

Chapter VI
CONSERVATION ELEMENT-2017
GOALS, OBJECTIVES AND POLICIES

INTRODUCTION

This chapter stipulates goals, objectives, and policies for the Conservation Element pursuant to F.S. §-163.3177(6)(d), and [the Community Planning Act \(2011\) F.S. §-163.3161 et. seq §-9J-5.013\(2\), FAC](#). The purpose of this element is to promote the conservation, use and protection of natural resources.

GOALS, OBJECTIVES AND POLICIES

Goal 1 Conserve, protect, and manage Ponce Inlet's natural resources to ensure the conservation of ecosystems by maintaining and enhancing native habitats, floral and faunal species diversity, water quality, air quality and natural surface water characteristics.

Objective 1.1 Maintain protect and enhance the current acreage of Saltmarsh, Mangrove Swamp and other wetland habitats located within Ponce Inlet and the floodplains associated with those wetlands, [as well as the scrub habitats found within the Town's passive parks, including Ponce Preserve and the Timucuan Oaks Botanical Gardens.](#)

Policy 1.1.1 Undisturbed segments of floodplains associated with the Halifax River and other surface water bodies shall continue to be protected through public acquisition, land use controls, conservation easements or other methods considered appropriate by the [Town](#).

Policy 1.1.2 Proposed development and structures located within the 100-year floodplain shall utilize building methods and assess impacts to the floodplain areas as provided in land development regulations including but not limited to minimum standards for finished floor elevations. Fill material required for construction or other impervious surfaces shall 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.

Policy 1.1.3 The [Town](#) shall continue to preserve wetland areas as required by its LUDC regulations and management techniques that include, but are not limited to: clustering of dwelling units, mitigation, purchase of development rights, and conservation easements. The [Town](#) shall cooperate with the county and state entities to purchase wetland habitat and the associated upland areas where possible.

Policy 1.1.4 Monitor development in wetland areas to ensure that applicable local, state and federal wetland preservation requirements are strictly enforced.

Policy 1.1.5 Wetlands shall be preserved wherever possible. In cases where adverse impacts to such wetlands are determined to be necessary or unavoidable by the [Town](#) due to overriding public interest, appropriate mitigation shall be required. Mitigation proposals shall be considered, which include but are not

42 limited to restoration of existing degraded or converted wetlands, or creation of
43 new wetland habitat. In no case shall mitigation activities degrade critical upland
44 habitat. Wetland mitigation shall be required at either a ratio of not less than four
45 to one or at a ratio that is included in a mitigation plan approved by a federal,
46 state, or regional agency that is acceptable to the †Town.

47 *Policy 1.1.6* The dwelling unit density standard for wetlands in determining
48 overall residential densities for the purposes of clustering dwellings away from
49 wetlands shall be one dwelling unit per 20 acres of wetland.

50 *Policy 1.1.7* Permitted uses in wetland areas that are designated as "conservation"
51 on the Future Land Use Map shall be restricted to environmental preservation;
52 passive recreation; surface water management; minor utilities; and installations
53 primarily for transmission, enhancement and restoration. Single-family dwellings
54 may be permitted on lands designated as conservation on the Future Land Use
55 Map, provided that development be sited to minimize impacts to wetlands to the
56 maximum extent possible.

57 *Policy 1.1.8* Public and private developments that produce unavoidable damage to
58 wetland shall implement wetland restoration and mitigation programs.

59 *Policy 1.1.9* Proposed activities adjacent to wetlands shall include natural buffers
60 measured from the upland/wetland interface. In cases where the alteration of the
61 natural buffer is determined to be unavoidable, appropriate mitigation shall be
62 required.

63 Objective 1.2 Preserve intact a minimum of 15 percent of the existing acreage of
64 coastal strand vegetative community within the †Town limits.

65 *Policy 1.2.1* Encourage property owners to preserve on-site coastal strand
66 vegetation and promote a pattern of interconnected coastal strand vegetation
67 preserves among adjacent development projects through the use of informal
68 negotiations with developers/owners, dedication of environmental easements,
69 clustering of dwelling units, use of vegetative buffer requirements, or other
70 techniques considered appropriate by the †Town. The †Town shall cooperate with
71 the county and state entities to purchase interconnected coastal strand
72 communities where possible.

73 Objective 1.3 No use or development shall be permitted that will degrade the quality
74 of surface waters in and around the †Town.

75 *Policy 1.3.1* The †Town shall ensure the preservation of natural upland vegetative
76 buffers adjacent to wetland areas and surface water bodies whenever possible.
77 Natural shoreline buffers or setbacks shall be enforced, the extent of which will
78 depend on, at minimum: existing soils; cover and type of vegetation; topography;
79 and wildlife habitat.

80 *Policy 1.3.2* In order to minimize the discharge of sediments and other pollutants
81 into surface waters during construction phases, the town shall require all
82 developers to utilize "best management practices" (BMP's) through the continued

83 regulations of the Land Use and Development Code, and compliance with Florida
84 water standards found in Chapter 17-3, Florida Administrative Code.

85 | *Policy 1.3.3* The ~~the~~Town shall require marina owners to comply with all applicable
86 federal, state, regional and local pollution control regulations.

87 Objective 1.4 Maintain the existing characteristics of the groundwater aquifer,
88 particularly with regard to its quantity and quality.

89 | *Policy 1.4.1* The ~~the~~Town shall continue to require new development to retain
90 stormwater runoff on-site for eventual percolation into the groundwater aquifer.

91 *Policy 1.4.2* Promote preservation and replanting of natural vegetation in all
92 development projects in an effort to curb the use of non-native, poorly adapted
93 vegetation which requires excessive irrigation.

