

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
CHAPTER ONE**

INTRODUCTION

The City of Fellsmere adopted its first Comprehensive Plan in 1989. A major plan update was adopted in 2003 in response to major annexations that occurred at the end of the 1990's. Because the 2003 major update included a new timeline for the plan, through 2020, and addressed the major issues facing the community at the time, it shall serve as the base year of this evaluation. In other words, this Evaluation and Appraisal Report (EAR) of the City of Fellsmere's Comprehensive Plan (the Plan) shall cover the period from 2003 through December 31, 2009.

Of special note for this EAR, the City embarked upon a Plan amendment in 2008 called the Villages of Fellsmere. The amendment sought to address the eventual transition of the more than 18,000 acres of agricultural lands annexed into the City in 2007 by Fellsmere Joint Venture (FJV), also known as Fellsmere Farms. The amendment created and assigned a new land use category to the FJV property known as the Villages of Fellsmere (VOF). The VOF mandated development of mixed use urban villages surrounded by countryside. Found in noncompliance by the Department of Community Affairs (DCA), a Stipulated Settlement Agreement (SSA) was executed by all parties in early 2010. The SSA acknowledged changes to the original VOF to eventually allow a finding of compliance and an extension of the planning timeframe of the City from 2020 to 2035.

Although the SSA was executed after 2009, the substantive content was negotiated prior to 2009 and is based on data and analysis prior to 2009 as well. In addition, the plan amendment required to be implemented by the SSA (i.e., to extend the planning timeframe to 2035 and to adopt the amended VOF) will be adopted and found in compliance prior to the development of EAR-based amendments emanating from this EAR. Consequently, the planning timeframe acknowledged in the SSA and the data and analysis being prepared for the 2035 Plan update will also form the basis of this EAR. Throughout the EAR, references will be made to the 2035 Plan update as certain findings emanating from the EAR will be addressed as part of the 2035 Plan update in lieu of EAR-based amendments.

Purpose

The Local Growth Management Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II of the Florida Statutes, requires local governments to evaluate and assess the overall performance of their Comprehensive Plans at least every seven years. As set forth therein, the purpose of the EAR is to:

- Identify major issues (current and future) for the City;
- Assess how the Comprehensive Plan has guided growth and development since its previous review;
- Identify and evaluate changing conditions and trends as they relate to the major issues identified;
- Assess both successes and shortcomings of the plan; and
- Identify changes to the Plan to effectively manage growth and impacts.

This assessment will also allow the City to amend the Comprehensive to meet current statutory requirements. Amendments to the City of Fellsmere's Comprehensive Plan recommended within this report are required to be completed within eighteen months of adoption – in this case, by December 2011.

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Public Participation Process [F.S. 163.3191(2)(j)]

Public participation in the evaluation and appraisal of the Comprehensive Plan is required by the City of Fellsmere Comprehensive Plan Policy ICE B-1.2 and further reinforced by the State of Florida through Florida Statute 163.3191. The process undertaken during the development of this report was consistent with the above noted requirements and is summarized below.

A list of major issues facing the community was developed first. Initially, the identification of issues was conducted internally with City Staff and a preliminary list was prepared. The list was supplemented based upon input obtained through coordination with adjacent local governments, Indian River County, and various State and Regional agencies. Informal coordination (individual meetings, telephone calls, emails, etc.) was conducted in lieu of a formal scoping meeting. On March 17, 2010, a workshop with the Local Planning Agency (LPA) and public was held, and based on the discussions, the preliminary list was revised and prioritized. On March 18th, the preliminary list was presented to the City Council where they endorsed the list prepared by the LPA with minor revisions. Public comments were sought at both public meeting on the list of Major Issues.

The list of major issues along with the proposed scope of the EAR was transmitted to the Florida Department of Community Affairs (DCA) on March 29, 2010. On May 13th, DCA responded by requesting that additional issues be considered for inclusion in the EAR. Appendix A contains the City's initial list of major issues facing the community and proposed scope of service; DCA's request to the City for additional scope items; and finally, the City's response to DCA's request. A summary of the additional scope items requested by the DCA is provided on page 1-6.

