mineral resources. 9J-5.013(2)(b)(3)

**Policy CON4-ME1.1**

Proposed mineral extraction activities shall minimize impacts to environmentally sensitive lands and critical habitats. In cases where adverse alterations of such lands are unavoidable, appropriate mitigation shall be required. 9J-5.013(2)(c)(2)

**Policy CON4-ME1.2**

The City shall maintain standards for reclamation of excavation sites so as to resemble a natural system to the greatest extent feasible, including, at minimum:

- a. creation of sinuous shorelines;

- b. bank gradients properly sloped to establish planted littoral shelves with appropriate submerged and emergent vegetation;
- c. fish stocking, if warranted;
- d. ambient water quality testing;
- e. completion of the reclamation plans;
- f. compliance with standards established for artificial lakes by the SJRWMD and other appropriate agencies.

9J-5.013(2)(c)(2)

**Policy CON4-ME1.3**

To incorporate the inherent limitation of existing soils in land planning and development, and minimize impacts which result in soil erosion.

9J-5.013(2)(b)(2)

**Policy CON4-ME1.4**

Prior to any land disturbance, development activities shall indicate on a site plan areas of highly erodible soils, as defined by the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) or the Florida Department of Agriculture, and take adequate measures to ensure that soil erosion is avoided, including utilization of all appropriate Best Management Practices.

9J-5.013(2)(c)(6)

**Policy CON4-ME1.5**

Building construction in soils which are determined to be hydric in character, as defined by the NRCS and the Florida Department of Agriculture, shall be regulated to the extent that proposed construction activities will not adversely impact the natural physical and biological functions of protected resources without appropriate mitigation.

9J-5.013(2)(c)(6)

**Policy CON4-ME1.6**

Silvicultural and agricultural activities shall utilize the most current Best Management Practices to prevent soil erosion and subsequent siltation of surface water bodies.

9J-5.013(2)(c)(6)