94 *Policy 1.4.3* Continue to prohibit the use of on-site sewage disposal systems which
95 have the potential, if over concentrated or not properly maintained, to pollute the
96 groundwater aquifer.

97 Objective 1.5 Cooperate with Volusia County effort to maintain a comprehensive and
98 continuing estuarine water quality sampling and monitoring program and establish
99 water quality base line conditions. Identify standards as parameters to measure water
100 quality changes in order to detect possible water quality problems and to determine
101 where corrective action is needed.

102 *Policy 1.5.1* The information generated by the county's sampling and monitoring
103 program shall be used to identify potential point and non-point source water
104 quality problems in order to determine where corrective action is needed.

105 | Objective 1.6 The ~~the~~Town shall ensure that development and redevelopment will not
106 adversely impact the natural functions of surface water bodies, floodplains, wildlife,
107 marine habitats, fisheries, other living marine resources and wetlands including
108 estuarine marshes.

109 *Policy 1.6.1* Stormwater runoff (both before and after development) shall be
110 treated to remove sediments and other pollutants prior to discharge into natural
111 surface water bodies.

112 | *Policy 1.6.2* The ~~the~~Town shall coordinate with Volusia County and St. Johns River
113 Water Management District (SJRWMD) to ensure that withdrawals from or
114 discharges to the Halifax River do not adversely impact water dependent
115 ecosystems and aquatic habitats.

116 *Policy 1.6.3* Activities within the Halifax River that will adversely impact
117 seagrass beds and other valuable submerged aquatic vegetation shall be
118 prohibited, unless an overriding public benefit can be shown and adequate
119 mitigation and monitoring measures are included. The criteria applicable in the
120 implementation of this policy shall include, but are not limited to, the following:

- 121 A. Grassbeds and other submerged habitat deemed valuable by the
122 Florida Department of Environmental Protection (FDEP) and the
123 Florida Department of Natural Resources (FDNR) shall be subject to
124 protection regardless of their size.
- 125 B. Proposed activities in an estuarine basin where public interest
126 benefits could be considered to justify alterations or adverse impacts
127 shall, at a minimum, meet one or more of the following criteria:
- 128 1. The activity is necessary to prevent or eliminate a public hazard;
129 and
- 130 2. The activity would provide direct public benefits which would
131 exceed those lost to the public.
- 132 C. Unavoidable impacts to grassbeds and other valuable submerged
133 habitat may be mitigated through any means which will result in no
134 net loss of grassbeds or other estuarine habitat. The method utilized
135 (transplant, creation, etc.) will be determined in conjunction with the
136 U.S. Fish and Wildlife Service (USFWS), FDNR and FDEP. The ratio
137 for mitigation shall be no less than 2:1.
- 138 D. Mitigation shall take place within the limits of an area stipulated by
139 FDNR.
- 140 E. If seagrass mitigation is determined by FDEP, FDNR and USFWS not
141 to be feasible other types of wetland vegetation may be substituted if
142 deemed appropriate by FDEP, FDNR and USFWS.

143 Objective 1.7 Maintain a water conservation program which targets reductions of per
144 capita water use. Consideration shall be given to using pricing, regulatory measures,
145 and other means available to the [Town](#).

146 *Policy 1.7.1* Non-potable water use demands shall be met using water of the
147 lowest quality supply which is both available and acceptable for the intended
148 application.

149 *Policy 1.7.2* Promote preservation and replanting of natural vegetation in all
150 development projects in an effort to curb the use of non-native, poorly adapted
151 vegetation which requires excessive irrigation.

152 *Policy 1.7.3* The [Town](#) shall require the use of water-conserving plumbing
153 fixtures.

154 *Policy 1.7.4* Cooperate with the ~~St. Johns River Water Management District~~
155 [SJRWMD](#) to ensure strict adherence to the district's water conservation plan and
156 emergency water conservation rules.

157 *Policy 1.7.5* Promote water conservation through waterwise irrigation practices
158 and the application of Florida-friendly landscape practices.

159 | *Policy 1.7.6* The ~~the~~Town may consider amending the ~~the~~Town's building code to
160 | require low volume plumbing fixtures, including low-flush fixtures, as a potable
161 | water conservation tool for all new development.

162 | Objective 1.8 Air quality in the ~~the~~Town shall meet or exceed the minimum air quality
163 | standards adopted by the FDEP.

164 | *Policy 1.8.1* Coordinate with the FDEP in monitoring ambient air quality within
165 | the ~~the~~Town.

166 | *Policy 1.8.2* Achieve minimum air quality standards by implementing an air
167 | quality improvement program within one year of notification by FDEP that
168 | minimum established air quality standards are not being met.

169 | Objective 1.9: Protect and conserve area resources by promoting energy efficiency and
170 | the use of renewable energy resources.

171 | *Policy 1.9.1:* Encourage the production and use of energy generated from renewable
172 | resources (e.g. solar and wind).

173 | *Policy 1.9.2:* Encourage installation of renewable energy systems ~~that are~~
174 | ~~coherensivet~~ with the community character by homeowners and businesses.

175 | *Policy 1.9.3:* Maximize natural areas and assets and incorporate Florida Friendly
176 | landscaping into development projects to reduce energy and water consumption.

177 | *Policy 1.9.4:* Create, protect and manage systems of “green infrastructure” (i.e.,
178 | urban forests, parks and open spaces, green roofs, natural drainage systems).

179 | *Policy 1.9.5:* Protect and enhance green spaces to provide natural carbon sinks in
180 | soils ~~and~~ vegetation to mitigate carbon emissions.

181 | *Policy 1.9.6:* Encourage site design techniques that make use of natural
182 | vegetations, parks and open spaces, and natural drainage systems rather than
183 | relying solely on engineered systems that require higher energy and carbon inputs.

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