The City Council also determined at the Major Issues workshop that the public participation process required by Florida Statute and the City of Fellsmere Comprehensive Plan was adequate for this evaluation as enhanced by the addition of two additional EAR development workshops as summarized in Table 1.1. As part of the public involvement process for the EAR, the City also created a webpage devoted to the Evaluation and Appraisal Report. The webpage included work products as they were developed as well as information on meeting dates to participate in the process.

A draft EAR was available through the City's website for review by the public for the workshops and public hearings. The Local Planning Agency recommended the draft EAR for consideration by the City Council at a duly advertised public hearing on June 2, 2010. In accordance with the City of Fellsmere's Comprehensive Plan, two public hearings were conducted with the City Council as part of the EAR adoption. The City Council adopted the EAR at second of two duly advertised public hearings on June 24, 2010. Table 1.1 presents the EAR development and adoptions timeline.

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Table 1.1: Review and Adoption Schedule for the 2010 Evaluation and Appraisal Report

END DATE	MILESTONE
February 17, 2010	Interdepartmental Meeting to Identify and Discuss Issues
March 17, 2010	Workshop on List of Major Issues with Public
March 17, 2010	Workshop on List of Major Issues with Planning Board
March 18, 2010	Workshop and Adoption of List of Major Issues with Elected Officials
March 29, 2010	Transmit Major Issues and EAR Scope to DCA
April 21, 2010	EAR Development Workshop with LPA and Public
May 6, 2010	EAR Development Workshop with City Council and Public
May 13, 2010	Receive DCA Request for Additional EAR Scope Items
May 13, 2010	Finalize first draft of EAR
May 19, 2010	Joint EAR Workshop with City Council, LPA and Public
May 19, 2010	Incorporate DCA response to Scope and Major Issues into EAR
June 2, 2010	LPA Hearing on EAR
June 3, 2010	Local Government 1ST ADOPTION Public Hearing
June 24, 2010	Local Government 2ND ADOPTION Public Hearing
June 28, 2010	Transmit Adopted EAR
August 28, 2010	Agency Sufficiency Review
September 2010	Begin EAR-Based Amendments
December 2011	End Ear-Based Amendments

Scope of Work

The following outlines the required content of an Evaluation and Appraisal Report according to Chapter 163 of the Florida Statutes:

- (a) Population growth and changes in land area since the adoption of the original plan or the most recent update amendments. **[Please refer to page 2-1]**
- (b) The extent of vacant and developable land. **[Please refer to page 2-9]**
- (c) The financial feasibility of implementing the Comprehensive Plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities. **[Please refer to page 2-10]**
- (d) Location of development as anticipated in the original plan, or in the plan as amended by the most recent evaluation and appraisal report update amendments, such as within areas designated for urban growth. **[Please refer to page 2-21]**
- (e) An identification of the major issues for the City and, where pertinent, the potential social, economic, and environmental impacts. **[Please refer to Chapter 3]**
- (f) Relevant changes to the state comprehensive plan, the requirements of this part, the minimum criteria contained in chapter 9J-5, Florida Administrative Code, and the appropriate strategic regional policy plan since the adoption of the original plan or the most recent evaluation and appraisal report update amendments. **[Please refer to Appendix C]**
- (g) An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved. The report shall include, as appropriate, identification as to whether unforeseen or unanticipated changes in circumstances have resulted in problems or opportunities with respect to major issues identified in each element and the social, economic, and environmental impacts of the issue. **[Please refer to Chapter 3]**

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- (h) A brief assessment of successes and shortcomings related to each element of the plan including a brief overview of each element. **[Please refer to Chapter 3 & Appendix D]**
- (i) The identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections, new revised planning timeframes, a revised future conditions map or map series, an updated capital improvements element, and any new and revised goals, objectives, and policies for major issues identified within each element. This paragraph shall not require the submittal of the plan amendments with the evaluation and appraisal report. **[Please refer to Chapter 4]**
- (j) A summary of the public participation program and activities undertaken by the County in preparing the report. **[Please refer to page 1-1]**
- (k) The coordination of the comprehensive plan with existing public schools. **[Please refer to page 2-22]**
- (l) The extent to which the City has been coordinating water supply planning with land successful in identifying alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in s.73.0361(2)(a) within the City's jurisdiction. The report will evaluate the degree to which the City has implemented the work plan for building public, private, and regional water supply facilities, including the development of alternative water supplies identified in the element as necessary to serve existing and new development. **[Please refer to page 2-24]**
- (p) An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties. **[Please refer to page 2-25]**

Please note that the following sections of 163.3191 are not applicable to the Evaluation and Appraisal Report of the City of Fellsmere Comprehensive Plan: (m) regarding coastal high hazard areas; (n) regarding compatibility with military stations and (o) regarding concurrency exception areas, concurrency management areas, or multimodal transportation districts. The City is not a coastal community, does not have any military stations, and does not have concurrency exception areas, concurrency management areas, or multimodal transportation districts.

