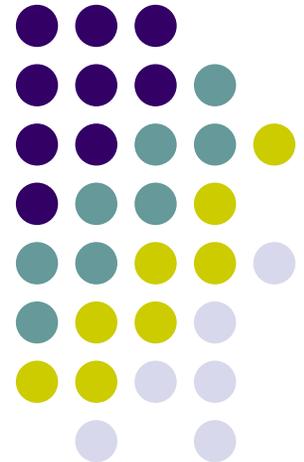


# *Land Conservation Tools*

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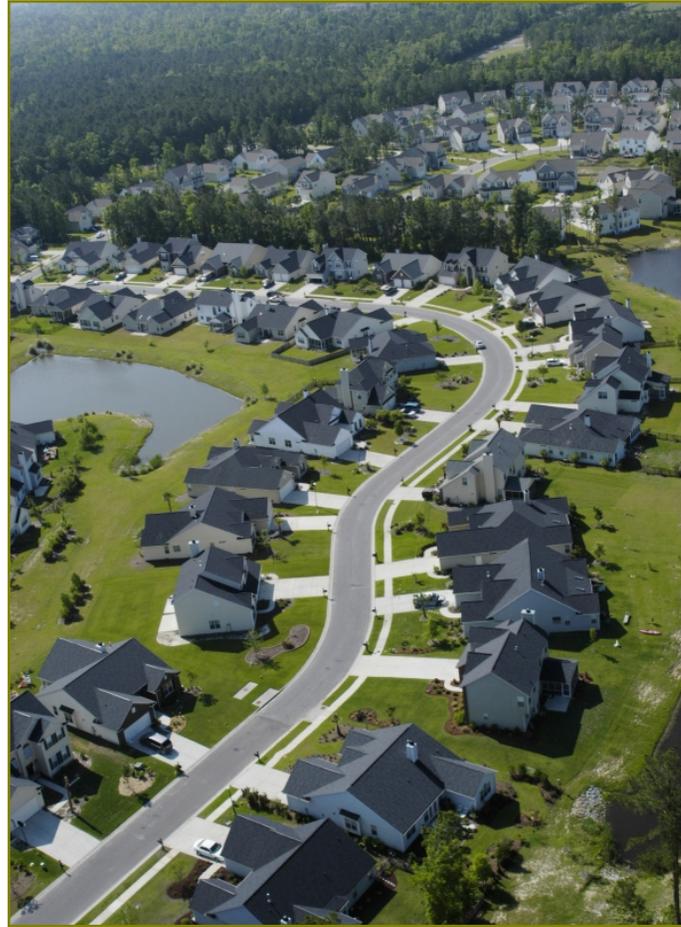
*December 6, 2006*

*Secretary Colleen M. Castille,  
Florida Department of Environmental Protection &  
Executive Director Carol Ann Wehle,  
South Florida Water Management District*



# *Land Conservation Tools*

- Tools available to the State and Local Governments
- General tools
- Florida Specific tools





## *General Tools*

- Comprehensive Land Use Planning
- Transfer of Development Rights
- Land Acquisition
- Donated Conservation Easements
- Purchase Development Rights
- Cluster Development

# *Comprehensive Land Use Planning*



- The comprehensive plan sets the framework for the appropriate land conservation tools
- The comprehensive plan defines the method and approach for the use of the appropriate land conservation tool



# *Comprehensive Land Use Planning*

*(continued)*



- Each of these land protection and conservation tools should be considered by local governments
- It may be necessary to amend an existing plan to determine an areas unique needs and apply the most appropriate land conservation tools for the situation
- Identified land protection tools will need implementing regulations to carry out the goals of the plan

# *Transfer of Development Rights (TDR)*



- Enabled by local ordinance to create sending and receiving areas
- Landowners in the sending areas receive development rights credits in exchange for not developing their land
- Development rights can be purchased and used to increase densities in receiving areas



# *Land Acquisition*

- Used where willing sellers want to conserve their land by selling or donating it outright to a public agency or land conservation organization



# *Donated Conservation Easements*



- Voluntary agreements between a landowner and a land trust or local government agency that allows landowners to limit or prohibit development.
- Conservation easement run with the title so future land owners are bound by the agreement

# *Purchased Development Rights*



- Voluntary agreements that allow owners to sell the right to develop their property to local, state or non-profits
- Conservation easement is placed on the land
- Agreement is recorded and permanently limits the future use of the land to agriculture, forestry or other open space uses

# *Cluster Development*



- Typically aimed at preserving open space, protecting important habitat and preserving agricultural land
- Grouping of a particular development's structures on a portion of available land, reserving a significant amount of the site as protected open space
- Requires local government to establish specific ordinances to guide development

# *Florida Specific Tools*

- Established in Florida Statutes
- Rural Land Stewardship Areas
- Optional Sector Plan



# *Rural Land Stewardship Areas (RLSA)*



- Authorized under Section 163.3177 (11)(d), F.S.
- For *County* land use planning programs to direct development to suitable locations within rural areas to sustain rural areas, maintain the economic value of rural areas and to protect valuable ecosystem and habitat areas



# *Rural Land Stewardship Areas*

*(continued)*



- The state may authorize local governments to designate all or portions of land classified in the Future Land Use Element (FLUE) as:  
*predominately agriculture, rural, open, open-rural, or an equivalent land use, such as a rural land stewardship area*  
to which economic incentives are applied to encourage the implementation of planning and development strategies and creative land use planning techniques.

# *Optional Sector Plan Process*



- Authorized under Section 163.3245, F.S.
- Allows the state to approve of up to five local governments to adopt an optional sector plan (only three have been approved)
- Purpose is to support innovative and flexible planning and development strategies to address the continued urbanization of coastal and other environmentally sensitive areas

# *Optional Sector Plan Process* (continued)



- Sector plans are intended for areas including at least 5,000 acres and to emphasize urban form and protection of regionally significant resources and facilities
- Sectors plans combine the comprehensive plan and DRI requirements into one process

# *Linking Land Use and Water Supply*



Chapter 163, F.S.,  
*Florida's Pay-As-You-  
Grow Plan*, requires local  
governments to  
identify adequate water  
supplies to support  
new growth





## *Water Management District must:*

- Verify that adequate water is available to support new growth
- Provide input to Department of Community Affairs on each comprehensive plan amendment



# *Regional Water Availability Rule Development*



- Authorize continued use of Everglades water at levels existing as of April 2006 within Miami-Dade, Broward and Palm Beach Counties urban service areas
- Authorize increased use of Everglades water:
  - *On temporary basis while alternative supplies are developed based on specific schedule & milestones in permit*
  - *When additional regional system water is certified as available from CERP/A8 project*
  - *During wet conditions when water is not needed for Everglades restoration – seasonal permits*

# *Questions?*



**Secretary Colleen M. Castille**

*Florida Department of Environmental Protection*

**Executive Director Carol Ann Wehle**

*South Florida Water Management District*