LOCAL ISSUES IDENTIFIED

As required by Florida Statute 163.3191, the City of Fellsmere identified the following local issues:

Maintain Historic Character of the Historic City. The City of Fellsmere, originally platted in 1911, has developed over the years with a classic small town character. The City is anchored by a town square in which prominently sits the historic school – now converted to the Town Hall. The cross roads at the town square (CR 512 and Broadway) serve as the center of town and contain the historic business center and numerous historic structures. Within walking distance of the town square lie residential neighborhoods laid out on a dense street grid. Pocket parks and recreational facilities are interspersed throughout the City allowing residents easy access to ample open space. These characteristics were lost in America for many decades and are now

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sought after in new neo-traditional developments and have been found to reduce dependence on vehicular travel and thus reduce green house gas emissions and energy requirements. As the City continues to develop outward from the city center, maintaining the historic character is paramount. The EAR will evaluate whether current Plan policies will ensure the continued character and viability of the historic city center is maintained.

Complete Streets (Street lighting, Sidewalks, Paved streets). Within the City, only nine out of the thirty-six miles of local streets are paved, and virtually none provide street lights while only a small fraction contain sidewalks. The City feels the quality of life of its residents would be improved if the roads were designed as completed streets. Complete streets provide safe and secure means of travel and accommodate all modes of travel. Although the scale of the city-center is indeed walkable, without complete streets, walkability is reduced. As new development occurs within the City, complete streets will be even more important to ensure that the strong foundation that exists within the historic city-center continues throughout the City. The EAR will evaluate whether Plan policies are sufficient to ensure that all streets are designed and constructed as complete streets.

Expanded Bus Service. Currently, the income level of households within the City is skewed toward the lower ranges. Access to automobiles is not often available. Transit service is therefore important for many residents to carry out their daily chores. Unfortunately, given the limited resources of the transit provider and given the small number of riders in Fellsmere, as compared to the County as a whole, transit service is limited. To provide expanded opportunities for our residents to access employment outside of the City, transit service to eastern urbanized areas of the County has been initiated. As mentioned though, service frequency is limited. The EAR will evaluate, through existing data and analysis prepared by the transit provider, what level of enhanced transit in Fellsmere is feasible and what resources would be required to implement such enhanced service.

Codes to Meet Vision. As the City continues to grow, a strong desire exist to ensure that such growth will not result in the same standard nondescript, commonplace look that can be found anywhere in the Treasure Coast. During the evaluation period the City conducted a number of visioning exercises, the most notable being the Sustainable Design Assessment; Your Town: A Citizen Institute on Rural Design; the expansion of the Community Redevelopment Area; and the development of the Villages of Fellsmere. The EAR will evaluate whether Plan policies adequately set forth a vision for Fellsmere and are sufficient to ensure that strip commercial will not eventually line CR 512 as it spans from the historic city center to Interstate 95 and that residential communities are not filled with cookie-cutter homes on gated and disconnected street networks.

Implement Central Sewer System. Except for new multifamily development and most commercial establishments on CR 512, the City is not served by a central sewer system. Existing single-family residential is still served by individual septic systems. The County has planned and accommodated adequate treatment capacity to serve the City's sanitary sewer needs; however, the City has yet to embark on an effort to connect existing single-family residences. Since a majority of the local streets are still unpaved, now is the time to consider a central system. The EAR will evaluate the general cost and potential funding sources of implementing a central sewer system as well as other non-cost considerations.

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Capitalize on our Conservation Opportunities. The City of Fellsmere is nearly surrounded by major conservation tracts of the State. To the west lies Blue Cypress Lake and the Blue Cypress Marsh. To the south lies the Blue Cypress Water Management Area. To the east lies the Sand Lakes Conservation Area and an ACOE mitigation bank. Meanwhile to the northeast lies the St. Sebastian River Preserve. The EAR will evaluate whether the Plan policies are sufficient to allow the City to capitalize on these resources for ecotourism, recreation, and other economic development opportunities.

Economic Development. Although times are tough for most Americans and many governments at all levels, the City of Fellsmere has always struggled economically. For years, the City has had a higher percentage of unemployment, low income households, and substandard housing than the region on average. Historically, and even today, the economy of Fellsmere is largely dependent upon agriculture. With global competition and the ever looming threat of pestilence, the City strongly desires economic diversification. To this end, the City has taken strong, bold action to position itself for economic success. Having recently annexed over 20,000 acres of vacant land and embarked on a number of economic development initiatives, the City is pro-actively seeking economic development. The EAR will evaluate whether the Plan policies are supportive of economic development and take advantage of available incentives.

STATE ISSUES IDENTIFIED

In response to the City's scope of services and list of major issues, the Department of Community Affairs requested the inclusion of additional issues for consideration as part of the EAR. These issues and the City's intended inclusion within the EAR are summarized below.

Recognize the need to update the Comprehensive Plan to the long-term planning timeframe of 2035 as established in the recently approved Stipulated Settlement Agreement for DCA#09-01 (fka#08-02) Villages of Fellsmere Comprehensive Plan Amendment.

The City, as part of this EAR, will present all data and analysis for a planning timeframe of 2035. The data and analysis will be consistent with the plan amendment currently being developed in response to the SSA for DCA#09-01. The 2035 Plan update will be adopted prior to and separate from any EAR-based amendments. Consequently, the City does not feel that the EAR should identify "specific policies in the comprehensive plan, as EAR-based amendments, that are necessary to update the plant to the 2035 planning time frame." By the time EAR-based amendments are processed, the Plan will already have been amended to a 2035 planning timeframe. The City agrees that the EAR should note in all applicable locations the SSA for DCA#09-01 and utilize consistent data between the two products. Where appropriate throughout the EAR, references will be made to the Comprehensive Plan amendment required as a result of the SSA for DCA#09-01 that is being prepared at this time.

Relevant Changes to Chapter 163, Florida Statutes

The City concurs with this request. The omission was simply an oversight in the original scope of work. The City will include this analysis along with the analysis of changes to the state comprehensive plan, Chapter 9J-5, Florida Administrative Code, and appropriate strategic regional policy plan that is found in Appendix C of the EAR.

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Joint Planning Areas and Annexation Boundary Map

The City currently has objectives and policies within their Comprehensive Plan addressing the need to consider joint planning areas and annexation boundaries. The City will evaluate these objectives and policies as well as the need for an annexation boundary map and joint planning areas as part of the required evaluation of the Plan. The City will consider whether amendments to these policies are required and whether EAR-based amendments should be considered to develop an annexation boundary map and joint planning areas. The evaluation of Plan policies is provided in Appendix D of the EAR. The evaluation of Plan objectives is provided in Chapter 3 as they relate to the major issues facing the community.

Provisions for Affordable Housing

The City of Fellsmere currently has an oversupply of affordable housing. The 2035 Plan update will address the affordable housing needs of the City through the planning timeframe. Since this issue will be addressed as part of the 2035 Plan update currently being developed and to be adopted prior to and separate from the EAR-base amendments, inclusion in the EAR as an EAR-based amendment would not be appropriate. The EAR will, however, contain data and analysis presenting the affordable housing needs of the City through the planning timeframe within Chapter 2. Where otherwise not addressed as part of the 2035 Plan update and to ensure continual planning for affordable housing, EAR-based amendments will consider the need for affordable housing on a continuing and ongoing basis.

Connectivity of Public Schools through Complete Streets

The City agrees to consider the need for improving connectivity to public school facilities as part of its analysis of complete streets as a major issue facing the community contained in Chapter 3.

Water Quality

The City of Fellsmere is required to address as part of the EAR the demands of growth on infrastructure. Stormwater, and thus stormwater quality, is a required infrastructure element. The EAR will evaluate the City's stormwater system for compliance with current rules and regulations. The City will also address pending changes in stormwater quality standards and their anticipated impact to the City. Ear-based amendments will be identified as appropriate to protect water quality in Indian River Lagoon and St. John's River Basins. In lieu of a major issue facing the community, the issue will instead be incorporated into the EAR as part of the public infrastructure analysis included in Chapter 2.